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Republic of Moldova

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I. Methodology and consultation

1. The Report of the Republic of Moldova for the Universal Periodic Review (UPR) has been prepared in accordance with the guidelines stipulated in the UN Human Rights Council (HRC) resolution 5/1 and the General Guidelines for the preparation of information under the UPR (A/HRC/6/L.24).
2. The Report of the Republic of Moldova was drafted by the Ministry of Justice in cooperation with the Ministry of Foreign Affairs and European Integration, along with national institutions included in an ad-hoc working group on UPR. Aside from the inter-ministerial consultations, extended consultations with international and national non-governmental organizations were held with the support of the UN Country Team in the process of Report drafting. The banner available at <http://www.justice.gov.md/ro/epdo/> and a special mailbox were created so that pertinent information on UPR could be consulted and formal suggestions submitted.
3. The Report was approved by the National Commission for Initial and Periodic Reports on the implementation of international covenants to which the Republic of Moldova is a state party¹.

II. The institutional and normative frameworks for the promotion and protection of human

A. National normative framework on human rights

4. After proclaiming its independence and sovereignty in 1991, the Republic of Moldova has taken several important measures for recognizing human rights and securing the obligations of the state towards respecting them. The normative and institutional framework for the promotion and protection of human rights is under continuous improvement according to the international standards, national priorities and aspirations of European integration². Special attention is paid to improving the system of implementation of legal norms in the field and ensuring their effectiveness.
5. The national human rights system is based on the Constitution of the Republic of Moldova of July 29, 1994³, the national legislation⁴ and international instruments to which the Republic of Moldova is a state party. Title II of the Constitution, "Fundamental Rights, Freedoms and Duties", contains detailed provisions on political, civil, economic, social and cultural rights.
6. Therewith, the Constitution provides a restrictions in the exercise of a series of rights and freedoms⁵, which must be proportionate to the situation that determined them and cannot affect the existence of the right or freedom. The Constitution also consecrate the supremacy of international norms on human rights standards in relation to national legislation and, namely, according to Article 4 it guarantees that "human rights and freedoms shall be understood and implemented in accordance with the Universal Declaration of Human Rights, and with other conventions and treaties endorsed by the Republic of Moldova, and wherever disagreements appear between conventions and treaties on human rights signed by the Republic of Moldova and her own national laws, priority shall be given to international regulations."
7. The Republic of Moldova has ratified nearly all core international human rights treaties, extensively accepting the obligations that derogate⁶ and periodically submitting national reports on their implementation.

8. Following the election of the Republic of Moldova⁷ as a member of the United Nations Human Rights Council (HRC), the Standing Invitation to all mandate holders was extended in June 2010. Until present, the Republic of Moldova has been visited in 2008 by the UN Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment and on violence against women, its causes and consequences.

9. The Republic of Moldova has also ratified the main conventions of the International Labour Organization, including those in the fields of forced labour and child labour, as well as international treaties on humanitarian law.

10. As a member state of the Council of Europe (CoE), the Republic of Moldova has ratified the European Convention on Human Rights and the majority of its Protocols, including Protocols No. 6 and 13, which abolish death penalty, as well as other CoE instruments in the field⁸. The Republic of Moldova was the first state to ratify the Council of Europe Convention on Action against Trafficking in Human Beings.

B. The institutional framework for promotion and protection of human rights

11. The Constitution of the Republic of Moldova stipulates the principle of separation of the three powers - legislative, executive and judicial, and a clear delineation of their duties. Respectively, the state and its component parts, including the three levels of the court system, are responsible for implementing national and international obligations on human rights. If all the domestic remedies are exhausted, persons injured in their rights under the European Convention on Human Rights may apply to the European Court of Human Rights.

12. Within the Parliament of the Republic of Moldova there is a **Standing Parliamentary Committee for Human Rights and Interethnic Relations** in the. Among its primary objectives represents the f human rights aspects, national minorities and cults problems, citizenship, providing legal regulation on migration; granting equal opportunities for women and men; protecting foreign communities, victims of political repression and refugees.

13. At the national level several bodies and institutions were established to protect human rights, including:

- **The Coordinating Council of Ethno-Cultural Organisations⁹** – public advisory body of the non-governmental organisations of national minorities, operating beside the Interethnic Relations Bureau. The major objective of this body is to make sure a continuous dialogue between government and ethnic communities is maintained;
- **The National Council for Participation (NCP)** – created at the initiative of the Government¹⁰ as a consultative body to develop and promote the strategic partnership between public authorities, civil society and private sector aiming at strengthening the participatory democracy;
- **The National Council for Child Rights Protection (NCCRP)** – governmental body designed to provide guidance and monitoring of central and local government authorities and civil society to ensure the respect of child rights in the Republic of Moldova¹¹;
- **The National Committee to Combat Human Trafficking** – Government advisory body to coordinate activities for preventing and combating human trafficking, the cooperation of government authorities with international organizations, NGOs and other institutions. The Committee has a **Standing Secretariat**, which aims to

streamline the coordination and supervision of anti-trafficking activities undertaken by all the relevant governmental and nongovernmental representatives¹²;

- **The Governmental Committee on Gender Equality;**
- **The Governmental Council for the Problems of Persons with Disabilities;**
- **The National Commission for Implementing the National Action Plan on Human Rights;**
- **The Governmental Commission for Country Reintegration**, the main objective of which is the coordination of actions undertaken for the settlement of the identified problems in the Transnistrian conflict and granting their implementation.

14. **The Centre for Human Rights of Moldova (CHRM or the Ombudsman Institution)**¹³ is an independent national human rights institution accredited with the B status¹⁴ according to the Paris Principles. The ombudsman contribute to the protection of human rights by preventing their violation, redressing infringed rights of the citizens, improving the legislation in the field of human rights protection, legal training of the population. Ombudsmen have the right to appeal to the Constitutional Court to review the constitutionality of laws and decisions of the Parliament, decrees of the President, decisions and ordinances of the Government, on their compliance with generally accepted principles and international legal instruments on human rights.

15. CHRM is formed of 4 Parliamentary Advocates, equal in their rights, one of them specialized in child rights protection issues (Child Advocate), civil servants and three offices located in: Balti, Cahul and Comrat (Autonomous Territorial Unit of "Gagauz-Yeri"), acting as territorial subdivisions of the institution.

16. In July 2007, by amending the Law on Ombudsmen, the Parliament of the Republic of Moldova established, in accordance with the Optional Protocol to the UN Convention against Torture, **the National Prevention Mechanism**. Afterwards, an **Advisory Board** entrusted with direct responsibilities in preventing and monitoring of torture and other cruel or inhuman punishment or treatment, was established beside CHRM.

III. Protection and promotion of human rights at the national level

17. Protection and promotion of human rights and fundamental freedoms represent a priority of the state, confirmed in the government policies and the framework-programme of the National Human Rights Action Plan of the Republic of Moldova (NHRAP). The first NHRAP included the period 2004–2008¹⁵ and was adopted in the light of Vienna Declaration and Programme of Action (1993). NHRAP consists in granting the implementation of a unique policy and strategy of the state and civil society institutions, intended for improving the situation of human rights by identifying and formulating priority tasks and measures for implementation, set the terms of performance, evaluation indicators etc.

18. **The second NHRAP for 2011-2014** represents the continuity of policies, with prevailing emphasis on accession to international instruments on human rights; the approximation of national legislation with international standards; granting free access to justice; improving national mechanisms of human rights protection; granting effective defence of political, civil, economic, social and cultural rights; strengthening the protection of national minorities and ethnic groups, as well as categories of population in need, either because of age, social dependence or other circumstances (underage, prisoners, migrants);

increasing the level of professional, moral and disciplinary training of the citizens in the field of human rights.

19. The Republic of Moldova is a country in transition, with many reforms underway. Potential opportunities for integration into the European Union have created a positive environment for the modernization and positive transformation, with significant achievements in the field of human rights. Respectively, criminal law offences and laws regulating peaceful assemblies, access to legal assistance, domestic violence, preventing and combating human trafficking, juvenile justice and social assistance have been improved.

20. However, there are still many challenges and events, including post-election ones in April 2009, which tested the national capacities in the field of human rights and imposed a new pro-active approach.

A. Gender equality

21. Achieving gender equality is considered to be an integral part of the process of establishing a true democracy, aware and sensitive to gender dimension, having as a premise to ensure participation of all members of society, women and men alike, in all the spheres of life.

22. The legal framework which forms the basis of policies and actions in the field of gender equality are emerging based on the thematic international instruments, including the Beijing Platform and Action Plan (1995), Millennium Declaration (2000) etc., and Law No. 5-XVI of 09.02.2006 on ensuring equal opportunities for women and men. Under the latter the National Plan on Promoting gender equality in the society for 2006–2009" and the National Programme to ensure gender equality in Moldova for 2010–2015 were developed.

23. Law no. 5-XVI provided for the creation of the institutional mechanism designed to coordinate the implementation of the legal framework relevant for the field, leading to the establishment of the Governmental Committee for Gender Equality, Division of policies to ensure gender equality and violence prevention at the Ministry of Labour, Social Protection and Family, Gender Units of the ministries in line.

24. Some improvements in promoting gender equality, manifested by the increase of the number of women in public and political decision making, have been periodically registered during the last years. In 2008, the position of prime minister was held by a woman, and in 2010 that of the vice-president of the Parliament was also occupied by a woman. Trends of increasing the number of women involved in political activity are continuously supported and strengthened. In this sense, the following emerge as main factors: modification and approximation of the legislation, respect of the international commitments, the implementation of policies and programs affecting the mentality of the people on gender roles of women and men in society and family, eliminating gender stereotypes and structural barriers.

25. Labour legislation was amended in 2010¹⁶ according to Art. 26 of the Revised European Social Charter and, respectively, the concept of *sexual harassment* - any form of physical, verbal or nonverbal behaviour of a sexual nature which violates the dignity of a person or creates an unpleasant, hostile, degrading, humiliating or insulting atmosphere – was introduced in the Labour Code. This notion is also reflected in the Law on Ensuring Equal Opportunities for Women and Men.

26. The Budgetary Sensitive Concept (BSC) was introduced at the national level into the gender dimension. Therefore BSC Course was integrated into postgraduate system of education¹⁷.

27. In accordance with UN General Assembly Resolution 47/237 of September 20, 1993, the International Family Day is celebrated annually in the Republic of Moldova, and as of 2009, the **Family Festival is held every year with the main motto "The family creates values, values create the family"**. The objectives of these events lie in strengthening family values, family roles, promoting family values and their contribution to a healthy, educated and prosperous society.

28. The actions already mentioned confirm the fact that, on the one hand, the Government is undertaking significant efforts to ensure that both sexes benefit from opportunities for realizing their human rights and fundamental freedoms, and, on the other hand, there are segments which require significant improvements. Despite these achievements, the authorities are aware of the need to fortify the implementation efforts, providing with human and financial resources the programs relevant to the field of gender equality, which also covers the segment of gender stereotypes reduction.

B. Preventing and combating domestic violence and violence against women

29. Enactment of the Law on preventing and combating domestic violence, No. 45-XVI, of 01.03.2007¹⁸, marked an important step to stop violence. The law contains important concepts on domestic violence and its forms, establishing an institutional framework with detailed responsibilities for the competent authorities, provides for the creation of centres/rehabilitation services for victims and offenders, a mechanism for solving cases of violence by offering the possibility of filing complaints, issue protection ordinance through which assistance may be provided to the victim, applying punitive measures to the perpetrator. Since 2008 50 protection ordinances were issued and applied by the judicial instances.

30. The Ministry of Labour, Social Protection and Family has provided the initiation and conduct of the harmonization of national legislation in this regard, developing the draft framework Regulation for the organization and operation of centres for rehabilitation of victims of domestic violence¹⁹, and the Decision of the Government on the Minimum Quality Standards for social services provided to victims of domestic violence.

31. The Government Decision on approving the Concept of Automated Information System (AIS) "State Register of cases of domestic violence" is as well an important achievement. AIS is intended for collection, storage and processing of data on domestic violence, informing individuals and the central and local public authorities about the institutions and services of the system of protection of the victims of domestic violence, about services and programs for the rehabilitation of offenders, as well as about the beneficiaries of the system. To initiate the process of collecting data Statistical Sheets were developed to keep record of the domestic violence cases for specialists in three areas: police, health and social care. This process was launched in two pilot districts Drochia and Cahul.

32. Special attention is paid to training the personal of the internal affairs bodies for them to apply correctly the provision of Law no. 45-XVI and Methodical Instructions on preventing and combating domestic violence²⁰. It should be mentioned that, in order to involve multidisciplinary teams in preventing and solving cases of domestic violence, MIA developed the common Instructions of Ministry of Internal Affairs, Ministry of Labour, Social Protection and Family and the Ministry of Health.

33. Regarding this chapter, the Republic of Moldova continues the implementation of recommendations made by CoE, OSCE, UN, and UN Special Rapporteur on violence against women, its causes and consequences. The Republic of Moldova supports

continuously the **UN Campaign "16 Days of actions against Gender Violence"**, and the Council of Europe Campaign to combat violence against women, including domestic violence. A series of national information campaigns have been also launched.

34. Alongside with positive developments there are noted the insufficient awareness of the society regarding the problem of domestic violence as a violation of human rights; the reduced training level of specialists in various fields related to identifying, registering and investigating cases of domestic violence; insufficient qualified human and financial resources in assisting victims of domestic violence and working with offenders; lack of mechanisms to identify, approach and solve sexual harassment cases; lack of assistance and protection to victims; lack of services of re-socialization for the domestic offenders; imperfection of the monitoring and evaluation mechanism in the field of domestic violence.

C. Trafficking in human beings

35. The Republic of Moldova as well as other European countries is a country affected by trafficking in human beings (THB). Commitments to combat this phenomenon were confirmed *inter alia* by ratifying the UN and CoE instruments, as well as by implementing international recommendations, including the UN Recommended Principles and Guidelines on human rights and human trafficking.

36. As of December 6 2010, the Republic of Moldova holds the chairmanship of the Committee of Parties of the Council of Europe Convention on Action against Trafficking in Human Beings.

37. To combat this phenomenon, the authorities, with the support of their partners, implement a comprehensive Program of prevention and protection, with human rights based approach and the national regulatory framework, adjusted to the specifics and trends of the problem. Accordingly, the traffic (of adults and children) and its related factors (illegal removal of children from the country, forced labour etc.) are punishable under the Criminal Code²¹. In addition, specific provisions are stipulated in Law no. 241 of 20/10/2005 on preventing and combating trafficking in human beings and its subordinate normative acts.²²

38. To prevent and combat human trafficking and protect victims of this phenomenon, ***the Government approves periodically, for a 2-year term, the National Plan to prevent and combat trafficking in human beings.***

39. Through the Plan of 2005 the **Centre for Combating Human Trafficking** was created within the Ministry of Internal Affairs, while in the case of the General Prosecutor's Office a special unit was created to serve as a permanent mechanism of monitoring the activity of the Prosecutor's Office bodies in the field of preventing and combating human trafficking. The National Plan for 2010–2011 is implemented at present.

40. The effective mechanism of implementing domain policies is realized through the National Committee for combating human trafficking. As part of the mechanism, the **Standing Secretariat** was created in order to improve coordination and conduct on anti-trafficking activities undertaken by all government and non-governmental representatives in combating trafficking in human beings.

41. **The Strategy of the National Referral System** for assistance and protection of victims and potential victims of trafficking (NRS) along with the Action Plan for its implementation for the years 2009–2011 were developed to optimally organize the protection and assistance of victims of human trafficking, implementation of preventive measures, strengthening of the efforts of all actors involved in combating this phenomenon in the Republic of Moldova.

42. The launching of the NRS reflects a special framework of cooperation, through which the government bodies fulfil their obligations to protect and promote human rights of the victims of human trafficking and coordinate their efforts in strategic partnership with civil society and other actors active in this field. The NRS is based on common practices of organizing activities in the field of reference, based on the international standards to counter human trafficking.

43. Another aspect of institutional strengthening is the establishment of the **Centre for assistance and protection of victims of human trafficking**. The Centre is the first contact point in Moldova for the returnees, provides temporary refuge and a range of services: medical, psychological, social, legal, educational and recreational.

44. An innovative aspect in the prevention of trafficking victims is providing assistance to *potential victims*. Thus, the whole package of protection and social, psychological and legal assistance is also available and applied to beneficiaries that meet the social profile of the victim before the trafficking experience. Therefore, the combination of "prevention through assistance" with extensive information and awareness campaigns, but also with well-structured actions of identifying the victims represent a *modus operandi* suitable for the Republic of Moldova.

45. Consequence to legislative and institutional measures, as well as to proactive actions during the last years, a steady decrease of the dimensions of trafficking in human beings is noted in the Republic of Moldova. However, efforts are to be further strengthened to ensure the ability of authorities responsible for preventing and combating THB to react, in particular, cases involving persons with high ranking public positions in the commitment of THB. This implies, in terms of a legal framework, the initiation of a series of actions designed to strengthen and make the criminal prosecution system/reference/collaboration/communication/cross-department and cross-agency law enforcement bodies more efficient. The purpose of these actions is, on the one hand, the overall plan to combat human trafficking and, in particular, to further ensure the elimination of officials involved in crimes related directly or tangentially to THB.

D. Migration

46. The problem of migration is a priority issue on the national agenda in the Republic of Moldova. A third of non-permanent Moldovan migrants are abroad, with a non-regulated status. In this regard, the Government, in cooperation with international and national partners, undertakes actions aimed at combating illegal migration, promotion of legal mobility, and maximize the positive effects of migration, which may contribute to the development of the country.

47. The negative consequences of mass migration include brain and skilled labour drain, which affects public and private sectors, causing the abandonment of children and destroying families. In some cases, failed experiences of migration have resulted in serious cases of exploitation which are usually dealt with as cases of trafficking in human beings.

48. **The National legal framework** is focused on the legal aspect of international protection and ensures the rights and interests of refugees and migrants, their employment opportunities, freedom of movement, access to justice, control over migration processes at the state border, staying arrangements in the country for foreign citizens and stateless persons, preventing and combating illegal migration and human trafficking²³.

49. The efficient coordination of migration policies and programs depends on the cooperation of the institutions working in the field. Following the institutional reform of migration management and the transfer of functions and duties, the list of authorities and competent institutions on migration includes the following:

- **The Ministry of Internal Affairs, the Bureau of Migration and Asylum**, as a subdivision of the Ministry of Internal Affairs, which coordinates the entrance and exit problems in Moldova, combats illegal stay of foreigners, refugees repatriation issues, readmission, as well as the existence of two centres: the Centre for asylum seekers accommodation and the Centre for temporary foster home for foreigners.
- **The Ministry of Labour, Social Protection and Family**, working in migration policies development, protection and social security of migrants, migrant reintegration policies, labour migration (especially the National Agency for Employment).
- **The Ministry of Informational Technologies and Communications** (IT use in the management of migration flows, which holds the Population Register).
- **The Border Guard Service** (fight against illegal migration, border security).
- **The Ministry of Education** (issues related to recognition of qualifications of the returned migrants, academic mobility).
- **The Ministry of Health** (mobility of the medical personnel, healthcare system of the migrants).
- **The National Bureau of Statistics** (collecting statistics on migration).
- **The Ministry of Foreign Affairs and European Integration** (Diaspora, migrants abroad and provision of consular services).
- **The Interethnic Relations Bureau** (Diaspora).
- **The Ministry of Economy** (remittances problem).

50. Given the interests of adjustment to the EU legal standards, the Republic of Moldova launched in 2008 a Mobility Partnership (MP), which reflects the dimensions of the Global Migration Approach, in particular the promotion of legal migration, combating illegal migration, migration and development. **The list of Partners** includes 15 EU Member States, the European Commission, FRONTEX and the European Training Foundation. Projects under the Republic of Moldova-EU Mobility Partnership dwell upon capacity building in migration management; promotion of Moldovan migrants return and reintegration; strengthening relations with Diaspora; investment of remittances; border management and document security; granting social protection of migrants, cooperation in combating illegal migration and human trafficking.

51. At the national level, the Committee for monitoring the implementation of the EU-Moldova Joint Declaration on the Mobility Partnership (MP) was established.

52. The new initiatives advanced within the MP concern diminishing the consequences of migration in the health care field; creating the migration profile and using it in the process of national policies development; social protection of migrants and members of their families who stayed behind in the country of origin; signing social security agreements; promoting schemes/projects of circular migration.

E. Rights of the child

53. According to the current legislation, state and family are committed to granting the growth, support, education and protection of a child. The National Council for Child Protection (NCCP) is the institution responsible for granting the development and implementation of policies for the protection of the rights of children and families, as well as granting cross-sector coordination at both national and local levels. The establishment of

the Ombudsman for the Rights of the Child were also an important step in the promotion, protection and monitoring of the rights of the underage.

54. Cases of children's rights violation are largely addressed through the guardianship authorities operating in each district/city. By law, children from the age of 14 can apply directly to those institutions in case they think they had certain rights violated. Children may also address complaints directly to courts.

55. Progress in recent years provides an opportunity to continue the implementation of comprehensive reforms of the systems of care/social protection of the child, which provide, *inter alia*, the existence of the cross-sector services with community participation, formalizing the working relationship with NGOs etc.

56. **The Law on the legal status of adoption** (2010) provides comprehensive requirements for domestic and international adoptions, which can be clearly monitored by both the authorities and responsible institutions, and by the adopters.

57. Social policies for child protection are regulated by the National Strategy on Child and Family Protection (2003) and the National Strategy and Action Plan on the **Reform of the residential child care system for the years 2007-2012**. They make of applying forms of family and community protection of children in difficult situations a priority. Placing the underage in residential institutions is the last option, mainly because of the negative repercussions that affect their psycho-social development and the integration into society in the post-institutional phase.

58. The exodus of the adults, although at first glance beneficial for the population, affects the children staying home alone. In this context, the Government implemented the National Action Plan on Protection of Children without Parental Care (2010–2011).

59. The right of a child to education is realised compulsory and free of charge by respecting the principle of non-discrimination and major interest of the child, and resides in free and harmonious development and shaping of a creative personality. The Law on Education provides the necessity of continuous education and the psycho-physiological peculiarities of the age, classifying the education system on levels and stages²⁴, as well as forms (particular, complementary).

60. In accordance with *the Consolidation Education Strategy for the years 2011–2015 and the Consolidated Action Plan for the Education Sector for the years 2011–2015, the overall objective* of the education is to provide access to basic, quality education to all children by 2015.

61. Currently, the "Civic education" Course is implemented as a compulsory subject, aimed at training Moldovan citizens in the complex construction of the contemporary world: acquisition of the knowledge about fundamental human rights and duties and shaping the skills to implement them in everyday life; education based on general human and democratic values; building the sense of responsibility for social actions; cultivating the civic sense.

62. In the context of extracurricular programs and children involvement in the decision-making process, the Local Councils of Children, the Group of Children's Rights, the creation of peer trainers in HIV/AIDS prevention and healthy life promotion etc. represent positive models of participation.

63. Within the reform of the juvenile justice system all child categories, such as underage victims and child witnesses of crime are addressed. Primary and secondary mechanisms to prevent initial and repeated offences committed by the underage are also developed. Applicable alternatives to detention are mediation, probation and community

service. These are considered as options only in cases of lighter and less serious crimes, when detention can be avoided.

F. Electoral rights

64. The Electoral Rights are granted by the current legislation, including the Electoral Code, both of which were connected to international standards and recommendations of the Venice Commission and OSCE/ODIHR. Therefore, the citizens of the Republic of Moldova are provided with the rights to elect and be elected. Recently, those sentenced to imprisonment by a final court decision have been also granted the right to vote.

65. Since 2010, the *voting process is also granted abroad*, be it at the diplomatic missions and consular offices or out of them. That amendment (2010) was adopted to improve the implementation of right the vote and due to the large number of Moldovan citizens living outside the country.

66. The Electoral Code provides the creation of *the Centre for Continuing Education in the Electoral Field*, which is designed to provide training to electoral officials - a basic factor in the organization of fair elections and a qualitative electoral process.

67. Since 2009, the electoral processes that have taken place managed to maintain credibility and reaffirmed the democratic process as parts of the political transition.

G. Elimination of torture and other forms of cruel, inhuman and degrading treatment

68. The Republic of Moldova is party to the most important treaties to combat the phenomenon of torture, including the Optional Protocol to the Convention against Torture and other Inhuman or Degrading Treatment or Punishment, the Geneva Conventions of 1949 and their Additional Protocols I and II, as well as the Rome Statute (International Criminal Court).

69. Regionally, the Republic of Moldova ratified the European Convention on the Prevention of Torture and Other Forms of Punishment or Other Cruel, Inhuman or Degrading Treatment under which the Committee for the Prevention of Torture (CPT) carries out periodic visits to the Republic of Moldova.

70. The legal framework provides a formal prohibition of torture and other forms of maltreatment. The rule is laid down at different levels, starting with the Constitution, Criminal Code, Criminal Procedure Code, Enforcement Code, and Law on Police etc. Those documents have been modified or adjusted to the recommendations of the Committee against Torture, UN Special Rapporteur on torture and other inhuman or degrading punishment or treatment, CPT etc.

71. Preventing and combating torture, inhuman and degrading treatment is a result of the work of several national institutions and mechanisms:

- Prosecutor's Office, by monitoring compliance with laws in places of preventive detention facilities and prisons (supervision by the prosecutor's office of police and the Ministry of Justice detention facilities) and exercise, where appropriate, prosecution. In 2010, a Division for Combating Torture was established within the General Prosecutor's Office.
- The Centre for Human Rights, by examining complaints, documentation visits, proposals of legislative amendments, reports and recommendations to public authorities;

- The National Mechanism for the Prevention of Torture through periodic visits to detention facilities and implementation of the institutional recommendations for all the places of detention;
- Visits of the civil society organizations in places of detention;
- Stipulation of some rights and procedural safeguards for persons in detention.

72. In the past four years, reforming the prison system had as major objectives the following: improving the legal criminal-executive framework, improving conditions of detention in accordance with international standards, prison staff capacity building, transparency in institutions of detention and prevention of torture and ill-treatment cases.

73. Despite the zero tolerance regarding torture or equipping prison facilities with video surveillance systems for monitoring compliance of the detention regime in prisons, along with the recent initiative of equipping all police stations with video cameras, a constant obstacle to eliminate the phenomenon also lies in the existing conditions of detention. One of the current urgent needs of the chapter in question and the prevention of torture consists in building houses of detention. Its eventual putting into practice would address the problem of transferring preventive detention facilities now in the custody of the Ministry of Internal Affairs to the Ministry of Justice²⁵. The establishment of a full-time physician position in the temporary detention isolators would also served as procedural safeguards.

74. A series of actions are undertaken by the competent bodies in the context of investigating the events of April 2009. The General Prosecutor's Office registered and examined 108 complaints regarding alleged cases of torture, inhuman or degrading punishment or treatment on the part of police officers. Of the total number of complaints, in 58 cases criminal proceedings were initiated, including 29 in which criminal investigation was ordered under the Criminal Code art. 3091 (torture), in 17 cases criminal investigation was ordered under art. 328 part (2) a) of the Criminal Code (excess of power or duties). Of the total number of criminal cases, 27 concerning 43 police officers have been completed and sent with indictment to courts.

75. Prosecutors, in cases where prosecution was exercised, requested the temporary suspension from office of 14 employees of the MIA. At present, this coercive procedural measure is still applied to 9 defendants, because the courts satisfied complaints of five accused police officers challenging application of the temporary suspension.

76. As for the **rehabilitation of victims** who have suffered from the April 2009 demonstrations, the Special Committee to identify civilians and police officers who suffered from the events on April 7, 2009 was created on April 15, 2010 to coordinate and elaborate the necessary actions to be taken to help the victims by offering them proper compensations.

77. To prevent similar cases, emphasis is laid on police training in the conduct of special operations, such as riot control measures, in accordance with the European standards and avoiding injuries or loss of human lives. In this context, training courses are organized to strengthen police capacity crowd management and riot control, avoiding the disproportionate use of force, in accordance with international standards.

H. Freedom of assembly

78. The special importance of the freedom of assembly is laid stress on in article 40 of the Constitution, thus giving it the status of a fundamental right. Law on Assemblies, no. 26-XVI of February 22, 2008 was assessed as progressive and liberal, considered to be rallied to the best practices in the field of granting the freedom of assembly.

79. If in 2007 there were records of violation of the right to freedom of assembly, then in 2008 a positive dynamics of respecting this right was noted, while the cases labelled as problematic are rather exceptions to the rule. For instance, while previously the local public authorities used to reject the requests of the LGBT Community to organise Pride parades because of reasons related to location, then now these requests are satisfied.

I. Freedom of expression

80. Since the Republic of Moldova has proclaimed its independence, a specific legal framework was created to assert freedom of expression and access to information²⁶. Real progresses have been registered for the last two years in improving the legal framework on freedom of expression. In October 2010, the Law on Freedom of Expression, which transposes into the national legislation the case law of the European Court of Human Rights, came into force. In this context, journalists and media institutions are exempt from attracting liability for allegedly defamatory articles published more than a year ago, for value judgments, for criticizing public persons, authorities and the state etc. Under the same law, the court may no longer sequester the property of an editor's office and its bank accounts to ensure claims for compensation for moral damage. Citizens also have the opportunity to criticize the authorities without being prosecuted and subjected to pressure afterwards.

81. In February 2011, the Law on Public De-etatization came into force. This law is still an important success of the national media organizations. The Act requires public authorities to privatize newspapers financed by public money, thus encouraging fair competition in the print media.

82. In June 2010, the rules to reflect the elections campaign in the media were amended, aiming at unleashing the work of broadcasters in an electoral campaign. In the last elections campaign compliance with the OSCE and the Council of Europe commitments was noted.

83. In April 2011, a new Journalist Code of Ethics, developed by the Press Council, came into force. The Council is an independent self-regulating organization of the Moldova mass media. It is a guardian of journalistic ethics, which governs the professional conduct and actions of journalists.

84. The Government has launched a web page to promote e-government initiatives and services in the Republic of Moldova. The Government also decided to create units of information and communication with mass media in the 24 central public administrations. These two actions of the Government aim at enhancing transparency of governance and facilitate media access to these institutions.

85. Currently, there are 17 news agencies, 50 radio stations, 63 television channels and about 140 cable TV operators, 260 newspapers and magazines operating in the country. The activity of these means of mass communication in 2010, completed additionally by the appearance of new competitive media outlets, has gradually eliminated the existence of a vacuum on the media market and highlighted the pluralism in this sector.

J. Non-discrimination

86. Principles of non-discrimination, universality and equality of rights, provided including under the Constitution, are essential and underpin the entire human rights protection system in the Republic of Moldova. The legal framework contains provisions that prohibit discrimination on grounds of race, nationality, ethnicity, language, religion, social origin, political opinion, sex, political affiliation, wealth or any other criterion which

aims to restrain or remove the recognition, exercise, on equal terms, of human rights and fundamental freedoms or rights recognized by the law.

87. In order to strengthen existing rules and create a real and viable mechanism for implementing these provisions, *the draft Law on preventing and combating discrimination* was developed. The draft includes among others an indicative list of discriminatory criteria, establishing of *the Council for preventing and combating discrimination*. At the same time, after the adoption of relevant legal framework in relation to anti-discrimination, Protocol 12 to the Convention on Human Rights and Fundamental Freedoms is to be ratified and the declaration to art. 14 of the International Convention on the Elimination of All Forms of Racial Discrimination are to be made.

The Situation of minorities in the Republic of Moldova

88. The Republic of Moldova is a poly-ethnic state (national minorities represent 35.5% of the population), which is why efforts are continuously taken to ensure respect for ethnic, cultural, linguistic and religious identity of persons belonging to national minorities, along with measures aiming at creating appropriate conditions to allow them to express, preserve and develop this identity.

89. The national legislation grants the right to choose the language of education and training at all levels of education. The right of citizens to education in their mother tongue is ensured by creating the necessary number of educational institutions, classes, and conditions for their operating. The network of pre-university institutions in the country includes 1489 institutions (schools, gymnasiums, high schools) of which 280 Russian-language and 82 mixed institutions.

90. There are 3 models to study minority languages in the school education system:

- (a) Russian-language schools and high-schools;
- (b) Russian-language schools in which Ukrainian, Gagauz, Bulgarian, Polish, Hebrew and German languages are taught;
- (c) Experimental educational institutions, in which minority languages are used: Ukrainian - two schools, Bulgarian – one school.

91. Aiming at a more efficient linguistic integration of the national minorities, the National Association of European Trainers of Moldova (NAETM) together with the Bureau of Interethnic Relations, with the support of the High Commissioner on National Minorities of the OSCE, implements the long-term project "Linguistic Training for the national minorities of the Republic of Moldova." The goal of this project, which targets civil servants, policemen, doctors and lawyers, is to socio-linguistically and professionally integrate representatives of minorities.

92. In order to create the necessary conditions for the socio-cultural development of **Roma**, the Government of the Republic of Moldova implemented **the Action Plan to support Roma population from the Republic of Moldova for the years 2007-2010**, which precedes **the Action Plan for 2011-2015**, a fact that confirms the actions taken in providing and implementing social inclusion of Roma in the active socio-cultural life of the country.

93. The new Action Plan was developed under the EU Framework on Roma, OSCE/ODIHR Strategy and the Report on States Parties implementing the OSCE Strategy (2008), CoE and UN²⁷ recommendations. The document includes the priorities for the institutionalization of the community mediators, education, employment, health, social security, culture, public administration, public order and community development, housing.

94. Addressing the problems facing Roma in the education system has been approached by granting access to higher education. In the period of 2004–2009, by special provisions in the Regulations of organization and development of admission, Roma children were included in the category of candidates who enjoy facilities. In accordance with the Regulation of organization and development of admission to higher education, they were included in the 15 percent rate of the total number of seats in each specialty/field of professional training and type education, as provided in the enrolment plan with budget financing for a number of categories, including Roma children. Registration for this rate is made at the request of applicants.

95. The National Public Broadcasting Company "Teleradio-Moldova" – the station with national coverage carries out TV and radio programs in both the state language and the languages of ethnic groups living together. The goal of the programs is to reflect the life of citizens of different ethnicities, to support the retention of identify for different ethnic group, to cover cultural activities, to promote tolerance etc.

96. There are local TV and radio stations that broadcast programs in languages of the national minorities.²⁸ No regulatory barriers to publishing and dissemination of newspapers and magazines in minority languages exist. They are usually issued by public associations, in languages like Ukrainian, Russian, Gagauz, Bulgarian, Hebrew, and Polish.

97. Minority access to official information is provided - the laws, decisions of the Parliament, decrees of the President, the decisions and ordinances of the Government, acts of the Constitutional Court and the Court of Auditors, and others, are published in the Official Monitor of the the Republic of Moldova in the state language and Russian.

Protection of persons with disabilities

98. In 2010, the Republic of Moldova ratified the UN Convention on the Rights of Persons with Disabilities. In this context and in order to implement the revised European Social Charter, the social inclusion of persons with disabilities represents one of the priorities of central and local public authorities, the civil society. Accordingly, the Strategy of social inclusion of persons with disabilities (2010–2013) was developed and approved. The Strategy defines the reform of the state policy in this area and includes guidelines for activities in the field of harmonising the system of social protection of disabled persons with EU standards and provisions of the Convention.

99. The Government has approved a number of concepts for social services, including "Protected home" and "Community House". These services provide placement in a home for adults with mild mental disabilities with full legal capacity, lacking or needing improvement of housing and living conditions, with periodical support, are able to lead an independent life in the community or providing people with mental disabilities, who require continuing assurance of the minimum subsistence, protection, care and assistance, so that they could develop and be included in the community.

100. Although this is a matter to which special attention is paid, the social inclusion of children with disabilities is a difficult one because of the limited physical access to kindergartens, schools, institutions of higher education and other public institutions, which hampers the right of these persons to training and participation in the socio-cultural life of the society, which then has a negative impact on their employment opportunities and social life.

The Right of the Religious Cults

101. For the time being, the legal framework on the right to freedom of religion is satisfactory. The procedure of registration of religious cults and their component parts is carried out under Law No. 125 of May 11, 2007.

102. In March 2011, the Ministry of Justice was the first to register the religious cult *The Islamic League of the Republic of Moldova*. As a result, the Muslim cult was included in the National Register of religious cults and their component parts as religion that can be officially practiced in the country.

103. Considering that on May 12 2009, the European Court of Human Rights pronounced the decision *Mashaev vs. Moldova* (application no. 6303/05), the Code of Administrative Offences,²⁹ limiting the right to freedom of conscience and religion for those involved in religious rites of unregistered cults, was amended. In order not to allow the adoption of a norm contrary to the decision *Mashaev vs. Moldova*, while adopting the new Code of Administrative Offences³⁰, art. 54 states that the following shall be punished: "Preventing one from the freedom to belong or not a particular religion, to have or not have certain beliefs, to change his religion or beliefs, to profess religion or beliefs either individually or jointly, in public or in private, through teaching, religious practices, worship and observance."

K. Protection of human rights in the Transnistrian region of the Republic of Moldova

104. Human rights in the Transnistrian region of the Republic of Moldova represent a priority for the Moldovan authorities. Specialized ministries and institutions follow up the developments in the human rights field in the Eastern districts and provide, within their competences and possibilities, assistance to persons who have suffered from actions of the Tiraspol regime. The existence of the secessionist regime established in the early 90s of the last century by unconstitutional means in the Transnistrian region of the Republic of Moldova creates serious obstacles and difficulties in the enforcement of human rights throughout the country, including international conventions to which the Republic of Moldova is party.

105. Creating barriers to the free movement of persons and goods between Transnistrian region and the rest of the Republic of Moldova, intimidating independent mass media, restricting the right of association, discriminating Romanian speakers these are some of the most serious violations of human rights in the Transnistrian region. There have been cases of inhuman treatment of persons and torture in detention facilities, limit of access to the region for international organizations.

106. In 2010, the number of intimidations on the media and civil society on the part of the law enforcement structures of Tiraspol has increased. Moldovan authorities have informed the international for about the groundless arrest and illegal conviction to long-term detention by the Tiraspol administration of the citizens Ernest Vardanean and Ilie Kazak, asking for support to release the both from illegal detention. Following concerted efforts, Ernest Vardanean was released on 5 May 2011.

107. The situation of Moldovan schools teaching in Latin script continues to be an unsolved issue. The teachers of these schools are under permanent pressure from the Transnistrian administration. Moldovan schools teaching in the Cyrillic script work in difficult conditions, being poorly equipped, lacking modern textbooks and teaching materials and facing a continuous discriminatory policy on the part of Transnistrian authorities. The Transnistrian administration refuses to talk to Chisinau on issues connected to the situation of these schools.

108. The population of villages situated in the Transnistrian region, but under the jurisdiction of Chisinau, is subject to enormous pressure from the security agencies of the separatist regime. Methods of blackmail, threat of deprivation of civil and political rights, dismissal from service, entitlement to pension, allowances, etc. are applied to the

population, which is forced to renounce the citizenship of the Republic of Moldova and acquire Transnistrian "citizenship".

109. The Government of the Republic of Moldova has developed and implemented a series of legal mechanisms through which the constitutional rights of the citizens of the Eastern districts, including property rights, the social and medical insurance, access to justice, the right to education, are granted.

110. In the cities on the right bank of Nistru river territorial offices of civil status and documentation of the population of the Transnistrian region opened, in which, *inter alia*, Moldovan citizens may request civil status documents of the Republic of Moldova or apply for the reissue of graduation documents issued by Moldovan education institutions. Special prosecutors, judges and notaries were appointed to provide legal assistance and grant free access to justice.

111. Moldovan authorities undertake, where possible, actions on the extension of national policies in the Transnistrian region in the social, cultural and humanitarian law fields, including by promoting confidence building measures and supporting the population and civil society of the region.

IV. National priorities and initiatives

- To continue reaching the objectives included in the Government Program "European Integration: Freedom, Democracy, Welfare" (2011–2014);
- To implement the National Action Plan on Human Rights 2011–2014;
- To improve the situation of the human rights in the Transnistrian region of the Republic of Moldova;
- To implement the National Programme for Roma;
- To review and improve the component on human rights education and training;
- To implement the Strategy for Social Inclusion of Persons with Disabilities (2010–2013);
- To implement gender equality strategy;
- To prevent and combat torture in detention facilities, including building of the "arrest houses";
- To adopt and implement the legal framework on anti-discrimination;
- To recognize the competence of the UN Committee on the Elimination of All Forms of Racial Discrimination (Article 14 of the Convention on the Elimination of All Forms of Racial Discrimination) regarding individual complaints from citizens of the Republic of Moldova;
- To continue the ratification procedures of the Council of Europe Convention on protecting children against sexual exploitation and sexual abuse;
- To prevent and combat trafficking in human beings.

Notes

¹ The respective Commission is chaired by the Deputy Prime Minister, Minister of Foreign Affairs and European Integration.

- ² According to the provisions of the EU-eRepublic of Moldova Joint Declaration, approved at the meeting of the EU- Republic of Moldova Cooperation Council of December 21, 2009, the Council Human Rights Working Group (COHOM) approved on January 12.01.2010, the Decision to launch the Human Rights Dialogue with the Republic of Moldova.
- ³ Effective as of 27.08.1994.
- ⁴ The range of human rights and fundamental freedoms is regulated mainly by the following acts: The Civil Code of 06.06.2002, in force as of 12.06.2003, The Criminal Code of 18.04.2002, in force as of 12.06.2003, The Code of Civil Procedure of 30.05.2003, in force as of 12.06.2003, The Law on Judicial Organisation, no. 514-XIII of 06.07.1995, The Law on Civil Service and Public Servant Status, no. 158-XVI, of 04.07.2008, The Law on the Civil Servant's Code of Conduct, no. 25-XVI, of 22.02.2008, The Law on Parliamentary Advocates (Ombudsmen), no.1349, of 17.10.97, The Law on the Rights of Persons Belonging to National Minorities and the Legal Status of their Organizations, no. 382-XV, of 19.06.2001, The Law on Gender Equality, no. 5, of 09.09.2006, The Law on the Prevention and Combat of Domestic Violence, no. 45-XVI, adopted on 01.03.2007, in force as of 18.09.2008, Law no. 105-XVI of 16.05.2008 on the Protection of Witnesses and Other Participants in Criminal Proceedings, Law no. 241 of 20.10.2005 on the Prevention and Combat of Human Trafficking, Law no. 1585-XIII of 27.02.1998 on Obligatory Medical Insurance, Law no. 23 of 16.02.2007 on HIV/AIDS Prophylaxis, The Law on Health Protection no. 411-XIII, of 28.03.1995, Law no. 102 -XV on Employment and Social Protection of People Looking for a Job, Law no. 133-XVI of 13.06.2008 on Social Aid, The Law on Education no. 547 of 21.07.1995, The Law no. 270 on Asylum in the Republic of Moldova of 18.12.2008, Law no. 180-XVI on Labour Migration, of 10.07.2008, Law no. 125 of 11.05.2007 on Religious Cults and their Component Parts, Law no. 338 of 15.12.1994 on the Rights of the Child.
- ⁵ It is provided in Article 54, clause 2 of the Constitution that: “The exercise of certain rights and freedoms may be restricted only under the law, restrictions which correspond to universally recognized norms of the international law and are necessary for interests of national security, territorial integrity, economic welfare of the country, public order, in order to prevent mass unrest and criminal offences, to protect rights, freedoms and dignity of other persons, to prevent disclosure of confidential information or guarantee the authority and impartiality of judiciary”.
- ⁶ The Republic of Moldova is part to: The International Covenant on Economic, Social and Cultural Rights; The International Covenant on Civil and Political Rights; The Optional Protocol to the International Covenant on Civil and Political Rights; The Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty; The International Covenant on the Elimination of All Forms of Racial Discrimination; The Covenant on the Elimination of All Forms of Discrimination Against Women; The Optional Protocol to the Covenant on the Elimination of All Forms of Discrimination Against Women; The International Convention on the Rights of the Child; The Convention against Discrimination in Education; Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; The Optional Protocol to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention on the Rights of Persons with Disabilities; Convention on the Political Rights of Women, Abolition of Forced Labour Convention no. 105.
- ⁷ May 13, 2010.
- ⁸ CoE Covenants to which the Republic of Moldova is party
<http://www.mfa.gov.md/img/docs/ListaTratateMultilaterale.pdf> și
<http://conventions.coe.int/Treaty/Commun/ListeTraites.asp?PO=MOL&MA=999&SI=2&DF=&CM=3&CL=ENG>
- ⁹ Instituted through article 25/3 of the Law on the Rights of the persons belonging to national minorities and the legal statute of their organizations, no. 382-XV, of July 19, 2001.
- ¹⁰ Works based on Government Decision no. 11 of 19.01.2010.
- ¹¹ The National Council for the Rights of the Child Protection (instituted through Government Decision no. 1001 of September 30, 2005) became a platform of discussions on the child problems between the governmental bodies and the civil society, strengthening professional and cross-sector partnerships.
- ¹² The National Committee to Combat Human Trafficking was instituted in 2001. Government Decision no. 795 of December 3, 2009, instituted the new organigram of the National Committee, according to which the deputy prime-minister, the Minister of Foreign Affairs and European Integration becomes the chairman of the Committee, while representatives of the Ministry of Labour, Social Protection,

and Family and the Ministry of Internal Affairs are appointed co-chairmen. The Territorial Commissions for combating human trafficking, working conformably to Government Decision no. 234 of 2008 are subordinated to the National Committee.

¹³ CHRM was created based on the Law on Parliamentary Advocates, no. 1349-XIII of October 17, 1997, as a non-judicial mechanism of protecting human rights in the Republic of Moldova.

¹⁴ November 2009.

¹⁵ Approved through Parliament Decision no. 415-XV of October 24, 2003.

¹⁶ Law no. 168 of 09.07.2010 on modifying and completing the Labour Code of the Republic of Moldova.

¹⁷ It was included in the “Public Finances and Taxation” Master program curriculum, “Finances”, semester III, second year, the optional course “Gender sensitive budgeting” (150 hours); 2. Developed and approved the curriculum of the mentioned course. Furthermore, “Gender sensitive budgeting” Textbook and the Guide of the Trainer on “Gender sensitive budgeting” were edited.

¹⁸ Entered into force since September 18, 2008.

¹⁹ Approved by Government Decision No.129, of 22.02.2010. At present, there is a range of centres providing services to victims of domestic violence, among which:

- **“Marioara House” Asylum**, Chisinau City, provides assistance and rehabilitation to women victims of domestic violence;
- **“Amicul/The Friend” Centre for Psycho-Social Assistance of the Child and Family** (Chisinau) provides counselling to children victims of domestic violence;
- **Centre for Assistance and Protection of Victims of Violence** (Balti), day centre providing counselling and support in solving problems of the victims of domestic violence (funded from the state budget);
- **Consulting City Centre for Families and Children** (Balti);
- **Centre for informing and counselling victims of violence** (Cahul), day centre providing counselling and support in solving victims’ problems (funded from the state budget);
- **“Ariadna” Maternal Centre** (Drochia) – provides services of emergency foster home;
- **“Incredere/Trust” Maternal Centre** (Cahul) provides temporary foster home to the mother-child couple and provides counselling to victims of domestic violence;
- **“Pro Familia” Maternal Center** (Causeni) provides temporary foster home to the mother-child couple and provides counselling to victims of domestic violence;
- **“Pro Femina” Maternal Center** (Hincesti) provides temporary foster home and counselling services (psychological, social, legal) to the mother-child couple victims of domestic violence;
- **“SOTIS” Family Crisis Center** (Balti) provides counselling to victims of domestic violence/human trafficking (psychological, social, legal and medical);
- **“Drumul spre Casa/The Road Home” Temporary Foster Home for Children in Risk Situations** (Balti) provides rehabilitation services to the child-mother couples victims of domestic violence/trafficking in human beings;
- **La Strada NGO**
- Mediation service for the children sexually abused by the foreign citizens;
- Helpline for women victims of domestic violence – 0800 88 008;
- **The Legal Center** (Causeni) develops the network of legal services for the victims of domestic violence in 4 districts: Anenii-Noi, Rezina, Soldanesti, Vulcanesti;

²⁰ Approved by MIA Order no. 350 of 21.10.2008.

²¹ Statistics of the criminal cases of trafficking (article 165 Criminal Code) and trafficking of children (article 206 Criminal Code) for the years 2007-2010.

Source: The Annual Report (2010) of the Government of the Republic of Moldova on Preventing and Combating Trafficking in Human Beings.

	Article 165 CC Trafficking in Human Beings / article 206 CC Trafficking in Children			
	2007	2008	2009	2010
The number of cases where criminal prosecution was started	288 (245/43)	246 (215/31)	206 (185/21)	161 (140/21)
The number of cases sent to court	176 (150/26)	108 (96/12)	113 (102/11)	55 (45/10)
The Number of persons convicted	59 (52/7)	68 (63/5)	70 (66/4)	53 (48/5)
The Number of persons acquitted	3	5	5	5
The Number of persons sentenced to prison	51	58	43	33

- ²² Parliament Decision no. 257-XVI of 05.12.2008 regarding the approval of the Strategy of the National Reference System for the protection and assistance to victims and potential victims of human trafficking and the Action Plan for the Strategy of the National Reference System for the protection and assistance to victims and potential victims of trafficking human beings for 2009–2011;
- Regulation of the National Committee for Combating Trafficking in Human Beings, approved by Government Decision no.472 of 2008.
 - National Plan for Preventing and Combating Trafficking in Human Beings for the years 2010–2011, approved by Government Decision no.835 of 09/13/2010. Adoption and implementation of this Plan, in the spirit of continuity with the previous (National Action Plan for combating trafficking in human beings no.1219 of 09.11.2001 approved by Government and the National Plan for Preventing and Combating Trafficking in Human Beings 2008–2009, approved by Government Decision no.472 of 26.03.2008, etc.).
 - The Additional Specific Plan to the National Plan for Preventing and Combating Trafficking in Human Beings for the Years 2010-2011, approved by Government Decision no. 1170 of 21/12/2010.
- ²³ The normative acts that regulate the field of migration:
- *The Concept of the Migration Policy* approved by the Parliament of Moldova, no.1386-XV of 11.10.2002, to determine tasks and priority directions for regulating the migration processes and developing the principles and objectives of immigration policy.
 - *Law on Migration no. 1518-XI of 06.12.2002*, which provides the basic regulations on emigration and immigration, proceedings of immigrants legalising, expulsion and extradition;
 - The Law on the regime of aliens in the The The Republic of Moldova no. 200 of 16.07.2010, in force since 24.12.2010, was adopted. The new law provides rules on the conditions of entry, stay, exit, and documentation.
 - *Law on Refugee Status no. 1286 of 25.07.2002*, which establishes the legal, economic, social and organizational framework for providing asylum and determines the status of asylum seekers, refugees, and the competent authorities in the field. Law on labour migration, no. 180-XVI, of 10.07.2008.
 - *Law on preventing and combating trafficking in human beings, no. 241-XVI, of 21.10.2005*.
 - The Action Plan on Migration and Asylum for the years 2010-2011
 - The Plan to stimulate the migrants to return home (2008)
 - ***The Strategy on the Management of Migration and Asylum*** is developed at present.
- ²⁴ I. Preschool education
 II. Primary education
 III. Secondary education:
1. General secondary education:
 - a) Gymnasium education;
 - b) High-school education; general secondary education.
 2. Secondary professional education.

IV. Specialized secondary education.

V. Higher education.

VI. Post-university education.

²⁵ In order to improve the detention conditions increased efforts were taken to arrange residential premises in accordance with the minimum standards of treatment of prisoners.

In this regard Building and rebuilding activities of the premises of detention institutions have been carried out in this regard to provide the necessary resources (space heating systems rehabilitated housing).

²⁶ The Law on Press, no.243-XIII of 26.10.1994, the Law on access to information, no. 982 – XIV of 11.05.2000, the Audiovizual Code, no.260 of 27.07.2006.

²⁷ Recommendations of March 2011 of the UN Committee on the elimination of racial discrimination.

²⁸ Programs of TV and radio stations from Russia, Belarus, Ukraine, Bulgaria and Israel are also broadcasted in The The Republic of Moldova. The Bureau of Interethnic Relations, authorities, and public associations reflect through mass media their activity on promoting tolerance, ethnic and linguistic diversity, equality of citizens irrespective of national origin or religion.

There are no legal obstacles from publishing or disseminating newspapers and magazines in languages of the national minorities. Public associations usually edit them, among which: in Ukrainian «Рідне слово» (“Cuvîntul Matern”); în limba rusă – «Русское слово» (“The Russian Word” in Gagauz – «Ana Sözü» (“Mother Tongue”), «Saba Yildizi» (Morning Star), «Вести Гагаузии» (“News of Gagauzia”) (this newspaper is edited in Russian, only a part of the articles in Gagauz); in Bulgarian – «Български глас» (“Bulgarian Voice”); editions of the Jewish community, edited in Russian – (“The Jewish Town”), «Истоки жизни» (“The Origins of Life”); in Polish – «SPEKTRUM Polsko-Moldawskie» (“Moldovan-Polish Spectrum”), «Jutrzenka» (“The Aurora”).

Along with the publications mentioned above, there are many Russian newspapers and magazines that are edited, there are also periodicals from the Russian Federation, Ukraine and other countries sold in The The Republic of Moldova.

²⁹ In force until May, 2009.

³⁰ In force until May, 2009.