



**International Covenant on  
Civil and Political Rights**

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**Human Rights Committee**

**Fourth periodic report submitted by the Republic  
of Moldova under article 40 of the Covenant, due  
in 2024\*<sup>\*</sup>, \*\*<sup>\*\*</sup>, \*\*\*<sup>\*\*\*</sup>**

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\* The present document is being issued without formal editing.

\*\* The present document was submitted pursuant to the simplified reporting procedure. It contains the responses of the State Party to the Committee's list of issues prior to reporting (CCPR/C/MDA/QPR/4).

\*\*\* The endnotes are reproduced in the language of submission only.



## Replies to the list of issues prior to reporting (CCPR/C/MDA/QPR/4)

### A. General information

#### Reply to paragraph 1

1. With reference to the implementation of the Committee's previous concluding observations, we mention that the Republic of Moldova has a National Council for Human Rights National Council for Human Rights (NCHR)<sup>1</sup> which is an advisory body of the Government, established for the purpose of monitoring the implementation of the state policy in the field of human rights, as well as the international treaties in the field of human rights to which the Republic of Moldova is a party, as well as the monitoring of compliance with the assumed commitments.

2. The president of the NCHR is the Prime Minister. The position of vice-president is held by the Minister of Justice(MOJ) and the Minister of Foreign Affairs. Five members of the NCHR are selected among the representatives of non-commercial organizations based on a public competition organized by the National Council for Participation. Thus, NCHR has the following attributions:

- Submission to the Government of proposals aimed at ensuring the respect of human rights, as well as the implementation of international recommendations in this field;
- Monitoring the activity of competent public authorities and institutions in the areas of application of international treaties in the field of human rights to which the Republic of Moldova is a party;
- The creation, if necessary, of specialized commissions and expert groups in certain fields and the supervision of their activity;
- Approving the reports on the implementation of international treaties in the field of human rights to which the Republic of Moldova is a party and those presented in the framework of the universal periodic evaluation procedure in the field of human rights;
- Carrying out the control over the fulfilment by the concerned public authorities of the recommendations of the international mechanisms for the protection of human rights formulated for the Republic of Moldova.

3. In this vein, MOJ is coordinating the implementation of the CPPR, the Committee's Views/Recommendations and elaborates the reports based on the information furnished by all the authorities involved in the implementation of the Covenant.

#### Reply to paragraph 2

4. The Audiovisual Council (AC) approved the *Strategy for the Development of Audiovisual Media Services for the period 2023–2027* (Decision No.270 of August 12, 2022), a public policy document that includes planned actions regarding the respect for human rights and freedoms in the Republic of Moldova. The strategy identifies several strategic directions, for which actions and activities are defined and whose implementation is a priority in the next period. The established priorities mainly derive from the need to ensure the continuity of the reformation process started under the *National Media Development Concept of the Republic of Moldova*, approved through the Law No.67/2018. The strategy represents an alignment of the planned actions with the provisions of the European Union – Republic of Moldova Association Agreement, Title IV, Chapter 25 (Cooperation in the field of culture, audiovisual policy and mass media), according to European standards and international best practices.

5. At the beginning of 2023, the Law No.2/2023 came into effect, amending the regulatory framework on non-discrimination and ensuring equality. Among the most important provisions of the adopted law is the extension of the list of criteria protected by Law No.121/2012 with the criteria of gender identity, sexual orientation, marital status, health status, HIV status, wealth, and birth; empowering the institution to carry out

documentation visits on the circumstances that form the object of the complaint or on the manner of implementation of the issued recommendations, empowering the Council to apply contraventional sanctions for non-execution of the recommendations and prescriptions issued, etc. The same law improved the examination procedure of the complaints, removing certain administrative barriers that delayed their resolution.

6. Regarding the function of examining complaints related to cases of discrimination, during the reference period, the Equality Council (EC) has examined 1833 complaints (about 300 complaints annually). The submitted complaints concern an alleged discriminatory situation in such fields as:

- Access to goods and services available to the public;
- Education;
- Access to justice, labour market and other areas.

7. The EC emphasizes that the number of complaints filed annually is slightly increasing. During the reporting period (2017–2023), the EC found discrimination in 386 cases and issued 14 decisions finding discrimination on the grounds of sexual orientation, mainly manifested through discourses that incite to discrimination. Thus, in order to prevent future acts of discrimination, the EC recommended the withdrawal of messages and discourses that incite to discrimination against LGBTIQ+ people and refraining from similar actions. Regarding the information campaigns and raising awareness activities, it's important to mention the "Zero Discrimination" information campaigns carried out yearly, which aim to promote diversity, tolerance, and inclusion. Also, the EC constantly carries out training activities in the field of prevention and combating discrimination for various categories of beneficiaries.<sup>2</sup>

8. Among the measures implemented by the EC to prevent discrimination, the following can be mentioned:

- Elaboration and publication of informative materials;
- Running of social spots;
- Carrying out of information and awareness campaigns;
- Organization of conferences and workshops, etc.

9. The EC continuously strives to be as accessible as possible to victims of discrimination. Currently, there are a multitude of ways to file a complaint with the EC: in person, by mail or email, through the online form available on [www.egalitate.md](http://www.egalitate.md), during the audience granted by the Council members. Recently, there has been an increased use of the online complaint submission platform. Also, the EC has implemented a series of measures aimed at increasing the accessibility of information regarding the national mechanism for protection against discrimination for people with intellectual, cognitive, and learning disabilities. Among these are the transcription of Law No.121/2012 into an easy-to-read and accessible format; the transcription of the Petitioner's Guide into Braille, thus becoming accessible also for people with visual impairments, the development of the audio version of the Petitioner's Guide, which can be downloaded from the institution's website in Romanian and Russian languages. The Petitioner's Guide has also been translated and published in 6 languages (Romanian, Russian, Ukrainian, Gagauz, Bulgarian, Romani), to be accessible to persons belonging to national minorities.

10. Furthermore, starting with February 2023, the legislation guarantees that the members of the EC cannot be persecuted or held legally accountable for the opinions expressed and the duties they exercise according to the law.

11. Previously, some respondents initiated 2 contraventional cases against the members of the Council after they issued decisions regarding discrimination complaints. In one complaint, a member was acquitted by the court. The other complaint is still pending in court.

12. In 2021, the Central Electoral Commission (CEC) has initiated a complex electoral reform to address the shortcomings mentioned by the Constitutional Court in its addresses (including establishing in the law of the provisions related to the corruption of voters,

establishing control and prompt sanctioning mechanisms in order to prevent and combat hate speech among the electoral competitors), to take into account the conclusions from the post-election review events, the opinions of international partners (Venice Commission, OSCE/ODIHR), the conclusions and recommendations of national and international election observation missions. After broad discussions and consultations organized on the CEC and Parliament platforms with various entities and relevant actors, on December 8, 2022, the Parliament adopted the Electoral Code, in a new reading, and the Law for the amendment of some related normative acts.<sup>3</sup> The new provisions entered into force on January 1, 2023.

13. With the adoption of Law No.111/2022 for amending certain legislative acts, the notions of “Bias-motivated Reasons”, “Person with Disabilities”, “Propaganda of Genocide or Crimes Against Humanity” and “Incitement to Discrimination” were introduced into the CC and the CoC.

14. Accordingly, during the period 2022–2024, a group of 24 trainers specializing in equality, non-discrimination, and bias-motivated crimes was created within the General Inspectorate of Police of the Ministry of Internal Affairs (MIA). They have conducted training sessions in this field with more than 2000 police employees. These training sessions are also planned for the year 2024.

15. During the reporting period, the Ministry of Education and Research(MER) approved several legislative and normative acts through which human rights are promoted and respected:

- Law No.36/2022 to amend the Education Code No.152/2014 amended art.3, 7, and 136, and the notion of bullying was introduced as a form of aggression that manifests itself intentionally, repeatedly and through power imbalance in the relationships between children, pupils or students and which refers to those behaviors among which a child, pupil, a student or a group injures harms, causes suffering, helplessness or harms human dignity;
- GD No.114/2023 “Regarding the approval of the “Education 2030” development strategy and its implementation program for the years 2023–2025”;
- GD No.576/2022 “On the approval of the Program to support the Roma population for the years 2022–2025”;
- GD No.169/2023 “Regarding the approval of the Program for the years 2023–2025 for the implementation of the Strategy for strengthening inter-ethnic relations in the Republic of Moldova for the years 2017–2027”;
- GD No.115/2023 “Regarding the approval of the National Program regarding the learning of the Romanian language by national minorities, including the adult population, for the years 2023–2025”;
- GD No.168/2023 “Regarding the approval of the Youth Sector Development Strategy “Youth 2030” and the Program regarding its implementation for the years 2023–2026”;
- GD No.950/2023 “On the approval of the Program for the development of inclusive education in the Republic of Moldova for the years 2024–2027”.

16. The National Employment Agency (NEA) is responsible for implementing the policy in the field of promoting employment and migration for work purposes. From 10 February 2019, NEA implements the Law No.105/2018 on the promotion of employment and unemployment insurance, art.2, para.(4) stipulates that the application of the provisions of this law prohibits any discrimination on grounds of race, nationality, ethnic origin, language, religion, beliefs, sex, age, disability, opinion, political affiliation, wealth, social origin or any other criteria. Jobseekers, both women and men, regardless of which group they belong to, who apply to the territorial employment subdivisions (TES) of the NEA, are registered as jobseekers or unemployed and can benefit from active employment services or measures in order to increase the chances of employment in the country, to increase employment opportunities.

17. In accordance with the provisions of art.2 of the GD No.164/2024 “Regarding the approval of the National Program regarding ensuring respect for human rights for the year 2024–2027”, in order to carry out the actions provided for in the National Plan of Actions at the institutional level, by the Order of the Interim Attorney General No.67/3 of 24.05.2024, an Institutional Plan was approved, according to which the responsible subdivisions and the terms of execution of the actions aimed at the institutional competences were established.

## **B. Specific information**

### **Constitutional and legal framework within which the Covenant is implemented (art.2)**

#### **Reply to paragraph 3**

18. Despite efforts made in the negotiation process, the Transnistrian file remains unsettled, with a regime unsubordinated to the constitutional authorities, that does not react to Chişinău’s requests addressed on dialogue platforms and has not given up harmful practices that violate human rights, being established in the region illegally and contrary to national legislation. Unconstitutional structures violate freedom of expression even more grossly, as in March 2020 they approved an alleged strategy to combat so-called ‘extremism’, since then they have imprisoned citizens for simply expressing their own views on the trials taking place in the region. Since May 2022, Tiraspol has been applying imprisonment sentences of up to 8 years for persons denouncing/reporting abuses of unconstitutional structures either to the competent national authorities or to the ECHR, UN Committees or other international courts.<sup>4</sup>

19. The Government came up with support measures for schools and farmers, allocating around 4 MILLIONS LEI to compensate for abusively imposed expenses. There are significant challenges in respecting freedom of religion, with reports of religious minorities facing discrimination and persecution in the Transnistrian region.

20. Citizens illegally detained by decisions of structures not established by law find themselves in most dire situation. Their and their relatives’ notifications/complaints reflect the disastrous picture in overcrowded cells, with detainees subjected to systematic ill-treatment, lack of proper food, essential medical care or meetings with family and lawyer.<sup>5</sup>

21. In order to protect the fundamental rights and freedoms of the inhabitants of the uncontrolled territory, the authorities are determined to take several positive actions, this commitment being further reflected in the National Programme on the Enforcement of Human Rights 2024–2027, approved by the GD No.164/2024. In order to ensure the access to justice for citizens residing in the Transnistrian region of the Republic of Moldova, the localities on the left bank of the Nistru River and the municipality of Bender were assigned to the precincts of the courts located on the right bank of the Nistru River.<sup>6</sup> However, the citizens cannot obtain the execution of the judgements since the so-called structures from the region do not recognize and execute them.

22. In the period 2023–2024, the Ombudsman’s Office, with the support of the Embassy of Finland in Bucharest, is implementing a project entitled “Strengthening the mechanisms of the Office of the People’s Advocate for the Protection of Human Rights against Reprisals and Revenge”. The Ombudsman’s Office is working on the development of an innovative practical guide focusing on identifying, investigating and assisting journalists and media representatives in individual cases of violations of their rights, which will make it easier to report human rights violations and ensure an effective protection, reporting and monitoring framework.

23. The issue of protecting the rights of journalists and human rights defenders in the Transnistrian region is already on the monitoring agenda of the People’s Ombudsman’s Office and is even being discussed at the platform of the Governmental Sectorial Group on Human Rights, established on the basis of Governmental Decision No.1178/2007 on the implementation of the initiatives of the President of the Republic of Moldova on strengthening confidence and security in the context of the Transnistrian settlement process.

24. The Moldovan authorities, despite the non-regulation of the Transnistrian conflict, are taking all possible actions to ensure the protection of the fundamental rights and freedoms of its citizens in the Transnistrian region, including to ensure access to the region for human rights defenders and journalists.<sup>7</sup> In order to comply with international norms, specifically the Convention on the Reduction of Statelessness of 30 August 1961 and the Convention relating to the Status of Stateless Persons of 28 September 1954, both signed in New York and to which the Republic of Moldova is a party, measures have been implemented by Moldovan authorities to support residents of the left bank of the Dniester and the municipality of Bender. These efforts aim to provide identity documents through the national passport system.

25. On 30 June 2024, according to the Register of Population, 360 215 persons domiciliated on the left bank of the Dniester and the Bender are citizens of the Republic of Moldova of which 348 619 have an act of identity of the citizen of the Republic of Moldova.

26. The legal framework governing civil status certification in localities on the left bank of the Dniester is codified under Article 13<sup>1</sup> of Law No.100/2001 on civil status acts and GD No.286/2019, ensuring the issuance of certificates confirming events such as birth, death, marriage, divorce, recognition of paternity, and changes in name or surname.

27. Furthermore, legislative proposals (drafts No.209/MJ/2024 and No.210/MJ/2024) seek to enhance civil status practices, including separate certification of divorce events occurring in the Transnistrian region and expediting judicial confirmation of events occurring in territories not recognized by Moldova.

28. Moldovan authorities have adjusted regulations to integrate economic agents from the Transnistrian region into Moldova's legal and economic frameworks.<sup>8</sup> These legislative efforts underscore Moldova's commitment to ensuring compliance with international standards while addressing the specific needs and circumstances of residents in the Transnistrian region.

#### **Reply to paragraph 4**

29. The development of the evaluation report for the National Human Rights Action Plan (NHRAP) began in May 2022 and involved a collaborative effort. Representatives from the State Chancellery, Ministries, central and local authorities, national human rights institutions, civil society, vulnerable groups, and development partners participated in this inclusive process. The primary aim was to assess the NHRAP's achievements and analyse the contributing factors and obstacles to its implementation. Evaluation also focused on the effectiveness of coordination, monitoring mechanisms, transparency, and participatory processes involved in NHRAP implementation.

30. The evaluation report followed the criteria outlined in GD No.386/2020 and Methodological Guides for intermediate and ex-post evaluations of public policies, as well as integrating National Development Strategy provisions into national planning documents. These criteria included relevance, coherence, effectiveness, impact, sustainability, and a human rights-based approach (HRBA).<sup>9</sup> In continuation, by GD No.164/2024, the Republic of Moldova approved the National Program on Ensuring Respect for Human Rights for the years 2024–2027, as stipulated in the National Action Plan for Moldova's Accession to the European Union (2024–2027). This Program addresses European Commission recommendations from the 2023 report, focusing on areas such as reducing inequalities, protecting children's rights, preventing torture, ensuring access to healthcare, improving prison conditions, collecting data on hate speech, and combating discrimination against women and girls.<sup>10</sup>

31. Comprising 14 general objectives, the Program targets systemic improvements in areas such as justice, torture prevention, inclusive education, healthcare access, social security, housing rights, environmental protection, non-discrimination, labour rights, privacy, freedom of assembly, cultural rights, policy strengthening, and institutional efficiency by 2027.

**Reply to paragraph 5**

32. In 2023, the Ministry of Justice promoted the Law No.1/2023 for the amendment of some normative acts and the Law No.2/2023 for the modification of some normative acts (revision of the normative framework regarding non-discrimination and ensuring equality). Through the mentioned laws, guarantees were provided for the appointment and dismissal of the Ombudsman. Moreover, for the institution's employees was provided a salary increase of 16%.

**Anti-corruption measures (arts. 2 and 25)****Reply to paragraph 6**

33. In order to effectively combat corruption, including high-level corruption, the Government decided to separate the cases of petty corruption and the cases of high-level corruption, since the former are encountered more often, and for the second category, a specialized and professional staff training is needed and a much higher level of financial resources is required. Thus, in order to ensure a prompt and effective prosecution, it was decided to assign the cases of high corruption to the Anticorruption Prosecutor's Office(APO) (depending on the amount of money or the subject of the crime), and the cases of small corruption to the Territorial Prosecutors Offices(TPO).

34. In this context, to ensure the functional and financial independence of APO and NAC, the Parliament adopted the Law No.83/2023 for the amendment of the Criminal Procedure Code(CPC), by which the delimitation of the powers of the APO and the NAC to investigate high-level corruption cases was decided. On July 31, 2023, the Parliament adopted the Law No.245 on amending some normative acts (i.e. Contravention Code(CoC) and CPC), which revised the competence of APO in carrying out criminal prosecution towards some categories of persons holding public dignity position and by excluding the competence of leading criminal prosecution that falls under the competence of NAC.<sup>11</sup>

35. At the same time, in order to ensure the celerity in the judicial phase, the President of the Republic of Moldova initiated the creation of a Specialized anti-corruption court that will exclusively judge cases of high-level corruption. Since the concept is a new one, the opinion of the Venice Commission was requested. Following the reception of the Commission's positive opinion, the Government organized consultations on the draft law, which was voted in the first reading in the Parliament. At the same time, since the project is a complex one and involves both financial expenses and the technical assurance of the new court in terms of its formalization and structure (specialized chambers within the Court of Appeal or Specialized anti-corruption court), the Parliament plans to organize additional consultations and adopt the draft law in the second reading.

36. As concerns the details on high-level corruption, in the period 2019–2024, the APO exercised and led the criminal investigation in 24 criminal cases, in which the parliamentary immunity of 9 MP's from the Parliament of the Republic of Moldova was requested, and later lifted. As a result of the examination of the Prosecutor General's requests regarding the lifting of the parliamentary immunity of the MP's, 32 Parliamentary Decisions were adopted regarding the approval of the lifting of the parliamentary immunity.

37. In terms of high-ranking subjects targeted in the files of the APO investigated and sent to court, a positive trend is observed regarding the percentage of special subjects targeted in the files sent to court being increasing (from 28% in 2020, to 40% in 2021, to 64% in 2022, to 66% in 2023). This denotes that anti-corruption prosecutors focus on public officials who demand or receive bribes compared to people who offer or pay bribes.<sup>12</sup> Similarly, in 2023 criminal cases were sent to court regarding 3 prosecutors, including for acts of corruption, raising the number of prosecutors sent to court in the last four years to 18. For the first time in the last four years, the APO sent in court a criminal case against a leader of the National Anticorruption Centre, the suspended head of the criminal investigation body.

38. As concerns the effective protection of the whistleblowers, the Parliament adopted the Law No.166/2023 on Whistleblowers, transposing Directive (EU) 2019/1937 on the protection of persons who report violations of Union law. This aims to improve the

whistleblowing mechanism, to encourage the disclosure of violations of the law through reporting channels, as well as the establishment of measures to protect integrity whistleblowers.

39. With regard to the transparency of the results of the investigated corruption cases, we emphasize that according to the CPC, during the criminal investigation phase, any actions carried out by the law enforcement bodies are confidential and communicated to the extent that the publication of the information would not affect the smooth conduct of the criminal investigation. At the same time, at the end of the criminal investigation, the APO announces through an official statement that a concrete file has been sent to the court, with details about the crime and the type of the subject of the crime, also publishing the fact regarding the presumption of the person's innocence.

#### *Strengthening of NAC*

40. The Parliament adopted the Law No.31/2024 by which the NAC was included in the system of state security bodies, thus, multiple benefits were obtained, including the justification and emphasis of the need to maintain the special military status(which grants a bigger salary) of the NAC and the appearance of more opportunities for collaboration in the field of state security. As a result, NAC will be able to benefit from grants, investments and international internships.

#### *Strengthening of APO*

41. In accordance with the new provisions of Law No.245/2023 and No.365/2023, the APO is to be equipped and trained in order to ensure its effective functionality. This strengthening is the main objective of the APO for the year 2024 and involves:

- The analysis of all criminal cases under the management of the APO, from the perspective of the new powers approved, with the identification of the criminal cases that are of the competence of other bodies and sent to them, until 31.03.2024;
- Identification of a separate office for the Anticorruption Prosecutor's Office(APO);
- The number of staff positions was established and modified by decision of the Parliament, so that it was increased from 143 to 198 positions;
- Modification of the organizational chart of the APO, with the creation of an apparatus of the chief prosecutor which would include finance, accounting and audit services, human resources, public procurement, administration and logistics, creation of a General Directorate for Operative Insurance, which would include investigation and specialist sections, telecommunications services and technic personnel;
- Equipping the APO with information technology equipment and special techniques necessary for autonomously carrying out all types of special investigative measures (telephone interceptions, communications interceptions ambient, home investigation and home surveillance, visual surveillance and with GPS, etc.).

42. As concerns the NIA, the changes and amendments to the Laws No.132/2016 and 133/2016 had a considerable impact on the activity of the National Integrity Authority (NIA). Thus, the changes introduced new notions in the asset's declaration process: the market value of the asset and the actual price paid for it. It was introduced a new chapter "Services procured", which allows verification of the correspondence between the income obtained and the expenses incurred by the subject of the declaration (travel, organization of events, studies, renovations, etc.). Likewise, as a result of the changes made, integrity inspectors obtained the right to check the sources of income of the people who offered large donations to the subjects of the declaration (until the legislative changes, some subjects of the declaration camouflaged their income that they could not justify by declaring large-value donations).

43. At the same time, on 24 January 2024, the president of NIA approved a new Methodology of the control of assets and personal interests and of the compliance with the legal regime of conflicts of interest, incompatibilities, restrictions and limitations. The new Methodology contains provisions regarding the standardization of actions within the controls, which will allow the supervision, control and, as the case may be, the sanctioning of integrity



inspectors. The new Methodology brings clarity regarding the application of the limitation period, the rights of the integrity inspector and the burden of probation. In particular, it contains provisions on the content of the Finding Acts and the actions of the integrity inspector in the control of assets and personal interests. The new Methodology encourages the efficient use of resources (time and personnel) to bring benefit to the activity of the Integrity Inspectorate.

44. As concerns the electoral corruption, it will be noted that one of the goals of electoral reform of 2022, by which was adopted a new Electoral Code and have been amended several related laws, was to streamline the countering of electoral corruption through the administrative procedure of ascertainment of the violation. The goal was to put an end on this phenomenon, during the electoral period, not being dependent on the finality of the criminal procedure. Also, the CoC, was completed with art.521 that regulates sanctions for the organized transportation of voters, with the intention to determine them to vote in elections and art.181 defines the concept of electoral corruption.

## **Non-discrimination (arts. 2, 20 and 26)**

### **Reply to paragraph 7**

45. The de facto discrimination of certain categories of the population is eliminated by the positive actions of the state according to Law no. 121/2012 on ensuring equality. In this context, training sessions for specialists from different fields have increased in number from 2021 until now and illustrate the determination of the authorities to create favourable conditions for ensuring the right to equality in all areas of social life in our country. At the same time, numerous activities were carried out to promote equality by informing and raising awareness of the population on the phenomenon of discrimination, aimed at increasing the level of knowledge of the population about the possibilities of claiming the right to equality and non-discrimination.

46. Moreover, the sanctioning of the bias motivated crimes and contraventions were introduced into the national legislation. The Prosecutor General's Office (PGO) has implemented Methodological Instructions on hate crime investigation and trial (Order No.28/11 of 01.08.2019), and legislative changes (Law No.111 of 21.04.2022) have enhanced provisions in the CC and CoC to address bias-motivated acts.<sup>13</sup> In this vein, trainings were organized for judges and prosecutors and trainings on the prohibition of ethnic and religious profiling were held within the internal affairs bodies.

47. In the same vein, starting in April 2023, Moldova has undertaken coordinated efforts by the Council of Europe, Central Electoral Commission (CEC), and Audiovisual Council (AC) to combat sexism in elections through an awareness campaign. This initiative includes a monitoring methodology for detecting sexism during electoral campaigns, alongside the production and distribution of video spots on online and TV platforms.<sup>14</sup> On May 21, 2024, a roundtable facilitated dialogue between LGBT communities and National Police representatives on legal protections against hate speech and discrimination, involving 18 senior police officers.

48. The National Programme to Support the Roma Population (2022–2025) incorporates anti-discrimination measures, including training for public officials, media exposure of Equality Council decisions, monitoring of abuse cases against Roma, and support for anti-discrimination projects.

49. The Agency for Interethnic Relations (AIR) organizes nationwide socio-cultural activities to promote tolerance and commemorate events like the International Holocaust Remembrance Day, International Roma Day, and International Day for Elimination of Racial Discrimination.

50. As concerns the identity cards, every citizen from the age of 16 benefits granted to the public services for issuing identity cards. Periodically in territorial jurisdictions where Roma ethnic population resides the public authorities are organizing information campaigns about the legal obligation to hold an identity card.

51. As concerns the civil status document amendments, the MOJ is developing draft legislation (209/MJ/2024) allowing for gender changes on civil status documents, following judicial procedures.<sup>15</sup>

## **Gender equality (arts. 3 and 25–26)**

### **Reply to paragraph 8**

52. In efforts to enhance gender equality and women's representation in Moldova's public and professional sectors, several legislative and institutional measures have been implemented:

#### *Legal Framework and Civil Service*

- Amendment to Article 20 of Law No.158/2018 prohibits discrimination against civil servants based on various criteria, including sex, gender identity, and sexual orientation;
- The Annual Plan for training public authorities in 2024 includes courses on gender equality, with updated reporting indicators disaggregated by gender.

#### *Political Representation*

- To increase women's participation in decision-making, a mandatory 40% gender quota was introduced for candidate lists in parliamentary and local council elections. Female independent candidates require fewer signatures compared to male candidates.

#### *Diplomatic Service and Defense Sector*

- A Coordination Group on equal opportunities was established to promote gender equality in the Diplomatic Service, following a gender audit conducted with UN Women. An Action Plan for 2024 aims to address gender gaps;
- In the Ministry of Defense, actions under the National Program for UN Security Council Resolution 1325 have increased women's representation to 22.3% in 2023, with 37.5% holding leadership positions.

#### *Law Enforcement and Security Agencies*

- Gender representation in the General Police Inspectorate (GPI) is 24.4% women, with efforts ongoing to balance gender ratios;
- Within the Police, 13.71% of leadership positions are held by women, indicating progress from previous years;
- The General Carabinieri Inspectorate shows 12.3% women in decision-making roles, with further opportunities for growth;
- In the State Protection and Guard Service (SPGS), women occupy 5% of management positions and comprise 10% of the workforce, reflecting increasing interest in security roles.

#### *Labor Market Access*

- The National Employment Agency (NEA) provides extensive services to facilitate women's access to the labour market, including career guidance, job mediation, vocational training, and subsidies for job creation and workplace adaptation;
- Active employment measures aim to enhance employment opportunities and support labour mobility, benefiting job seekers and employers alike.

## **States of emergency (art.4)**

### **Reply to paragraph 9**

53. Starting from October 22, 2021, the Parliament adopted, at the proposal of the Government, a total of fifteen decisions of the Parliament regarding the declaration or extension of the state of emergency. The cumulative period during which the state of emergency was established throughout the national territory was 800 days, until December 30, 2023.

54. Pursuant to art.6 para. (2) of Law No.212/2004 regarding the regime of the state of emergency, siege and war, the Parliament of the Republic of Moldova informed the Secretary General of the United Nations and the Secretary General of the Council of Europe about the lifting of the state of emergency and the resumption of the full application of the provisions from the International Covenant on Civil and Political Rights and from the European Convention for the Protection of Human Rights and Fundamental Freedoms throughout the territory of the Republic of Moldova.

55. Moreover, on March 14, 2024, the Parliament of the Republic of Moldova heard in a plenary session the Report of the Commission for Exceptional Situations regarding the actions taken during the state of emergency on the territory of the Republic of Moldova, established between October 22, 2021 and December 30, 2023.

56. According to art.16 para. (1) and (2) of the Law No.212/2004 regarding the regime of the state of emergency, siege and war, the lifting of the state of emergency takes place on the date established in the decision of the Parliament regarding its declaration or extension. Thus, the issuance of an additional decision of the Parliament regarding the lifting of the state of emergency is not required.

57. The lifting of the state of emergency took place on December 30, 2023 with the expiration of Parliament Decision No.361/2023 regarding the extension of the state of emergency, and the normative acts adopted for this period, according to art.4 para.(3) of Law No.212/2004 regarding the regime of the state of emergency, siege and war, were repealed without special notice in this regard.<sup>16</sup>

## **Violence against women, and domestic violence (arts. 2, 3, 6, 7 and 26)**

### **Reply to paragraph 10**

58. After the ratification on 31.01.2022 of the CoE Convention on preventing and combating violence against women and domestic violence, the Recommendations of the GPO No.II-14d/24-62/05.01.2024 addressed to the body of prosecutors is imposing the undertaking of organizational and hierarchical control measures to ensure the correspondence of investigations and the representation of the accusation in the court of law to the efficiency standards imposed.

59. Through the referral No.7-2d/23-193/13.12.2023, the GPO formulated recommendations to the GPI regarding the efficiency of the investigation of crimes of violence in the family, ensuring that all forms of violence are prosecuted and punished, the emphasis being placed on the criminal psychological violence, as intentional behaviour that seriously affects a person's psychological integrity through coercion or threats.

60. The annual continuing education plan for prosecutors and prosecutor consultants includes various courses.<sup>17</sup>

61. On July 12, 2023, based on MIA Order No.341, the Police Family Justice Centre was established within the Police Directorate of Chişinău Municipality under the GPI, with 11 staff units. The Police Family Justice Centre:

- Ensures continuous training of police officers involved in the prevention of violence cases;
- Participates in public awareness campaigns about the phenomenon of domestic violence and sexual violence to promote zero tolerance towards this phenomenon;

- Provides immediate protection and safety for victims of violence;
- Refers victims of domestic violence to centres that offer placement (accommodation) services;
- Conducts risk assessments, determines the crisis situation in which the victim is, and determines the order in which each specialist intervenes in their respective field, etc.

62. On March 28, 2023, the Chief of the GPI issued the Order No.93, which approved the “Methodological Instruction on Police Intervention in Preventing and Combating Domestic Violence”.<sup>18</sup>

63. The National Strategy for preventing and combating violence against women and domestic violence (2018–2023) has brought significant progress, such as improving the normative and institutional framework, training specialists and creating new services for victims. However, major challenges remain, including the lack of preventive action, insufficient specialist services, non-enforcement of protection orders and lack of financial resources.<sup>19</sup> Throughout 2023, training sessions were conducted for police employees on topics related to domestic violence.<sup>20</sup>

#### *Measures taken by MIA*

##### Informative Activities and Outreach

64. During the reporting period, MIA conducted 1,347 informative activities, informing 5,686 family aggressors and 4,951 victims of domestic violence, distributing 7,206 informational materials. Additionally, 21 aggressors were referred to assistance and counselling centres for family aggressors, and 264 requests were sent to the social commission for consideration of referral to the narcological commission.

##### Assistance and Protection for Victims

65. Throughout the year, the Police provided assistance and protection to victims by creating 1,029 personalized safety plans:

- 1,725 cases, where there was a reasonable suspicion of imminent danger of violent actions, were referred to other authorities for assistance and counselling services, broken down as follows:
- 1,380 cases referred to the community social worker;
- 300 cases referred to the District Directorates for Family Assistance and Protection;
- 33 cases referred to specialized NGOs;
- 13 cases referred to the Maternal Centre for the protection and assistance of victims of domestic violence;
- 2 cases referred to specialized psychological services.

##### Multidisciplinary Interventions

66. During the reporting period, 379 interventions were conducted within multidisciplinary teams. 93 cases involving child victims of domestic violence were reported to guardianship authorities. 10 cases were referred to the psychological services within Police Inspectorates for primary psychological counselling for victims in crisis.

##### *Awareness and Community Engagement (first five months of 2024)*

67. The Police conducted 5,600 awareness activities, 156 workshops and roundtables, 2,403 meetings with citizens, 1,214 meetings with students, and 1,827 meetings in work collectives. Over 90,381 citizens were informed through these efforts.

### Media Coverage

68. The activities conducted were publicized through 42 informational releases in mass media sources, including: 38 on the websites/Facebook pages of Police Inspectorates (social networks); 4 interviews given to TV/radio stations.

### Electronic Monitoring of Domestic Abusers

69. In response to domestic violence, the National Probation Inspectorate (NPI) implemented an electronic monitoring system for domestic abusers in 2021. This initiative was supported by the adoption of Law No.85 by the Parliament of the Republic of Moldova on June 11, 2020. The law facilitates the electronic monitoring of domestic abusers immediately following the issuance of protection orders for victims of domestic violence. This system also allows for the electronic monitoring of victims and their family members, provided they agree in writing:

- 2021: 502 domestic abusers were monitored;
- 2022: 739 domestic abusers were monitored;
- 2023: 933 domestic abusers were monitored.

70. Since the implementation of electronic monitoring, there has been a noticeable reduction in recidivism rates:

- 2021: 19%;
- 2022: 17%;
- 2023: 11%.

71. The data suggests that electronic monitoring is an effective tool in ensuring compliance with protective measures and enhancing the safety of victims.

### Counselling and Support Programs

72. In addition to electronic monitoring, the NPI provides counselling programs for domestic violence perpetrators. These programs are part of a broader effort to address domestic violence comprehensively, focusing not only on supporting victims but also on rehabilitating offenders:

- There are 38 probation offices across the country that offer counselling programs for family aggressors;
- The “Artemida” counselling centre in Drochia specializes in providing support to domestic violence perpetrators.

73. According to statistical data, the number of perpetrators who completed the counselling program are as follows:

- 2022: 82 persons;
- 2023: 80 persons.

### Annual Campaign Participation

74. The NPI actively participates in the global campaign “16 Days of Activism against Gender-Based Violence.” This campaign aims to raise awareness about gender-based violence and educate the public on its prevention. Activities organized by the NPI during this campaign include:

- Seminars and workshops for professionals and the general public;
- Public lectures and round table discussions;
- Distribution of informational materials, such as brochures and leaflets;
- Collaboration with non-governmental organizations to disseminate educational resources.

### Training Initiatives

75. To ensure effective intervention in domestic violence cases, the NPI has conducted extensive training for its staff and other relevant stakeholders. These training sessions aim to enhance the legal and psychological knowledge of those working with domestic violence cases.<sup>21</sup>

## **Sexual and reproductive rights (arts. 2, 6 and 7)**

### **Reply to paragraph 11**

76. By Order of the Minister of Health No.868/2013 regarding the organization of the activity of youth-friendly health centres is stipulated that the centres are also established in district health centres, being provided that the centres have the obligation to provide education on sexual and reproductive health and to ensure the access to affordable contraceptives among adolescents.

77. With reference to sexual and reproductive rights, the Law No.138/2012 on reproductive health regulates and guarantees the rights of individuals to reproduction, and by the Order of the Ministry of Health No.529/2024, the National Council for Medically Assisted Reproduction was established and the Regulation on its organization and operation was approved, which will contribute to the development of the normative framework and standards in the field of reproduction.

78. According to Law No.264/2005 regarding the exercise of the medical profession, patients have the right to know about the method of providing medical assistance, and the healthcare provider is obliged to request consent from the patient and/or legal representative regarding the provision of medical assistance and to ensure the confidentiality of the data obtained. Thus, patient consent and medical confidentiality should be understood not only as important ethical principles of healthcare, but also as mandatory professional tools in the provision of healthcare. Without the cooperation and consent of patients, little if any success of treatment can be achieved at all, and without patients' trust in the professional confidentiality of the healthcare team, the full history of the patients' illness cannot be obtained.

79. According to Law No.263/2005 on patient rights and responsibilities, art.9 entitled Ensuring the right of the patient in the field of reproduction in para. (1) provides that the patient, through the health services, has the right to choose the safest methods for ensuring reproductive health. Likewise, para. (3) states that the patient has the right to information, education and services necessary for a normal sexual life and reproductive health, without any discrimination. With reference to treatment confidentiality, art.12 of the same law provides that all data regarding the patient's identity and condition, the results of investigations, diagnosis, prognosis, treatment, as well as personal data are confidential and are to be protected even after his death.

## **Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art.7)**

### **Reply to paragraph 12**

80. All materials related to torture, ill-treatment, and cases of use of force are examined and investigated in accordance with Joint Order No.77 of December 31, 2021, for the approval of the Regulation on the procedure for identification, registration and reporting of alleged cases of torture, inhuman or degrading treatment, and the accumulated materials are sent according to competence to the Prosecutor's Office.

81. Following the creation of the inter-institutional working group for the prevention of torture, which includes: MOJ, NAP, MIA, MH, MER, Promo-LEX, IDOM and the Ombudsman, the NAP Order No.150/2024 on the electronic registration of cases of bodily injuries, use of force, special means and/or firearms or alleged acts of ill-treatment, established the Electronic Register of cases of bodily injuries, use of force, special means

and/or firearms or alleged acts of ill-treatment (in force since April 1, 2024). In accordance with this new reporting tool, currently in the pilot phase, the procedure for notifying the Prosecutor's Office and the Ombudsman's Office of all cases of bodily injury, use of force, special means and/or firearms or alleged acts of ill-treatment will be accelerated. The information entered in the Register is sent every 24 hours to the email addresses of the territorial prosecutor's offices within the area of deployment of the penitentiaries to the director of the penitentiary, as well as to the Ombudsman.

82. It is worth mentioning that the NAP analyses all decisions received by the prosecutor's office sent to the penitentiaries, and also for each case of bodily injury, service inquiries are conducted in order to identify all factors that led to the appearance of bodily injuries, with all evidence being administered on a case-by-case basis.

83. According to the statistical data from the GPO, there is a decreasing trend in the number of complaints examined by prosecutors based on art.274 of the CPC. An essential decrease can be seen in the case of complaints in which actions of inhuman or degrading treatment were complained about - art.166/1 para. (1) and (2) of the CC (453 cases in 2022 and 373 cases in 2023). At the same time, there is a significant decrease in the number of cases in which acts of torture were claimed - art.166/1 para. (3) and (4) of the CC (14 cases – 2022 and 4 cases in 2023).

84. An insignificant increase can be seen in the registration of cases investigated under art.309 of the CC – the compulsion to make statements (5 cases – in 2022 and 7 cases in 2023) and those regarding acts of violence committed against the militaries - art.368 of CC, their number increasing from 12 cases in 2022 to 13 cases in 2023.

#### *Trial of cases*

85. During the reporting period, a total of 25 sentences were handed down in the courts against 28 people, regarding the crimes of torture, inhuman or degrading treatment and those committed against the military (28 sentences against 37 people in 2022). Thus, during 2023, based on art.166/1 of the CC, the courts pronounced 21 sentences regarding 24 persons (22 sentences regarding 30 persons in 2022), including: Sentences of conviction – 14 sentences in respect of 15 people, with actual imprisonment – 3 sentences regarding 3 persons (7 sentences regarding 7 persons in the year 2022), with the suspension of the execution of the sentence – 10 sentences regarding 11 people (7 sentences regarding 13 people in 2022), with application of the fine – 1 sentence for 1 person (6 sentences for 7 people in 2022). Acquittal sentences – 7 in relation to 9 persons (4 sentences in relation to 4 persons in 2022).

86. Based on art.368 of the CC, 4 sentences were pronounced by the courts in respect of 4 persons (6 sentences in respect of 7 persons in 2022), of which: Sentences of conviction – 2 in respect of 2 persons, being sentenced to prison, with the execution of the sentence suspended (1 sentence in respect of 1 person in 2022). Termination sentences in 2 cases concerning 2 persons (4 cases concerning 5 persons in the year 2022).

#### *Measures to improve the legislation*

87. Art.276 of the CPC has been completed with para. (12) having the following content: "Criminal prosecution is initiated in the absence of a complaint by the victim if the offense provided for in art.152 para. (1) or in art.155 of the CC No.985/2002 was committed in places of detention."

#### *Measures that increase the effectiveness of law enforcement bodies*

88. By Order of the Prosecutor General No.81/6/4 of 08.11.2021, 1 or 2 prosecutors were appointed in the territorial and specialized prosecutor's offices responsible for examining the cases of torture, inhuman and degrading treatment. Accordingly, it was ordered that, as far as possible, the prosecutors in question should not be involved in collaboration activities with the subjects of Law No.218/2012 on the application of physical force, special means and firearms.

89. Regarding the abuses committed by law enforcement against protesters following the April 2009 elections, prosecutors examined 108 referrals regarding allegations of torture and other illegal actions by the police.

90. As a result of the examination of these referrals, the prosecutors ordered:

- The initiation of criminal prosecution on 71 criminal files, of which: 42 – torture; 19 – excess of power or exceeding of duties, 10 other categories of crimes;
- The prosecution of 28 criminal cases, regarding 48 policemen;
- In the other cases, the criminal investigation was terminated due to the lack of elements of the crime or because the identity of the persons who acted illegally was not established.

91. As a result of the examination of criminal cases by the courts, 26 sentences were pronounced against 45 people, as follows:

- Conviction – 15 sentences regarding 27 persons, of which: with execution – 3 sentences, regarding 4 persons; with suspension of execution – 9 sentences, regarding 20 people; fine – 3 sentences in respect of 3 persons;
- Acquittal – 9 sentences, regarding 16 people;
- Termination – 2 sentences in respect of 2 persons;
- A case against a person is pending at the Chisinau Court of Appeal;
- In another case, the Supreme Court of Justice, after acquitting two defendants, returned the criminal case to the Prosecutor's Office, in accordance with the provisions of art.396<sup>1</sup> of the CPC, in order to continue the criminal investigation and identify the perpetrators. Currently, on this file, the prosecutors of the Chisinau Municipal Prosecutor's Office are conducting a criminal investigation in order to establish the public persons who unjustifiably applied physical force to the injured party.

92. According to the National Accession Plan (NAP), for 2024, the MOJ plans to promote legislative changes to ensure the compensatory mechanism and support services for crime victims. Thus, the said act is in the finalization process and will be subject to legal expertise by a Council of Europe expert and a national expert. The mentioned changes come to harmonize national legislation with Directive 2012/29/EU of the European Parliament and of the Council of October 25, 2012.

### **Reply to paragraph 13**

93. As a result of the approval of Law No.114/2024 on mental health and well-being, a system of mental health protection guarantees has been established, which will ensure the best quality of life, support the growth and development of people to their full potential. At the same time, the aforementioned law regulates the conditions for voluntary and involuntary hospitalization and discharge of people with psychosocial and intellectual disabilities, which will reduce overcrowding in medical institutions.

94. Regarding overcrowding in psychiatric hospitals and admission conditions, currently there is no evidence of overcrowding; also, detention conditions are continuously being improved and equipped with everything necessary to ensure patients' rights. At the same time, the hospitalization of people without free consent in medical institutions and psychiatric hospitals is based on a Court Decision after examining the application based on the conclusions of specialists in the field.

95. In 2018, the case of V.I. was registered at the ECHR, which the Court found to have been involuntarily admitted to a psychiatric hospital. At the same time, the application of bad treatments to the minor was found. In addition, with reference to the case G.M. at the ECHR, the Government of the Republic of Moldova compensated the victims according to the court decision.



## **Elimination of slavery, servitude and trafficking in persons (arts. 2, 7, 8 and 26)**

### **Reply to paragraph 14**

96. The National Program on preventing and combating trafficking in human beings (THB) for 2024–2028, was adopted by Government in 2023. The Program contains 5 General objectives:

(a) By 2028, the conditions are created for the country's prompt response to the challenges of the THB phenomenon in accordance with EU legislation and other international standards;

(b) (Prevention) The population and private economic agents demonstrate zero tolerance to all forms of THB;

(c) (Protection) Victims and alleged victims of THB have access to the necessary assistance and protection within the National Victim Referral Mechanism;

(d) (Punishment) The criminal justice system ensures the investigation, the effective prosecution, the trial of all THB cases and the restoration of the rights of THB victims;

(e) (Partnership) Central and local public authorities in partnership with civil society organizations, the private sector and development partners implement policies to prevent and combat THB in a coordinated manner.

97. During 2023, within the framework of the criminal cases instituted for crimes of human trafficking (art.165 CC) and child trafficking (art.206 CC), 169 victims were identified, of which: 144 adult victims (16 women/128 men), 25 child victims (19 girls/6 boys).<sup>22</sup> There is a significant reduction by more than 100% of the number of crimes registered for trafficking in human beings – 22 criminal cases initiated in 2023 compared to 45 cases in 2022.

98. An analogous situation, only with a smaller decrease, is also recorded in the case of crimes of child trafficking where, in 2023, 17 crimes were registered compared to 22 crimes in 2022. On the other hand, the number of criminal cases for crimes of organizing illegal migration increased by over 46%, as well as a significant increase have also had the crimes of forced labor (art.168 of the CC) and child pornography (art.208/1 of the CC). This fact is generated by objective and subjective factors, especially from the regional context to the fluctuation and reduction in the number of personnel dedicated to countering crimes of this category, the reduction in the number of proactive investigations, the limited capacities of the authorities to provide services of long-term assistance and support to the victims of the mentioned crimes that have the effect of the victims' lack of interest in participating in the criminal proceedings, etc.

99. In order to ensure the continuity of the parallel financial investigations, simultaneously with the application of the punishment of the defendants, the courts also ordered the confiscation under the conditions of art.106 and art.106/1 of the CC of the assets used to commit crimes in the THB category. As a result of the parallel financial investigations, by the courts, simultaneously with the conviction of the person for committing the crimes of THB and related crimes, they ordered the confiscation for the benefit of the state of the sums of money and goods used to commit the crime or resulting from the crime in the approximate amount of 1,896.905 lei. On the cases of THB and related crimes in 13 cases, the courts ordered the collection for the benefit of the injured parties of the civil actions with a total value of 1,303,848 lei.

### *International cooperation in the field of human trafficking and illegal migration*

100. In the framework of the criminal investigation, the prosecutors, acting in accordance with the standards established in art.32 of the Warsaw Convention, submitted to other states 11 requests for rogatory commissions, of which 9 requests for criminal cases of THB, and 2 requests for cases of organizing illegal migration. At the same time, the GPO received for execution 10 requests for rogatory commissions, of which 6 requests for rogatory

commissions on the criminal cases of human trafficking, and 4 requests on the cases of the organization of illegal migration.

101. In connection with the investigation of THB cases, the GPO sent 6 extradition requests to other states. At the same time, law enforcement authorities detained 2 persons announced as international wanted.

102. For cross-border cases, one of the basic instruments of international legal assistance in criminal matters, namely the Joint Investigation Teams (JITs), was widely applied, with 2 JITs being established:

- Between Moldova-Hungary-Italy, on a criminal case regarding the organization of illegal migration and labour exploitation of Moldovan citizens on Italian territory;
- Between Moldova and Romania on a criminal case regarding the sexual exploitation of Moldovan citizens on the territory of Romania and other EU states.

103. Statistical data show that the phenomenon of THB remains active. In the period of 2020's – 2023, the following number of victims of THB was recorded:

- In 2020, 139 victims were identified, of which 116 adult victims (29 women and 87 men) and 23 child victims (20 girls and 3 boys) – compared to 2019, a decrease by 50% in identified adult victims was recorded and by 79% in child victims, as a result of the measures and restrictions imposed in order to prevent and reduce the risk of infection with COVID-19, which generated a series of difficulties and impediments in action against THB;
- In 2021, 357 victims (335 adults: 130 women/204 men) and 22 child victims (21 girls/1 boy) were identified, which attested an increase in the number of victims, which was determined by several investigations of large proportions within the joint investigation teams carried out by the specialized Section of the GPO jointly with the Centre for Combating Trafficking in Persons (hereinafter CCTP): one created with the Republic of Italy (more than 70 female victims) and another with the French Republic (over 200 male victims);
- In 2022, 151 victims were identified (107 adult victims: 32 women/75 men) and 44 child victims (43 girls/1 boy);
- In 2023, 169 victims were identified (144 adult victims: 16 women/128 men) and 25 child victims (19 girls/6 boys).

104. It should be emphasized that the COVID-19 pandemic and the multiple crises arising from the invasion launched by the Russian Federation in Ukraine are factors influencing the phenomenon of THB. The analysis of THB cases shows that the main form of exploitation of adult victims remains the same as in previous years – labour exploitation, and the destination countries where citizens of the Republic of Moldova are exploited are the countries of the European Union, starting from 2019. The main form of exploitation of victims of child trafficking remains sexual exploitation, and the place of exploitation is the territory of the Republic of Moldova.

105. Traffickers are adapting their business models to the “new normality” created by the COVID-19 pandemic, especially by abusing modern communication technologies, which is also particularly relevant in the context of refugees from Ukraine.

106. In 2023, 37 victims of THB and child trafficking were assisted by specialized services. In 2022 were assisted 65 victims. The victims were provided with psychological, medical, and legal assistance, employment counselling and, when necessary, physical protection. In the activity of identifying of the victims of human trafficking, specialists in the field are guided by several normative acts:

- Guide regarding the identification of victims and potential victims of human trafficking – approved by MLSP by Order No.33/2012;
- Guide regarding the identification of victims and presumed victims of human trafficking in the context of mixed migration flows – approved by Order of the Minister of Internal Affairs No.485 of 05.10.2022;

- Recommendations of the GPO No.6/2-15d/22-292 of 27.04.2022 regarding the status of persons leaving the territory of Ukraine, the legal qualification of their actions and the manner of action by law enforcement bodies;
- Circular of the specialized subdivision of the GPI regarding the mechanism and methodology for identifying potential victims of human trafficking in the context of the refugee crisis in Ukraine.

107. During 2023, the courts ruled:

- 33 sentences regarding human trafficking against 42 defendants (in 2022 – 16 sentences against 22 defendants);
- 11 sentences regarding child trafficking against 17 defendants (in 2022 – 3 sentences against 3 defendants);
- Among the sentences handed down, of conviction were:
  - 18 sentences regarding human trafficking against 23 defendants;
  - 7 sentences regarding child trafficking against 10 defendants.

#### *Ensuring the protection of victims*

108. In order to ensure the effective implementation of national and international standards, aimed at the segment of assistance and protection of crime victims and the creation of a complete framework for their assistance, the GPO has developed the Instruction of 21.07.2021 regarding the improvement of practice in the field of facilitating the provision of services of support for the victims of the crimes of human trafficking and child victims of sexual exploitation, by which the prosecutors who carry out or, as the case may be, lead the criminal investigation were obliged to ensure that the following actions are taken by the criminal investigation officers:

- Informing the victim/injured party about his rights in a way that he can understand them;
- Assessment of imminent risks for the victim and his needs;
- Informing the victim about the existing Centres that provide assistance services in various fields at the local and regional level;
- Ordering/requesting the preparation of psychological evaluation reports or psychiatric-psychological expertise, in order to determine the psycho-behavioural consequences of the exploitation;
- Legal assistance guaranteed by the National Centre for Free Judicial State Assistance.

109. The employees of the Centre for Combating Trafficking in Persons of the GPI, together with the Ministry of Labour and Social Protection and the International Labour Organization, carried out information and awareness-raising activities for representatives of educational institutions, social workers, local public administrations, the business sector (construction, transport), as well as members of multidisciplinary teams, with the aim of preventing and combating human trafficking, including child trafficking, and the immediate reporting of such trafficking cases to the police.

### **Treatment of persons deprived of their liberty (arts. 7 and 10)**

#### **Reply to paragraph 15**

110. To combat overcrowding in penitentiaries, the MOJ has promoted changes to the CC and the CoC, established special commissions to implement the Amnesty Law, and continues to plan for wider use of open prisons, unescorted movements, uniform distribution within sectors, and a more efficient system for conditional release.

111. The main legislative changes already adopted in the first reading are:

- Expanding the application of alternatives to imprisonment for all categories of offenses (specifically, art.92 of the CC – replacing the unexecuted part of a sentence with a milder punishment – will be applicable to all crimes);
- Introducing a mandatory requirement for courts to prioritize and provide justification when considering the possibility and suitability of reducing a prison sentence when determining the final penalty. This also includes expanding the application of alternative punishments and measures, as outlined in Art.75(21) of the CC;
- Introducing the possibility of applying art.92 to those sentenced to life imprisonment after serving 30 years effectively;
- Implementing open prisons for sentences related to minor offenses;
- Making participation in probation programs mandatory for minors whose sentence has been conditionally suspended.

112. Regarding the population reduction measures, NAP Order No.187 dated March 28, 2024, established a working group with representatives from NAP and Promo-Lex. This group will develop a methodology for calculating the detention capacity in penitentiary institutions.

113. Several actions have been incorporated into the National Human Rights Action Plan for 2025–2027, the National Development Plan for 2024–2026, the NAP Action Plan for 2024, and the Action Plans of Penitentiary Institutions. These actions aim to improve detention conditions through the construction and reconstruction of existing penitentiaries. In this sense, NAP is continuing to implement a series of measures to address overcrowding. This includes multi-year planning and execution of investment projects for major repairs in open sectors of three penitentiaries.

114. The Government of the Republic of Moldova adopted Decision No.276 on April 17, 2024, to initiate negotiations and approve the signing of Amendment No.2 to the Framework Loan Agreement between the Republic of Moldova and the Council of Europe Development Bank. The Parliament has ratified the aforementioned Amendment through the Law No.158/2024 which is in force from 4 July 2024.<sup>23</sup> This agreement aims to finance the construction project for the New Penitentiary in Chişinău.

115. Collaboration with United Nations Office for Project Services (UNOPS) is also underway due to the advantages it offers and government support. According to this revised implementation arrangement, the Project Implementation Unit (PIU) will carry out project management in collaboration with UNOPS. UNOPS will be responsible for procurement, monitoring, and technical supervision of the works, quality and volume assessment of construction works, as well as project risk management. The construction project for the Chişinău Penitentiary will be extended for a period of 4 years until the end of 2028.

116. The Strategy for Ensuring the Independence and Integrity of the Justice Sector for 2022–2025 prioritizes the implementation of a progressive system of punishment execution. Following the advancement of the draft law amending the legislation on penal execution (establishing progressive regimes), an implementation program will be developed. This program will focus on adapting infrastructure, reorganizing personnel, and establishing a risk assessment unit for the new execution system.

117. Furthermore, reducing organized crime within penitentiaries is one of the specific objectives of the Crime Prevention and Combating Program for 2022–2025 approved by the Government through Resolution No.948 dated December 28, 2022. Based on the recommendations of a study and a security audit conducted in 2023, NAP, together with the MOJ, has developed a roadmap to reduce the informal hierarchy. This roadmap includes interventions following the steps recommended by the members of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

118. In accordance with legal provisions, the penitentiary administration system provides medical care to all detainees, respecting the protocols of the national clinic and the medical treatment standards approved by the Ministry of Health. Medical care is provided according to the provisions of NAP Order No.343/2022 on the approval of the Regulation on the Organization of Medical Care for Detainees in Penitentiary Institutions.

*Data on conditional release is as follows*

119. In 2023, based on art.91 of the CC, 187 convicts were released (compared to 205 in 2022), representing a decrease of 8.78%. Under art.92 of the CC, 199 convicts were released in 2023 (compared to 228 in 2022, representing a decrease of 12,72%.

120. The Electronic Monitoring Directorate (EMD) of the National Probation Inspectorate (NPI) oversees the electronic monitoring system, ensuring the supervision and control of individuals subject to various legal restrictions. The EMD's responsibilities include monitoring individuals released from criminal punishment, those moving without escort, and those under preventive measures:

- 2023: 12 employees managed the electronic monitoring of 1898 individuals;
- 2022: 1574 individuals;
- 2021: 783 individuals.

*Supervision of Probationers*

121. The NPI supervises a significant number of individuals on probation, ensuring they comply with legal requirements and receive appropriate support:

- 2023: 7754 supervised persons were managed, with 9878 flow of entries and 10073 flow of exits recorded;
- 2022: 8395 supervised on 31 December, with 9822 flow of entries and 12425 flow of exits.

*Unpaid Community Service*

122. Unpaid community service is utilized as an alternative to incarceration, providing probationers with opportunities to contribute to the community while serving their sentences. This approach has proven effective in reducing costs and ensuring compliance.

*Unpaid Community Service Rates*

- 2020: 66% of sanctions were unpaid community service;
- 2023: 75% of sanctions were unpaid community service.

123. Estimated Savings: The implementation of unpaid community service resulted in an estimated saving of 15,833,923 lei for local budgets in 2023. The analysis of the data shows a low rate of evasion from execution of a misdemeanour/criminal punishment as community service, thus 368 individuals (3,67%) had their punishment replaced by a prison sentence (out of 10032). Probationers perform community service in various non-profit institutions, such as kindergartens, hospitals, foster homes, and centres for the disabled. This approach not only benefits the community but also aids in the rehabilitation of probationers.

*MIA detention facilities*

124. In accordance with the provisions of the Policy Matrix for the implementation of budget support for Police reform for the years 2017–2020, 15 temporary detention facilities<sup>24</sup> were renovated according to international standards, particularly the recommendations of the CPT. Other related activities aimed at improving the conditions for persons detained in police custody were also undertaken, with budgetary support from the EU. During the capital repair works, the activity of these temporary detention facilities was completely suspended until the modernization process was fully completed and they were fully operational. After commissioning and logistical support, these temporary detention facilities operate on a regional basis, and the activity of temporary detention facilities that do not meet the minimum approved standards has been completely suspended.

125. In addition, in the context of the construction of the Criuleni Police Inspectorate, which includes a temporary detention facility, financial resources were allocated for the purchase of necessary furniture and equipment. However, a series of deficiencies were identified during the inspection of the repair/renovation process of the temporary detention

facility of the Criuleni Police Inspectorate, which need to be addressed to complete the renovations and commission the facility. Thus, it should be noted that in the period 2019–2023, the GPI embarked on a comprehensive process of conceptual and institutional reform of the temporary detention system. This exercise aims to implement national policies designed to modernize and professionalize the activities of employees ensuring detention, as well as to guarantee improved conditions of detention and escorting.

126. Furthermore, according to the provisions of the CPC, detainees should have access to medical services, including independent medical assistance, immediately after their detention. Additionally, the Executorial Code stipulates that all persons detained in a temporary detention facility should undergo a medical examination immediately upon entry and exit from the detention facility, as well as upon request during their stay in the temporary detention facility. The provisions require that the medical examination be conducted in conditions of confidentiality.

127. According to the provisions of the Chief of Police Order No.380/2019 “*Regarding the approval of instructions on the organization and functioning of temporary detention facilities under the GPI, as well as necessary safety measures*” and the Chief of Police Order No.444/2019 “*Regarding the approval of the Standard Operating Procedure for ensuring medical assistance to detained persons and those in temporary detention*”, detainees are medically examined by a medical worker upon placement and exit from the temporary detention facility, as well as upon request.

128. In this context, according to staffing standards, the Detention and Escort Services within the territorial police inspectorates that have temporary detention facilities are provided with one (1) paramedic position. Outside the working hours of the paramedic and/or on rest days, the person in police custody is presented to the public hospital institution for medical examination. Moreover, a person in police custody can benefit from private medical assistance services at their own choice, at their own expense or, if they agree, at the expense of third parties (lawyer, close relatives, partner).

129. Currently, all renovated detention facilities comply with the requirements for conducting medical examinations while maintaining the confidentiality of detainees. In these facilities, offices are designated for medical assistance separate from consultation and epidemiological triage offices, ensuring the confidentiality of medical examination results and other personal data, in accordance with the provisions of the Chief of Police Order No.527/2017 “*Regarding the approval of minimum mandatory standards for detention spaces and vehicles intended for transporting persons in police custody*”.

130. By Chief of Police Order No.444/2019, the Standard Operating Procedure for ensuring medical assistance to detained persons and those in temporary detention was approved. According to point 11.2, the expert team that developed this procedure reflected the following findings: Currently, the right to medical assistance for detainees is partially ensured by medical staff (paramedics) within the temporary detention facilities, who are direct employees of the police. Therefore, it was found that the independence of medical workers is directly affected, contrary to the Istanbul Protocol.

131. Thus, medical examination is not conducted in the presence of other persons, ensuring the examination of the detainee by a medical worker of the same sex, without video surveillance, and the presence/involvement of the police officer is ensured in cases of aggressive behaviour by detainees and only at the request of the medical worker to ensure their personal safety. Additionally, to eliminate any suspicion of violation of detainees’ rights during the medical examination and to ensure the integrity of the medical worker, the spaces designated for examination and medical assistance are equipped with emergency buttons (alarms).

132. Medical diagnoses for entries made in medical examination records are coded as per the Ministry of Health Order No.546/2012 “*Regarding the approval of rules for coding diagnoses and medical procedures*.” Therefore, police employees who have access to detainees’ files, which include the medical record, cannot deduce detainees’ medical diagnoses, thus ensuring the confidentiality of personal information.

133. It should be noted that medical examination of detainees is carried out at each entry/exit in the temporary detention facility with the completion of a medical record containing a body chart, in accordance with the provisions of the Chief of Police Order No.380/2019 “Regarding the approval of instructions on the organization and functioning of temporary detention facilities under the GPI” and the provisions of Annex No.3 to the Chief of Police Order No.444/2019 “Regarding the approval of the Standard Operating Procedure for ensuring medical assistance to detained persons and those in temporary detention.” Upon completion of the body chart, general observations about the detainee’s condition are recorded, indicating localizations on drawings with anterior and posterior views (ventral and dorsal) with mandatory photography of detected body injuries.

134. In case of inability to provide medical examination of detainees by the paramedics of temporary detention facilities, urgent pre-hospital services are requested.

135. Currently, the position of paramedic within the Detention and Escort Service is part of a medical network under the Ministry of Internal Affairs, which, according to health protection legislation, provides services to a specific category of persons, namely those in police custody. Therefore, the position of paramedic in the Detention and Escort Service represents a specialized post under the Ministry of Internal Affairs, requiring medical studies. Most paramedics of the Detention and Escort Services are employed in this position concurrently, with a shortened work schedule, also working in public or private hospital institutions.

136. In the temporary detention facilities, an office for medical assistance is designated separately from the offices for consultation and epidemiological triage, ensuring the confidentiality of medical examination results and other personal data, in accordance with the provisions of the Chief of Police Order No.527/2017 “*Regarding the approval of minimum mandatory standards for detention spaces and vehicles intended for transporting persons in police custody*”.

## **Treatment of aliens, including migrants, refugees and asylum seekers (arts. 7, 9, 13 and 24)**

### **Reply to paragraph 16**

137. On 08.06.2023, the Parliament of the Republic of Moldova adopted the Law No.142 for the amendment of art.11 of the Citizenship Law of the Republic of Moldova No.1024/2000, the purpose of which was to adjust the legislation of the Republic of Moldova to the provisions of the 1954 UN Convention on the Status of Stateless Persons, the 1961 UN Convention on the Reduction of Statelessness, and the Convention on the Rights of the Child, guaranteeing thus the right of any child born on the territory of the Republic of Moldova to the citizenship of this state, thus preventing situations of statelessness of children born to parents with residence documents, or as the case may be to expired visas, or to parents without residence documents in transit.

138. According to the law, the child is considered a citizen of the Republic of Moldova born on the territory of the Republic of Moldova to parents who have the citizenship of another state, or one of whom is stateless or a beneficiary of international protection, and the other is a foreign citizen – if, at the time of submitting the application, at least one of the parents has the right of residence or benefits from international protection granted by the competent authorities of the Republic of Moldova or is recognized as stateless by the competent authorities of the Republic of Moldova, as well as in the event that the child meets the legal conditions to be recognized as stateless.

139. In accordance with Chapter IX<sup>1</sup> “Fundamental Rights, Freedoms, and Obligations of Foreigners” of Law No.200/2010 on the Regime of Foreigners in the Republic of Moldova: Foreigners in the Republic of Moldova enjoy the same rights and freedoms as the citizens of the Republic of Moldova, guaranteed by the Constitution of the Republic of Moldova and other laws, as well as the rights provided in international treaties to which the Republic of Moldova is a party, with exceptions established by the current legislation (Art.84/1 of Law No.200/2010).<sup>25</sup>

140. According to Art.10 of the Law on Citizenship of the Republic of Moldova No.1024/2000, the citizenship of the Republic of Moldova is acquired by birth, recognition, adoption, re-acquisition and naturalization. In all these ways, the mother's citizenship has the same weight as the father's when acquiring the child's citizenship.

141. In order to exclude the risk of statelessness of children and to facilitate the process of obtaining citizenship of the Republic of Moldova by children born on the territory of the Republic of Moldova to foreigners, on June 8, 2023 the Law No.142 on the amendment of Art.11 of the Law on Citizenship of the Republic of Moldova No.1024/2000 was approved. Thus, at this stage, according to art.11 para. (1) of the Law No.1024/2000 it is considered a citizen of the Republic of Moldova the child:

- Born to parents, both or one of whom, at the time of birth of the child is a citizen of the Republic of Moldova;
- Born on the territory of the Republic of Moldova to stateless parents or beneficiaries of international protection;
- Born on the territory of the Republic of Moldova to parents who have the citizenship of another state or one of whom is stateless or a beneficiary of international protection and the other a foreign citizen – if, at the time of submission of the application, at least one of the parents has the right of residence or benefits from international protection granted by the competent authorities of the Republic of Moldova or is recognized as stateless by the competent authorities of the Republic of Moldova, as well as if the child fulfils the legal conditions for being recognized as stateless.

142. Finally, the citizenship of the child shall be decided by mutual consent of the child's parents. If the parents do not reach agreement, the court decides on the child's citizenship, taking into account the child's interests. Also, the child found on the territory of the Republic of Moldova is considered to be a citizen of the Republic of Moldova, as long as the contrary is not proven, until the child reaches the age of 18.

143. Other grounds for the acquisition of the citizenship by the child are regulated by art.12, 13, 15 and 17, para. (1) of the Law on Citizenship of the Republic of Moldova No.1024/2000. According to art.19 of the above-mentioned Law, a child born to foreign citizen or stateless parents who acquire the citizenship of the Republic of Moldova, acquires citizenship on the same date as the parents. If only one of the parents acquires the citizenship of the Republic of Moldova, the parents will decide by mutual consent whether the child will be a citizen of the Republic of Moldova. If the parents do not reach an agreement, the court will decide, taking into account the interests of the child. In the case of a child who has not acquired the citizenship of the Republic of Moldova together with one of the parents, the child is entitled to acquire it at a later stage, until the child reaches the age of 18 years on the basis of which citizenship was acquired by the parent. In such cases, the consent of the child who has reached the age of 14 is required.

144. The legislative framework for ensuring the state registration of the birth of children is Law No.100/2001 on civil status acts. According to its provisions, the state registration of the birth of newborn children is compulsory and free of charge, and takes place on the day of the parents' (or other persons authorized by them) address to the authorities entitled to register the birth: the Public Service Agency, the local public administration authority of the parents' residence or the diplomatic missions and consular offices of the Republic of Moldova accredited abroad. Ensuring the registration of the birth of a newborn child is today a regular and continuous process of monitoring and control, with no differences in the registration procedure in relation to the citizenship or ethnicity of the parents or members of their families.

145. Birth registration of children is carried out on the basis of medical certificates attesting the birth and is not conditioned by the citizenship of the parents or other differentiating criteria. In order to avoid the failure to declare the birth of a newborn child within the legal time limit (3 months) by the parents, the civil status bodies continuously monitor the process of registration of the birth of children, in relation to the information on the number of births produced in the medical institutions and medically confirmed, reporting the failure to register newborn children to the guardianship and curatorship bodies.



146. In the same vein, within the framework of the implementation of the project Modernization of Governmental Public Services,<sup>26</sup> public services related to the life event “Birth of a child” are subject to re-engineering.

147. In terms of ensuring the project of modernization of government services, the work on the area of competence of civil status, is reflected by the initiation from 28.04.2023 of the development work of the Information System “Civil Status Documents”, which is currently in progress. Therefore, the national normative framework has been subject to multiple amendments in order to harmonize it with international instruments on citizenship, to ensure the right of every person to the citizenship of the Republic of Moldova and to exclude cases of loss of citizenship of the Republic of Moldova by children becoming stateless.

148. In order to align the legal framework of the Republic of Moldova with the acquis of the European Union, it was approved the GD No.278/2024 regarding the establishment of the Information System Medical Certification of Birth and Death. Thus, the centralized registration procedure of medical findings of birth produced in the Republic of Moldova will be automated, creating a database regarding medical findings of birth.

## **Access to justice, independence of the judiciary, and fair trial (arts. 2 and 14)**

### **Reply to paragraph 17**

149. The critical situation of the justice system has been attested since 2016 after several unfortunate events involving judges and prosecutors.<sup>27</sup> Until 2022, a qualitative improvement in the activity of prosecutors and judges did not occur, on the contrary, it worsened, and the internal mechanisms of the self-administration bodies did not work. Also, the credibility in the act of justice has significantly decreased.

150. We mention that in its Opinion from 2019 (pt. 18–19, 37–40, 84) but also from 2021, the Venice Commission has already noted the extraordinary situation in which the Republic of Moldova finds itself with regard to the serious state of affairs in justice. A situation that has worsened since 2019, creating a total blockage in the justice system. Moreover, it was reiterated that, in principle, the state authorities decide that in extraordinary cases, when the internal mechanisms fail, urgent and radical mechanisms can be applied: for example, the evaluation mechanism in Ukraine, the one in Albania, the pre-vetting mechanism in Moldova. Thus, the appeal to the external evaluation exercise in stages was justified by the fact that the internal mechanisms have failed countless times, the self-administration bodies being unable to clean the system from the inside, and systemic corruption and the lack of integrity have chronically affected the justice system.

151. The purposes pursued by the promotion of the draft laws for the assessment of the integrity of prosecutors and judges (pre-vetting and vetting) consist of:

- Increasing the quality of the judicial act;
- Creation of the mechanism for carrying out the final stages of the external evaluation of the integrity of judges and prosecutors;
- Ensuring the appointment of impartial and integrity judges and prosecutors;
- Assuring a high-level of salary for the vetted candidates;
- The elimination of judges and prosecutors lacking integrity from the system.

152. The laws that are regulating the pre-vetting and vetting procedure are:

- Law No. 26/2022 regarding some measures related to the selection of candidates for the position of member in the self-administration bodies of judges and prosecutors (applies to candidates for the position of member of: SCM; SCP; The Colleges for the selection and evaluation and Disciplinary colleges;
- Law No. 252/2022 on the external evaluation of judges and prosecutors and the amendment of some normative acts (applies to the following subjects: president and vice president of the courts, including those who provided the interim; the judges of

the appeal courts; prosecutors who, exercised the position of General Prosecutor, deputy of the General Prosecutor, chief prosecutors of the sections of the GPO, including those who secured their interim; prosecutors who, exercised the position of chief prosecutor of a prosecutor's office and deputy chief prosecutor of a prosecutor's office, including those who secured their interim; the prosecutors of the specialized prosecutor's offices, including those delegated within them;

- Law No. 65/2023 regarding the external evaluation of judges and candidates for the position of judge of the Supreme Court of Justice

153. These laws assume the essential increase in the salaries of judges and prosecutors as soon as they pass the evaluation procedure, a fact that ensures independence and impartiality.

154. With reference to the measures to strengthen the independence of the SCM from political interference, we mention that according to the last modifications in the Constitution operated by the Law No.120/2021 of September 23, 2021<sup>28</sup> its composition has changed.<sup>29</sup> The new structure excludes the ex-officio members of the SCM – the Minister of Justice, the General Prosecutor and the president of the Supreme Court of Justice from its competence.

155. With reference to the term of initial appointment of judges for a period of 5 years after which permanent confirmation in office could follow, we mention that art. 116 of the Constitution was amended by Law No. 120/2021 and provides the following “(2) Court judges are appointed, in accordance with the law, until reaching the age limit, by the President of the Republic of Moldova, upon the proposal of the Superior Council of Magistrates. The President of the Republic of Moldova can reject the candidacy proposed by the Superior Council of the Magistracy only once”. Thus, the independence of the judge is ensured from his appointment to the position until he reaches the age limit and the doubts regarding his influence during the 5-year period are eliminated, ensuring the guarantee of the continuity of his professional career.

156. Likewise, the same article of the constitution enshrines the functional immunity of the judge under the law. Thus, according to art. 19 para. (4) of Law No.544/1995 regarding the status of the judge, “Criminal prosecution against the judge can only be initiated by the Prosecutor General or the first deputy, and in his absence by a deputy pursuant to the order issued by the Prosecutor General, with the agreement of the Superior Council of Magistracy, under the conditions of the Criminal Procedure Code. In case the judge commits the crimes specified in art. 243, 324, 326 and 330<sup>2</sup> of the Criminal Code(CC),<sup>30</sup> as well as in the case of flagrant crimes, the agreement of the SCM is not necessary to initiate criminal prosecution”. Regarding crimes against judges, we note that the prosecution is carried out exclusively by prosecutor under the CPC which assures a much effective and prompt criminal prosecution.

157. As concerns the measures to improve the efficiency of the administration of justice, the draft law No.408/MJ/2024 is in the finalization process at the MOJ and it aims to amend the CPC and the EC to solve the problem of delays in the examination of cases in courts and the execution of court decisions.<sup>31</sup>

158. At the same time, the access to justice, especially to legal assistance guaranteed by the state, is ensured under art.69 of the Civil Procedure Code and art.19 and 20 of Law No.198/2007 regarding legal assistance guaranteed by the state.<sup>32</sup>

159. With reference to the Judge Domnica Manole case, we emphasize that she was rehabilitated from a criminal point of view based on the acquittal sentence of the Chisinau Court of August 26, 2019, following the state prosecutor's renunciation of the accusation during the court hearing. In this case, the Chisinau Court awarded her a moral and material damage in the amount of 800,000 lei, an amount that was maintained following the decision of the Chisinau Court of Appeal. The Ministry of Justice, considering the amount exaggerated, appealed to the Supreme Court of Justice. Currently Ms. Manole holds the position of president of the Constitutional Court.

## **Freedom of conscience and religious belief (arts. 2, 18 and 26)**

### **Reply to paragraph 18**

160. According to Art.4 of Law No.125/2007 on freedom of conscience, thought and religion, everyone has the right to freedom of thought, conscience and religion. This right must be exercised in a spirit of tolerance and mutual respect and includes the freedom to belong or not to belong to a particular religion, to hold or not to hold particular beliefs, to change one's religion or beliefs, to profess one's religion or beliefs individually or in community, in public or in private, through teaching, religious practice, worship and the performance of rites. Every individual and religious community may freely adhere to any religious worship.

161. Art.4 para. (2) of the Law No.125/2007, stipulates that the exercise of the right to freedom of manifestation of religious beliefs or faith may be restricted, under the conditions of the law, only if such restriction pursues a legitimate aim and represents, in a democratic society, measures necessary for public safety, maintenance of public order, protection of public health and morals or protection of individual rights and freedoms. Currently, the legislation of the Republic of Moldova does not define "pacifist organizations" as forms of associations.

162. The way of replacing military service with the alternative service is regulated by Law No.156/2007 on the organization of civilian (alternative) service, which specifies that it is a state service of a civil and socially useful nature, performed by citizens who refused to be under arms (compulsory military training) for religious or pacifist beliefs. Law No.156/2007 lays down how civilian (alternative) service is to be performed with the aim of providing a normative framework for the manifestation of civic duty to society. Art.4 para. (2) provides the categories of persons who are exempted from civilian service. Currently, the legislation of the Republic of Moldova does not provide for the cancellation of civilian alternative service in case of general mobilization or war.

## **Right to privacy (art.17)**

### **Reply to paragraph 19**

163. On 08.06.2023 the Parliament of the Republic of Moldova adopted Law No.136 on the Intelligence and Security Service of the Republic of Moldova (SIS), on 25.05.2023 it adopted Law No.121 amending the Law No.170/2007 on the status of the intelligence and security officer, and on 07.07.2023 the Law No.179 regarding counter informative activity and external informative activity.

164. The obligations and powers of the SIS were expressly established, while excluding the ambiguities and excessive rights initially provided for in the project for this institution. The provision referring to the establishment of the official warning was excluded, and the extremely intrusive provisions in the activity of the exponents of the business environment were excluded.

165. The duties of the SIS director have been adjusted, excluding improper duties and those that could create premises for abuse. The role of the SIS Board was reviewed, with decision-making powers being fulfilled, which were previously under the competence of the SIS director, such as: approving the Service's activity regulations; the activity regulations of the Special Couriers Bureau; the annual activity report of the Service; the activity regulations of the Service's subunits, of the Service's College; as well as the annual activity priorities.

166. The legal status of the persons who collaborate confidentially with the Service was perfected, their rights and obligations were established, as well as the social and legal guarantees of the respective category of persons were determined.

167. It was expressly established that the financing and technical-material insurance of the Service is made only from the state budget, and donations and grants can be granted to SIS exclusively through the Government, as long as they do not affect the independence of the Service.

168. In this context, the authors of the respective draft laws have implemented a series of innovative and effective solutions aimed at ensuring the institutional independence of the SIS by clearly establishing the attributions, rights, obligations, directions of activity, as well as the levers of democratic control on it exercised by the President of the Republic of Moldova, the Parliament through the profile committee and the subcommittee, the prosecutor's office, the courts and the Court of Accounts.

169. Annually, by June 1, and at the request of the Parliament or the President of the Republic of Moldova, the Service presents, in the established manner, its activity reports. The annual activity report of the Service is made public on the official website of the Service and that of the Parliament, excluding the information attributed to state secret from the report. The external public audit of the financial statements of the Service is carried out by the Court of Accounts.

170. Parliamentary control over the activity of the Service is carried out, according to the regulation approved by the decision of the Parliament, by the parliamentary subcommittee for the exercise of parliamentary control over the activity of the Service. The members of the subcommittee may have access to the information classified as a state secret under the terms of Law No.245/2008 regarding state secrets, with the exception of special files and information regarding ongoing operations, regarding the identity of persons who collaborate or have collaborated confidentially with the Service, regarding persons operating undercover, being part of the cryptic staff or having special missions that require the non-disclosure of identity. MP's are responsible, under the law, for the disclosure of information classified as a state secret, including the information received from the Service on the basis of the interpellations of the MP's.

171. Judicial control over the Service's activity is carried out in the context of the authorization of counter-informative measures and the examination of the legality of the Service's acts and actions. The control exercised by the prosecutor is carried out by the prosecutors of the GPO, empowered in this sense by the General Prosecutor. The information regarding the organization, forms, tactics, methods and means of carrying out the activities of the Service are not subject to the control exercised by the prosecutor, except in cases where the violation of the rules regarding the performance of the indicated activities constitutes a crime.

172. The internal control over the activity of the employees of the Service is carried out by the director of the Service, the deputy director of the Service empowered in this regard, the control subunits and the leaders of the specialized subunits.

173. The Law No.179/2023 on counter-informative activity and external information activity introduced a comprehensive legal framework governing these operations by the SIS. Prior to this law, such activities were either incorporated into existing legislation on special investigative activities or were informally conducted, which was not ideal given the primary purpose of such legislation being the prevention and detection of crimes.

174. A significant innovation within this law is the introduction of the judicial mandate, which serves as authorization from a specially empowered judge for conducting counter-informative measures. These measures encompass surveillance and investigation of individuals' residences, communications via various mediums such as verbal, electronic, postal systems, and more. Furthermore, the law mandates that individuals subjected to counter-informative measures that intrude upon their private life must be informed, except in cases where such disclosure may endanger national security, ongoing investigations, or the person's safety, with the final decision resting with the judge.

175. To prevent abuses, the law outlines multiple forms of oversight and control procedures, with parliamentary oversight being primary. The National Security, Defense and Public Order Commission exercises this oversight through its Subcommittee dedicated to overseeing SIS activities.

176. Annually, the Director of the SIS must present a comprehensive closed-session report to the Parliamentary Subcommittee. This report includes details on all counter-informative activities undertaken, ensuring transparency while safeguarding sensitive information. Additionally, the law revises the types of counter-informative measures permissible and the

procedures for their authorization. Notably, all measures now require judicial authorization, except in cases involving the identification of electronic communications users, which can be authorized by the Director of the Service.

177. Importantly, the law distinguishes between activities aimed at safeguarding state security and those related to criminal investigations. Evidence gathered under a judicial mandate cannot be used in criminal proceedings; if criminal activity is uncovered during counter-informative operations, the SIS must notify the Prosecutor's Office to initiate a separate criminal investigation.

178. The level of judicial oversight is specified, with mandates issued by a judge from the Chisinau Court of Appeal, and appeals heard by a panel of three judges from the Supreme Court of Justice.

179. To enhance accountability, an ex-post control mechanism has been established. After completion of counter-informative measures, all documentation and data collected are submitted to the authorizing judge for review of legality. Any identified irregularities prompt the judge to declare the measures null and to notify the Prosecutor's Office for further investigation. Additionally, to strengthen information security, original recordings of audio/video data obtained during operations are securely stored separately from processed files, ensuring the integrity and authenticity of collected evidence.

180. Finally, the law empowers the Parliamentary Subcommittee to delve into all aspects of SIS operations, issuing inquiries, recommendations, and even initiating investigations or notifying the Prosecutor General based on its findings. Its findings are published on the Parliament's website, unless they pertain to classified information.

181. In conclusion, the Law No.179/2023 marks a significant step towards regulating and overseeing counter-informative and external information activities, balancing the need for national security with individual rights and parliamentary oversight. Guarantees were introduced regarding the implementation of counter-informative measures against lawyers and journalists. Thus, in the application submitted to the judge for the authorization of the measure, it will be expressly mentioned whether the person concerned has the status of a lawyer or journalist.

182. Also, a ban was established on the authorization of measures regarding the legal relations of legal assistance between the lawyer and his client and regarding journalists, in order to establish their sources of information. If such information is accidentally collected, it cannot be used and is destroyed with the authorization of the judge. An additional mechanism on the protection and management of personal data has been implemented. In this sense, the processing and control over the processing of personal data within the informative/counter-informative activity will be carried out in accordance with the legislation on the protection of personal data.

183. On 05.10.2023, the Parliament adopted the Law No.286 for the modification of some normative acts that regulate the special investigative activity, both within and outside the criminal process. Thus, through the amendments proposed by the Government to the CPC and Law No.59/2012 regarding the special investigative activity, the achievement of the following objectives was pursued: clear and strict delimitation of the special investigative activities carried out; strengthening and increasing the investigative capacities of the competent bodies; regulation of an effective control mechanism for special investigative measures; as well as the overall remedy of the deficiencies found in the related normative framework previously declared unconstitutional.

184. As a result, the main objectives set before the respective inter-institutional working group have been fully achieved, namely: the normative framework that regulates the special activity of investigations within the criminal process, from that outside the criminal process, has been revised and delimited; the control mechanism (authorization and verification) of special investigative measures ordered and carried out outside the criminal process was streamlined; the deficiencies of the normative framework related to the unconstitutionality of some regulations were remedied.

185. Also, considering that the activity of the SIS was recently regulated in a separate regulatory framework with the adoption of the package of laws regarding the activity of the

SIS and regarding counter informative activity and external informational activity, it was necessary to adjust the present draft law to the provisions of the CPC.

186. The proposed changes to art.126 para. (2) of the CPC were operated to clarify the “how to pick up telephone calls”, which is otherwise a “camouflage” of the special investigative measure of collecting information from electronic communication service providers. Thus, in order not to circumvent the mechanism of the respective special investigation measure, it was imperative to intervene in art.126 para. (2) of the CPC, so that the recording of telephone conversations is carried out exclusively by means of evidence and appropriate evidentiary procedures prescribed for the criminal process.

187. Another important aspect revised in this draft concerned the special investigation measure “collection of information from electronic service providers”, which has been given a new wording. This wording was taken from art.27 of Law No.179/2023 regarding counter informative activity and external informative activity.

188. The same reasoning can be found in the redaction of special investigations “identification of the subscriber or user of an electronic communications network”, which was also inspired by art.21 of Law No.179/2023 regarding counter-informative activity and external informative activity.

189. In Art. II, the same considerations that were followed in the case of the proposed amendments to the CPC were taken into account. Thus, the SIS was excluded from Law No.59/2012 regarding the special investigative activity; the purpose of the respective law was adjusted; clarity was given to the grounds for ordering special investigative measures within the meaning of Law No.59/2012; some of the special investigative measures were defined, so that they do not duplicate those in the criminal process, etc.

190. Changes were made in Law No.159/2016 regarding the specialized prosecutor’s offices so that it can be possible to apply the institution of secondment of intelligence and security officers within the specialized prosecutor’s offices. In this sense, the method of selection, the conditions, the period, as well as their revocation will apply according to the same rules as for seconded personnel provided for in Law No.159/2016.

## **Freedom of expression (arts. 19 and 20)**

### **Reply to paragraph 20**

191. The Audiovisual Council of the Republic of Moldova (AC) is the guarantor of the public interest in the audiovisual field and has the mission of contributing to the development of audiovisual media services in accordance with the principles of audiovisual communication provided by the Audiovisual Media Services Code of the Republic of Moldova No.174/2018 (AMSC). The provisions from art.2 para. (2) from the AMSC establish the regulatory object: *the provision and distribution of audiovisual media services by media service providers and media service distributors under the jurisdiction of the Republic of Moldova*, and para. (4) from the same art. indicates the subjects of the Code:

- (a) Media service providers under the jurisdiction of the Republic of Moldova;
- (b) Distributors of media services under the jurisdiction of the Republic of Moldova;
- (c) Video sharing platform service providers under the jurisdiction of the Republic of Moldova.

192. The recommendations of the Committee for Human Rights are aimed at ensuring the protection of journalists, a much more complex field that refers to the entire mass media sector (printed media, online media) and related to which the Audiovisual Council, as an autonomous public authority, has no functional competence.

193. Art.10. *The protection of journalists* from the AMSC indicates the authorities responsible for the protection of journalists.

194. Regarding the measures taken by the Audiovisual Council to strengthen the independence of the audiovisual mass-media and to not encourage its political subordination – TV and Radio, it's important to mention the following: The AC focused on the correct and judicious application of the provisions of the AMSC regarding the legal regime of media ownership. In this sense, in order to counter the concentration of media ownership and the non-transparent financing of the media, the AC publishes on its website the annual reports of providers and distributors of media services, as well as analytical reports issued by the AC that pay attention to links between editorial content, final beneficiaries and funding sources.

195. Ownership transparency requirements have been adjusted to European standards, and, in order to address the gaps related to the transparency of sources of income, the AMSC has been completed with sanctions for refusing to disclose information in this regard.

196. The AC approved a new model of the annual report and introduced a new practice consisting in rejecting reports that do not adequately reflect income and beneficial owners. Emphasis is also placed on detailing data on owners and shareholders in the Registers that are published by the institution, as well as on carrying out regular checks on changes of owners without the Council's consent.

197. With the support of the Council of Europe, the AC has launched a new, restructured and improved version of the Register of Media Service Providers and Distributors to allow greater access and transparency of data on media providers. The new module facilitates the visualization of data and ensures greater transparency regarding TV and radio media services, owners and final beneficiaries, shareholders, administrators, classification of providers, validity of broadcasting licenses, as well as information on media service distributors in the country.

198. Also, in order to ensure a transparent regulation of the field by reducing anti-competitive practices, the AC approved in March 2024: 1) *The methodology on monitoring and evaluating internal audiovisual pluralism*, which covers the legal regime of ownership and transparency of finances; 2) *The methodology on monitoring and evaluating external audiovisual pluralism*, which will assist the regulatory authority in the process of evaluating a wide range of risks related to market pluralism, fundamental protection, political independence and social inclusion; 3) *The methodology on risk assessment related to the emergence of a situation of dominance in the formation of public opinion*.

199. In 2023, the AC devoted considerable effort to organize a transparent tender process for the selection of a new TV ratings measurement company, aiming at addressing existing concerns with the current measurement company regarding the admission of unfair competition practices. Thus, by *Decision No.205 of 14.07.2023*, AC approved the *Regulation on the organization of the competition for the selection of the specialized institution for measuring audience and market shares in the period 2024–2029*. The development and finalization of the *Regulation*, as well as the preparation of the *Tender book for the companies participating in the competition*, were carried out with the support of the expert Helen Harrison from the United Kingdom, a specialist-researcher in the field of media and audit.

200. On November 6, 2024, invitations to submit their bids were sent to AGB Nielsen, Kantar and GfK.<sup>33</sup> Kantar's bid was declared the winner. Thus, the AC properly fulfilled its role by running a transparent and professional competition process, unprecedented for the audiovisual field.

*The measures taken to tackle hate speech and disinformation:*

201. In 2022, the Parliament of the Republic of Moldova adopted a set of amendments to the AMSC relating to: 1) combating disinformation and propaganda in audiovisual media services; 2) prohibiting the broadcast of programs that propagate military aggression; extremist and terrorist content or that present a threat to national security etc. – art.17.

202. Therefore:

- The AMSC was completed with the definition for disinformation (art.1): “intentional dissemination, by any means, in the public space, of information whose false or misleading nature can be verified and which is likely to harm national security”.

203. Also, the AMSC prohibits, under art.11, programs likely to propagate, incite, promote or justify racial hate, xenophobia, anti-Semitism or other forms of hate based on intolerance or gender, racial, ethnic, religious, disability or sexual orientation discrimination. The sanctions are gradual and are similar to those for hate speech and those that affect the national audiovisual space (art.11 para. (2) and (17): 40,000-70,000 lei – first step, 70,000-100,000 lei – second step, and suspension of the broadcast license for up to seven days and withdrawal of the broadcast license).

204. For its part, the AC exercised its regulatory function in the field of competence, approving the secondary normative basis:

- By Decision No.160 of May 26, 2023, AC approved the *Methodology on monitoring hate speech in audiovisual media content*, which is based on the Guide on evaluating and processing cases of hate speech *Combating hate speech in audiovisual media from the Republic of Moldova*, developed as part of the project “Strengthening access to justice through non-judicial redressing mechanisms for victims of discrimination, hate speech and prejudice-motivated crimes in the Eastern Partnership”, financed by the European Union and the Council of Europe and implemented by the Council of Europe within the Partnership for Good Governance II, 2019–2022.

205. The methodology was submitted to public consultations and is based on two international tools used in the process of evaluating and sanctioning hate speech in the audiovisual environment: the Rabat Action Plan and the ECtHR triple test:

- By Decision No.285 of September 15, 2023, AC approved the Methodology on the detection and evaluation of cases of disinformation in audiovisual content;
- By Decision No.61 of March 1, 2024, AC approved the Regulation on audiovisual content.

#### *Access to public information*

206. From 8 January 2024, citizens’ access to public information is regulated by Law No 148/2023 on access to information of public interest, adopted on 9 June 2023. To monitor the implementation of Law No.148/2023, the Register of Requests for Communication of Information of Public Interest and instructions for its completion were approved by GD No.1027/2023. Thus, access to information of public interest is free of charge, with certain exceptions stipulated in art.22 of the Law No.148/2023, and is guaranteed to any natural or legal person, regardless of whether or not they reside in the Republic of Moldova.

207. Information of public interest is provided in two ways: proactively, through publication on the official websites of information providers, and upon request. Requests for communication of public interest information are examined and decided within 10 calendar days from the request’s registration date. The deadline may be extended by up to 7 days in the case of complex requests or if a large volume of information is requested.

208. Monitoring and control of the implementation of Law No 148/2023 is exercised by the Ombudsman’s Office, the State Chancellery and other public authorities.

#### *Countering the disinformation*

209. The Center for Strategic Communication and Countering Disinformation (STRATCOM) was established by Law No.242/2023 on the Center for Strategic Communication and Countering Disinformation and the amendment of certain normative acts.

210. The Center is a unique model in the European context, serving as a new public institution within the security architecture of the Republic of Moldova, with national responsibilities in this field, operating under parliamentary control. It holds a dual mandate: strategic communication and countering disinformation and foreign informational interference, both of which pose threats to national interests.<sup>34</sup>



*Strengthening the capacities of Communication Specialists of Government Institutions*

211. The Center has launched a comprehensive capacity-building program specifically designed for communicators of public institutions. This initiative aims to enhance the skills and competencies, enabling specialists to effectively deliver key messages and engage with their audiences. In this vein, a series of training activities were organized.<sup>35</sup>

*The national framework for countering FIMI (Foreign Information manipulation and interference)*

212. The Centre has established and chairs workshops involving specialists from the MOJ, the Ministry of Economic Development and Digitalization, the Audiovisual Council, and the Security and Intelligence Service. The workshops focus on developing the national mechanism to counter FIMI. Simultaneously, the Centre is examining EU practices for countering hybrid threats and organises meetings to exchange insights with external experts.

**Right of peaceful assembly (art.21)****Reply to paragraph 21**

213. During the reporting period, employees of the Ministry of Internal Affairs did not restrict citizens' right to peaceful assembly, did not carry out any detentions or stops of persons from among the protesters, and did not receive any complaints regarding the disproportionate use of force by law enforcement officers. Furthermore, following consultations with representatives of civil society, the Ministry of Internal Affairs has abandoned the promotion of the draft law to amend Law No.26/2008 on assemblies.

214. For the year 2024, the Ministry of Internal Affairs has planned to develop and promote a new draft law to regulate public events other than assemblies (Art.2, paragraph (2) of Law No.26/2008 on assemblies).

215. With the expiration of the state of emergency on December 30, 2023, according to the provisions of art.4, paragraph (3) of Law No.212/2004 on the regime of the state of emergency, siege and war, the normative acts adopted for the period of emergency are repealed without notice especially in this sense, a fact that notifies the cancellation of the provisions of CSE Provision No.42/2022.

**Freedom of association (art.22)****Reply to paragraph 22**

216. Freedom of association is narrowly protected in the Moldovan Constitution as the right to join and form trade unions, and is regulated by the Law on Non-Commercial Organizations No.886/2020, which covers three main forms of association (public associations, foundations and private institutions), and several other laws covering other, less common forms of association (local action groups, trade unions, employers' associations). Freedom of association is enjoyed by all natural and legal persons, with the exception of public authorities and institutions and state and municipal enterprises. Local authorities can be part of joint forms of association with enterprises and civil society organizations in the form of local action groups (LAGs).

217. The registration process for CSOs is free of charge (except for LAGs, intercommunity development associations and water consumer associations, for which a registration fee of around EUR 60 is charged) and takes up to fifteen days. The national registration authority, the Public Services Authority, receives applications on paper throughout the country or online with a qualified electronic signature and processes them in the central unit.

218. In addition to a pre-defined list of required documents, CSOs are required to submit additional documents and fees based on complementary legislation, such as the beneficial ownership declaration required by the Anti-Money Laundering and Combating the Financing of Terrorism (AML/CTF) legislation.

219. According to data from the State Register of legal units on non-commercial organizations (as of 15 May 2024), 16865 non-commercial organizations are registered in the Republic of Moldova, of which 12470 (70%) are public associations: 69% – located in urban area and 31% in rural area. A unified state register of legal entities, including CSOs, is under development.

220. People are free to associate online and offline without registration. Unregistered CSOs cannot open bank accounts or access funding in the way that organizations with legal personality can. CSOs are free to request and receive financial and material resources. CSOs are free to design their own internal structure, define their own objectives and activities, and operate in different legal areas without territorial restrictions, both nationally and internationally. CSOs are rarely subject to financial and tax controls by government institutions. CSOs have several reporting obligations, most of which can be fulfilled online, including the publication of annual narrative reports, the submission of periodic financial and tax reports, a report on the use of funds received as a percentage, and a report on the host organization of volunteers.

221. The law protects the confidentiality of journalists' sources of information and also protects whistleblowers. In 2023, Moldova moved up 13 places in the world press freedom index to 28th, remaining in the same 'satisfactory' category as the previous year. The improvement is due to an increase in political and economic indicators. The legislative and security indicators improved only slightly, while the social indicator fell slightly.

222. Individuals and civil society organizations use online resources and other means to express opinions that are not subject to media regulation. The state does not systematically impede the expression of ideas and opinions contrary to official policy.

223. Hate speech in various forms, crimes motivated by prejudice and incitement to national, ethnic, racial or religious strife are prohibited. In 2023, the Audiovisual Council adopted a methodology for monitoring hate speech.

224. In 2022 and 2023, following the Russian aggression in Ukraine, the state adopted various measures to combat disinformation, including monitoring structures with the participation of civil society organizations and a ban on broadcasting programs that incite hatred, disinformation, propaganda for military aggression, extremist content, terrorist content or that pose a threat to national security.

225. Through the implementation of the actions planned in the Human Rights Program, the Republic of Moldova aims to develop internal mechanisms for monitoring, evaluation and collection of disaggregated data by law enforcement bodies. In particular, by 2026, MIA aims to develop the internal mechanism for monitoring cases of hate speech, incitement to discrimination and bias-motivated crimes, and by 2027, to develop an online monitoring mechanism. As well, the Program reiterates the determination of the Moldovan authorities to use different specific platforms for improving the human rights situation in the Transnistrian region.

226. Specific measures to support and protect the civic space to enable the effective participation of civil society organizations are provided in the CC Art.180<sup>1</sup>; Art.180<sup>2</sup>; Art.327-328; CoC Art.312; Art.313; Law No.86/2020 on non-commercial organizations Art.5 para. (1), (2); Law No.121/2012 on ensuring equality Art.6; Art.17.

## **Rights of the child (arts. 23, 24 and 26)**

### **Reply to paragraph 23**

#### *Detention and Imprisonment as a Last Resort*

227. Detention and imprisonment are used only as a last resort and for the shortest possible period. The Detention Centre for Minors and Young Persons (Penitentiary No.10-Goian), as a subordinate institution of the National Administration of Penitentiaries (NAP), implements the execution of criminal sentences depriving liberty, as well as the preventive measure in the form of pre-trial detention applied to specific categories of citizens such as minors and

young persons. In accordance with the provisions of Art.41(1) of the CPC of the Republic of Moldova, the investigating judge is the person who orders, replaces, terminates, or revokes pre-trial detention and house arrest. Therefore, the Detention Centre for Minors and Young Persons (Penitentiary No.10-Goian) ensures the detention of persons deprived of liberty in strict accordance with arrest warrants or sentences applied by the courts for the established periods.

#### *Reintegration and Rehabilitation Services*

228. Adequate reintegration and rehabilitation services are available for children who come into conflict with the law. The social reintegration dimension includes the following services:

- Secondary education classes with the physical presence of teachers from the “Nicolae Bălcescu” IPLT in Ciorescu commune;
- Vocational training classes by representatives of Vocational School No.7 in Chişinău and the “Insula Speranţelor” Association (specializations: Cook, Hairdresser, Electrician-fitter for lighting networks, Plumber-fitter for sanitary equipment, Plasterer, Confectioner);
- Application of the set of standardized programs from the framework offer on the educational, psychological, and social assistance level;
- Promotion of the “Case Manager” institution for detainees with the status of convicted persons as a form of support in the resocialization process;
- Encouragement of the idea of guided assistance from positive-oriented peers, following the “peer-to-peer” principle;
- Organization of detainee training in the implementation of unique activities with informative/cultural-educational/moral-spiritual/sports character;
- Collaborations/activities with representatives of civil society and/or religious organizations in order to efficiently occupy free time and develop prosocial skills (Help Association, Promo-Lex Association, New Life Evangelical Christian Church, Tropos Association, Holy Spirit Pentecostal Religious Cult, etc.).

229. In addition, mini-projects have been initiated for the development partner Foundation Regina Pacis and UNICEF Moldova, aimed at creating optimal conditions for the harmonious development of persons deprived of liberty, as follows:

- Obtaining outdoor fitness equipment (open air) for the walking boxes of Detention Block A (already completed);
- Obtaining a batch of laptops for the computer room (already completed).

#### *Access to Legal Assistance*

230. Children can have access to appropriate legal assistance. Any person involved in a criminal proceeding, even a minor under Art.17 and 69(1) of the CPC of the Republic of Moldova and Law No.198/2007, is entitled to state-guaranteed legal assistance. At the same time, in accordance with the provisions of the invoked code, the rights of the minor, regardless of his/her procedural status, are also exercised by his/her legal representative. Therefore, being at liberty at the stage of the trial of the case, the minor beneficiary can contract a defender who will defend his/her interests on the basis of a contract through the intermediary of his/her legal representative, and in the absence of such an opportunity, he/she will be provided with an ex officio defender. If necessary, in the case of the application of a preventive measure in the form of arrest to the minor, his/her defender can provide him/her with legal assistance at the headquarters of NAP institution upon presentation of the mandate.

231. At the same time, informative panels are installed in the residential area, which contain relevant information about organizations in the Republic of Moldova in the field of protection of legal norms, both state and NGO status, where the beneficiary can apply in case of need, including the Ombudsman’s Office for the Rights of the Child. Also, under Art.210<sup>1</sup> of the EC, the minor can exercise his/her rights by submitting petitions to the relevant bodies.

In the same order, the minor can deepen his/her knowledge of legal principles by borrowing relevant legal literature from the institution's library (e.g. LAW FOR STUDENTS).

232. The GPO was focused on strengthening the capacities of prosecutors specialized in children's issues in order to ensure compliance with the particularities of the special procedure in criminal cases with minors who are in contact with the justice system, the application of alternatives to detention and the exclusion of children from the criminal justice system by capitalizing on non-criminal offenses that offer opportunities for re-education and reintegration into society.

233. GPO evaluates every semester the effectiveness of the investigation and trial of criminal cases involving minors, presenting the information to ensure the effective collaboration of the National Council for the Protection of Children's Rights with the authorities they represent in order to develop and implement policies for the protection of children's and family rights, identifying the priority directions of intervention in the field of child and family protection, as well as collaborated with the associative sector and the representatives of some international bodies concerned with the protection of children's rights.

234. In the same way, the GPO adopted the Instruction regarding the application of punishments and the release from criminal liability or criminal punishment of minors who have committed crimes, with the application of coercive measures of an educational nature, according to the provisions of art.104 of the CC. The GPO promotes and ensures the implementation of the concept of multidisciplinary, unitary and integrated assistance for child victims/witnesses of crimes, which is to be ensured by referring children to the Integrated Assistance Service for child victims/witnesses of crimes BARNAHUS type service.<sup>36</sup>

235. In 2023, 523 children were heard under special conditions, according to art.110/1 of the CPC, including 416 children who were heard as victims of crime and 107 children who were heard as witnesses of crimes.

236. On June 26, 2024, the Government approved the standards regarding hearing rooms under special conditions for minor victims/witnesses of crimes. The main purpose of these standards is to create a friendly and safe environment for minors that minimizes the stress and trauma associated with procedure of hearing. The spaces will be specially arranged to offer assistance and support appropriate to the child's age. According to the GD, it will include three rooms – waiting, hearing and viewing, which will be arranged in a friendly manner, the dimensions and equipment of the three areas being clearly specified. The actual hearing of the minor will take place in the hearing room, where the minor and the interviewer what will be a person trained in effective communication. The room must ensure the isolation of the minor and be equipped, furnished and decorated in accordance with the needs of the children. Also, to ensure the requirements of the judicial system, microphones, video cameras and audio headphones will be provided.

237. At the same time, by Law No.316/2022 for the amendment of some normative acts (ensuring the rights of victims in the case of crimes regarding sexual life and family violence), the legislation related to the ratification of the Istanbul Convention was amended. In addition, in July 2024, the MOJ presented to the Government the draft GD on the approval of the draft Law to amend the CC (preventing and combating sexual exploitation and sexual abuse committed against minors), the purpose of which is the full transposition into national legislation of Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating sexual abuse of children, sexual exploitation of children and child pornography.

238. In 2023, for the purpose of implementing Art.8 and Art.20 of Law No.140/2013, GD No.270/2014, Interdepartmental Order No.153/1043/1042/293 of 08.10.2014 "Regarding the approval of the Suspected Case Reporting Form for violence, neglect, exploitation, and trafficking of children," and GPI Order No.79/2015 "Regarding the approval of the Methodological Instructions on Police Intervention in Identifying, Assessing, Referring, Assisting, and Monitoring Cases of Violence, Neglect, Exploitation, and Trafficking of Children," police officers sent 7,129 (6,684 in 2022) reporting forms to local guardianship authorities, including for:

- Psychological violence – 468 cases;
- Physical violence – 1,319 children;
- Sexual violence – 228 children;
- Neglect – 5,111 children;
- Exploitation – 5 children;
- Trafficking – 1 child.

239. Additionally, as a result of activities conducted by police officers, 130 children were identified, including 94 children who abandoned their home/other forms of placement, 23 children for vagrancy, and 13 children in other circumstances.

240. It should be noted that in 2023, police officers prepared 787 contravention reports concerning minors (aged between 16–18 years) for various violations, the most common being recorded in the field of road traffic, theft of property, and minor hooliganism.

241. During the period 2016–2023, the following number of minors were involved in committing crimes:

- 2016-941; 2017-798; 2018-688; 2019-664; 2020-606; 2021-695; 2022-701; 2023-449.

#### *Child marriage*

242. According to the provisions of Art.14 of the Family Code of the Republic of Moldova No.1316/2000, the established minimum age for marriage registration is 18 years old. The attainment of the marriage age is a basic condition for the registration of the marriage.<sup>37</sup>

## **Rights of minorities (art.27)**

### **Reply to paragraph 24**

243. In the Republic of Moldova, efforts to enhance the participation of national minorities, including Roma, in decision-making processes and public administration have been multifaceted and targeted. A detailed overview of the initiatives and programs in place is presented below.

#### *Participation in Decision-Making Processes*

##### Parliamentary Representation

244. Following the 2019 parliamentary elections, there has been progress in minority representation. Out of 101 seats in the national legislature, 18 parliamentarians from five minority groups were elected. This includes representation from Ukrainian, Russian, Gagauzian, Bulgarian, and Roma communities. Notably, the principle of “approximately proportional” representation has been applied, although gaps remain, especially for the Ukrainian and Russian minorities in achieving full demographic and political quota-based representation.

##### Local Elections and Council Representation

245. Local elections in 2019 marked a significant milestone with 12 Roma local councillors elected, half of whom were women. This represented a notable increase compared to previous elections, reflecting growing political engagement within the Roma community. Additionally, one Roma deputy was elected to the Moldovan Parliament, further strengthening minority representation at the national level.

*Programs and Initiatives*

## Civil Service and Public Administration

246. Efforts to integrate minorities into public administration have been supported by the 2023–2025 Action Plan under the Strategy for Consolidation of Interethnic Relations. This plan emphasizes recruiting civil servants proficient in minority languages, offering in-service training, internships, and mentoring programs. The goal is to enhance minority representation across ministries, governmental agencies, and local public authorities.

## Empowerment Programs

247. Special programs have targeted Roma women and individuals with disabilities. For instance, the “Roma Women in Politics” program provided training and mentorship to 38 Roma women to increase their participation in local decision-making processes. Similarly, a civic and political empowerment program supported 50 women with disabilities to engage in local elections successfully.

## Community Mediators

248. The initiative to employ community mediators has significantly aided in improving Roma access to social services, healthcare, education, and employment opportunities. As of May 2024, 50 community mediators were actively engaged across 57 units in 45 localities densely populated by Roma, with additional positions proposed for funding in the coming years.

## Education and Cultural Programs

249. The Ministry of Education’s efforts to support minority languages in education include the development of textbooks and curricula for Russian, Ukrainian, Gagauz, Bulgarian, and Romani languages. This supports linguistic and cultural diversity within the educational system and aims to preserve minority languages while integrating them into mainstream education.

*Policy Implementation and Monitoring*

## Strategic Framework

250. The Strategy for Consolidation of Interethnic Relations for 2017–2027 outlines comprehensive measures to promote minority rights, cultural diversity, and intercultural dialogue. Implementation is monitored through regular meetings of the Coordinating Council of Ethno-cultural Organizations and involves collaboration between state institutions, NGOs, and community leaders.

## Training and Capacity Building

251. Continuous training programs for civil servants and educators focus on minority rights, equality promotion, and inclusive education practices. For example, the Equality Council conducted training sessions for teachers and civil servants to enhance their skills in managing diversity and promoting intercultural dialogue in educational and administrative settings.

*Future Directions*

## Legislative and Educational Reforms

252. Ongoing efforts include legislative reforms to improve minority representation in decision-making bodies and educational reforms to further integrate minority languages and histories into school curricula.

## Awareness and Advocacy

253. Information campaigns and public outreach initiatives are planned to raise awareness about minority rights, combat stereotypes, and promote tolerance among the general population.

254. In conclusion, Moldova's approach to enhancing minority participation in public life is grounded in legislative support, targeted programs, and collaborative efforts between government bodies, civil society, and minority communities themselves. These efforts aim not only to increase representation but also to foster inclusivity, equality, and cultural diversity across all sectors of society.

## Notes

- <sup>1</sup> Government Decision(GD) No. 65/2019 regarding the National Council for Human Rights.
- <sup>2</sup> Representatives of the judicial system, employees of law enforcement agencies, representatives of public authorities, teachers, doctors, social workers, private sector employees, journalists, students, and pupils. The number of people trained annually varies from 300 to about 900 people.
- <sup>3</sup> The Law on the status of the local elected official, the Law on the procedure for electing the President of the country, the Law on local public administration, the Law on political parties, the Law on public office and the status of civil servants, the Contravention Code, the Audiovisual Media Services Code, the CC, the Labor Code, the Law on Assets and Personal Interest Declaration.
- <sup>4</sup> The work of the media and public associations in the region is under strict surveillance and direction by the unconstitutional force structures, with a so-called amendment issued in May 2024, which openly tasked the "MGB" with "monitoring" public associations. The right to free movement of the population on both banks of the Nistru River, including representatives of the press and human rights promoters, and since lately the diplomatic corps has been restricted because of illegal control posts of Tiraspol.  
Schools teaching in Romanian language were subjected to tariffs for utilities increased up to 5–8 times compared to the other educational institutions in the region, in a discriminatory manner and contrary to the Protocol Decisions of 2017. Farmers in Dubăsari district who own land plots beyond the "Tiraspol – Camenca" route have been forced to pay illegal taxes since February 2024.
- <sup>5</sup> Tiraspol constantly refuses to release illegally detained citizens. Any case that becomes known to the Bureau for Reintegration Policies is brought to the attention of law enforcement agencies to ensure investigations in accordance with the law.
- <sup>6</sup> Law No.514/1995 on the organization of the judicial system (with the amendments made by Law No.76/2016).
- <sup>7</sup> To this end, the platforms for negotiations on the Transnistrian settlement (political representatives, sectoral working groups, Joint Control Commission) and for dialogue with relevant external partners, including the EU as a participant in the negotiation process, are working on this issue.
- <sup>8</sup> This includes the permanent and provisional registration of economic entities, issuance of IDNO codes, and adherence to Moldovan legal requirements, as stipulated in GD No.815/2005 and subsequent amendments (GD No.594/2023 and GD No.1044/2023).
- <sup>9</sup> Key stages of the evaluation process included developing the methodology, drafting the report based on official reports, statistical data, and relevant surveys, and discussing NHRAP achievements through various activities. The resulting evaluation report is publicly accessible online.
- <sup>10</sup> Aligned with the National Development Strategy "European Moldova 2030" and Sustainable Development Goals, the Program aims to enhance achievements across various sectors, including income sustainability, territorial cohesion, education quality, cultural development, healthcare, and judicial integrity.  
The Program prioritizes human rights through consensus among public authorities, civil society, and national human rights institutions, emphasizing policy frameworks and institutional mechanisms for assuming, implementing, coordinating, and monitoring human rights commitments.
- <sup>11</sup> CPC Art.270<sup>1</sup>. Competence of the APO:  
(1) The APO shall prosecute the offences referred to in Art.s 324-335<sup>1</sup> of the CC No.985/2002:  
1) if committed by: a) the President of the country; b) Members of Parliament; c) members of the Government; d) judges; e) prosecutors; f) employees of the Intelligence and Security Service; g) employees of the National Anti-Corruption Centre; h) heads and members of the governing bodies of public authorities and institutions provided for by the Constitution of the Republic of Moldova;  
2) regardless of the person's capacity, if the amount of money, goods, services, privileges, advantages in any form and other benefits, claimed, promised, accepted, offered, given or received, exceeds 6 000 conventional units or if the amount of the damage caused by the offence exceeds 60 000 conventional units;

- (2) The APO shall prosecute offences referred to in Art.s 325 and 326 of the CC No.985/2002 if they have been committed against the persons referred to in paragraph 1. (1) item 1) of this Article;
- (3) The APO shall prosecute the offences referred to in Art.181<sup>2</sup> para. (5) and Art.181<sup>3</sup> of the CC No.985/2002.
- <sup>12</sup> In terms of high-profile subjects, an even more pronounced trend is observed (18 subjects prosecuted in 2023 compared to 2 in 2020, 7 in 2021 and 13 in 2022). In 2023, criminal cases were sent to court regarding an ex-President and, for the first time in the last three years, a former Prime Minister, two former ministers and a former deputy minister are targeted in criminal cases sent to court. In the same way, criminal cases involving 8 MPs were sent to court, including 3 MPs from the current Parliament of the Republic of Moldova (compared to the last three years when only one MP was targeted).
- <sup>13</sup> Currently, supported by the UN Resident Coordinator's Office and UNDP, the PGO is developing a new guide for investigating and prosecuting hate crimes and hate speech. Additionally, operational procedures have been standardized for the qualification and investigation of bias-motivated crimes (Order No.90/2023).
- <sup>14</sup> Article 52(3) of the CoC now prohibits and penalizes hate speech and incitement to discrimination by electoral candidates during election periods or in campaign materials. Similarly, the new Electoral Code bars materials that incite racial or religious hatred and discrimination during election campaigns.
- In the newly approved Code of Conduct for the 2023 General Local Elections, measures to combat sexist speech and hate speech among candidates were introduced. This code was endorsed by 5 local media representatives and 396 electoral candidates across all 34 second-level districts.
- During the 2023 national elections, the CEC received 7 notifications citing competitors' use of hate speech or incitement to discrimination. Subsequently, these cases were examined under Article 52(3) of the CoC, and informing the signatories of their right to address the police. CEC forwarded one notification for examination to the EC, while six were forwarded according to the competence to the MIA.
- <sup>15</sup> Over the past decade, several cases have been recorded where court decisions have enabled changes in birth certificates for transgender individuals.
- <sup>16</sup> 1.Law No.212/2004 regarding the state of emergency, siege and war regime;  
2.GD regarding the Commission for Exceptional Situations of the Republic of Moldova No.1340/2001.  
3.Parliament decision No.41/2022 regarding the declaration of the state of emergency.  
4.Parliament decision No.65/2022 for the amendment of Parliament Decision No.41/2022 regarding the declaration of the state of emergency.  
5.Parliament decision No.105/2022 regarding the extension of the state of emergency  
6.Parliament decision No.163/2022 regarding the extension of the state of emergency  
7.Parliament decision No.245/2022 regarding the extension of the state of emergency  
8.Parliament decision No.278/2022 regarding the extension of the state of emergency  
9.Parliament decision No.330/2022 regarding the extension of the state of emergency  
10.Parliament decision No.12/2023 regarding the extension of the state of emergency  
11.Parliament decision No.67/2023 regarding the extension of the state of emergency  
12.Parliament decision No.133/2023 regarding the extension of the state of emergency  
13.Parliament decision No.244/2023 regarding the extension of the state of emergency  
14.Parliament decision No.274/2023 regarding the extension of the state of emergency  
15.Parliament decision No.361/2023 regarding the extension of the state of emergency.
- <sup>17</sup> "Investigation and review of domestic violence offences": 2 trainings for prosecutors; 2- for consultants of the prosecutor;  
Women's access to justice – the particularities of the applicability of the provisions of the Istanbul Convention"; 2 trainings for prosecutors; 2 – for consultants of the prosecutor;  
"Peculiarities of the investigation and trial of crimes of a sexual nature" 2 trainings for prosecutors;  
At the same time, annually prosecutors are also trained in training hours, outside of the National Institute of Justice Program, such as: – the training session on the field of family violence and sexual violence, (Te Doy); – "Investigation and documentation of crimes regarding sexual life" (Family Justice Center next to the Police) (Te Doy); -Workshop, in order to implement the project "Creation of a Family Justice Center in Moldova", MAI/Te Doy; - DP/Te Doy/ La Strada Training session for specialized assistance for victims of family and sexual violence (DP/Te Doy/ La Strada).
- <sup>18</sup> This document represents a standardized procedure at the level of the GPI, allowing for proper risk and danger assessment for the safety of the victim when it is necessary to apply protective measures.
- <sup>19</sup> In 2023, the second strategic document was approved – National Program for the years 2023–2027 (GD No.332/2023) which aims to continue progress, support gender equality and ensure an effective response to cases of violence. The program is supported by new measures, including the establishment of the National Agency for the Prevention and Combating of Violence and legislative changes introducing the position of specialist in the field of prevention and combating family violence and rehabilitation of victims of crimes in the social assistance system.



- <sup>20</sup> Intervention of law enforcement representatives in resolving violence cases; mechanism for identifying and assessing risks and issuing emergency restraining orders in cases of domestic violence; monitoring of emergency restraining orders and protection orders; maintaining a registry of offenders and implementing tertiary prevention measures with the offenders. During the first five months of 2024, the GPI held two training sessions on this subject, with 148 employees participating, including 56 in leadership positions and 82 in execution positions.
- <sup>21</sup> 2022 Training Sessions: •25 probation counselors attended a seminar on legal aspects of preventing and combating domestic violence on July 15, 2022. •91 probation counselors participated in workshops from July 18 to 27, 2022, covering legal and psychosocial aspects of domestic violence. •On September 19, 2022, a seminar on working with domestic aggressors was held, attended by 25 participants. •On October 10, 2022, three professionals participated in a training session focused on enhancing knowledge and skills for preventing gender-based violence.  
2023 Training Sessions: •On January 26, 2023, a seminar on working with family aggressors was attended by 25 probation counselors. •A similar seminar was conducted on September 25, 2023, with 23 probation counselors participating. •From November 8 to 10, 2023, the Council of Europe organized a workshop focusing on violence against women, attended by 10 probation counselors. •From June 8 to 9, 2023, 25 probation counselors attended a specialized training on dealing with child sexual abuse and exploitation.
- <sup>22</sup> Referring to the identification of cases and initiated cases, it was found that in 2023, a total of 39 crimes in the category of human trafficking were registered in the country (22 THB – art.165 CC and 17 – child trafficking, art.206 of the CC) and 638 related crimes. 12 organized criminal groups were investigated and annihilated, based on the crimes of child trafficking, THB, organization of illegal migration, pimping.
- <sup>23</sup> [https://www.legis.md/cautare/getResults?doc\\_id=143943&lang=ro](https://www.legis.md/cautare/getResults?doc_id=143943&lang=ro).
- <sup>24</sup> Chisinau Police Directorate, Police Inspectorates of Anenii Noi, Bălți, Cahul, Căușeni, Cimișlia, Criuleni, Comrat, Edineț, Hîncești, Orhei, Rîșcani, Soroca, Sîngerei, and Ungheni.
- <sup>25</sup> 1. The right to work and labor protection in accordance with the current legislation and with the permission of the competent employment authorities (Art.84/2 of Law No.200/2010).  
2. The right to rest and health protection on the same basis as the citizens of the Republic of Moldova (Art.84/3 of Law No.200/2010).  
3. The right to receive allowances, pensions, and other types of social insurance benefits in accordance with the current legislation (Art.84/4 of Law No.200/2010).  
4. The right to reside in the Republic of Moldova based on valid identity documents (Art.84/5 of Law No.200/2010).  
5. The right to housing similar to that of the citizens of the Republic of Moldova (Art.84/5 of Law No.200/2010).  
6. The right to own a house and other private property, to inherit or bequeath property, to exercise copyright over a literary, artistic, or scientific work, a discovery, or an invention, and to have other personal non-property rights (Art.84/6 of Law No.200/2010).  
7. Access to education through the national education system in accordance with the current legislation (Art.84/7 of Law No.200/2010).  
8. Access to preschool, primary, and secondary (gymnasium and high school) education under conditions similar to those established for the citizens of the Republic of Moldova (Art.84/7 of Law No.200/2010).  
9. Access to vocational technical education and higher education is carried out under the conditions established by law (Art.84/7 of Law No.200/2010).  
10. Foreigners admitted to studies in educational institutions have rights and obligations in accordance with the current legislation and the rules established by these institutions (Art.84/7 of Law No.200/2010).  
11. Foreigners with the right of residence in the Republic of Moldova have the right to join cultural, scientific, sports societies, cooperative organizations, and production associations on common principles, unless otherwise specified by their statutes (Art.84/8 of Law No.200/2010).  
12. Foreigners are guaranteed freedom of conscience, opinion, and expression in accordance with the current legislation (Art.84/9 of Law No.200/2010).  
13. Foreigners have the right to marry and to dissolve marriage with citizens of the Republic of Moldova or with other persons in accordance with the current legislation. They enjoy the right to family and have obligations in family relationships (Art.84/10 of Law No.200/2010).  
14. Foreigners have the right to move within the territory of the Republic of Moldova and to establish their domicile as prescribed by the current legislation (Art.84/11 of Law No.200/2010).  
15. Foreigners are guaranteed the inviolability of their person and home in accordance with the current legislation. They have the right to effective satisfaction from competent courts and other public authorities against acts that violate their rights, freedoms, and legitimate interests (Art.84/12 of Law No.200/2010).

16. Foreigners, in accordance with the legislation on the People's Advocate, have the right to address petitions to the People's Advocate or, as appropriate, the People's Advocate for Children's Rights in cases of violation of their rights and legitimate interests on the territory of the Republic of Moldova (Art.84/13 of Law No.200/2010).
17. In judicial proceedings, foreigners enjoy the same procedural rights as the citizens of the Republic of Moldova, including free legal assistance or contractual legal assistance from lawyers and other authorized persons as prescribed by Law No.198/2007 on State-Guaranteed Legal Assistance (Art.84/13 of Law No.200/2010).
18. Foreigners are guaranteed the right to seek protection from the diplomatic mission of their state (Art.84/13 of Law No.200/2010).
- <sup>26</sup> Under the Prime Minister's Decisions No.8 of 11.02.2020 and No.28 of 07.09.2020.
- <sup>27</sup> the Report "Breaking the vicious circle: Rethinking the anti-corruption institutional framework in the Republic of Moldova" link- [https://ccia.md/wp-content/uploads/2022/11/CCIA\\_Disrupting-Dysfunctionality\\_Resetting-Republic-of-Moldovas-Anti-Corruption-Institutions.pdf](https://ccia.md/wp-content/uploads/2022/11/CCIA_Disrupting-Dysfunctionality_Resetting-Republic-of-Moldovas-Anti-Corruption-Institutions.pdf).
- <sup>28</sup> Art. 122 of the Constitution and the Law No.947/1996 on SCM.
- <sup>29</sup> The SCM consists of 12 members: six judges elected by the General Assembly of Judges, representing all levels of the courts, and six persons who enjoy a high professional reputation and personal integrity, with experience in the field of law or in other relevant field, which does not work within the bodies of the legislative, executive or judicial power and is not politically affiliated.
- <sup>30</sup> Art. 243 (money laundering), 324 (passive corruption), 326 (trafficking in influence) and 330<sup>2</sup> (illicit enrichment).
- <sup>31</sup> The CPC will be amended to ensure some aspects regarding digitalization in the examination of the court cases and the concept of voluntary execution will be introduced in the EC.
- <sup>32</sup> In this sense, for certain categories of people, the state provides legal assistance if they do not have a guaranteed minimum income in the form of an average monthly salary, and for people from certain categories such as victims of crimes of torture or domestic violence, foreigners, people with disabilities, etc. the state grants guaranteed legal assistance regardless of the person's income.
- <sup>33</sup> Renowned international audience measurement institutions.
- <sup>34</sup> This approach is outlined in the Concept on strategic communication and countering disinformation, information manipulation and foreign interference, 2024–2028. This document provides a programmatic vision of how strategic communication and countering disinformation, information manipulation, and foreign interference will contribute to fulfilling the STRATCOM mission. It aligns with the National Security Strategy of the Republic of Moldova.  
The Concept establishes a unique framework for organizing and implementing strategic communication based on the 'whole of society' approach. It mobilizes all stakeholders, particularly academia, civil society, media organizations, and the business sector.
- <sup>35</sup> Through a series of tailored workshops, training sessions, and hands-on experiences, participants acquire the knowledge needed to navigate the complexities of modern communication channels and strategies. A total of 40 hours of training were conducted, involving specialists from Sweden, Estonia, and the Republic of Moldova. The ultimate goal of this initiative is to develop a training curriculum for communicators of public institutions, focusing on aspects of strategic communication and countering disinformation.
- <sup>36</sup> Through several circulars, the territorial prosecutors were instructed to refer to the BARNAHUS type Service child victims/witnesses in criminal cases regarding crimes of a sexual nature, regarding child trafficking or family violence, as well as in other cases where the interests of justice or the minor I request it, under the conditions of art.110/1 of the Criminal Procedure Code.
- <sup>37</sup> For sound reasons, the conclusion of the marriage may be allowed with a reduction in the marriage age, but not by more than two years. The reduction of the marriage age shall be agreed by the local social protection authority in whose territorial area the persons wishing to marry are domiciled, on the basis of their application and the agreement of the minor's parents. Pursuant to art.35 para. (8) of the Law No.100/2001 on civil status acts, the civil status body refuses to conclude the marriage if it finds that at least one of the persons applying for the marriage has not reached the marriageable age required by law. Thus, according to statistical data, the number of marriages registered in 2022 between persons aged 16–17, regardless of ethnicity, is 240 marriages concluded by female minors and 3 by males.