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**Republic of Moldova**

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



## I. Methodology and consultations

1. This report has been prepared in accordance with the requirements set out in HRC Resolution 5/1 and in the General Guidelines for the preparation of information under the UPR according to A/HRC/DEC/17/119 and focuses on the developments with regard to the human rights legislation and policies in the Republic of Moldova since the last review, including the progress made in implementing the recommendations received during the previous UPR cycles.
2. The report was drafted by the State Chancellery (Permanent Secretariat for Human Rights) with the contribution of the relevant national authorities and institutions<sup>1</sup>. In addition to inter-ministerial consultations, the draft report has been extensively consulted with National Human Rights Institutions and civil society organizations. The comments received were carefully evaluated for the final version of the report. It was subsequently approved by the National Human Rights Council.

## II. Human rights developments after the second cycle of review

### A. The legal and institutional framework for the protection of human rights

3. The **National Human Rights Action Plan (NHRAP) for 2018-2022** was adopted by Parliament Decision no. 89/2018. The NHRAP was based on the recommendations accepted by the Republic of Moldova in the second cycle of the UPR, as well as the ones received from other human rights monitoring bodies of the UN, the Council of Europe, OSCE and other international mechanisms. The *Sustainable Development Goals* set in the 2030 Agenda were also taken into consideration in the preparation of NHRAP. The NHRAP is aimed at supporting public authorities in reshaping the policy development process at the central and local levels from a human rights centered-approach, including by giving due regard to the obstacles faced by minority and vulnerable groups in the full realization of their fundamental rights.<sup>2</sup>
4. In order to ensure an efficient mechanism for the development and evaluation of human rights policy documents, efficient implementation of the international human rights treaties to which the Republic of Moldova is a party, and monitoring of compliance with the commitments made, the Government established the **National Human Rights Council (NHRC)**<sup>3</sup>, the Permanent Secretariat for Human Rights, local structures of the NHRC, and human rights coordinators at the central and local level.
5. The annual reports on the implementation of the NHRAP for 2018–2020<sup>4</sup> were prepared, consulted, and published on the website of the State Chancellery, in the section dedicated to the NHRC.<sup>5</sup>
6. At the local level, *33 municipal and district human rights commissions* were established to ensure the implementation of local plans and programs for the application of national policy documents regarding human rights protection and the monitoring of the human rights situation at the local level.
7. At the same time, *27 human rights coordinators at the central level and 21 human rights coordinators at the local level* were appointed as focal points within responsible authorities.

### B. National human rights institutions

8. In order to strengthen the institution of the People's Advocate, the Constitution of the Republic of Moldova was supplemented in 2017 with a chapter (III) titled "People's Advocate," thus ensuring constitutional protection to the independence of the Ombudsman from political influence.<sup>6</sup>

9. In May 2018, the Office of the People's Advocate was accredited by the Global Alliance of National Human Rights Institutions (GANHRI) with the "A" status, recognizing the compliance of the Moldovan Ombudsman's mandate and activity with the Paris Principles.

10. In order to further strengthen the role of the People's Advocate, the process of amending the Law on the People's Advocate (Ombudsman) was initiated.<sup>7</sup> The comments of the OHCHR, the opinion of the European Commission for Democracy through Law (the Venice Commission), the opinion of the Directorate General for Human Rights and the Rule of Law of the Council of Europe, and recommendations of the GANHRI's Accreditation Subcommittee were taken into consideration in the preparation of the draft law. The draft law is currently undergoing formal consultation before being sent for approval to the Government and the Parliament.

11. To help economic agents in counteracting abuses, especially on the part of authorities and public institutions, as well as to eliminate gaps in the regulatory framework, the Government approved the draft law to establish the position of *People's Advocate for the rights of entrepreneurs*.<sup>8</sup> The draft law is under consideration in the Parliament.

12. In order to strengthen the work of the Council for Preventing and Eliminating Discrimination and Ensuring Equality, amendments to the law governing the activity of the Council<sup>9</sup> and the related regulatory framework were developed. These changes focus on clarifying the competences of the Council; extending non-discrimination criteria; improving the collection of data on equality, non-discrimination and diversity; monitoring, evaluation and annual reporting of results; strengthening the relevant institutional framework. Also, it is suggested to assign to the Council the right to address the Constitutional Court. This competence will help the Council play a proactive role in ensuring non-discrimination standards<sup>10</sup>. The draft law is to undergo referral procedures, and then it shall be approved by the Government and the Parliament.

### C. Adherence to international human rights instruments

13. The Republic of Moldova is a party to the majority of core international human rights treaties, that set the highest standards for the protection of human dignity and full realisation of fundamental rights and freedoms. During the reporting period, the State acceded to or signed several international instruments:

- Acceded to the Agreement on the Privileges and Immunities of the International Criminal Court<sup>11</sup>. To facilitate cooperation with the Court, a draft law was initiated in 2019, aiming to amend the Code of Criminal Procedure and the Law on International Legal Assistance in Criminal Matters.<sup>12</sup> The document is currently being considered for approval in the Government.
- Signed the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities, on 27 September 2018. The draft law to ratify the Optional Protocol is to be drafted in 2021.
- Ratified the Additional Protocol to the Council of Europe Convention on Cybercrime,<sup>13</sup> concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems.
- Signed Protocol no. 16 to the European Convention on Human Rights.<sup>14</sup>
- Ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence<sup>15</sup> on October 14, 2021.
- Harmonized the legislation of the Republic of Moldova with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.<sup>16</sup>
- During the reporting period, the Council of Europe Convention on Access to Official Documents, ratified by the Republic of Moldova in 2016 entered into force in December 2020, thus further strengthening the exercise of freedom to seek and share

information, essential to ensuring transparency, good governance, freedom of expression and participatory democracy.

### **III. Implementation of recommendations following the 2<sup>nd</sup> cycle of the Universal Periodic Review**

14. Following the 2<sup>nd</sup> cycle of the UPR, the Republic of Moldova received **209 recommendations**, of which *194 were accepted* and 15 – noted. Out of the 194 accepted recommendations, 138 have been fully implemented, 45 partially realized and 11 have not yet been put into practice.

#### **Cooperation with special procedures, civil society and human rights defenders (121.43, 121.134, 121.132, 121.135, 121.133, 121.136)**

15. The Republic of Moldova continued cooperation with international human rights mechanisms, including the special procedures of the UN Human Rights Council,<sup>17</sup> based on the standing invitation launched in 2010.

16. The Republic of Moldova continued the close cooperation with the OHCHR, and during the reporting period, the extension of the OHCHR presence in the Republic of Moldova was agreed. At the same time, in 2018 and 2019, the Government offered voluntary contributions to the OHCHR budget.

17. The Republic of Moldova actively participated in the work of the UN Human Rights Council as an observer, and in 2019, it participated in the elections for the 2020–2022 term. Although the Republic of Moldova did not obtain membership, it made some voluntary commitments and reiterated its position regarding cooperation with international mechanism's.

18. The Moldovan authorities supported **international human rights monitoring mechanisms'** unrestricted access to the region on the left bank of the Nistru river.<sup>18</sup>

19. Between 2016 and 2020, the Republic of Moldova presented **periodic reports**<sup>19</sup> regarding all international human rights treaties to which it is a party.

20. The Republic of Moldova approved the **Civil Society Development Strategy for 2018-2020**<sup>20</sup>, in order to set a common regulatory framework and streamline the efforts to develop civil society and promote social cohesion.

21. In order to harmonize the regulatory framework with international standards on **freedom of association**, a new Law on non-profit organizations was adopted.<sup>21</sup> The new law has simplified the procedure of registration of non-profit organizations and provided additional guarantees to protect freedom of association.

22. In order to ensure the participation of civil society, five members of the NHRC are representatives of non-profit organizations as members with the right to consultative vote.

23. Public authorities ensure cooperation with non-profit organizations on various platforms for consultation and expertise in the elaboration, implementation, and evaluation of policies, contracting of social services, financial support instruments. Moreover, according to the national legislation<sup>22</sup>, the adoption of laws and regulations is based on the principles of transparency, publicity and accessibility, which make the involvement of civil society in the elaboration of regulatory acts mandatory. At the same time, **the mechanism of percentage designation for non-profit organizations was improved**<sup>23</sup> in order to eliminate some ambiguities in its implementation.

**Freedom of expression and access to information (121.166, 121.64, 121.30, 121.31, 121.139, 121.142, 121.141, 121.143, 121.144, 121.140, 121.138, 122.28)**

24. The necessity to ensure **freedom of expression** has determined the adoption<sup>24</sup> of the **Code of Audio-visual Media Services of the Republic of Moldova**. The Code sets out guarantees for freedom of expression and of the media, access to information, protection of journalists, in line with European standards.

25. In order to ensure the transparency of media ownership<sup>25</sup> and to improve citizens' access to information of public interest in the audio-visual field, the Broadcasting Council publishes all declarations of audio-visual media service providers in the Transparency section of its website.<sup>26</sup>

26. The Parliament adopted Law no. 299/2017 on the approval of the **Concept of Information Security of the Republic of Moldova** and Decision no. 256/2018 on the approval of the *Program of measures for the implementation of the Concept of Information Security of the Republic of Moldova*.

27. The Law on competition has been supplemented<sup>27</sup> by Article 251, **Assessment of Economic Concentrations in the Media**, meant to prevent and combat anti-competitive practices and the emergence of economic concentrations on the market.

28. The Parliament has carried out an ex-post impact assessment on the Law on access to information<sup>28</sup> and developed a set of regulatory amendments concerning information of public interest.

29. In 2019, the Academy of Public Administration introduced a new component to the training course "Professional Integration for Civil Servants" – Transparency and Access to Information in Decision-Making, intended for entry-level civil servants, and developed the **e-course "Access to Information"**, intended for civil servants from central and local public authorities, aiming to train them on the obligation to ensure unconstrained and full access to information of public interest.<sup>29</sup>

**Equality and non-discrimination/National minorities and migrants (121.69, 121.70, 121.71, 122.21, 122.22, 122.20, 121.17, 121.72, 121.45, 121.153, 121.62, 121.60, 121.61, 121.73, 122.17, 122.18, 122.24, 122.25, 121.65, 121.67, 121.167, 121.163, 121.15, 121.169, 121.172, 121.168, 121.44, 121.170, 121.66, 121.171, 121.164, 121.165, 122.31)**

30. **Ensuring equality** is one of the national human rights priorities in the Republic of Moldova, and its achievement involves the implementation of a human rights-based approach in policy-making in order to create equal opportunities for all people to enjoy fundamental rights, including by introducing special measures to ensure equality and combat all forms of discrimination.

31. The State's commitment to demonstrate a **"zero tolerance" attitude towards prejudice and hatred** is reflected in the draft law on amending some legislative acts that is being examined by the Parliament.<sup>30</sup> The draft provides for the inclusion into the Criminal Code of the aggravating circumstance "for reasons of prejudice" for several offences. At the same time, it proposes a new wording for Article 346 of the Criminal Code, "Incitement to violent actions on grounds of prejudice," and introduction of a new article defining the notion of "reasons of prejudice."

32. When registering complaints about actions related to prejudices, prosecutors, who control the registration, record keeping and examination of notifications of offences, must pay special attention to the procedure of receiving and registering notifications concerning discrimination or violence based on ethnicity, religion or any other criteria.

33. In the area of education, two subjects have been introduced on the list of mandatory subjects, *Personal development* and *Education for society*, which directly or indirectly

address topics such as appreciation of cultural diversity, pluralism, tolerance, harmonious relationships, stereotypes, and assertive, non-conflicting and non-violent communication.

34. **The Code of Audio-visual Media Services**<sup>31</sup> contains provisions related to the observance of fundamental rights and freedoms and prohibits audio-visual programs that may spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance or discrimination on the grounds of sex, race, nationality, religion, disability or sexual orientation. The Broadcasting Council approved<sup>32</sup> the **Regulation on audio-visual content**, which contains provisions regarding hate speech and any forms of hatred based on intolerance and discrimination, attack on the person and human dignity, audio-visual content praising past and present totalitarian regimes, perpetrators of crimes and abuses of these regimes, as well as denigrating their victims.

35. In order to condemn anti-Semitism, the following measures have been taken:

- The Centre-Museum dedicated to the history of the Holocaust, with historical acts and books, monographs, photographs and documentaries, was opened at the House of Nationalities on 27 January 2018.
- January 27 was included in the list of official commemorative dates as the National Holocaust Remembrance Day.<sup>33</sup>
- The Government approved the Action Plan for 2017-2019<sup>34</sup> to implement the Declaration of the Parliament of the Republic of Moldova accepting the Final Report of the International Commission on the Holocaust, chaired by Elie Wiesel.
- The Government of the Republic of Moldova established the *Jewish History Museum of the Republic of Moldova*<sup>35</sup>. The primary objective of creating this museum was to highlight the contribution of the Jewish community to the development of Moldovan society at various historical times and to preserve the memory of the Holocaust, fight anti-Semitism and intolerance. In the same context, an Action Plan was developed for the rehabilitation, restoration, conservation, capitalization and promotion of the Jewish Cemetery in Chisinau and the creation of a memorial historical complex dedicated to the Jews who lived and worked on the territory of the Republic of Moldova.
- The Government approved the working definition of anti-Semitism<sup>36</sup>, adopted by the International Holocaust Remembrance Alliance.
- The Government approved the Action Plan for 2021-2024 to promote Holocaust remembrance and the culture of tolerance in order to combat racism, anti-Semitism, xenophobia and other forms of intolerance.<sup>37</sup>

36. Regarding the accessibility of information on non-discrimination, the Equality Council under the project Accessibility for All<sup>38</sup>, transposed the Law no. 121/2012 on ensuring equality in an easy-to-read/easy-to-understand format, which makes the legal framework more accessible to persons with disabilities and the general public. In addition, within the same project, the Petitioner's Guide was translated into four minority languages (Gagauz, Bulgarian, Ukrainian and Romani).<sup>39</sup>

37. The Office of the People's Advocate, the Interethnic Relations Agency and the Equality Council signed a Memorandum of Understanding aiming to strengthen their cooperation and join efforts to ensure the realization of rights of national minorities.<sup>40</sup>

38. **The implementation of the Strategy for consolidating interethnic relations**<sup>41</sup> focused on four priority areas: Participation in public life; Language as a means of integration; Intercultural dialogue and civic affiliation to the State of the Republic of Moldova; Mass media.<sup>42</sup>

39. The implementation of the Law on ensuring equality<sup>43</sup> has led to some progress in various areas, also having an impact on the situation of national minorities. Studies show a slight increase in the level of tolerance among the population.<sup>44</sup>

40. **The Action Plan on the support for the Roma population in the Republic of Moldova for 2016-2020** has been implemented.<sup>45</sup> The Framework Regulation on organizing

the activity of the **community mediator** has been adjusted<sup>46</sup> in order to strengthen the status of the mediator and to ensure the financing of their work from the state budget.

41. **Foreign citizens** in the Republic of Moldova enjoy the same rights and freedoms as citizens of the Republic of Moldova, guaranteed by the Constitution of the Republic of Moldova and other laws, as well as the rights provided by the international treaties to which the Republic of Moldova is a party, with some restrictions<sup>47</sup> that refer mainly to political rights.

42. Furthermore, the **Action Plan for the implementation of the National Strategy on Migration and Asylum for 2016-2020**<sup>48</sup> has been put into practice.

43. The national legal framework has been amended<sup>49</sup> to transpose the commitments set out in the Association Agreement between the EU and the Republic of Moldova. Thus, simplified procedures have been established for the entry and temporary stay of certain categories of persons on the territory of both Parties, including to improve the business environment and develop services and service providers, which substantially contributed to strengthening preferential trade relations based on mutually beneficial conditions.

44. The procedure for documenting seconded foreigners has been amended and simplified, and some barriers to obtaining the right of temporary residence for work purposes have been removed.<sup>50</sup>

### **National justice system (121.119, 121.120, 121.121, 121.122, 121.124, 121.125, 121.126, 121.118, 121.123, 121.127)**

45. The **Justice Sector Reform Strategy** for 2011-2016<sup>51</sup> (JSRS) was the first comprehensive policy for the entire sector and was an important step in building a modern justice system.<sup>52</sup>

46. Given that the JSRS implementation period ended *de jure* at the end of 2017<sup>53</sup>, to ensure the continuity of the process of promoting reforms in the justice sector, institutional policies were incorporated in a concept document *Strategic Directions and Actions*. In 2018, the reform activities continued, based on a list of priorities called “the Intermediate Justice Sector Reform” that focused on the strategic interventions intended to strengthen the independence of the judiciary, strengthen the mechanisms for holding judges accountable and ensuring the transparency and quality of justice.

47. At the end of 6 years of reform in the justice sector under the JSRS, we find that many of the planned actions have achieved their expected result and many reforms, even if delayed, have been put into practice.<sup>54</sup>

48. On 25 November 2020, the Parliament adopted a new policy document *the Strategy for Ensuring the Integrity and Independence of the Justice Sector for 2021-2024*<sup>55</sup>, which is yet to enter into force. The document is a natural continuation of the activities set out in the JSRS, but changes the focus from the concept of reform to a more operational approach, meant to strengthen the potential of the justice sector. The main target of the reform process is to ensure that society trusts the act of justice.

49. **The Civil Code and related framework were modernized**<sup>56</sup> in line with the European Union law and relevant international practice, and contradictions between legal standards and regulatory duplications were eliminated.

50. The amendments adopted in 2018<sup>57</sup> managed to simplify the Code of Civil Procedure, in order to **streamline civil judicial proceedings**: reducing the length of trials, limiting the grounds on which participants can ask for a suspension of the trial, and introducing a new simplified judicial procedure (performed only through written observations) for certain categories of cases with damages under 10 average salaries per economy (approximately 50,000 MDL) with hearings taking place only when necessary.

51. As of July 2018, with the support of the Open Justice Program (USAID), an improved version of the **Integrated Case Management System** is being implemented in all courts in the country, and the e-File information subsystem has been reconfigured.<sup>58</sup> All courts have

been provided with technical equipment, and the new IT solution will help avoid multiple trips to court to submit and receive documents and other activities related to the organization of hearings, so the parties will have to appear before the judge only for the examination of the case.

52. In order to regulate the use of teleconferencing, the Regulation on the conduct of court hearings with the use of the teleconferencing application in pilot courts and penitentiary institutions was approved.<sup>59</sup>

53. In 2018, legislative amendments were adopted to streamline the **mechanism of accountability of judges**.<sup>60</sup>

54. A draft law was prepared to amend the Constitution of the Republic of Moldova (Articles 116, 121, 122 of the Constitution) in order to **limit the immunity of judges**, standardize the appointment of judges, cancel the initial 5-year term for appointment of judges and change the composition of the Superior Council of Magistracy.<sup>61</sup>

55. Actions have been promoted in the justice sector, the implementation of which will directly contribute to **combating corruption**. The “integrity package”<sup>62</sup> created a legal framework for streamlining the work of the National Integrity Authority and for its institutional and operational independence, as well as for reforming the current mechanism for declaring income, property, personal interests, conflict of interest. In addition, the anti-corruption legal framework has been unified and the **Criminal Assets Recovery Agency** was created. The Law on preventing and combating money laundering and terrorist financing was adopted.<sup>63</sup>

### **Combating torture, ill-treatment and ensuring proper conditions for detention (121.28, 121.29, 121.74, 121.68, 121.75, 121.77, 121.79, 121.78, 121.80, 121.76, 122.26, 121.81, 121.82, 121.84)**

56. The State’s commitment to **improving conditions of detention** is reflected in several national and sectoral policy documents.<sup>64</sup>

57. The amount of funds allocated for maintenance and capital repairs of penitentiary institutions and temporary detention facilities (TDFs) of the police has gradually increased. **15 TDFs were renovated**<sup>65</sup>, and other actions were taken to improve the condition of detainees in police custody. Reconstruction works have been completed at two penitentiary institutions: Penitentiary no. 3 in the town of Leova and Penitentiary no. 10 in Goian village of Chisinau municipality. In addition, construction works at the detention facility in Balti are being carried out, and project documentation and estimates have been prepared for the Penitentiary in Chisinau, with construction works to start in 2021. Current repairs have been carried out **in all 18 penitentiaries in the country**.

58. Medical care in detention is still a challenge. The establishment of a unit to manage the health services for detainees is the primary goal and one of the key elements of the **Strategy for the Development of the Penitentiary System for 2016-2020**.<sup>66</sup> Currently, an optimal model is being finalized, which involves the establishment of a subdivision under the Ministry of Justice.<sup>67</sup> Meanwhile, the process of accreditation of medical services within the penitentiary administration system has started in 2019.<sup>68</sup>

59. In order to establish a **progressive system of sentence enforcement**<sup>69</sup>, a draft law has been initiated that would replace the current system of different types of penitentiaries with different sentence enforcement regimes in penitentiaries that will differ by the restrictions imposed, applicable security measures, available activities, freedom of movement and other measures.

60. In order to strengthen the legislative framework on **combating torture and ill-treatment**, especially with regard to sanctions for ill-treatment that would have a deterrent effect, the Criminal Code was amended in 2018<sup>70</sup>, and the possibility to apply a fine was excluded as an alternative sanction for committing the offence of inhuman and degrading treatment.

61. The same objective was pursued by the legislator in the adoption of amendments to the Criminal Code, Criminal Procedure Code, Enforcement Code and Contravention Code,<sup>71</sup> which consisted in reducing the penitentiary population by increasing the role of courts in individualizing punishment; eliminating the mathematical increase of punishment for repeat offenders and for repeat minor offences; streamlining (unlocking) the early release mechanism; introducing a new mechanism that allows courts to individualize sentence enforcement, with the possibility to pronounce sentences with part of the punishment to be served in a penitentiary and part to be served out of prison. The same amendments established, as an innovation, a **preventive and compensatory mechanism in line with ECHR standards** for holding detainees and convicts in inhumane and degrading conditions.<sup>72</sup> The implementation of these amendments removed the procedural blockages that determined the overcrowding of penitentiaries.<sup>73</sup>

62. In addition, other amendments made in 2018 to the Code of Criminal Procedure<sup>74</sup> broadened the circle of persons in the penitentiary system that have the right to ascertain crimes committed in places of detention, during escorts or in connection with the enforcement of conviction sentences.

63. In order to **eradicate the abusive application of pre-trial detention**, the Code of Criminal Procedure has been amended.<sup>75</sup>

64. **The Action Plan for reducing ill-treatment, abuse and discrimination against persons in police custody for 2017-2020**<sup>76</sup> was implemented by carrying out actions to eliminate all forms of ill-treatment, abuse and discrimination in police activities.

65. In the period of 2017–2020, every effort was made to ensure a high level of training for prosecutors and judges on preventing and combating torture according to the standards of the Istanbul Protocol and the case law of the ECtHR.<sup>77</sup>

66. The Council for the Prevention of Torture (CPT)<sup>78</sup> protects people against torture and other cruel, inhuman or degrading treatment or punishment, as a National Mechanism for the Prevention of Torture.<sup>79</sup> In addition to the duties of conducting preventive and monitoring visits, CPT members participate in the training of employees of various institutions under the OPCAT mandate and maintain a constant dialogue with authorities in order to improve respect for human rights and fundamental freedoms of detainees.

### **Prevention and combating of trafficking in human beings and domestic violence (121.109, 121.110, 121.111, 121.112, 121.114, 121.115, 121.128, 121.113, 121.116, 121.108, 121.88, 121.90, 121.91, 121.93, 121.94, 121.95, 121.98, 121.99, 121.117)**

67. **Prevention and combating of trafficking in human beings (THB)** remains a priority for the Republic of Moldova. Between 2016 and 2020, the policy, regulatory and institutional framework has been strengthened, as well as the capacities of specialists in THB, all activities being conducted based on the 4P paradigm: Prevention, Protection, Punishment and Partnership. The country approved the **National Strategy for Preventing and Combating Trafficking in Human Beings for 2018-2023**<sup>80</sup> and the Action Plan for 2018-2020<sup>81</sup> to implement the strategy, which aims to develop a sustainable national system for the prevention and combating of THB.

68. The National Committee for Combating Trafficking in Human Beings ensures the coordination of activities to prevent and combat trafficking in human beings, as well as cooperation with public authorities, international and non-governmental organizations, other agencies, and representatives of civil society. In the period of 2017–2020, this Committee had 7 meetings.

69. Amendments were adopted to the Criminal Code<sup>82</sup>, such as the criminalization of new forms of THB, while the Law on preventing and combating trafficking in human beings<sup>83</sup>, was completed with refined definitions regarding victims and the referral system.<sup>84</sup>

70. Amendments were made in 2018 and 2020<sup>85</sup> to the Regulation on the repatriation of children and adults victims of THB, of persons in difficulty and unaccompanied children to

**improve the repatriation mechanism for victims of THB**<sup>86</sup> and persons in difficulty by clearly establishing the process of identifying the person in difficulty and the content of the repatriation file, facilitating the process of documenting unaccompanied children (identified abroad) with birth certificates, planning the necessary funds for the local public administration authorities to take over the beneficiaries after the repatriation procedure.

71. The Law on the **rehabilitation of victims of crime** has been adopted<sup>87</sup>, giving victims (including victims of trafficking in human beings) the right to benefit from support services offered by the state: information counselling, psychological counselling, state-guaranteed legal aid and financial compensation.

72. The draft **Program for the creation and development of the National Referral Mechanism for the protection and assistance to victims of crime for 2021-2025** and the **Action Plan for 2021-2023 for its implementation** have been prepared, designed to further eliminate the obstacles in the realization of rights of victims of trafficking and other crimes, to improve the efficiency of cross-sectoral cooperation in this field and to adapt the National Referral System to the changes that occurred in society and in public policies.

73. A new way of regulating the **activity of private employment agencies** has been introduced. Thus, new licensing conditions have been established, which serve as filters for licensing economic agents that intend to carry out labour recruitment. In addition, a monitoring and control mechanism has been established, assigning to the State Labour Inspectorate control responsibilities in the field of labour intermediation through private agencies.

74. In order to grant the right to qualified legal aid to victims of trafficking in human beings, regardless of their income, the Law on state-guaranteed legal aid<sup>88</sup> was amended.

75. During the period of 2017–2020, over 4,250 specialists of law enforcement were trained (social assistants, lawyers, labour inspectors and other specialists).

76. The **specialization of judges in combating THB** and related crimes has been piloted and introduced.<sup>89</sup>

77. Assistance to and protection of THB victims involves a wide range of services aimed at preventing, reducing or rehabilitating THB consequences, which are provided in **7 specialized centres** (funded from the state budget) and by specialists in territorial multidisciplinary teams.<sup>90</sup> During 2016–2020, in the centres providing specialized social services (funded from the state budget) assistance was granted to **378 victims of THB** (294 adults and 84 minors). In 2020, a *specialized service for men victims of trafficking in human beings* was established.

78. An effective tool for preventing THB are campaigns for informing the public about safe migration, legal jobs, protection and assistance services that can be provided in the country and abroad, as well as about the risks and consequences of THB.<sup>91</sup>

79. In international cooperation, **joint investigation teams** with competent authorities of Romania in 2018, France in 2019, France and Romania in 2020 were created within criminal cases involving THB and related crimes.

80. Amendments have been made to the Criminal Code, the Contravention Code and other legislative acts aimed at improving the mechanisms for preventing and sanctioning acts of **domestic violence**.<sup>92</sup>

81. Two reports have been produced to analyse the compatibility of national legislation with the Istanbul Convention and the Statute of the International Criminal Court (Rome Statute). Based on the two reports, three draft laws were prepared and two laws were adopted, which partially ensure the harmonization of the national legislation with relevant international provisions.<sup>93</sup>

82. The signing of the *Istanbul Convention* on 6 February 2017 marked the Government's commitment to initiate the process of ratification and harmonization of the national legislation to that treaty.

83. The first public policy document in the field, the National Strategy for Preventing and Combating Violence against Women and Domestic Violence for 2018-2023 and the Action

Plan for 2018-2020 were adopted<sup>94</sup>. The strategy is based on the 4P approach: prevention, protection, investigation/prosecution and integrated policies.

84. The Inter-Ministerial Coordinating Council for the Prevention and Combating of Domestic Violence had 21 meetings during 2016–2020 in order to ensure cooperation and coordination between ministries, other central administrative authorities and non-governmental organizations with competences in the field of preventing and combating domestic violence.

85. Along with legislative efforts, work was done to streamline the practical mechanisms for responding to cases of domestic violence in the fields of public order, medical care and social assistance, which resulted in the approval of the *Methodical instruction on police intervention in solving cases of domestic violence*<sup>95</sup>, *Instruction on the intervention of territorial social assistance structures in cases of domestic violence*<sup>96</sup> and *Instruction on the intervention of medical institutions in cases of domestic violence*.<sup>97</sup>

86. Within the nationwide platform of the Centre for Assistance and Protection, during 2017–2020<sup>98</sup>, assistance was provided to 550 victims (adults) of domestic violence and 163 children. Two new centres have been opened in rural areas (in Anenii Noi and ATU Gagauzia).

87. On 9 December 2019, the website <http://antiviolența.gov.md/ru/> was launched, which provides an information platform dedicated to the prevention and combating of violence against women and domestic violence, for better access to information on the mechanism for solving cases of domestic violence, social services infrastructure for victims of domestic violence.

88. Since December 2017, the State has been financing the Service of Free Telephone Assistance to Victims of Domestic Violence and Violence against Women.<sup>99</sup>

89. The law enforcement bodies ensured the protection of victims of domestic violence and supervised the implementation of protection measures applied in accordance with the law.<sup>100</sup>

90. Topics of violence against women and domestic violence have been integrated into the training plans for prosecutors and judges provided by the National Institute of Justice.<sup>101</sup>

91. In order to raise awareness, the UN campaign *16 Days of Activism against Gender-Based Violence* is organized annually. As part of the national campaigns, 10,200 awareness and information activities have been carried out, with 500,000 citizens informed and about 310,000 leaflets distributed.

### **Economic and social rights (121.151, 121.148, 121.149, 121.150, 121.152, 121.147, 122.29, 121.83, 122.19)**

92. In order to improve the quality of life of people in Moldova, the Government approved and sent to the Parliament for examination and adoption the National Development Strategy “Moldova 2030” (NDS “Moldova 2030”)<sup>102</sup>, which is a reference document for sectoral strategies and current and future policy interventions, aiming to change the perspective of public policies in the Republic of Moldova by focusing on the problems, interests and aspirations of the people.<sup>103</sup>

93. In order to improve the economic climate, and consequently contribute to economic development, the Government has reformed the bodies with institutional and procedural control competences and adopted a series of regulations regarding the State control over entrepreneurial activity.<sup>104</sup> The automated information system for the management and issuance of permissive documents has been implemented.<sup>105</sup>

94. To stimulate returning migrants to open a business in the country, the Program for Attracting Remittances in Economy “PARE 1+1” for 2018-2020 has been implemented<sup>106</sup>, with the aim to mobilize the human and financial resources of migrant workers and their relatives in the sustainable economic development of the Republic of Moldova. Legal regulations have been adjusted, providing for the concept and definition of social

entrepreneurship, social enterprise and social enterprise of insertion, and for the subjects that can obtain the status of social enterprise or social enterprise of insertion. A new program START for Young People: Sustainable business at home was approved<sup>107</sup>, aiming to integrate young people in the economic circuit by facilitating the launch and development of sustainable businesses. In order to facilitate the development of SMEs in the regions, creation of regional support services in entrepreneurial development, management of innovation and technology transfer projects, the Network of Business Incubators in Moldova has been expanded.<sup>108</sup> As a quick response to the situation created by the pandemic crisis in 2020, 5 new instruments have been launched, dedicated to increasing the competitiveness of SMEs and strengthening infrastructure in regions, such as: the SMEs Greening Program (10 million MDL); the Support Program for businesses with high potential of growth and internationalization (15 million MDL); the Pilot Program for the creation of Multifunctional Industrial Platforms (50 million MDL); the instrument for the digitization of SMEs (10 million MDL); and the support instrument for the development of the Business Incubator Network (2.2 million MDL).<sup>109</sup> During 2020, 4,549 jobs were created and maintained through SME financing programs.

95. A series of measures have been taken to **reduce poverty** and promote the **social inclusion** of people from disadvantaged groups. Multifunctional social service networks have been developed, which have helped improve the access of disadvantaged groups to relevant needs-based services. Efforts have been made to streamline access to housing by implementing “First Home” programs and several projects intended to finance social housing for vulnerable families.

96. Both international<sup>110</sup> and national<sup>111</sup> **poverty indicators** show a tendency to decrease.

97. A regulation was approved to grant subsidies from the National Fund for the Development of Agriculture and Rural Areas for the improvement of living and working conditions in rural areas.<sup>112</sup>

98. Measures have been taken to harmonize the national regulatory framework and EU directives on the **quality of water intended for human consumption**. The Law on the quality of drinking water<sup>113</sup> was adopted, thus creating the legislative framework for the protection, control and efficient use of drinking water and for an improved management of water-related risks in the Republic of Moldova.<sup>114</sup> The **National Program for the Implementation of the Protocol on Water and Health** in the Republic of Moldova for 2016–2025<sup>115</sup> has been implemented. The provisions of the Sanitary Regulation on small drinking water supply systems have been implemented.<sup>116</sup>

99. The **National Employment Strategy for 2017-2021**<sup>117</sup> and the Action Matrix for its implementation were approved. Its general objective is to increase the level of formal employment based on economic competitiveness, adequate skills, and qualifications, in conditions of sustainable and inclusive development.

100. The Law on the **promotion of employment and unemployment insurance**<sup>118</sup> and the Government Decision on access to employment measures<sup>119</sup> were adopted, aiming to prevent and reduce unemployment and its social effects, reduce the risk of unemployment and ensure a high level of employment and adjustment of the workforce, by eliminating any form of discrimination based on race, nationality, ethnic origin, language, religion, beliefs, sex, age, disability, opinion, political affiliation, wealth, social origin or any other criterion to ensure the right to decent work.

101. In the context of the pandemic caused by **COVID-19**, the following **social protection measures** have been taken:

- Unemployment benefits have been granted to people who lost their jobs due to the pandemic.<sup>120</sup>
- Conditions for remote work have been regulated.
- Measures to support pensioners and persons with disabilities.<sup>121</sup>
- Support for disadvantaged families.<sup>122</sup>

- The descendants (surviving spouse, children or, as the case may be, one of the parents) of the income earner who died because of COVID-19 infection during the performance of medical activity may request a monthly allowance.<sup>123</sup>

102. The **National Health Promotion Program** for 2016-2020 has been implemented.<sup>124</sup> The main actions carried out under this program are related to strengthening the capacities of health specialists<sup>125</sup>.

103. In order to provide the population with the necessary high-quality medicines, the following actions have been undertaken:

- The Regulation on the performance of pharmacovigilance activities was approved.<sup>126</sup>
- The regulatory framework for reimbursed medicines was revised.<sup>127</sup>
- The draft new law on medicines has been examined by the World Health Organization and is to be finalized, submitted for expert opinion and sent to the Government for approval.

104. In the Republic of Moldova, the **birth rate** registered in 2019 was 12.0 live births per 1,000 population, being the lowest in the last 5 years.<sup>128</sup>

105. The **National Program on Sexual and Reproductive Health and Rights for 2018-2022** was approved<sup>129</sup>, being a key policy document on national interventions in access to safe sexual and reproductive health services and in terms of respect for human rights, including sexual and reproductive rights and gender equality. The strategy document targets all groups, with a special focus on vulnerable groups, including persons with disabilities. In the last 4 years, **indicators in the sexual and reproductive health of adolescents and young people have shown positive trends**.<sup>130</sup>

106. The health indicators of adolescents and young people in recent years have shown some progress. In this context, some **positive trends** in the health of this category can be mentioned.<sup>131</sup> At the same time, there have been some worrying trends that require further efforts on the incidence of HIV among young people aged 15–24 and the reduction of the use of protection among sexually active adolescents aged between 15 and 17.<sup>132</sup>

107. The implementation of the **National Immunization Program** has continued. The level of vaccine coverage at the target age of 1 year is about 90%, compared to the target of 95%, which is due to the parents' refusals of vaccination for religious, philosophical reasons, distrust in vaccines, inspired by anti-vaccine trend.

108. In order to reduce morbidity from communicable diseases, **the National Program for the Prevention and Control of HIV/AIDS and Sexually Transmitted Infections for 2016–2020**<sup>133</sup>, **the National Program for the Control of Viral Hepatitis B, C and D for 2017–2021**<sup>134</sup>, **the National Tuberculosis Control Program for 2016-2020**<sup>135</sup> have been approved and implemented.

109. The **National Diabetes Prevention and Control Program for 2017-2021** and the Action Plan for its implementation have been approved and implemented.<sup>136</sup>

110. Following the implementation of health programs, **life expectancy at birth** in the Republic of Moldova increased from 69.3 years in 2014 to 70.9 years for both sexes in 2019, or 75.1 years for women and 66.8 years for men.

111. In the Republic of Moldova, there are currently **40 community centres for mental health**<sup>137</sup> in district centres and in Chisinau and Balti municipalities, financed from compulsory health insurance funds.

112. In the context of the pandemic, the Republic of Moldova has taken the following **measures to respond to the COVID-19 infection**<sup>138</sup>:

- Convocation and operation, since February 2020, of the Extraordinary National Commission for Public Health, responsible for the implementation of prevention and management of the COVID-19 response.

- Daily convocation of the Commission for Extraordinary Situations and Public Health Emergencies<sup>139</sup>, to analyse the daily epidemiological situation, present updated data and problems and identify appropriate solutions.
- Development of the **National Plan for Preparation and Response to the New Type Coronavirus Infection**, in collaboration with WHO.<sup>140</sup> Following the assessment of epidemiological events worldwide, the second version of the Plan was developed.<sup>141</sup>
- Establishment, on 26 February, of the National Public Health Risks Communication Group, which includes communication officers from all key public institutions, WHO and other UN agencies.
- Approval and periodic updating of the **Clinical Protocols for the Treatment of COVID-19 Infection**: four consecutive versions of the Provisional National Clinical Protocol “New-type coronavirus infection”, Practical Guide “Management of severe complications caused by the coronavirus infection”, based on which the medical, sanitary activities of urgent, primary and hospital medical assistance are performed, including provision with medicines and treatment in intensive care units.
- Testing, investigation, consultation and treatment of persons suspected or confirmed with COVID-19 infection, within public medical institutions **fully covered** from the sources of the compulsory health insurance funds, so these services are free for all citizens of the Republic of Moldova, regardless of whether they are insured or uninsured.
- The categories of patients for outpatient treatment (mild forms, moderate forms, mild pneumonias) were extended in stages, and at-home treatment compensated from the compulsory health insurance funds was introduced from December 2020 for COVID-19 patients (moderate forms and mild pneumonias).
- In order to stimulate the medical staff directly involved in the fight against COVID-19, a salary bonus was introduced for the fulfilment of the professional performance indicator “Providing medical assistance to patients with COVID-19”.<sup>142</sup>
- At the initiative of the Government, the CEB project was started with the allocation of 40 million EUR for the health system, which will be directed to strengthen the capacity of the health system in response to the COVID-19 pandemic by equipping hospitals with oxygen generators, computer tomographs, medical waste management systems, high-capacity sterilization devices, reconfiguration of ventilation systems of intensive care units in republican, municipal, district hospitals.
- The **COVID-19 Immunization Plan** has been approved.<sup>143</sup>

**Women’s rights and gender equality (121.56, 121.40, 121.47, 121.48, 121.49, 121.50, 121.53, 121.54, 121.52, 121.46, 121.58, 121.59, 121.57, 121.51, 121.145, 121.146)**

113. In order to ensure **respect for women’s rights** and gender equality, the Republic of Moldova has adopted the *Strategy for Ensuring Equality between Women and Men for 2017-2021*<sup>144</sup> and other policy documents in related fields.<sup>145</sup> It provides for 10 areas of intervention: women’s participation in decision-making, labour market and gender pay gap, social protection and family policies, health, education, climate change, institutional mechanism, social stereotypes and nonviolent communication, gender equality in security and defence sector, gender-sensitive budgeting.<sup>146</sup>

114. At the same time, the regulatory framework on equality between women and men, preventing and combating domestic violence and trafficking in human beings has been improved, in line with international standards.<sup>147</sup> In addition, the system of gender-sensitive statistical data has been developed and actions were carried out to monitor the implemented policies.

115. The **Action Plan on the implementation of the National Program for the Implementation of UN Security Council Resolution 1325 on Women, Peace and**

**Security for 2018-2021** was approved,<sup>148</sup> with a view to ensuring respect for women's rights and strengthen their role in the security sector, eliminating stereotypes and violence against women, involving them in conflict prevention and settlement processes, as well as post-conflict reconstruction, gender mainstreaming in peace operations, expanding the role and contribution of women, in particular among military observers, civilian police and human rights and humanitarian personnel.

116. According to this Plan, the objective of respecting the principle of gender equality in the process of employment and promotion in the Police and increasing the participation of women in the Police has been established. In this regard, with the EU Budget Support for Police Reform 2017-2020, an action plan for increasing the share and role of women in the Police was approved, which provided for the percentage of women in the Police to reach at least 20% by 2020.<sup>149</sup> In 2020, the Ministry of Internal Affairs and the Ministry of Defence approved the Regulation on preventing, combating and reporting cases of sex-based discrimination, harassment and sexual harassment.

117. The Monitoring Report on Gender Share in Political Parties of the Republic of Moldova has been produced<sup>150</sup>, and the study "*Gender Barometer: How do women and men participate in politics and decision-making processes?*"<sup>151</sup> has been conducted.

118. Measures to raise awareness and promote gender equality at the national level are organized annually, especially with the participation of the media.<sup>152</sup>

119. Programs, trainings, mentoring and **capacity building** sessions **for women from underrepresented groups** (including women with disabilities, Roma women) have been conducted. Nine regional forums were organized under the auspices of the Platform of Women MPs – "Prevention and elimination of domestic and school violence: a multidisciplinary approach to the phenomenon". The National Mentoring Program for Active Women "INSPIR-O!" (Inspire Her) has been implemented, as well as the Program for Strengthening the Capacities of Women First Time Mayors, through which beneficiaries received trainings in gender equality, women in management positions, gender-sensitive budgeting, communication and the prevention of sexism and sexist language. In 2018, the national campaign STAND AS A CANDIDATE! BE THE CHANGE! was organized, with the participation of candidates in the 2019 local elections.

120. The curriculum for the optional subject "Harmonious family relations" has been prepared and teachers have been trained.<sup>153</sup> The curriculum for the headteacher's counselling class (thought in grades 1 to 12) includes a module called "Culture of ethical behaviour," which addresses gender roles and stereotypes.

121. The implementation period for the **Pilot Program "Women in Business"**<sup>154</sup> has been extended until 2022, aiming to promote economic and social skills in rural areas by reducing gender inequality, growing and developing businesses, changing the perception of innovation, increasing access to modern resources, services and technologies.

122. In order to create favourable conditions for women's access to politics, new legislative amendments were adopted in 2018 regarding the financing of political parties from the state budget, with the distribution of resources for compliance with established gender quotas, among other things.<sup>155</sup>

123. In 2019, the electoral legislation was amended, with provisions requiring that the lists of candidates for local elections shall be drawn up with the minimum quota of 40% for both sexes, and the positioning of candidates on the lists shall be done according to the formula of at least four candidates for each gender in each decile.

124. Between February and June 2019, the "Roma Women in Politics" program was implemented, in which 38 Roma women received training, mentoring and guidance. The project aimed to increase the number of Roma women in the local decision-making process.

125. In 2019, a civic and political empowerment program was carried out for 50 women with various types of disabilities, in order to prepare future candidates for the local elections that took place in 2019.

## Children's rights (121.41, 121.103, 121.107, 121.104, 121.106, 121.105, 122.27)

126. By implementing the objectives of the **Child Protection Strategy for 2014-2020** and the Action Plan for 2016-2020, efforts have been made to reform the childcare system, develop the regulatory and institutional framework for the development of alternative family-type services, ensure the necessary conditions for raising and educating children in the family environment, prevent the separation of the child from the family, standardize and increase the benefits granted to children temporarily left without parental care and those left without parental care placed in alternative family-type services, adjust those benefits according to the special needs of the children, and financially motivate professional parental assistants (PPPs)/parents-educators in family-type orphanages (FTOs), to ensure the placement of several children in one family, the placement of children under the age of 3 and of children with disabilities.

127. The following have been increased: the amount of the *one-time placement allowance* for children placed in guardianship services, PPPs and FTOs,<sup>156</sup> as well as allowances for families with children.<sup>157</sup> The minimum package of social services<sup>158</sup> includes support for families with children and personal assistance for persons with disabilities.

128. Efforts have been made to achieve the gradual employment of child protection specialists at community level and the establishment of a network of **regional integrated assistance centres for child victims/witnesses of crime** in order to streamline the protection of children against sexual offenses, trafficking in children or domestic violence, crimes against life and/or health.<sup>159</sup>

129. In 2019, an interim evaluation was carried out of the implementation of the Child Protection Strategy for 2014-2020 and of the Action Plan for 2016-2020.<sup>160</sup>

130. Moldova has implemented<sup>161</sup> and assessed the efficiency<sup>162</sup> of the *Instructions on the inter-sectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking*<sup>163</sup> and the *Instruction on the mechanism of inter-sectoral cooperation for the primary prevention of risks to child welfare*.<sup>164</sup>

131. Actions to monitor, prevent and combat violence against children in educational institutions are carried out throughout the school year. The subject is included in the disciplines **Education for Society**, compulsory for students in middle and high school, and **Personal Development**, implemented in grades 1–12, that *have been reconceptualised* as part of the curricular reform.

132. The **Action plan for promoting the online safety of children and adolescents for 2017-2020**<sup>165</sup> has been implemented. Taking into account the situation imposed by Covid-19, *a set of methodological tools was developed for the remote organization of the educational process in quarantine conditions and for the online safety and security of students* in the remote educational process for primary, middle and high school.

133. The process of **deinstitutionalization of children** has continued.<sup>166</sup>

134. **The Early Childhood Intervention Service** was developed,<sup>167</sup> aiming to prevent and minimize the negative consequences for the development and health of young children.

135. Following the implementation of the **Program for the development of inclusive education in the Republic of Moldova for 2011-2020**, 932 *resource centres for inclusive education* operate in educational institutions. In addition, the Pilot Inclusive Education Program for Vocational Training was launched in 9 institutions, and 10 centres of excellence were rebuilt, including with a view to ensure conditions and access to vocational training for students with special needs.

136. The pandemic has deeply affected the education system in Moldova<sup>168</sup>. The Government has taken some measures to provide teachers and students with computing devices, nevertheless ensuring full access to education remains a challenge.<sup>169</sup>

**The rights of persons with disabilities (121.159, 121.154, 121.158, 121.160, 121.162, 121.161, 122.30, 121.155, 121.155, 121.156, 121.157)**

137. In order to adjust the current regulatory acts to the provisions of the UN Convention on the **Rights of Persons with Disabilities**, the legislation<sup>170</sup> and to *49 regulatory acts*<sup>171</sup> were amended.

138. In 2018, **articles 50 and 51 of the Constitution of the Republic of Moldova** were amended to replace the words “handicapped persons” with “persons with disabilities.”

139. The **National Program for Social Inclusion of Persons with Disabilities for 2017-2022** and the Action Plan for its implementation were approved.<sup>172</sup> The program provides for an inter-sectoral approach to the social inclusion of persons with disabilities and for ensuring that their fundamental rights are equally respected in all areas of social life.<sup>173</sup>

140. The Government has approved the **National Program for Deinstitutionalization of Persons with Intellectual and Psychosocial Disabilities** from the residential institutions managed by the National Agency for Social Assistance, for 2018-2026.<sup>174</sup>

141. In the context of reforming the system for determining the degree of disability and **transition from a medical model to a social model of disability**, the State continued adjusting it by creating multidisciplinary teams of medical, social and educational experts, responsible for determining the degree of disability and implementing medical and social criteria. The Government approved<sup>175</sup> the *Concept of reforming the system for determining disability in the Republic of Moldova* and the Action Plan for its implementation, one of the main objectives of which is to adjust criteria for determining disability to international standards, including the CRPD.<sup>176</sup>

142. The **provision of social assistance services for persons with disabilities** has been regulated and diversified by approving:

- The Regulation on the organization and operation of the Free Telephone Assistance Service for persons with disabilities and the Minimum Quality Standards.<sup>177</sup>
- The Framework Regulation on the organization and operation of the Social Service “Day Centre for Persons with Disabilities” and the Minimum Quality Standards.<sup>178</sup>
- The Framework Regulation on the organization and operation of the Social Service “Day Centre for Persons with Disabilities” and the Minimum Quality Standards.<sup>179</sup>
- In order to provide assistance and care for children and adults with severe disabilities, to help them lead a more independent life in their own home and community, the social service “Social Assistance”,<sup>180</sup> the social service “Respiro”,<sup>181</sup> the social service “Family Placement for Adults”<sup>182</sup> have been regulated.
- In order to ensure the rights of persons with disabilities to independent living and in the context of their integration into society, regulations and minimum quality standards have been developed and approved for the organization and operation of several types of social services.<sup>183</sup>

143. Annually, the Ministry of Health, Labour and Social Protection develops and implements an action plan dedicated to the International Day of Persons with Disabilities (3 December), with the involvement of local public authorities, international agencies, and civil society. The activities are focused on promoting the rights, social inclusion, and skills of persons with disabilities. They include exhibitions with the sale of objects made by persons with disabilities, photographic exhibitions made by persons with disabilities, press conferences, round tables, sports competitions, etc.<sup>184</sup>

144. In order to support local public authorities in the process of creating and developing social services and to ensure the functionality of some emergency social services, the legislation was amended,<sup>185</sup> with regard to, among other things, the financing of a **minimum package of social services** from the resources of the population support fund through the National Social Assistance Agency. At the same time, a number of social payments and services are financed through the fund for the support of the population, which involves transfer from the state budget to local budgets.

145. Measures have been taken to empower persons with disabilities and national minorities to have **access to education, health services and an adequate standard of living**.<sup>186</sup>

146. In order to ensure the accessibility of persons with disabilities to social infrastructure, providers of electronic communications have the obligation to ensure, in both urban and rural localities, the possibility for end users with disabilities to choose and benefit from quality services, adapted to their needs, in conditions equivalent to other end users.<sup>187</sup>

147. In 2020, the **National Regulation on the Insurance of Population from Vulnerable Groups of Reproductive Age** was revised and approved.<sup>188</sup> It includes 12 groups<sup>189</sup> that can receive free contraception, including persons with disabilities. Some primary medical care institutions have been equipped with gynaecological chairs adapted for people with locomotor disabilities. However, additional efforts are needed to equip all medical institutions and increase the capacity of medical staff in providing reproductive health counselling and family planning services for persons with disabilities, as well as informing persons with disabilities and their families about their sexual and reproductive rights.

### **Respect for human rights in the Transnistrian region of the Republic of Moldova (121.173, 121.174, 121.175)**

148. The human rights situation in the Transnistrian region continues to be characterized by serious and systematic violations committed by entities in control of the region, which concern the right to liberty and security of person, the right to freedom of expression, the right to association, the right to free movement, the right not to be arrested without cause, the right to health, the right to education, the right to live free from torture.

149. On 15 June 2018, after a break of more than 5 years, the activity of the working group for human rights was relaunched, **6 meetings** being convened **in 2018–2020**, with the inclusion on the agenda of the pressing issues of the inhabitants on both sides of the Nistru river. However, the representatives of Tiraspol refuse to discuss some high-profile cases and find solutions to them, as well as to ensure the access of Moldovan civil servants, human rights defenders and representatives of the Office of the People's Advocate to persons whose rights have been violated in the region.

150. In the process of monitoring human rights, the constitutional authorities maintain a permanent dialogue with civil society organizations,<sup>190</sup> where they openly discuss various aspects of the Transnistrian issue.

151. In order to strengthen dialogue on human rights issues, the political representative in Tiraspol was addressed with the proposal to create a platform for interaction at the level of non-governmental human rights organizations, journalists and relevant international organizations, aimed at highlighting the most sensitive issues related to the violation of fundamental rights and freedoms and at finding solutions in line with international standards. The Transnistrian side did not offer any reaction in this regard.

152. The human rights situation has worsened during the pandemic in the context of abusive actions committed by Tiraspol: illegal and incommunicado detention, kidnapping, censorship, drastic restriction of the right to free movement.<sup>191</sup> These violations have been brought to the attention of mediators and observers in the negotiation process, especially the OSCE Mission to Moldova. At the same time, this subject is systematically addressed by the Republic of Moldova within the Permanent Council of the OSCE, at the sessions of the UN Human Rights Council and the meetings of the Committee of Ministers of the Council of Europe.

153. Given that the constitutional authorities do not have effective control over the situation in the region or access to those localities to exercise their legal powers, each case of violation of fundamental rights is reported to mediators and observers in the negotiation process for Transnistrian settlement, OSCE Mission to Moldova, CoE Office in Chisinau, with an appeal for intervention to stop illegalities, restore/ensure the protection of violated rights and discourage intimidation and provocations undertaken by representatives of Transnistrian structures. In particular, the territorial representation of the People's Advocate Office

provides the necessary counselling and assistance to people from localities on the left bank of the Nistru river and from the municipality of Bender.<sup>192</sup>

154. At the same time, the Republic of Moldova supports the access of international human rights mechanisms to the region. In the reporting period, it facilitated/approved the visits of the Special Rapporteur on minority issues, Special Rapporteur on the situation of human rights defenders, the follow-up visit of UN Expert on Transnistrian region, Mr. Thomas Hammarberg, as well as the visits of the Council of Europe Commissioner for Human Rights (Nils Muižnieks in October 2017 and Dunja Mijatović in March 2020).

#### IV. Challenges and priorities for the next period

155. Promotion of the draft law to amend the Constitution of the Republic of Moldova (Articles 116, 121, 122 of the Constitution) in order to *limit the immunity of judges, streamlining the appointment procedure of judges, annul the initial term of appointment of judges for 5 years and change the composition of the Superior Council of Magistracy*.

156. Effective implementation of the **Action Plan for Human Rights 2018-2022**; development and implementation of a new policy document post-2022.

157. **Ratification of international treaties** related to human rights:

- Optional Protocol to the UN Convention on the Rights of Persons with Disabilities;
- Protocol No. 16 to the European Convention on Human Rights;
- Optional Protocol to the UN Convention on the Rights of the Child on a communications procedure;
- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;
- Kampala Amendments to the ICC.

158. Proper functioning of the **National Human Rights Council** for the monitoring and evaluation of the implementation of human rights policy documents, as well as the commitments/recommendations received from international human rights protection mechanisms.

159. Strengthening of **the role of the Ombudsman and the Equality Council**, including by promoting relevant legislative amendments.

160. Harmonizing the national legal framework in line with international standards on hate crime.

161. Inaccessibility of the **region on the left bank of the Nistru river** for representatives of public authorities and human rights promoters to exercise their duties and provide **necessary assistance to victims of human rights violations**, impossibility to implement the provisions of national legislation, non-settlement of the Transnistrian conflict and lack of effective control by the constitutional authorities on the situation in the region are still major challenges and some of the key priorities in further state interventions to ensure respect for human rights.

162. Implementation of the **new strategy for ensuring the integrity and independence of the justice sector for 2021-2024**.

163. Further improvement of **detention conditions**, including by improving the quality of medical, psychosocial and mental health services, as well as effective investigation of complaints of ill-treatment. Intensification of efforts to implement non-custodial measures, especially in the conditions imposed by the pandemic and the degree of vulnerability of detainees to the risk of infection in penitentiaries.

164. Improvement of the **preventive and compensatory mechanism in accordance with ECHR standards** for keeping detainees and convicts in inhuman and degrading conditions.

165. Strengthening of the **national system of prevention, preparation and response to emergencies in public health** and provision of equal access for all to quality medical services.
166. Strengthening **efforts to eradicate all forms of discrimination** against national minorities and disadvantaged and vulnerable categories of the population. Implementation of the Action Plan for 2021-2025 on Holocaust Remembrance and promoting a culture of tolerance in order to combat anti-Semitism, xenophobia, racism and other forms of intolerance.
167. Continuing the adoption of **measures to implement ECtHR judgments**.
168. Ensuring **equal and safe** access to education for all children, especially in the context of the remote education process imposed by the pandemic.
169. Approving the **Child Protection Program for 2021-2025**.
170. Ensuring the proper functioning of the integrated system of assistance and protection of **child victims/witnesses of crimes**, and of the special conditions for hearings.
171. Efficiently implementing the Strategy for strengthening interethnic relations in the Republic of Moldova for 2017-2027 and adopt a new Action Plan for 2021-2024.
172. Strengthening measures to support **the Roma population**, including by adopting a new policy document for 2021-2025 and ensuring the social, economic and educational inclusion, as well as access to justice and effective remedies.
173. Continuing measures to prevent and combat **trafficking in human beings and gender-based violence** in accordance with international standards and recommendations received by evaluation mechanisms, including by approving policy documents for the next period.
174. Intensifying efforts to ensure a favourable environment for **human rights defenders and civil society**.
175. Integrating the international recommendations received from human rights protection mechanisms into the national framework.
176. Ensuring the implementation at the national level of the 2030 Agenda for Sustainable Development.

#### Notes

<sup>1</sup> Ministry of Health, Labour and Social Protection; Ministry of Agriculture, Regional Development and Environment; Ministry of Economy and Infrastructure; Ministry of Finance; Ministry of Education, Culture and Research; Ministry of Justice; Ministry of Internal Affairs; Ministry of Foreign Affairs and European Integration; Ministry of Defence; Interethnic Relations Agency; Superior Council of Magistracy; General Prosecutor's Office; National Anticorruption Centre; Union of Lawyers; Superior Council of Prosecutors; National Council for State Guaranteed Legal Aid; National Institute of Justice; Broadcasting Council; National Centre for Personal Data Protection; National Bureau of Statistics; National Agency for Public Health; Office of Reintegration Policies.

<sup>2</sup> The NHRAP includes the following priority areas of intervention: (i) harmonizing the regulatory framework with international human rights standards; (ii) ensuring access to justice and strengthening national human rights institutions; (iii) transparency, access to information and freedom of expression; (iv) protection against discrimination and promotion of equality; (v) preventing and combating domestic violence and ensuring gender equality; (vi) increasing access to quality education for all children and young people at all levels of education, in line with international standards; (vii) ensuring universal access to quality, safe and accessible medical services for all; (viii) continuously increasing employment levels by providing employment opportunities for all; (ix) ensuring conditions for the protection, upbringing and education of children in the family environment; (x) improving the legal and policy framework for the protection of the rights of persons with disabilities; (xi) ensuring the integration of persons belonging to national minorities in all areas of activity of the State and combating discrimination against persons belonging to minority groups; (xii) ensuring respect for human rights in localities on the left bank of the Nistru River.

- <sup>3</sup> Decision no. 65/2019. The powers of the Council include: coordinating and implementing a uniform state policy in the field of human rights; overseeing the process of drafting, implementing and evaluating human rights policy documents; examining and approving half-yearly reports on the implementation of the NHRAP; facilitating interaction with international human rights protection mechanisms; coordinating the implementation of international recommendations in the field of human rights, including those addressed to the Republic of Moldova in the framework of the universal periodic review of human rights; assessing the degree of respect for human rights and approving initial and periodic national reports on the implementation of international treaties to which the Republic of Moldova is a party; creating, if necessary, specialized commissions and groups of experts and supervising their activity; etc.
- <sup>4</sup> The NHRAP implementation is coordinated at two levels: inter-sectoral strategic coordination carried out by the NHRC as a coordinating advisory body, composed of representatives of the Parliament, Government, central public administration authorities, law enforcement agencies, human rights institutions, civil society; and technical coordination carried out by the Permanent Secretariat for Human Rights.
- <sup>5</sup> <https://cancelaria.gov.md/node/5160>.
- <sup>6</sup> The changes have established the authority that shall appoint the People's Advocate, his mission, immunities and guarantees, aspects regarding the independence and incompatibilities of the position of People's Advocate, as well as the conditions that need to be met by potential candidates for the position of People's Advocate.
- <sup>7</sup> Law no. 52/2014.
- <sup>8</sup> By Government Decision no. 797/2020, the draft law for amending Law no. 52/2014 on the People's Advocate was approved. Its purpose is to ensure the observance of the rights and legitimate interests of entrepreneurs by public authorities, by organizations and enterprises, regardless of form of ownership or legal form of organization, by non-profit organizations and by responsible officials at all levels.
- <sup>9</sup> Law no. 298/2012.
- <sup>10</sup> The Equality Council [Council for Preventing and Eliminating Discrimination and Ensuring Equality] obtained membership of EQUINET [European Network of Equality Bodies] in 2017.
- <sup>11</sup> Law no. 13/2017.
- <sup>12</sup> Law no. 371/2006.
- <sup>13</sup> Law no. 302/2016.
- <sup>14</sup> Signed by the Republic of Moldova on 3 March 2017.
- <sup>15</sup> Signed by the Republic of Moldova on 6 February 2017.
- <sup>16</sup> Law no. 113/2020 on amending some regulatory acts.
- <sup>17</sup> Thus, during the reporting period, the Republic of Moldova was visited by the UN Special Rapporteur on minority issues (20-29 June 2016) and the UN Special Rapporteur on the situation of human rights defenders (25-29 June 2018). During the visits, the Rapporteurs appreciated the openness and the high level of cooperation from the Moldovan authorities. The reports prepared by the Special Rapporteurs following the visits and related recommendations were disseminated to responsible public authorities for consideration and implementation. Progress in their implementation is being monitored through an integrated tool for monitoring international recommendations managed by the Permanent Secretariat for Human Rights. At the end of 2019, the visit to the Republic of Moldova of the UN Special Rapporteur on trafficking in persons, especially women and children, was agreed, but the visit was cancelled due to the pandemic.
- <sup>18</sup> In addition to the visits of the two Special Rapporteurs to Tiraspol, in 2018, the UN Expert Thomas Hammarberg made a follow-up visit to his report of 2013 regarding the human rights situation in the Transnistrian region.
- <sup>19</sup> [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=MDA&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=MDA&Lang=EN)
- October 2016 – The 3<sup>rd</sup> Periodic Report on the implementation of the International Covenant on Civil and Political Rights, 118<sup>th</sup> session of the Human Rights Committee.
  - March 2017 – The initial report of the Republic of Moldova on the implementation of the Convention on the Rights of Persons with Disabilities, 17<sup>th</sup> session of CRPD.
  - April 2017 – 10<sup>th</sup>-11<sup>th</sup> Combined Periodic Report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, 92<sup>nd</sup> session of CERD.
  - September 2017 – The 3<sup>rd</sup> Periodic Report on the implementation of the International Covenant on Economic, Social and Cultural Rights, 62<sup>nd</sup> session of CESCR.
  - September 2017 – The 4<sup>th</sup>-5<sup>th</sup> Combined Periodic Report on the implementation of the Convention on the Rights of the Child, 76<sup>th</sup> session of CRC.
  - November 2017 – The 3<sup>rd</sup> Periodic Report on the implementation of the Convention against Torture

and Other Cruel, Inhuman or Degrading Treatment or Punishment, 62<sup>nd</sup> session of CAT.

• May 2019 – The 5<sup>th</sup> Periodic Report on the implementation of the Framework Convention for the Protection of National Minorities.

• February 2020 – The 6<sup>th</sup> Periodic Report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, 75<sup>th</sup> session of CEDAW.

• June 2020 – The 12<sup>th</sup>-14<sup>th</sup> Combined Periodic Report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination was submitted to the Committee on the Elimination of Racial Discrimination (CERD) and is to be presented according to the schedule set by the Committee.

• December 2020 – The 2<sup>nd</sup>-3<sup>rd</sup> Combined Periodic Report on the implementation of the Convention on the Rights of Persons with Disabilities was submitted to the Committee on the Rights on Persons with Disabilities (CRPD) and is to be presented according to the schedule set by the Committee.

<sup>20</sup> Law no. 51/2018.

<sup>21</sup> Law no. 86/2020. The law also contains provisions that eliminate restrictions for certain categories of persons to constitute or participate as founders, members or leaders of non-profit organizations.

<sup>22</sup> Law no. 100/2017 on regulatory acts, Government Decision no. 610/2018 on the Government Regulation, Law no. 239/2008 on transparency in decision making, Government Decision no. 967/2016 on the mechanism of public consultation with civil society in the decision-making process.

<sup>23</sup> On 18 July 2014, the Parliament adopted the so-called Law on 2%. The law allows individuals to give annually 2% of their income tax to domestic non-governmental organizations acting in the public interest and to religious organizations. At the initiative of civil society organizations, the Parliament amended this law on 21 July 2016 in order to provide equal conditions of access to and use of money, as well as reporting, to all beneficiaries of the Law on 2%, and to improve the mechanism of percentage designation. On 2 November 2016, the Government approved the Regulation on the percentage designation mechanism, which is also the instrument for application of the Law on 2%. By Law no. 308/2018, the Parliament transferred all responsibilities under the Law on 2% from the Ministry of Justice to the Public Services Agency. On 18 January 2019, the Government made some amendments to the Regulation on the percentage designation mechanism. According to the report of the Legal Resources Centre of Moldova regarding the implementation of the 2% mechanism in the Republic of Moldova in 2020, in the third year of percentage designation, 731 non-profit organizations (634 associations, foundations and private institutions and 97 religious denominations and their parts) were registered in the list of the 2% beneficiaries. The number of organizations participating in the 2% mechanism increased by 23% compared to 2018.

<sup>24</sup> Law no. 174/2018.

<sup>25</sup> In accordance with Article 21 of the Code of Audio-visual Media Services.

<sup>26</sup> Also, the reports on the supervision of the local audio-visual space in 2018-2020 are published on the website of the Broadcasting Council, <http://www.audiovizual.md/reports/8>

<sup>27</sup> Law no. 262/2018.

<sup>28</sup> The ex-post assessment report is published on the website of the Parliament in the section “Parliamentary control” “Legislative impact and analysis of the effectiveness of laws.” Following the assessment, the Parliamentary Commission asked the Government to prepare and promote, as a matter of priority; (i) a draft law for substantial amendment of Law no. 982/2000 on access to information or a draft law on free access to information of public interest, and (ii) a draft law on amending the related legal framework.

<sup>29</sup> In 2019 – 52 novice civil servants from central and local public authorities, in 2020 – 248 novice civil servants and 49 civil servants in managerial/executive positions.

<sup>30</sup> In 2019, the draft law was subject to adjustment procedures following multiple consultations with national and foreign experts, including the OSCE/ODIHR Opinion of 26 April 2019 and the proposals received from civil society.

<sup>31</sup> Approved by Law no. 174/2018.

<sup>32</sup> Broadcasting Council Decision no. 61/219 of 30 December 2019.

<sup>33</sup> Parliament Decision no. 210/2015.

<sup>34</sup> Government Decision no. 13/2017.

<sup>35</sup> Government Decision no. 1019/2018.

<sup>36</sup> Government Decision no. 18/2019.

<sup>37</sup> Government Decision no. 980/2020.

<sup>38</sup> The project was funded by the Ministry of Foreign Affairs of Denmark and implemented by UNDP.

<sup>39</sup> The Guide explains the Council’s responsibilities, forms of discrimination, protected criteria and the procedure for examining complaints of discrimination by the Council. At the same time, in order to be accessible to visually impaired people, the Petitioner’s Guide was transcribed to Braille and the sound version of it was developed in Romanian and Russian, all available on the Council’s official website [www.egalitate.md](http://www.egalitate.md).

- <sup>40</sup> In order to continue constructive cooperation, on 20 September 2019 these three institutions signed the Joint Declaration on the conduct and coverage of the electoral campaign without discrimination and hate speech, “reaffirming the devotion to respect for human rights and ensuring equality for all persons in the Republic of Moldova in the political, economic, social, cultural and other spheres of life, regardless of race, colour, nationality, ethnic origin, language, religion or belief, sex, age, disability, opinion, political affiliation or any other similar criteria.” In the context of the electoral campaign in October 2019, the signatory institutions appealed to politicians, electoral candidates, journalists, opinion leaders, etc. to respect democratic values, promote the principle of equality and non-discrimination, avoid hate speech and respect human dignity. On 28 September 2019, the Broadcasting Council, as the regulatory authority in the field of audio-visual communication, adhered to this Declaration, too.
- <sup>41</sup> Approved by Government Decision no. 1464/2016. The strategy is a policy document that determines the national mechanisms for strengthening interethnic concord, developing civic identity towards the State of the Republic of Moldova, ensuring the necessary conditions for non-native speaking citizens, including adults, to study and use the state language, promoting national minority languages, ensuring the access of persons belonging to national minorities to information and media in their languages, promoting diversity in society and participation of national minorities in public life and facilitating intercultural dialogue. The implementation of the Strategy is based on action plans approved by the Government, in three stages.
- <sup>42</sup> Approved by Government Decision no. 1019/2017. The action plan has been aligned with the provisions of the Strategy and included several measures, specific actions and joint projects to achieve the basic objectives of the Strategy. These included: operational research focused on analysing the current situation in this area, identifying pressing issues and risks, examining the situation in the field of representation and participation of ethnic groups in the public service. Sufficient attention has been paid to developing the competence and raising awareness of non-governmental organizations, journalists, civil servants and other social groups, by organizing workshops, seminars and consultations. The Plan also provided for the continuous organization of traditional national-cultural events, such as festivals, round tables, conferences, etc. and other activities focused on intercultural dialogue, intercultural education and interaction. According to the Action Plan, a series of activities was carried out in various fields, financially supported by international bodies and the budget of the responsible institutions. From the state budget, according to Government Decision no. 1019/2017, were allocated 2,570,795 MDL; external assistance amounted to 2,101,822 MDL.
- <sup>43</sup> Law no. 121/2012.
- <sup>44</sup> In 2018, three years later, the Equality Council, with the support of development partners, assessed the perceptions and attitudes of the population towards equality. The comparison with 2015 showed a decrease in the social distance index of certain minority groups in the Republic of Moldova. However, the lowest level of acceptance remains for LGBT people, people living with HIV/AIDS, Roma, former detainees. Study on perceptions and attitudes towards equality in the Republic of Moldova, 2018, <http://egalitate.md/wp-content/uploads/2016/04/Studiu-privind-percep--iile.pdf>
- <sup>45</sup> Government Decision no. 734/2016. The main objectives outlined in the Action Plan for 2016-2020 provided for: creation of an inclusive and efficient education system based on the principles of fairness, non-discrimination and respect for diversity, which will contribute to the integration of the Roma population in society; significant increase of employment of the Roma people and increase their economic well-being; improving the health of the Roma population and ensuring non-discriminatory access to medical services; ensuring decent living conditions for Roma people and increasing their quality of life; improving Roma participation and reducing discrimination. Report on the implementation of the Plan: <http://www.ari.gov.md/ro/content/raportul-privind-implementarea-planului-de-ac%C5%A3iuni-pentru-sus%C5%A3inerea-popula%C5%A3iei-de-etnie>
- <sup>46</sup> Government Decision no. 945/2018. Government Decision no. 952/2020. Expenditures for the maintenance of the social service “Community Mediator” are made through transfers for special purposes from the state budget to local budgets. In 2018, for the maintenance of the social service “Community Mediator,” out of the approved amount of 2,239.6 thousand MDL for 47 units, actual expenses amounted to 1,147.7 thousand MDL. In 2019, for the maintenance of the social service “Community Mediator,” out of the approved amount of 2,485.1 thousand MDL for 47 units, actual expenses amounted to 1,690.8 thousand MDL. For 2020, funds approved for this purpose in the state budget amounted to 3,440.5 thousand MDL for 54 units, of which actual expenses amounted to 2,141.9 thousand MDL. Community mediators have an important task in consolidating the Roma community by ensuring balance in cooperation between public institutions and the community, facilitating communication and collaboration between them.
- <sup>47</sup> Restrictions for migrants: the right to elect and to be elected to legislative, executive and other eligible bodies, to participate in universal suffrage; to be appointed to positions or involved in

activities for which the citizenship of the Republic of Moldova is required; to be members of parties or other socio-political organizations; to organize or attend meetings that are detrimental to public order or national security; to organize or finance political parties, other similar groups and to be members of them; to fulfil military service in the armed forces of the Republic of Moldova; to be employed without having a work permit.

- <sup>48</sup> Approved by Government Decision no. 736/2016.
- <sup>49</sup> Law no. 23/2017.
- <sup>50</sup> Law no. 165/2017.
- <sup>51</sup> Adopted by Law no. 231/2011.
- <sup>52</sup> The implementation of the Justice Sector Reform Strategy for 2011-2016 has contributed to the creation of a new regulatory basis for most institutions and professions in the justice sector. Most of these provisions were put into practice, while others continue to be gradually implemented today to produce the results expected by the JSRS.
- <sup>53</sup> As a result of the evaluation mission concerning the implementation of the JSRS, a team of Council of Europe experts (country visit conducted between 19 and 22 September 2017) presented a report to the Ministry of Justice, and their recommendations were taken into consideration in the elaboration of the new strategic document, adopted in November 2020.
- <sup>54</sup> Progress reports on the implementation of the Justice Sector Reform Strategy for 2011-2016 JSRS are available online: <http://justice.gov.md/tabview.php?l=en&idc=489>. The most important achievements were legislative and institutional reforms: strengthening the administrative capacity of the judiciary (Superior Council of Magistracy and its specialized bodies); reorganizing the judiciary by optimizing the map of courts, the number of first level judges – staged and gradual process, until 31 December 2027, according to the provisions of Law no. 76/2016 and Parliament Decision no. 21/2017 on approval of the plan for the construction of new buildings and/or renovation of existing buildings, necessary for the proper functioning of the court system; creating new mechanisms for selection, performance assessment and disciplinary liability of judges; strengthening the role and status of the Judicial Inspection; reform of the National Institute of Justice; strengthening the state-guaranteed legal aid system, broadening the spectrum of assistance and the range of subjects; reviewing the procedures for enforcing judgments; rethinking and strengthening the standards of organization and functioning of the professions related to the justice sector: notaries, lawyers, bailiffs, judicial experts, mediators, authorized administrators, translators/interpreters; reform of the prosecutor's office, of its administration bodies, of the status of prosecutors, and creation, strengthening of specialized prosecutor's offices; creating the legislative framework for the rehabilitation of victims of crime and strengthening the child-friendly justice system; establishing new mechanisms to prevent corruption and ensure integrity in the justice sector; reviewing the codes of ethics of actors in the justice sector and creating mechanisms for investigating/reacting to ethical violations; launching the process of modernization and strengthening of the legal and institutional framework of the penitentiary system and the probation system; etc.
- <sup>55</sup> Research on society's trust in justice, performed during the implementation of the JSRS, showed some development. According to the data provided by the Public Opinion Barometer in 2011, the degree of citizens' trust in justice was 18%, and in 2019, following reforms in the sector, 26% of the population said they trusted the judiciary. At the end of the implementation of the new stage of reform, a new stage of improvement or "fine-tuning" of the already adopted regulatory framework will take shape, with strengthening of the institutional and professional capacity of the reformed institutions, aligning of the justice reform processes with the recommendations and standards of relevant international instruments and with the commitments of the Republic of Moldova before development partners.
- <sup>56</sup> Law no. 133/2018. It was the first full revision of the Civil Code since its adoption in 2002 and was the result of more than four years of consistent effort, involving a significant number of experts, practitioners and academics.
- <sup>57</sup> Law no. 18 of 15 February 2018 on amending and supplementing some legislative acts. The law ensured the implementation of the recommendations of the Venice Commission (no. 755) of 2014. In addition, those changes detailed the procedure for preparing cases for examination (first instance and appeal), tightened the rules for presenting evidence and summoning participants, and introduced the possibility of submitting procedural documents in electronic format (e-file system).
- <sup>58</sup> It currently enables the creation and administration of an electronic file by submitting applications to court online, with the parties' access to the file, electronic coordination of the court hearing agenda by the participants in the trial, presentation of evidence and distribution of materials in electronic format, introduction of electronic citation mechanism, etc.
- <sup>59</sup> Order of the Minister of Justice no. 550 of 10 October 2018 and Superior Council of Magistracy Decision no. 387/20 of 2 October 2018.
- <sup>60</sup> By reviewing the process of examining disciplinary violations, they strengthened the role of the

inspector-judge, excluded vague interpretations of the facts that constitute disciplinary violations of judges and clarified the issues related to the activity of the Disciplinary Board. Other amendments, adopted by Law no. 137/2018, were intended to increase the efficiency and independence of the judiciary; strengthen the role of the Superior Council of Magistracy (SCM); promote a merit-based and transparent system for selection and career of judges; standardize access to the position of judge by amending the legal provisions concerning the criteria for selection, evaluation and promotion of judges; ensure the competitiveness of procedures for the promotion and transfer of judges; ensure the functional autonomy of the Judicial Inspection from the SCM and strengthen the role of the SCM, particularly by limiting membership to a single term. In addition, the right to vote of the Prosecutor General, the President of the Supreme Court of Justice and the Minister of Justice in matters relating to the career of judges (appointment, promotion, disciplinary sanction and removal of judges) was limited, and an effective system for challenging SCM decisions was established (full jurisdiction of first instance, compulsory public hearings and motivated judgments).

- <sup>61</sup> That draft law was also sent to the Venice Commission for examination, and two opinions were adopted, one at the 122<sup>nd</sup> plenary session on 20 March 2020 and an additional opinion on 24 June 2020 (CDL-AD(2020)001 and no. 983/2020 CDLAD(2020)007).
- <sup>62</sup> Law no. 132/2016 on the National Integrity Authority; Law no. 133/2016 on the declaration of wealth and personal interests; Law no. 134/2016 on amending and supplementing some legislative acts; Law on integrity no. 82 of 25.05.2017; Law no. 48/2017 on the Criminal Assets Recovery Agency.
- <sup>63</sup> Law no. 308/2017.
- <sup>64</sup> The Government Action Plan for 2016-2018, the National Strategy for Public Order and Security to 2017-2020 and the Action Plan on its implementation; Action Plan for reducing ill-treatment, abuse and discrimination against persons in police custody for 2017-2020; Policy matrix for the implementation of budget support for police reform in 2017-2020.
- <sup>65</sup> 15 TDFs in the following localities: Cimișlia, Telenești, Călărași, Singerei, Ungheni, Briceni, Edineți, Basarabeasca, Rezina, Căușeni, Ștefan Vodă, Hîncești, Cantemir, Cahul, Orhei.
- <sup>66</sup> Approved by Government Decision no. 1462/2016.
- <sup>67</sup> In order to streamline the evaluation and accreditation procedures, 1.5 million MDL were allocated in the state budget for 2019, intended for the repair of medical wards in penitentiary institutions.
- <sup>68</sup> All aspects relevant to the right of persons in state custody (material conditions of detention, discipline, detention regime, medical care, informal hierarchy, etc.) were reflected in the reports of the Government of the Republic of Moldova, prepared from 2017 until now, which can be accessed on the web page of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) <https://www.coe.int/en/web/cpt/republic-of-moldova>
- <sup>69</sup> Progressive sentence enforcement regimes are, on the whole, a system that ensures the individualization of security measures and their adjustment and adjustment of the daily regime of the detainee to the degree of risk they present and the progress shown in changing criminal behaviour.
- <sup>70</sup> Law no. 157/2018 on amending the Criminal Code of the Republic of Moldova no. 985/2002.
- <sup>71</sup> Law no. 163/2017 on amending and supplementing some legislative acts.
- <sup>72</sup> On 1 January 2019, Law no. 163/2017 and Law no. 272/2018 entered into force, having introduced into domestic law a preventive and compensatory remedy for ECHR violations with reference to inhuman and degrading conditions of detention.
- <sup>73</sup> So far, 552 people have been conditionally released prematurely based on Article 91 of the Criminal Code (an increase of 59.7%); likewise, 275 people were released by applying Article 92 of the Criminal Code, “Replacing the unenforced part of the sentence with a milder one” (an increase of 95.54%). The total number of the penitentiary population decreased by 585 people. Thus, 7,029 people were detained in penitentiary institutions at the beginning of 2019, compared to 7,614 people detained in the same period of 2018.
- <sup>74</sup> Law no. 245/2018 on amending some legislative acts.
- <sup>75</sup> Law no. 179/2018.
- <sup>76</sup> Government Decision no. 748/2017.
- <sup>77</sup> In the period of 2017-2020, 8 training activities were carried out for the prevention of torture and ill-treatment, with 315 people (prosecutors, judges) being trained. In the segment of initial training, during the reporting period, the electronic course “Prohibition of ill-treatment in the context of law enforcement, security and other coercive contexts,” with a duration of 30 hours of training for each audience promotion, was introduced in the initial training plans for candidates for the positions of judge and prosecutor. In the segment of continuing training, during the reporting period, 9 relevant training activities were carried out, the beneficiaries of which were 221 actors of the justice system.
- <sup>78</sup> Established on 24 October 2016 in accordance with Law no. 52/2014 on the People’s Advocate (Ombudsman). The CPT has 7 members: 2 full members (the People’s Advocate and the People’s Advocate for the Rights of the Child) and 5 members elected through public competition for a term of 5 years, delegated by the civil society.

- <sup>79</sup> The Council may carry out unannounced preventive and monitoring visits to places where detainees are or may be, in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (UN OP CAT). Between 2016 and 2020, the CPT carried out over 100 visits, namely: 42 to places of detention under the Ministry of Internal Affairs, 29 to penitentiaries, 15 to psychiatric institutions, 24 to other institutions. During the same period, 80 reports were issued, with over 800 recommendations. The CPT reports can be seen here: <http://ombudsman.md/consiliul-pentru-prevenirea-torturii/rapoarte/>
- <sup>80</sup> Government Decision no. 461/2018.
- <sup>81</sup> Initiated a new Action Plan for 2021-2022, which is in the process of consultations.
- <sup>82</sup> Law no. 157/2018.
- <sup>83</sup> Law no. 241/2005.
- <sup>84</sup> “Presumed victim of trafficking in human beings”, “National Referral System for the protection and assistance to victims and presumed victims of trafficking in human beings”.
- <sup>85</sup> Government Decision no. 850 /2016; Government Decision no. 255/2017; Government Decision no. 875/2018; Government Decision no. 133/2020.
- <sup>86</sup> During 2018, 28 adult persons from the Russian Federation, Ukraine, Romania, Spain, Lithuania, Italy, and United Arab Emirates were repatriated. During 2019, 2 adults in difficulty were repatriated. During 2020, 10 adults from France, Italy and Portugal were repatriated (from the funds of the state budget).
- <sup>87</sup> Law no. 137/2016.
- <sup>88</sup> Law no. 1/2020.
- <sup>89</sup> On 27.10.2020, by Decision no. 309/26, the Superior Council of Magistracy supplemented Decision no. 34/3 of 24.01.2020 on the specialization of judges in the field of combating THB and related crimes, by which it recommended the presidents of courts to appoint judges specialized in the field of combating THB and related crimes for a term of 5 years, with the possibility to extend this term.
- <sup>90</sup> The necessary assistance was also offered by NGOs and development partners with competence in this field.
- <sup>91</sup> The World Day against Trafficking in Persons (30 July) is marked annually, since 2014, by the anti-trafficking community of the Republic of Moldova. The national campaign Anti-Trafficking Week, in the context of the European Anti-Trafficking Day, has been marked annually on 18 October since 2011, bringing together the entire anti-trafficking community of Moldova in order to inform and raise awareness about the risks and consequences of THB by addressing issues related to national legal and institutional mechanisms in the field of combating THB, effective protection of the rights of THB victims, including access to justice and the role of NGOs in this field. During 2017-2020, about 900 thousand people were informed within national campaigns and through information and counselling platforms. The platform [www.antitrafic.gov.md](http://www.antitrafic.gov.md), launched in 2013, contains hotlines for adults and children both in the country and abroad. The information portal [www.siguronline.md](http://www.siguronline.md) is, inter alia, a national focus point for reporting harmful content and crimes related to online abuse and sexual exploitation of children. The national hotline La Strada 0800 77777 is another tool for accessing assistance and protection for THB victims and for encouraging referrals to law enforcement bodies, including by providing legal aid to TBH victims. The Child Phone 116111 (working nonstop) can be appealed by children who need psycho-emotional counselling, children who want information about their rights and how they can be exercised and defended, by the parents or caregivers of children (for counselling, information and consultancy), as well as by people who want to report cases in which a child needs help. The Anti-Trafficking Green Line (+373) 69999021, was established on 8 December 2017 within the General Prosecutor’s Office. Other tools are the hotline of the Centre for Combating Trafficking in Persons 022 254 998, specialists in this field, etc. More details on [www.antitrafic.gov.md](http://www.antitrafic.gov.md)
- <sup>92</sup> Law no. 196/2016 on amending and supplementing some legislative acts.
- <sup>93</sup> Law no. 113/2020 contains new provisions that consecutively amend three framework laws (Law no. 45/2007 on preventing and combating domestic violence, Law no. 198/2007 on state-guaranteed legal aid, Law no. 8/2008 on probation).
- <sup>94</sup> Government Decision no. 281/2018. The Strategy was reviewed at mid-term <https://moldova.unwomen.org/ro/biblioteca-digitala/publicatii/2020/09/raport-de-evaluare-gbv>. The Action Plan for the implementation of the Strategy for 2021-2023 has been developed and is in the process of consultation.
- <sup>95</sup> General Police Inspectorate Order no. 360/2018.
- <sup>96</sup> Ministry of Health, Labour and Social Protection Order no. 903/2019.
- <sup>97</sup> Ministry of Health, Labour and Social Protection Order no. 1167/2019.
- <sup>98</sup> 2017 = 202 adults and 72 minors; 2018 = 147 adults and 41 minors; 2019 = 112 adults and 32 minors; 89 adults and 18 minors.
- <sup>99</sup> The helpline for women and girls increases the awareness of the population about the phenomenon of

domestic violence and provides psycho-emotional counselling, in the context of ensuring protection for the victims of domestic violence and violence against women. This service provides counselling to callers, 24 hours a day, 7 days a week, for prevention of domestic violence, as well as the services available for subjects of domestic violence.

- <sup>100</sup> In 2019, the police issued 4,250 emergency restraining orders regarding domestic aggressors, 373 more than in 2018 (increase of 9.62%), and 4,939 in 2020 (increase of 13.95% compared to 2019).
- <sup>101</sup> During 2017, in the segment of continuing training, the NIJ carried out 10 training activities in this field, with 264 beneficiaries being trained. During 2018, in the segment of continuing training, the NIJ carried out 13 training activities in this field, with 289 beneficiaries being trained. During 2019, in the segment of continuing training, the NIJ carried out 7 training activities in this field, with 207 beneficiaries being trained. In the segment of initial training, during the reporting period, candidates for the position of judge and prosecutor benefited from training on the topic of violence against women and domestic violence. During 2020, in the segment of continuing training, the NIJ carried out 7 training activities in this field, with 208 beneficiaries being trained.
- <sup>102</sup> Approved by Government Decision no. 1083/2018.
- <sup>103</sup> This document aims to contribute to the strategic distribution of budgetary and institutional resources, depending on the objectives set for the four basic pillars: 1. Sustainable and inclusive economy; 2. Robust human and social capital; 3. Honest and efficient institutions; and 4. Healthy environment. To develop these areas, by 2030, the Government has set 10 (ten) sustainable development goals (SDGs) at the national level, including the ones of ensuring quality education, ensuring effective governance, increasing people's access to infrastructure and improving labour conditions. Each of the 10 (ten) objectives was based on the analysis of the current situation, of the basic factors of people's vulnerability, with the strategic vision being formulated and priority actions outlined. The document focuses, inter alia, on the elimination of poverty in all relevant dimensions, not strictly in monetary terms, but also in terms of equal and indisputable access to quality services and goods. The NDS "Moldova 2030" involves taking greater responsibility to stop environmental degradation and uncontrolled consumption of natural resources, taking into consideration the needs of future generations, involves building a peaceful, supportive and cohesive society, composed of educated people with critical thinking and free of obscurantism, a society in which any conflicts are solved through dialogue, arguments and strict observance of rights.
- <sup>104</sup> Government Decision no. 379/2018 on the state control of entrepreneurial activity based on risk analysis; Government Decision no. 380/2018 on the approval of the Framework Regulation on the organization and functioning of the Council for the settlement of disputes within control bodies; Government Decision no. 464/2018 on the approval of the Regulation on keeping the State Register of Controls.
- <sup>105</sup> Includes 92 permissive acts.
- <sup>106</sup> Government Decision no. 972/2010.
- <sup>107</sup> Government Decision no. 973/2018.
- <sup>108</sup> In order to facilitate the development of SMEs in regions, creation of regional services for support in entrepreneurial development, management of innovation and technology transfer projects, the Network of Business Incubators of Moldova has been working since 2013. As of 30 June 2018, the 11 business incubators hosted 199 companies, including 99 start-ups, 110 managed by young people and 93 companies managed by women. Overall, 902 jobs have been created, including 462 for women and 376 for young people. This network of business incubators generates common turnover of about 99 million MDL.
- <sup>109</sup> The tool for the digitization of SMEs is intended to encourage the digitization of business models, introduction of smart solutions to stimulate productivity and increase the connectivity for rapid adaptation to new economic conditions. As a result, 466 entrepreneurs were trained in the program. Later, in the first call for grants, 180 businesses were approved for financing, in the total amount of 11.36 million MDL, which is expected to maintain over 1,953 jobs. In the SMEs Greening Program, 107 requests for assistance in business greening were received, with the intention to implement investment projects in the total amount of 52.9 million MDL. Training was provided to 80 SMEs. The support program for businesses with potential of growth and internationalization was launched on 28.10.2020, and it will provide methodological assistance and financial support in the form of grants for about 220 SMEs for investment in business development. Within the program, 71 funding applications were received. 50 million MDL were allocated for the implementation of the pilot program for the creation of Multifunctional Industrial Platforms, providing for the creation of 16 multifunctional platforms in regions with a low level of industrialization, such as industrial parks or free economic zones, and their development will take place in several stages. The support instrument for the development of the Business Incubator Network (BIN) is intended to develop the capacities of BIN representatives to assist and support the growth of SMEs competitiveness in the rural environment, including by supporting SMEs in preventing business failure and overcoming socio-

economic crises.

- <sup>110</sup> According to the World Bank, the percentage of the population with an income below 5.50 USD per day (adjusted to the purchasing power parity) decreased from 29% in 2010 to 13.3% in 2018.
- <sup>111</sup> According to the National Bureau of Statistics, the rate of absolute poverty, estimated in the population with habitual residence, showed a relative decrease, from 29.5% in 2014 to 23.0% in 2018.
- <sup>112</sup> Government Decision no. 476/2019.
- <sup>113</sup> Law no. 182/2019.
- <sup>114</sup> The monitoring of the population's access to safely managed drinking water supply and sanitation systems is ensured by the National Agency for Public Health. Thus, the population's access to improved drinking water systems in 2019 was 98% for the urban population (in 2018 – 97.2%) and 47% for the rural population (in 2018 – 45%). In 2019, 47% of the population had sustainable access to collective sewerage systems (45.8% in 2018 and 45.5% in 2017), of which 76.3% urban and 13% rural.
- <sup>115</sup> Government Decision no. 1063/2016. Regarding the population's access to improved water and sanitation systems, works are carried out annually for the rehabilitation, modernization and expansion of public water supply systems. According to the National Bureau of Statistics, in 2019, the level of functionality of public sewerage systems was 100% in Chisinau, 94.3% in the Centre region and 88.9% in the South; lower levels were registered in the North region (86.1%) and ATU Gagauzia (62.5%). The total length of public sewerage networks was 2.9 thousand km, or about 109.8 km more than in 2017. During the last 3 years, there has been an increase in the number of population connected to water supply services with about 242.4 thousand consumers. The highest share of localities with access to water supply systems was registered in Chisinau municipality (85.7%) and ATU Gagauzia (78.1%), and localities in the North region have the lowest access rate (35.3%). About 51% of Moldovan villages do not have access to drinking water supply from the public system. In addition, about 2,154.2 thousand people from the country's population benefited from the public water supply service, of which 1,268.0 thousand from urban areas and 886.2 thousand from rural areas. Thus, at the national level, the rate of the population's connection to the public water supply service constituted 81.8% of the total population. Over the last 4 years, the population's access to the public water supply service has increased by about 259.0 thousand people (or 13.6 p.p.).
- In 2018-2020, no cases of particularly dangerous water-borne infectious diseases, such as cholera or typhoid fever, were detected in the Republic of Moldova.
- <sup>116</sup> Approved by Government Decision no. 1466/2016 and the Ministry of Health, Labour and Social Protection order no. 350 of 05.05.17 for its implementation. In addition, during 2020, the Electronic Register of Water Sources was created (for artesian wells and public wells).
- <sup>117</sup> Government Decision no. 1473/2016.
- <sup>118</sup> Law no. 105/2018.
- <sup>119</sup> Government Decision no. 1276/2018.
- <sup>120</sup> The unemployment allowance was granted to 14,206 beneficiaries (uninsured unemployed) among persons registered as unemployed in territorial employment departments, including those returned from abroad, who do not fall under the provisions of Law no. 105/2018 on the promotion of employment and unemployment insurance. The unemployment allowance was set at 2,775 MDL per month. The total expenses incurred for the payment of the benefit amount to 37.2 million MDL. The beneficiaries of the unemployment allowance of less than 2,775 MDL granted under the Law on the promotion of employment and unemployment insurance received the difference between the calculated unemployment allowance and 2,775 MDL. This difference was paid to 3,104 beneficiaries. The total expenses for this difference payment amounted to 3.7 million MDL.
- During the state of emergency, the holders of the entrepreneurial patent issued under the Law on the entrepreneurial patent and the individuals who carry out activities under chapters 102 and 103 of Title II of the Fiscal Code were granted a one-time unemployment aid in the amount of 2,775 MDL, provided that in March 2020 they did not earn insured income. The National Chamber of Social Insurance granted one-time unemployment aid of 2,775 MDL to 10,658 beneficiaries among the holders of the entrepreneurial patent. The total expenses incurred for the payment of the one-time unemployment aid for this category made 29.6 million MDL.
- <sup>121</sup> - In April, May and June, the state-owned company Post of Moldova, through its subdivisions, delivered pensions and social allowances for the elderly and persons with disabilities to their homes, in order to protect people from at-risk groups in the current epidemiological situation.
- During the state of emergency, the terms for granting all social benefits were suspended, and were to start after this period. So, it was provided that social insurance benefits, including the pension, be granted from the date when such a right was obtained, even if the application and other necessary documents were submitted after the state of emergency.
  - The National Council for Determining Disability and Work Capacity has ex officio extended the term for assigning degrees of disability until 15 May for persons, whose degree of disability expired

or expires during the state of emergency. Respectively, the National Chamber of Social Insurance paid pensions and social allowances for persons with disabilities during this period.

- In order to increase citizens' access to the realization of the right to a pension, Article 31 of the Law on the public pension system has been amended, stipulating that the right to a pension can be requested under a power of attorney. This measure aimed, among other things, to support people abroad who cannot return to the country to realize their right to a pension because of the situation created by the COVID-19 pandemic.

- The Law on the Population Support Fund has been amended in the part concerning its financing sources, so the revenues and expenditures of the Population Support Fund were increased by 71,000.0 thousand MDL. This increase provided financing for the Social Service "Personal Assistance" (for about 2,600 additional personal assistants). In 2020, 91,262.5 thousand MDL were approved for transfers with special destination from the state budget to the local budgets of the second level in order to finance the Social Service "Personal Assistance".

122 Starting with 1 April 2020, the minimum guaranteed monthly income (MGMI) was increased from 1,107 MDL (the amount of MGMI after indexation from 1 April 2020) to 1,300 MDL (+193 MDL), and the amount of the MGMI for each child from 50% (553.5 MDL) to 75% (975 MDL). The measure to increase child protection shall also apply after the cessation of the state of emergency. The changes made during the state of emergency led to a significant increase in the number of families that received social aid. This April and May, at least one social aid payment was granted to 75,700 families (+27,753) – the average size of the payment was 1,121 MDL (+298.31), compared to this March – 47,947 families and 822.69 MDL.

Out of the 75,700 families who received social aid, about 20,000 are families with children (about 42,100 children), compared to 15,700 families this March (34,900 children).

Transfers for the payment of social aid were 77.6 million MDL in April 2020 and 76.3 million MDL in May, or 38.2 million MDL and 36.9 million MDL more than in March (39.4 million MDL).

123 As of 1 November 2020, 33 applications were submitted claiming compensation for the descendants of medical staff who died as a result of medical activity in the fight against COVID-19. The average size of the estimated allowance is 8,244.77 MDL.

124 Approved by Government Decision no. 1000/2016.

125 The main actions carried out within this program are related to the strengthening of health promotion capacities among specialists in different fields in. In 2018-2019, there were about 19,300 trainings, where over 623 thousand people were informed and trained. In 2020, about 460 thousand people were trained online, mainly regarding the reduction of the risk of transmission and prevention of the COVID-19 infection.

126 The Ministry of Health, Labour and Social Protection Order no. 358 of 12.05.2017 to transpose Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001.

127 The Ministry of Health, Labour and Social Protection Decree no. 323/A of 3 July 2018.

128 The share of premature live births was 5.6% compared to 5.4% in the previous year. The number of children who died under the age of one was 278 in 2019, which is 38 children less than in 2018. The infant mortality rate is 8.7 deaths under the age of one per 1,000 live births. The mortality rate of children aged 0-5 in 2019 was 10.2 deaths per 1,000 live births, less than in the previous year (10.9 deaths per 1,000 live births).

129 Government Decision no. 681/2018.

130 The abortion rate among young women aged 15-19 decreased from 10.6/1,000 in 2017 to 9.2/1,000 in 2019. Morbidity from sexually transmitted infections (syphilis and gonorrhoea) has also decreased by about 30% in the last 5 years. The proportion of 15-year-olds who indicated that they started having sex decreased from 18% in 2014 to 13.3% in 2018, and among 15-year-old sexually active adolescents the use of birth control pills increased from 6% in 2014 to 10% in 2018.

131 According to the National Bureau of Statistics, the general mortality rate among adolescents in the period of 2014-2019 did not change, making 0.6 deaths per 1,000 adolescent population; the fertility rate for adolescents aged 15-19 has decreased 1.4 times in the last 5 years – from 41.4 live births per 1,000 women of that age to 28.6 live births per 1,000 women in 2019. The absolute number of births to mothers under 20 has decreased twice in the last 4-5 years, and their proportion in the total number of births has decreased from 9.3% in 2014 to 6.0% in 2019. At the same time, the number of births to mothers under 20 is still twice higher than the European average and about 5 times higher in rural areas than in urban areas. The abortion rate for adolescents aged 15-19 has decreased by about 22% in the last 5 years – from 11.8 to 1,000 women in 2014 to 9.2 per 1,000 women in 2019. The absolute number of abortions in minors under 18 years of age decreased almost twice in the last 3 years – from 243 in 2016 to 141 in 2018 (National Agency for Public Health). Morbidity from sexually transmitted infections (syphilis and gonorrhoea) also decreased by about 30% between 2012 and 2017, but remains high. The proportion of 15-year-olds who indicated that they started having sex decreased from 18% in 2014 to 13.3% in 2018, and among 15-year-old sexually active adolescents the use of

- birth control pills increased from 6% in 2014 to 10% in 2018 (HBSC, Moldova).
- 132 Decreased from 74% in 2014 to 62% in 2018 (HBSC, Moldova).
- 133 Government Decision no. 1164/2016.
- 134 Government Decision no. 342/2017.
- 135 Government Decision no. 1160/2016. Draft National Program for the Prevention and Control of HIV/AIDS and STIs and draft National Tuberculosis Response Program for 2021-2025 have been prepared.
- 136 Government Decision no. 1030/2017.
- 137 Provides people with mental health problems with medical counselling for assessment, prevention and early detection, psychosocial rehabilitation for social, professional and family inclusion, support and mediation.
- 138 Report on COVID-19 response measures: <https://msmps.gov.md/wp-content/uploads/2020/12/Raport-COVID.pdf>
- 139 Ministry of Health, Labour and Social Protection (Focal Point).
- 140 Approved by the Extraordinary National Commission for Public Health Decision no. 7 of 13.03.2020.
- 141 Approved by the Extraordinary National Commission for Public Health Decision no. 30 of 11.09.2020.
- 142 For the payment of the bonus to the pre-hospital and hospital emergency medical staff directly involved in the realization of “Providing medical care to patients with COVID-19” based on the definition of contact/suspect/probable/confirmed case, funds were allocated from the Compulsory Health Insurance Fund in the amount of 327.5 million MDL.
- 143 According to the document, in the first stage workers of medical institutions will be immunized, regardless of type of ownership and legal form of organization, in the second stage – adults over 60 years, people with comorbidities, employees of public order, defence and state security structures, workers of the penitentiary and education systems and social services staff. In the third stage, the general population will be vaccinated regardless of age. The Republic of Moldova will benefit from the anti-COVID-19 vaccine through the COVAX platform, which will cover 20% of the population, as well as through procurements and donations that will be received, thus providing the vaccine for another 50% of the population. At the same time, Romania announced its intention to grant the Republic of Moldova 200 thousand doses of anti-Covid vaccine free of charge.
- 144 Government Decision no. 259/2016.
- 145 The National Strategy for Preventing and Combating Violence against Women and Domestic Violence for 2018-2023, the National Strategy for Preventing and Combating Trafficking in Human Beings for 2018-2023, as well as sectoral strategies (health, employment, security and defence, etc.).
- 146 The implementation of the Strategy is monitored annually via reports on the implementation of the Action Plan related to the policy document.  
[http://mmpsf.gov.md/sites/default/files/raport\\_snaefb\\_2018.doc\\_1.pdf](http://mmpsf.gov.md/sites/default/files/raport_snaefb_2018.doc_1.pdf)
- 147 Law no. 71/2016, Law no. 196/2016 and Law no. 32/2018 (Key changes: 1. Introduction of 14 calendar days of paid paternity leave; 2. Prohibition of sexist language and sexist images in advertising; 3. Strengthening of the institutional mechanism in the field of ensuring equality between women and men at central and local level; 4. Introduction of the quota of representation of women in the electoral process.
- 148 Government Decision no. 259/2018.
- 149 Currently, around 2,664 women are employed in the law enforcement structures of the Ministry of Internal Affairs, representing 18% of the total number of employees. Of these, about 200 hold management positions.
- 150 <https://egalitadedegen.md/mdocs-posts/raportul-de-monitorizare-a-praport-de-monitorizare-a-respectarii-cotei-de-gen-de-catre-partidele-politice-din-republica-moldova/>
- 151 <https://moldova.unwomen.org/ro/biblioteca-digitala/publicatii/2018/04/barometrul-de-gen>
- 152 In 2015-2016, the Independent Press Association carried out a program to support media outlets in ensuring gender equality. In 2018, during the training “Click for gender equality,” a collaboration agreement was signed between the Independent Press Association and development partners in order to promote gender equality, combat gender stereotypes and promote non-violent communication in the audio-visual media of the Republic of Moldova. In 2017, an external expert monitored for a month 37 media outlets that went through the process of self-monitoring and signed commitments to respect the principles of gender equality in the media. The “Media for gender balance!” campaign was carried out, which aimed to promote positive models of involving women and men and combating gender stereotypes through the media. A video was prepared to promote the amendments approved by Law no. 71 on equal representation of women and men in decision-making processes,  
[https://www.youtube.com/watch?v=pIRd2kMTrBY&list=PLW8fTWcbumlc\\_BiH2kuObnNi-AYMkgIOF&index=8](https://www.youtube.com/watch?v=pIRd2kMTrBY&list=PLW8fTWcbumlc_BiH2kuObnNi-AYMkgIOF&index=8)
- 153 The Ministry of Education, Culture and Research introduced this subject into the curriculum starting

- with the academic year 2016-2017 as an optional subject for lyceums.
- <sup>154</sup> Approved by Government Decision no. 1064/2016 and amended by Government Decision no. 478/2019.
- <sup>155</sup> a) 40% to political parties in proportion to their performance in parliamentary elections; b) 40% to political parties in proportion to their performance in the general local elections; c) 10% proportionally to political parties that will respect the quota of at least 40% of female candidates out of the total number of candidates nominated in all single member electoral districts in the parliamentary elections. This increase will be established from the amount allocated to the respective party for the budget year; d) 5% to political parties in proportion to the number of women actually elected to the position of Member of Parliament in single member electoral districts; e) 5% to political parties in proportion to the young people actually elected in the general parliamentary and local elections.
- <sup>156</sup> From 3,513 MDL in 2019 to 3,688.7 MDL in 2020. The monthly allowance for the three services has been unified to 1,400 MDL and increased by 30% in the case of placement of children with disabilities, while the one-time placement allowance can be increased by 100% for children up to one-year-old and 50% for children aged 1-3. During this period, the payment of the daily allowance was established and increased for children who have the status of a child temporarily left without parental care or child left without parental care placed in community placement services (11-18 years).
- <sup>157</sup> The one-time childbirth allowance was increased by 47% in accordance with the monetary value of the minimum basket of goods required for the birth of a child (from 5,645 MDL in 2018 to 8,299 MDL in 2020). The monthly allowance for the care of a child up to 3 years, in case of insured persons, in 2019 exceeded the subsistence minimum for children of up to 1 year of age by 2.4 times and at the same time covered the subsistence minimum for children aged 1-6 years in proportion of 109.7%. The allowance for twin children or for several children born from a single pregnancy has been established. The monthly allowance for childcare for uninsured persons has been extended from 1.5 to 2 years, and in the case of twins and several children from one pregnancy up to 3 years.
- <sup>158</sup> Approved by Government Decision no. 800/2018. As part of secondary family support, families with children can benefit from a monthly financial aid of 700 MDL (up to 6 months) or a one-time aid of up to 4,000 MDL granted for each child.
- <sup>159</sup> For this purpose, the Framework Regulation on the Organization and Operation of the Regional Centre for Integrated Assistance to Child Victims/Witnesses of Crime and the Minimum Quality Standards were approved by Government Decision no. 708/2019, and the location of the service for the northern region was found in Balti, two other locations being Chisinau and Cahul.
- <sup>160</sup> Since the respective documents expired in 2020, the process of developing the Child Protection Program for 2021-2025 has been initiated.
- <sup>161</sup> Annually, an important number of cases of children at risk (2,351 children in 2017; 3,070 children in 2018; and 5,184 children in 2019), found in the records of the guardianship authorities, are solved and the children stay in the family. At the same time, every year, in the group of children at risk, some children are separated from their parents (192 children in 2017, 620 children in 2018 and 523 children in 2019).
- <sup>162</sup> [http://ombudsman.md/wp-content/uploads/2020/12/2724\\_Raport-tematic2.pdf?fbclid=IwAR0SNHwwjPJJZlphMAuVxFrEJb0C2y0Gt0zCpvz6Pp4PJfZ472MuKntOD0](http://ombudsman.md/wp-content/uploads/2020/12/2724_Raport-tematic2.pdf?fbclid=IwAR0SNHwwjPJJZlphMAuVxFrEJb0C2y0Gt0zCpvz6Pp4PJfZ472MuKntOD0)
- <sup>163</sup> Government Decision no. 270/2014. According to the Instructions, these specialists are obliged to register notifications regarding suspected cases of violence, neglect, exploitation, child trafficking and/or to take note of them in situations where they have identified such cases, applying sectoral procedures, and to immediately inform the local guardianship authority, and within 24 hours to send them the notification form of the suspected case of violence, neglect, exploitation, child trafficking. The notification form is filled with the data available at the time of identification of the suspect case, in particular, based on the information obtained from the source of the report, and the missing information is collected by the case manager during the initial assessment of the case. Likewise, if relevant, the territorial police inspectorate/prosecutor's office, the emergency medical assistance service, the state labour inspectorate are additionally informed.
- <sup>164</sup> Government Decision no. 143/2018.
- <sup>165</sup> Government Decision no. 212/2017.
- <sup>166</sup> Their number in residential institutions and special education institutions decreased by 26%, from 1,023 in 2018 to 747 in 2020, of which in residential placement by 2.8 times, from 438 to 156 children.
- <sup>167</sup> In 2020 it was provided in Chisinau and Balti, where the Early Childhood Intervention Section was created within the Centre for Temporary Placement and Rehabilitation for Children, offering services to families from the northern districts of the country, in Criuleni, Floresti and Ialoveni, and the number of trained specialists reached 685 (family doctors, nurses and social workers).

- <sup>168</sup> In the first school semester (September-December 2020), about 12% of students enrolled in general education encountered problems in implementing the model selected by the institution, either due to lack of computing devices (7%) or lack of internet connection (5%). At the same time, in April-May 2020 and February-March 2021, with the development of online education at the national level in emergency conditions, about 27% of students in general education, or 87,000 students, remained outside the education system, either because of lack of computing devices (17%), or due to lack of internet connection (10%). Since the beginning of the school year 2020, in order to limit the risk of infection, the authorities have developed a series of regulatory acts that allowed general education institutions to include distance education in their teaching model. At the same time, they established the role of teachers in engaging students without access to technology or internet in education during the pandemic.
- <sup>169</sup> Thus, in September 2020, resources were mobilized for the purchase of about 20 thousand computing devices, 23% being provided by the local public authorities, educational institutions and the Government, and 77% by partners. With 52,770 students currently having difficulties due to the lack of computing devices, these devices cover only 38% of the need among students. Meanwhile, in the first school semester 2020/2021, only 2,500 laptops were distributed. As for the provision with internet connection, in the first school semester 2020/2021, the Government ensured high quality internet for all schools. In order to ensure the sustainability and the record keeping of the distributed computing devices, the Government initiated the creation of the Digital Media Library with computing devices that can be used by any student or teacher who encounters technical problems in the study process.
- <sup>170</sup> Law no. 201/2016.
- <sup>171</sup> Government Decision no. 592/2017.
- <sup>172</sup> Government Decision no. 723/2017.
- <sup>173</sup> The annual report on monitoring the implementation of the Action Plan for 2020 is available at <https://msmps.gov.md/wp-content/uploads/2021/03/Raport-privind-implementarea-%C3%AEn-anul-2020-a-Programului-na%C8%9Bional-de-incluziune-social%C4%83-a-persoanelor-cu-dizabilit%C4%83%C8%9Bi-Final.pdf>
- <sup>174</sup> Government Decision no. 893/2018.
- <sup>175</sup> Directive of the Prime Minister of the Republic of Moldova, no. 43 of 4 May 2017.
- <sup>176</sup> In the context of the implementation of the Concept, Government Decision no. 357/2018 on the determination of disability has been approved, according to which, one of the main responsibilities of the National Centre for Determining Disability and Capacity at Work (CNDDCM) is to develop criteria for determining the degree of disability in children and adults, according to relevant international standards.
- <sup>177</sup> Government Decision no. 198/2019.
- <sup>178</sup> Government Decision no. 569/2019.
- <sup>179</sup> Government Decision no. 569/2019.
- <sup>180</sup> Government Decision no. 314/2012 on approval of the Framework Regulation on the organization and operation of the social service *Personal Assistance* and of Minimum Quality Standards.
- <sup>181</sup> Government Decision no. 413/2012.
- <sup>182</sup> Government Decision no. 75/2014.
- <sup>183</sup> In 2020, the following types of social services operated in Moldova: - 28 Sheltered Housing services for 121 beneficiaries, including 12 Sheltered Housings created by the residential institutions managed by the National Social Assistance Agency (NSAA) for 63 beneficiaries; - 15 Community House services for 106 beneficiaries, including 3 Community Houses created by the residential institution managed by NSAA for 18 beneficiaries; - 24 Mobile Team services, for about 680 beneficiaries; - 8 day centres, for about 400 beneficiaries; - 6,058 personal assistants, including 2,657 employees from the funds allocated from the minimum package of social services, who serve 6,113 persons with severe disabilities, and about 2,100 persons still need this service (compared to 2019, the number of personal assistants increased by 2,468 units, from 3,590 to 6,058); - 4 Respiro services, for 160 beneficiaries/year; - 47 family assistants, who have 47 beneficiaries in placement.
- <sup>184</sup> During the reporting period, several events were organized, jointly with civil society (Keystone Moldova, AOPD, etc.), communication campaigns to promote the social inclusion of persons with disabilities and their rights, combat discrimination against them, promote their skills, including: - A media campaign to promote the living of deinstitutionalized persons with disabilities in community, with 5 videos produced and distributed: a. "I have a family" ([https://www.youtube.com/watch?v=GNO-HZt\\_Tw4](https://www.youtube.com/watch?v=GNO-HZt_Tw4)); b. "I can work" (<https://www.youtube.com/watch?v=muZlq8cbUg8>); c. "I am learning to be independent" (<http://youtu.be/Qql2zdtW8QI>); d. "I want all the boys from the institution to live in a family" (<http://youtu.be/DlYQR2ReySQ>); e. "I want a better life for my children" (<http://youtu.be/HGZhKkKrkx8>); - An anti-stigma media campaign implemented together with non-

profit organizations *Voinicel, Somato* and *Woman and Child Protection and Support* (<http://youtu.be/HttO8t3z1b8>; <http://youtu.be/myh2fN3NDL8>; <http://youtu.be/f6LJEMkhBm0>); - A media campaign organized together with the parents of children with disabilities, *My child is like your child*. The parents of children with disabilities have prepared 10 personal stories about cases of discrimination, which were broadcast on Radio Noroc and were posted on postcards and distributed nationwide; - The media campaign *Show that You Care*, implemented in partnership with Radio Noroc and TV Moldova 1, focused on promoting the rights of persons with disabilities and encouraging people to combat discrimination against persons with disabilities; - A communication campaign focused on deinstitutionalization and promotion of living in community, with 10 video spots produced together with deinstitutionalized persons with disabilities ([http://www.youtube.com/watch?v=q2aTlp8LNR4&index=1&list=PLPQuptrkWEMMzdJ5qpTaPwCBB0vGUU\\_F\\_](http://www.youtube.com/watch?v=q2aTlp8LNR4&index=1&list=PLPQuptrkWEMMzdJ5qpTaPwCBB0vGUU_F_)), which were broadcast on TV Moldova 1, Jurnal TV, Publika, YouTube, social media for several weeks. In 2016-2017, the media campaign *I Support Inclusion* was organized in order to prevent and combat discrimination against persons with disabilities. The media campaign had 4 basic components: 1) the inclusion of persons with disabilities in the working life with the message “I can work”; 2) combating stereotypes with the message “I am a person, I am not your opinion”; 3) the inclusion of children with special education needs in kindergartens with the message “Let’s play together”; 4) persons with disabilities living in community with the message “We are the same”. The campaign actions included photo reports, videos, success stories, interviews. During 2017-2019, the Moldovan Alliance of Persons with Disabilities in collaboration with the Ministry of Health, Labour and Social Protection and the Youth Media Centre promoted the image of persons with disabilities based on rights and human dignity, organizing the photo exhibition called *Inspiring People* at the national and local level: Edinet, Balti, Comrat: - <https://gagauzinfo.md/top2/43820-lyudi-kotorye-vdohnovlyayut-v-komrate-otkrylas-fotovystavka-uspeshnyh-lyudey-s-ogranichennymi-vozmozhnostyami.html>

<sup>185</sup> Law no. 288/2017.

<sup>186</sup> Based on the Joint Order of the Ministry of Health, Labour and Social Protection and the National Medical Insurance Company no. 492/139A of 22 April 2013, insured persons, including those with disabilities, benefit from medicines from the list of those fully or partially compensated from the compulsory health insurance funds to reduce the financial burden and permanent supportive treatment for priority chronic diseases.

<sup>187</sup> Decision no. 58/2018 of the Board of Directors of the National Regulatory Agency for Electronic Communications and Information Technology, on the establishment of requirements and measures for users with disabilities to have equivalent access to publicly accessible electronic communication services.

<sup>188</sup> Ministry of Health, Labour and Social Protection Order no. 555 of 16.06.2020.

<sup>189</sup> 1) adolescents and young people up to 24 years old; 2) women in the obstetric risk group; 3) women in the somatic risk group (suffering from chronic diseases at risk for pregnancy and childbirth); 4) women who have had an abortion on request during the last year; 5) HIV positive people and those in groups at high risk of HIV infection; 6) victims/survivors of sexual abuse, for emergency contraception; 7) victims/survivors of trafficking in human beings; 8) survivors of exceptional situations, humanitarian crisis or public health emergencies, persons with refugee status, beneficiaries of humanitarian protection in the Republic of Moldova, asylum seekers, stateless persons, migrants; 9) persons with disabilities, including persons with disabilities within residential institutions; 10) persons with mental health problems, in the records of a psychiatrist or of the family doctor; 11) users of drugs and other psychotropic substances, who are in the records of a specialist in narcology; 12) people with low incomes or without incomes.

<sup>190</sup> Promo-LEX Association, ADEPT Association for Participatory Democracy, IDIS “Viitorul”, Institute of Public Policies, Institute for Strategic Initiatives, “Expert Group” Independent Analytical Centre.

<sup>191</sup> Detention and sanctioning of persons for alleged illegal crossing of the administrative line, abduction of persons for alleged treason, declaration of persona non-grata for Moldovan citizens domiciled in the region, excessive convictions for alleged acts of terrorism, censorship of free speech.

<sup>192</sup> During the reporting period, in particular, systematic support and assistance was provided on several individual and high profile cases, such as Horjan, Halabudenco, Lipovcenco, Doaga, Belova, Rjavitin, Lomaca, Glijin, Amarfii, etc. At the same time, over 1,500 petitions were examined and resolved, advice was provided to over 6,000 applicants, over 500 inter-institutional meetings were held to address various issues related to the difficulties encountered in protecting human rights in the Transnistrian region.