
ADVANCE UNEDITED VERSION

**Core document forming part of the reports of
States parties**

Republic of Moldova*

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* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

I. Introduction

1. The Republic of Moldova lies in the central part of Europe in the north-eastern Balkans and occupies an area of 33843.5 km². As of 01.01.2011 the stable population amounted to 3560.4 thousand persons. On 27 August 1991, the Republic of Moldova became an independent and sovereign state. Since 1992 the Republic of Moldova is member of the United Nations, since 1995 - member of the Council of Europe. The Republic of Moldova has ratified nearly all core international human rights treaties, extensively accepting the obligations that derogate and periodically submitting national reports on their implementation.

2. According to the Human Development Report (2010), the Human Development Index is 0.623 – in the category of states with medium human development – which ranks the country the 99th out of the 169 countries and territories, for which calculations were made. Between 1990 and 2010, the value of Human Development Index increased from 0.616 to 0.623, representing an increase of 1 percent or an average annual growth of around 0.1 percent.

3. During the past years the Republic of Moldova had different positions regarding gender equality: 17th (2006), 21st (2007), 20th (2008), and 36th (2009) in the world, according to The Gender Gap Report, prepared by World Economic Forum. In 2010 Moldova ranked the 34th in the world and the 16th among the countries of Europe and Central Asia. According to the Human Development Report (2010) the Gender Inequality Index was 0.429 (in 2008) which ranks the country the 40 out of the 138 countries, for which calculations were made.

4. In 2000 the Republic of Moldova submitted the Initial National Report on CEDAW Implementation in Moldova. In 2006 the Government submitted the combined second and third periodic Report on implementation of CEDAW in Moldova to the Committee on the Elimination of Discrimination against Women.

5. In line with the Concluding Comments of the Committee on the Elimination of Discrimination against Women: the Republic of Moldova (2006), the State Party must submit the combined fourth and fifth periodic report in 2011. This document contains information on the implementation of the CEDAW since 2006 until now, while the statistical indicators cover the period between 2003 and 2010 (where available) to provide a broad picture of the country's development as compared to the previous report. According to the national legislation, official statistical data and results of the validated surveys were used to develop this report.

6. Special attention was paid to the recommendations provided by the Committee on the Elimination of Discrimination against Women based on the assessment of the combined second and third report of the Republic of Moldova (see CEDAW/C/MDA/CO3 of August 2006). The Action Plan for 2008-2011 was developed to implement the above mentioned provisions.

7. The combined fourth and fifth periodic Report was developed in line with the general provisions of Article 18 of CEDAW on the form and content of periodic reports, defined by the Committee on the Elimination of Discrimination against Women and as well as other recommendations adopted later by the Committee. The recommendations on the methodology of drafting such reports HRI/GEN/2/Rev.6, 31 June 2009 were also taken into account. Thus, this Report consists of two parts: The Common Core Document and the Report on CEDAW Implementation in Moldova.

8. This Report was developed by the Ministry of Labor, Social Protection and Family, with the participation of gender focal points, specialists from ministries and other central public authorities, assisted by the UN Women Project “Women's Economic Empowerment through increasing Employability in the Republic of Moldova”. The afore mentioned specialists were trained on the reporting criteria/indicators based on CEDAW (August 2010, April 2011). Aside from the inter-ministerial consultations, consultations with international and national non-governmental organizations were held with the support of the UNWomen in the process of Report drafting. To ensure the participatory principle, the Draft Report was placed on the site www.mmpsf.gov.md and was discussed at a Round Table with the participation of representatives of Government agencies, non-governmental organizations and international bodies active in the field (May 2011).

9. According to the national legislation, The combined fourth and fifth periodic Report on implementation of the Convention on the Elimination of All Forms of Discrimination against Women in the Republic of Moldova was presented and discussed during the meeting of the Governmental Committee for Equality between women and men (June 2011), and was approved by the National Commission for Initial and Periodic Reports on the implementation of international covenants to which the Republic of Moldova is a state party (June 2011). The Report was heard during the meeting of the Parliamentary Committee on Social Protection, Health and Family (July 2011).

II. General information about the Republic of Moldova

A. Demographic, economic, social and cultural characteristics of the Republic of Moldova

10. The demographic situation of the Republic of Moldova has deteriorated profoundly and constantly since the first half of the 1990s, on a background of political, economic and social changes caused by the social and economic transition. The damage is not specific only for the Republic of Moldova, almost all western and south-eastern European countries suffered considerable and predominantly negative demographic changes.

11. During 2003-2010 essential changes occurred in the evolution of demographic processes in Moldova. Thus, the demographic situation of the country worsened, with a continuous decrease in the number of population caused by the negative natural and migratory growth¹ (Table 1, Annex 1). The decrease in the number of population and the deterioration of its age structure is determined by the negative aspect of fertility, external migration and general rate of population mortality. At the same time, the declining birth rate unbalanced the age structure of the population and intensified the demographic ageing.

12. The number of stable population as of 01.01.2011 amounted to 3560.4 thousand people, including urban population – 1481.7 and rural population – 2078.7 thousand people. 51.9% of the total number of the population are women, registering a slight decrease if compared with the beginning of the year, when women accounted for 52.1%.

Table 1. Number of stable population, at the beginning of the year

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|-------------------|--------|--------|--------|--------|--------|--------|--------|--------|
| Total population, | 3607.4 | 3600.4 | 3589.9 | 3581.1 | 3572.7 | 3567.5 | 3563.7 | 3560.4 |

¹ Since 1997 the statistics do not include information from the left bank of the Nistru River (Transnistria)

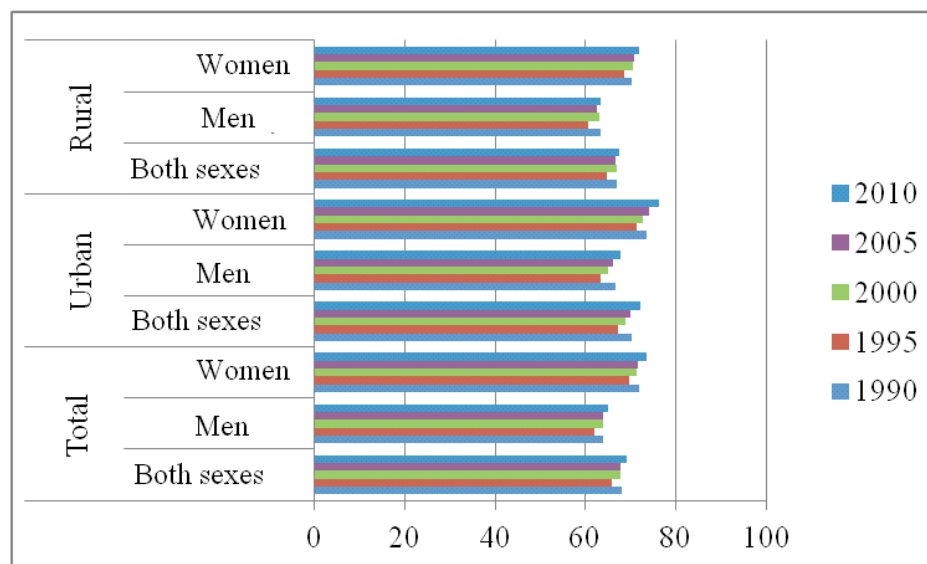
| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|----------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|
| thousand people | | | | | | | | |
| broken down by: | | | | | | | | |
| - men, % | 47.9 | 47.9 | 47.9 | 48.1 | 48.1 | 48.1 | 48.1 | 48.1 |
| - women, % | 52.1 | 52.1 | 52.1 | 51.9 | 51.9 | 51.9 | 51.9 | 51.9 |
| broken down by: | | | | | | | | |
| - urban area,% | 41.0 | 41.0 | 40.9 | 41.3 | 41.3 | 41.4 | 41.4 | 41.6 |
| - rural area,% | 59.0 | 59.0 | 59.1 | 58.7 | 58.7 | 58.6 | 58.6 | 58.4 |
| Population growth rate, % | -0.3 | -0.2 | -0.3 | -0.2 | -0.2 | -0.1 | -0.1 | -0.1 |
| Population density | 118.8 | 118.6 | 118.3 | 118.0 | 117.7 | 117.5 | 117.4 | 117.3 |
| Share of the population aged: | | | | | | | | |
| 0-14 years | 19.8 | 19.0 | 18.3 | 18.2 | 17.6 | 17.1 | 16.7 | 16.4 |
| 65 years and older | 9.9 | 9.9 | 9.8 | 10.3 | 10.3 | 10.2 | 10.1 | 10.0 |

Source: NBS

13. Data on the distribution of the population by religion, language, nationality are taken from the 2004 census and included in Annexes (2-4). Thus, according to the religious index, most of the population (93%) is Christian Orthodox. Regarding the nationality, most of the population are Moldovans (76.5%), Russians (11.3%) and Ukrainians (5.5%).

14. The dynamics of life expectancy between 1990 and 2010, analyzed by 5-year intervals, reveals a clear increasing trend in the life expectancy of women, by 2.77 years in the urban area and by 1.46 years in the rural area. At the same time, in 1995 the life expectancy decreased both by areas and sexes, and then increased gradually (Figure 1).

Figure 1. Life expectancy at birth, by areas, sexes, in 1990, 1995, 2000, 2005 and 2010



Source: NBS

15. The life expectancy at birth of both sexes was 69.1 years in 2010, by about 1 year higher is compared with 2003 (Table 2, Annex 5). At present, the average life expectancy at birth is 65.0 years for men and 73.4 years for women. However, if compared with the EU

states, this indicator is lower in the case of the Republic of Moldova. Women's life expectancy is higher than men's by 8.4 years, which is influenced by both the death rates of male children in the first years of life and by the high level of men's premature mortality, determined by socio-cultural factors.

Table 2. Life expectancy and fertility coefficient

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|--|------|------|------|------|------|------|------|------|
| Average life expectancy at birth, both sexes | | | | | | | | |
| both sexes | 68.1 | 68.4 | 67.9 | 68.4 | 68.8 | 69.4 | 69.3 | 69.1 |
| men | 64.5 | 64.5 | 63.8 | 64.6 | 65.0 | 65.6 | 65.3 | 65.0 |
| women | 71.6 | 72.2 | 71.7 | 72.2 | 72.6 | 73.2 | 73.4 | 73.4 |
| Fertility coefficient | 1.22 | 1.26 | 1.22 | 1.23 | 1.26 | 1.28 | 1.33 | 1.31 |

Source: NBS, MoH

16. Due to the different mortality levels, the average duration of life in the urban area was higher than in the rural one, by 3.5 years in case of men and by 3.2 years in case of women.

17. The declining birth rate and high emigration diminished the number of young population, which led to an automatic increase in the share of elder population and demographic ageing. In 2010 the share of population under the employable age was 17.8% (2009 – 18.2%; 2008 – 17.1%), of employable age – 66.7% (2009 - 66.5%), and over the employable age – 15.5% (2009 – 15.3%).

18. In 2010, the ageing coefficient was 14.4%, it's important to mention that aging process is more pronounced in the rural areas, where the share of elderly 60 years and older is 15.2% compared to 13.2% in the urban area. Among persons aged 60 and older the majority are women, with share of 16.8%, men representing 11.8% (Annex 1). The elderly women account for 17.9% of the total rural female population. The maximum critical level of this indicator was exceeded in 11 rayons (from 32). Therefore, the care for the population's destiny should be differentiated by age categories and will require deeper emphasis on older persons, in order to ensure an active and safe aging.

19. Life expectancy at the retirement age is 20.52 years for women and 13.88 years for men. The data show that during the reporting period women constituted about 60% of all pensioners (Annex 6), with a high share in the group of retired due to old age, disability, survivors and for seniority as civil servants. Women are the minority among retired members, former members of the Government, local elected officials, a situation conditioned by the social and functioning status.

20. The considerable aging wave will start in 2014, when in the age structure the share of persons aged 0-14 years will be the same as the share of persons aged 60 years and over, after which the first variable is expected to decrease constantly, and the second one – to grow constantly throughout the estimated period until 2050. Ageing is a structural demographic trend with potential dramatic social and economic consequences, both for the state budgets and for the population. Pensions and health services are clearly the most affected areas. The gender imbalance in one of the most vulnerable segment of the population, such as the elderly, will require more effort for mostly female specialization of the medical, psychosocial and social services.

21. The evolution of demographic processes in 2010 reveals a natural decrease in the population (from 6.6 thousand in 2003 to 3.3 thousand people in 2010) and an increase in the fertility rate, reaching the highest value of this indicator in the past ten years (Table 2).

22. In 2010, the number of live infants born amounted to 40474, by 329 (0.8%) less than in 2009 and by 4003 infants (11.0%) more than in 2003. In 2010 the birth rate was 11.4, while in 2003 it represented 10.1 newborns per 1000 inhabitants (Table 3). The birth rate in the rural area is higher than in the urban area: 12.2‰ and respectively 10.2‰ in urban areas in 2010 as compared to 12.4‰ and respectively 10.1‰ in 2009, while in 2003 it represented 11.2‰ and 8.6‰ (Annex 7). Although the number of newborns increased in the past two years, the overall indicator of birthrate is still by 40% lower than the level required for the simple demographic reproduction by succession of generations.

23. Annually fewer girls are born than boys, of the total number of newborns (Table 3).

Table 3. Birth rate in the Republic of Moldova by genders (per 1000 inhabitants)

| | Total | including: | | Urban | including: | | Rural | including: | |
|------|-------|------------|-------|-------|------------|-------|-------|------------|-------|
| | | boys | girls | | boys | girls | | boys | girls |
| 2003 | 10.1 | 10.9 | 9.3 | 8.6 | 9.3 | 8.0 | 11.2 | 12.1 | 10.2 |
| 2004 | 10.6 | 11.5 | 9.8 | 9.4 | 10.3 | 8.7 | 11.5 | 12.3 | 10.6 |
| 2005 | 10.5 | 11.3 | 9.8 | 9.1 | 9.9 | 8.6 | 11.5 | 12.2 | 10.6 |
| 2006 | 10.5 | 11.2 | 9.8 | 9.2 | 9.8 | 8.6 | 11.4 | 12.2 | 10.6 |
| 2007 | 10.6 | 11.4 | 9.9 | 9.3 | 10.2 | 8.4 | 11.6 | 12.3 | 10.9 |
| 2008 | 10.9 | 11.7 | 10.2 | 9.7 | 10.6 | 8.8 | 11.8 | 12.4 | 11.2 |
| 2009 | 11.4 | 12.3 | 10.6 | 10.1 | 11.1 | 9.2 | 12.4 | 13.1 | 11.7 |
| 2010 | 11.4 | 12.1 | 10.6 | 10.2 | 11.3 | 9.3 | 12.2 | 12.7 | 11.6 |

Source: MoH

24. During the reporting period the number of children born out of wedlock increased, with prevalence in the rural area (Annex 7). The legislation of the Republic of Moldova does not determine the status of a single mother. The social protection of all families with children is based on the principle of social equity, not on categories of population, but on means evaluation.

25. The death rate of 12.3‰ places the Republic of Moldova in the group of states from the South-East-European region, but it is comparatively higher than the European Union average, where the death rate averages at 9.7 cases per 1000 inhabitants. Thus, though the birth rate in 2010 remained at the 2009 level, the natural population growth was negative, minus 0.9‰ (Annex 8).

26. The general death rate in the Republic of Moldova has increased in the past years: from 11.9 cases (2003) to 12.3 cases (2010) per 1000 inhabitants (Table 4); higher than in 2000, when the death rate was 11.3 deceased per 1000 people.

Table 4. Death rate

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---------------------------------|------|------|------|------|------|------|------|------|
| Death rate per 1000 inhabitants | 11.9 | 11.6 | 12.4 | 12.0 | 12.0 | 11.8 | 11.8 | 12.3 |

Source: NBS

27. The death rate among men is higher (13.5%) than among women (11.0%) (Annex 8), which is partially explained by the nature of professions and occupations with high risk for life, such as high mortality through traumas as a result of car accidents, construction

works etc., and partially by antisocial behaviors (alcohol abuse, etc.). This indicator in age groups of 25-39 years for men is 3 times higher than in women and in age groups between 40-69 years is two times higher².

28. In 2010, 26.5 thousand marriages were registered, which is by 1.1% fewer than in 2009. Thus, there are 7.4 marriages per 1000 inhabitants, showing an increase in the marriage level by 0.5 points as compared to 2003. Most people, who got married in 2010, belong to the age category of 20-24 years (34.6% of men and 47.9% of women). The average age in the first marriage was 26 years for men and 24 years for women.

29. In 2010, 11.5 thousand official divorces were registered (by 3.2% fewer than in 2009), with 3.2 divorces per 1000 inhabitants on the average, which is by 0.9 points lower than the divorce rate in 2003. The evolution of this indicator shows an increasing trend in the number of divorces with a marriage period under 5 years and over 20 years.

30. Thus, in 2010 the marriage rate represented 7.4 marriages per 1000 inhabitants and the number of marriages decreased by 1.1%; the divorce rate constituted 3.2 divorces per 1000 inhabitants and the number of divorces reduced by 3.2% as compared to 2009 (Annex 9).

31. The demographic situation is influenced significantly by external migration, which is typical especially for the young and adult population and contributes to the demographic ageing process. According to official statistics, in 2003-2010, 53591 people emigrated from the country for permanent residence abroad, 16691 foreign citizens immigrated into the country and 13526 people were repatriated (Annex 10).

32. Despite the difficulties caused by the global financial crisis, the number of migrants has not changed significantly during 2008-2009. According to the Labor Force Survey, 311 thousand people were either employed or looking for a job abroad, which is 27.3% of the total economically active population (Table 5):

Table 5. People working abroad

| <i>Year</i> | <i>2003</i> | <i>2004</i> | <i>2005</i> | <i>2006</i> | <i>2007</i> | <i>2008</i> | <i>2009</i> | <i>2010</i> |
|------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| People, thousand | 291.0 | 345.0 | 394.5 | 310.0 | 335.0 | 309.7 | 294.9 | 311.0 |
| Men | 199.0 | 231.0 | 262.8 | 197.0 | 219.0 | 201.5 | 185.8 | 198.0 |
| Women | 92.0 | 114.0 | 131.7 | 112.0 | 116.0 | 108.3 | 109.1 | 113.0 |

Source: NBS

33. In recent years, have migrated mostly men (about 30% of active men) who in 2009 began to return home, where women continued to leave the country looking for a job³.

34. Studies showed that the average age of migrants is 35 years, 64.6% in the rural area, 72.9% men. Men emigrate mainly to the Russian Federation and Ukraine (61.4%), while women prefer Western Europe, Israel, Turkey. Of all EU countries Italy is the most preferred destination, where 18.3% of all migrants worked in 2006-2008. The share of female migrants in this country is 70.1%, this ratio being maintained during 2009-2010⁴.

35. Experts note that because migration involves to a greater extent men, families “affected” by migration are more often represented by women. The elderly have a higher

² Green Paper of the Population of the Republic of Moldova / National Commission for Population and Development. UNFPA. Chisinau, 2009 www.unfpa.md

³ National Report on Human Development: Republic of Moldova from social exclusion to an Inclusive Human Development/ UNDP. Chisinau, 2011. www.undp.md

⁴ Labor migration, NBS. Chisinau, 2008

share in the groups of families “non-affected” by migration, the so called “feminized” group due to higher life expectancy among women⁵.

36. Given the population ageing, the nature of the migration process, qualitative and quantitative characteristics of the migrant population, intensity and duration of migration, presence of potential migrants in the country, migrants willingness to return or not in the country, and other aspects that induce significant changes in the demographic and economic processes should be taken into account.

37. The characteristics of households show the following situation: relatively stable evolution of the share of households managed by women; in addition, the relatively stable maintenance of the indicator concerning the female head of household in the total of single-parent families in 2008-2009 (Table 6).

Table 6. Characteristics of households

| | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|------|------|------|------|------|
| Average size of the household, people | 2.8 | 2.7 | 2.6 | 2.7 | 2.6 |
| Share of households, where the head of household is a woman % | 37.2 | 41.2 | 41.4 | 39.7 | 39.9 |
| Share of households with a single parent with children, % | 2.6 | 3.1 | 2.5 | 2.3 | 2.0 |
| The female head of household in all single-parent families, % | 86.3 | 90.4 | 87.7 | 87.6 | 89.1 |

Source: NBS

38. In the Republic of Moldova, during the reporting period, the economic policy implemented in all areas of activity aimed at supporting the social-economic stability, continuing the reforms and recovering the economy, extending the private sector, restructuring economic units, consolidating the tax discipline, reducing debts for the payment of wages and pensions, providing social protection to the population. This period was also characterized by dramatic indicators: lengthy economic crisis, obvious unbalance of people’s income, etc.

39. In 2003-2010, the economy of the Republic of Moldova had a satisfactory evolution (Table 7), with the economic reforms still being in progress. The economic growth ranged between 3% and 7,8%. An economic decline occurred only in 2009 when it was not possible to avoid the impact of the global economic and financial crisis on the Republic of Moldova, and the GDP decreased by 6,5%. But, the preliminary data for 2010 show that the economy of the Republic of Moldova is gradually bouncing back with a 6,9% growth.

Table 7. Main macroeconomic indicators

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|--------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|
| GDP (current prices), mil. MDL | 27619 | 32032 | 37652 | 44754 | 53430 | 62922 | 60043 | 71849 |
| GDP per capita (current prices), MDL | 7646 | 8890 | 10475 | 12483 | 14937 | 17625 | 16839 | 20171 |
| Growth of real GDP, % | +6.6 | +7.4 | +7.5 | +4.8 | +3.0 | +7.8 | -6.5 | +6.9 |

⁵ Moldovan Migrants’ Health. Impact of the socio-economic welfare. IOM, WHO, UNAIDS. Chisinau, 2010.

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|-------|-------|-------|-------|-------|-------|-------|-------|
| GDP (current prices), mil. USD | 1981 | 2598 | 2988 | 3408 | 4402 | 6056 | 5404 | 5810 |
| GDP per capita (current prices), USD | 549 | 721 | 831 | 951 | 1231 | 1696 | 1516 | 1631 |
| Exchange rate, MDL /USD | 13.94 | 12.33 | 12.60 | 13.13 | 12.14 | 10.39 | 11.11 | 12.37 |

Source: NBS

40. Currently, the private sector represents over 70% of the GDP and over 75% of all the employees in the economy.

41. Remittances have become a major source of financial support for many developing countries, including Moldova (Table 8), increasing the income of migrants' families and the investments in healthcare, education and small business. Remittances have a direct impact on household welfare – in 2009 they have reduced the absolute poverty rate on average by 11.7 percentage points⁶. Despite their decline, remittances continue to play an important role in GDP.

Table 8. Remittances to GDP

| Remittance inflows | 2006 | 2007 | 2008 | 2009 | 2010 |
|--------------------|------|------|------|------|------|
| Reported to GDP, % | 34.5 | 33.9 | 31.2 | 22.0 | 23.4 |

Source: National Bank

42. However, there is a series of problems impeding the achievement of the set parameters of economic growth: people's living conditions are unsatisfactory; incomes per capita are still among the lowest in Europe; the indicators of the living level and the social indicators have the lowest values as compared to other countries in transition.

43. In 2003 the average disposable income per family member covered 67.3% of the subsistence level; in 2010 this amount covered 92.7% of the subsistence minimum (increasing by more than three times). Meanwhile, the experts recommend a qualitative analysis of the ratio between the disposable income and the subsistence minimum (Annex 11). The Government will to adopt a law on the minimum subsistence and, simultaneously, a new methodology for its calculation.

44. The poverty level in the Republic of Moldova had an uneven evolution throughout the years. Since 1998, poverty in the Republic of Moldova developed rapidly and reached one of the highest levels (over 70%) in the CIS countries. Starting with 2000, poverty acquired a descending trajectory, decreasing in fast steps. In 2005, despite the economic growth, the poverty level increased moderately, especially, due to its extension in the rural area. In 2006 (the year when a new methodology for estimating poverty rates was applied), about 1 million people (30.2%) lived in absolute poverty and about 150 thousand people (4.5%) lived in extreme poverty in the Republic of Moldova. In 2007, the number of poor people diminished. However, the 2005 scenario occurred repeatedly in 2008 – poverty rates grew because of its extension to rural areas. In 2009, despite the global economic crisis, poverty in Moldova remained at the same level as in 2008, representing 26.3%, as compared to 26.4% in the previous year. At the same time, poverty in rural areas continued

⁶ Specific needs of children and elderly without care of family members left to work abroad. MLSPF, USM, OIM, UNFPA, Agency of Czech Republic for Development Cooperation. Chisinau, 2011. www.mmprsf.gov.md

to grow in 2009, with a poverty rate of 36.3%. In 2010 the poverty absolute rate and poverty extreme rates decrease compared with 2009 (Table 9).

Table 9. The main social-economic indicators of incomes and living standards of the population

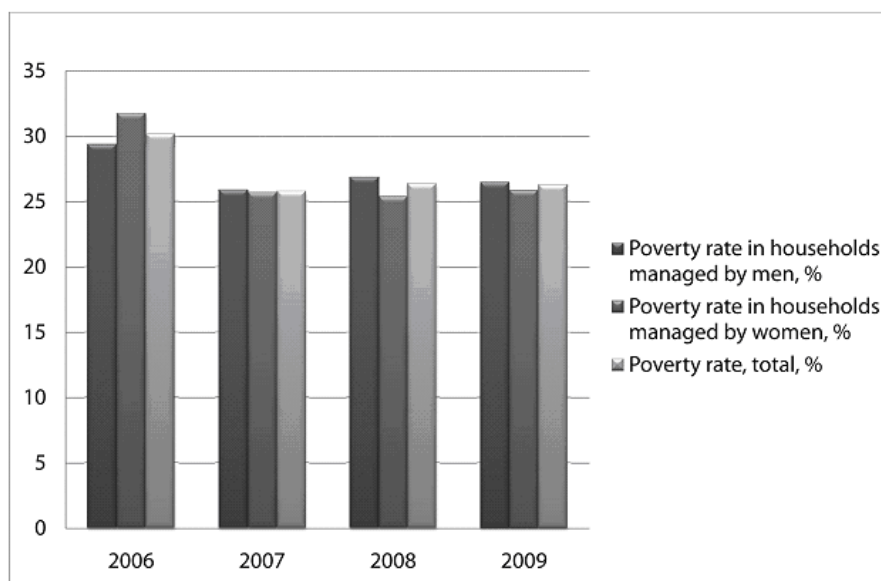
| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|-------|--------|--------|--------|--------|--------|--------|--------|
| Average monthly nominal wage of a worker in economy, MDL | 890.8 | 1103.1 | 1318.7 | 1697.1 | 2065 | 2529.7 | 2747.6 | 2971.7 |
| Disposable income of the population (monthly average per family member), MDL | 422.4 | 491.3 | 568.6 | 839.6 | 1018.7 | 1188.6 | 1166.1 | 1273.7 |
| The share of salary income in the total volume of disposable income, % | | | | 41.6 | 41.4 | 42.9 | 45.3 | 42.6 |
| Minimum monthly subsistence, MDL | 628.1 | 679.9 | 766.1 | 935.1 | 1099.4 | 1368.1 | 1187.8 | 1373.4 |
| Absolute poverty threshold (MDL) | 303.5 | 327.0 | 353.87 | 747.4 | 839.3 | 945.9 | 945.9 | 1015.9 |
| Extreme poverty threshold (MDL) | 235.5 | 258.1 | 278.52 | 404.2 | 453.9 | 511.5 | 511.5 | 549.4 |
| Ratio between the disposable income and the subsistence minimum, % | 67.3 | 72.3 | 74.2 | 89.8 | 92.7 | 86.9 | 98.2 | 92.7 |
| Ratio between the monthly average wage and the subsistence minimum for able-bodied people, % | 134.0 | 153.4 | 163.0 | 171.9 | 178.1 | 174.9 | 219.6 | 204.5 |
| Ratio between the monthly average pension and the subsistence minimum for pensioners, % | 39.1 | 56.4 | 50.1 | 47.9 | 46.9 | 47.0 | 63.2 | 68.5 |
| Share of people below the national absolute poverty threshold (absolute poverty rate), % | 29.00 | 26.50 | 29.10 | 30.20 | 25.80 | 26.40 | 26.30 | 21.9 |
| Share of people below the minimum level of food consumption, expressed in energy value (2 282 kcal/day) (extreme poverty rate), % | 15.00 | 14.70 | 16.10 | 4.50 | 2.80 | 3.20 | 2.10 | 1.40 |
| Inequality coefficient (Gini), consumption | 0.356 | 0.361 | 0.378 | 0.315 | 0.298 | 0.292 | 0.309 | 0.302 |

expenses per capita

Source: NBS, MEc

45. From the gender perspective, there is no significant difference between the poverty levels of men and women. Households managed by both men and women are equally exposed to poverty. Thus, analysis of data by gender shows that men and women are situated on almost the same level of poverty – at around 26 percent (Figure 2). Another trend in recent years is rising poverty in households led by men. The situation is different depending on the place of residence. People from villages, women and men equally, are exposed to a 20 percent higher risk of poverty than residents of cities⁷.

Figure 2. Absolute poverty rate from a gender perspective, %



Source: The Second Millennium Development Goals Report. Republic of Moldova, 2010

46. Even though there is no serious disparity between the poverty rates of women and men, an analysis of the different ways poverty affects the most vulnerable population categories based on the Household Budgets Survey, brings up a different perspective. Thus, the greatest gender disparities are seen in households which rely on unemployment benefits, those headed by men are less poor than those where women are in charge (Annex 12). Another discrepancy, although less significant, is the one between households managed by illiterate men or men lacking primary education and those headed by illiterate women and women without primary education, the former being much poorer. With regards to children, there are no significant disparities from the gender perspective for those under the age of 5 years, but for upper groups poverty among households headed by women in 2009 tended to be higher than among those headed by men⁸.

47. Similarly to the poverty level, the inequality level in the country had an uneven evolution (Table 9). In 2009, for the first time in the past 3 years, the inequality level

⁷ The Second Millennium Development Goals Report. Republic of Moldova. Government of the Republic of Moldova, UNDP. Chisinau, 2010. www.undp.md

⁸ The Second Millennium Development Goals Report. Republic of Moldova, 2010.

increased up to 0.309, which means an increase in the gap between the living level of the rich and of the poor.

48. The most vulnerable categories of population exposed to poverty are the traditional ones: numerous families and families with many children, families that live on incomes from agricultural activities, the elderly, and people with disabilities⁹. For example, among people living in absolute poverty in 2009, the elderly accounted for 35.6% of their income is mainly made up of social benefits (54.8%)¹⁰. In 2009, the incidence of poverty in households with persons with disabilities was 28.6%. The risk of poverty is more pronounced among men with disabilities (27.5%) is higher than the total population¹¹.

49. According to the Ministry of Economy, the economy gradually recovers from the crisis. Restoring external demand and the elimination of administrative constraints have contributed to economic recovery since 2010. After a rise of 6.9% of GDP in 2010, first quarter of 2011, economic growth has exceeded all forecasts, reaching 8.4% compared to same quarter last year. Reviving industrial sector, increasing the volume of foreign direct investment and export growth at a rate higher than imports, have made significant contributions to GDP growth¹².

50. The statistics on the structure of consumption expenses in 2006-2010 show the predominance of food expenses (40.8%), housing expenses (17.8%), clothes, shoes (10.8%) (Table 10, Annex 13). The data for 2003-2010 on social and housing conditions are presented in Annex 14. Also, note that the Project "Construction of social housing", funded by the Development Bank of Council of Europe, is being implemented.

Table 10. The main social-economic indicators of incomes and living standards of the population

| | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|-------|--------|--------|--------|--------|
| Total consumption expenses (monthly average per capita), MDL | 953.3 | 1119.1 | 1227.5 | 1217.4 | 1371.7 |
| including in % for: | | | | | |
| Food | 44.4 | 43.8 | 40.2 | 40.8 | 40.8 |
| Alcoholic beverages, tobacco | 2.7 | 2.5 | 1.9 | 1.8 | 1.8 |
| Clothes, shoes | 11.9 | 12.0 | 12.7 | 12.3 | 10.8 |
| Housing expenses | 13.7 | 13.5 | 16.3 | 16.2 | 17.8 |
| Household endowment | 4.7 | 4.8 | 4.8 | 3.9 | 3.9 |
| Healthcare | 5.3 | 5.4 | 5.6 | 6.2 | 6.4 |
| Transport | 5.1 | 4.9 | 4.9 | 4.7 | 4.9 |
| Communications | 3.9 | 4.3 | 4.9 | 5.0 | 4.6 |
| Entertainment | 2.0 | 2.1 | 2.1 | 2.0 | 1.7 |

⁹ The Second Millennium Development Goals Report. Republic of Moldova, 2010; National Report on Human Development: Republic of Moldova from social exclusion to an Inclusive Human Development/ UNDP. Chişinău, 2011. www.undp.md; Vulnerability Study Taxonomy and possible decentralization policy implications for vulnerable groups in Moldova. JILDIP of the Government of Moldova, UNDP and UN Women funded by the Government of Sweden. Chisinau, 2011.

¹⁰ National Report on Human Development: Republic of Moldova from social exclusion to an Inclusive Human Development/ UNDP, 2011.

¹¹ The Second Millennium Development Goals Report. Republic of Moldova, 2010.

¹² Monitor Government. Official Gazette of the Government Nr. 6 (10) / 2011
<http://www.gov.md/doc.php?l=ro&idc=574&id=4191>

| | 2006 | 2007 | 2008 | 2009 | 2010 |
|----------------------------------|------|------|------|------|------|
| Education | 0.4 | 0.4 | 0.4 | 0.5 | 1.3 |
| Hotel, restaurant, canteen, etc. | 2.6 | 2.5 | 2.3 | 2.5 | 2.2 |
| Miscellaneous | 3.4 | 3.8 | 3.9 | 4.1 | 3.8 |

Source: NBS

51. During the past years the under-five mortality decreased, including the infant mortality. Thus, infant mortality was 11.7 per 1000 live births in 2010 (2003 – 14.4%), the mortality of young children – 13.6 per 1000 live births (2003 – 17.8%) (Table 11). The infant mortality rate (per 1000 live births, %) is 13.8% for boys and 9.5% for girls (Annex 8).

Table 11. Indicators of infant and under-five mortality (1000 live births)

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|----------------------|------|------|------|------|------|------|------|------|
| Infant mortality | 14.4 | 12.2 | 12.4 | 11.8 | 11.3 | 12.2 | 12.1 | 11.7 |
| Under-five mortality | 17.8 | 15.3 | 15.6 | 14.0 | 14.0 | 14.4 | 14.3 | 13.6 |

Source: NBS, MoH

52. In 2010, 476 children died under one year of age, as compared to 681 in 2000, the rate of infant mortality representing 11.7 deaths per 1000 live births, which was by 6.6 p.p. less than in 2000, when it represented 18.3 deaths per 1000 live births. At the same time, the under-five mortality, which constituted 13.6 deaths per 1000 live births in 2010, diminished significantly with a difference of 0,7 p.p. as compared to the previous year and 4.2. p.p. as compared to 2003.

53. During the past years no big deviations occurred in the structure of infant mortality by the main reasons for death. The trend of infant mortality reduction since 2000 was determined by the following diseases: diseases of the respiratory apparatus – 55.8%; communicable and parasitic diseases – 51.0%; perinatal infections – 21.7%. Children's deaths in the first year of life and under 5 years old due to congenital malformations are still constantly high, ranking the second in the structure, after perinatal diseases.

54. Also worth noting is the social aspect of the issue, determined by the low level of some parents' awareness of and responsibility for child care. The children's health does not depend only on the organization and quality of healthcare, but also on the non-medical care, including the daily regime and nutrition, especially during the first 5 years of live. For this it is necessary to enhance the parents' capacities regarding child care and upbringing in the spirit of a healthy lifestyle.

55. The coefficient of maternal mortality is an integral indicator, characterizing a number of aspects: medical-organizational, social-economic and the influence of noxious environmental factors on the overall health of women and on the reproductive health. There maternal mortality decreased in 2003 – 2007, reaching the level of 15.8 per 100 thousand live births in 2007. At the same time, despite the taken measures, the maternal mortality increased in 2008 up to 38.4 per 100 thousand live births (Table 12, Annex 8). 47% of all the cases of maternal mortality were caused by major social problems, such as: migrant lifestyle - 13% cases, women working abroad – 27%, the failure to seek medical care – 7%.

Table 12. Maternal mortality (per 100 thousand live births)

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|-------------------------------------|------|------|------|------|------|------|------|------|
| Maternal mortality per 100 thousand | 21.9 | 23.5 | 18.6 | 16.0 | 15.8 | 38.4 | 17.2 | 44.5 |

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|-------------|------|------|------|------|------|------|------|------|
| live births | | | | | | | | |

Source: MoH

56. During 2010 the country witnessed an increase in general mortality, influenced by the increasing morbidity caused by new influenza type A (H1N1), including mortality during pregnancy, delivery and post-partum period. The moving average¹³ of the maternal mortality coefficient for 2008 - 2010 constituted 32.4 cases per 100 thousand live births, compared to 22.9 cases per 100 thousand live births for 2007 - 2009.

57. During 2010 the number of maternal deaths caused by direct obstetrical risk decreased. Thus, maternal mortality due to bleeding decreased two times (from 36% in 2009 to 18% in 2010) and septic complications by 3% (from 20% in 2009 to 17% in 2010). The increase in maternal mortality during the reporting year is mostly due to deaths due to indirect obstetric risk (53%) caused by pandemic influenza (29.4%, or 5 cases), followed by cancer and tumors (11.8% or 2 cases), heart attack (5.9%, or one case), kernicterus (5.9%, or one case).

58. As regards the use of contraception by the population, the situation is the following (Table 13): use of intrauterine devices is decreasing, use of condoms is increasing. At the same time, a qualitative investigation of this issue can only be made on the basis of representative studies, which requires financial resources.

Table 13. Use of contraceptives during the reporting period 2003-2010

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|--|--------|--------|-------|-------|-------|-------|-------|-------|
| Intrauterine devices inserted in outpatient and inpatient conditions | 212840 | 204066 | 11233 | 14018 | 13954 | 14477 | 14689 | 13977 |
| Hormonal contraceptives (COC) | 65598 | 72612 | ... | ... | ... | ... | 1692 | 1625 |
| Male condoms | ... | ... | ... | ... | ... | ... | 2124 | 2833 |

Source: MoH

59. There are no significant differences regarding the use of contraceptives by married women from the urban and rural area (67-68%); at the same time, urban women use more frequently modern methods (48 and 41% respectively) and vice versa, rural women use more frequently traditional means than the urban ones (27% as compared to 19%). The use of contraception increases simultaneously with the increase in the training level of women (72% women with higher education and 65% women with secondary education). The use of contraceptives increases with the number of children (36% married women who have no children and 74% women with 3-4 children)¹⁴.

60. Though the total number of general and mini abortions decreased over the reporting years from 17 (2003) to 15 (2010) per 1000 women of childbearing age (Table 14) and the number of abortions per 100 live births from 47 (2003) to 37 (2010), the share of abortion

¹³ According to the WHO recommendations, in countries with less than 100,000 births a year (including the Republic of Moldova with about 38-40 thousand births a year) the maternal mortality should be estimated every 3 - 5 years to avoid errors characteristic for "small numbers"

¹⁴ Demographic and Health Survey in Moldova. MoHSP, NSACPM, USAID, UNICEF, UNFPA. Chisinau, 2005.

in the 15-19 age group was relatively constant throughout the past years, representing about 10% of the total number of abortions among women of the reproductive age (Annex 15). This reveals limited knowledge in family planning among the young generation.

Table 14. Indicators of abortions

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|-------|-------|-------|-------|-------|-------|-------|-------|
| Abortions (incl. mini abortions), thousands cases | 17551 | 17965 | 16642 | 15742 | 15843 | 15900 | 14634 | 14785 |
| per 1000 women of 15-49 years | 17 | 18 | 16 | 16 | 16 | 16 | 15 | 15 |

Source: NBS

61. Prevention of HIV infection is a priority problem of public health in the Republic of Moldova. According to the WHO classification, HIV/AIDS is at the stage of concentrated epidemic. The HIV/AIDS transmission through sexual intercourses (81.25%) was predominant during the past years, contributing to the increase in the share of new occurrences among the rural population (34.9%) and migrants (34%) and to the decrease in the share of new occurrence among injecting drug users (IDU).

62. During 1987¹⁵-2010, 6404 HIV-infected people was registered, including 2041 – in the Eastern region. In 2009 the number of new cases decreased slightly – 704 (17.12 per 100 thousand people) as compared to 795 in 2008 (19.27 respectively). The HIV infection spreads in all administrative territories with a different prevalence rate. In the Eastern region the prevalence of the HIV infection is 2.73 times higher than on the right bank of the Nistru river, constituting 453.59 in Tiraspol city and 531.49 in Ribnita rayon.

63. The HIV infection affects young able-bodied and sexually active people, thus 86.02% of all identified people belong to the age group of 15-39 years, including 23.77% - to the age group of 20-24 years and 24,99% - to the age group of 25-29 years. During 1989-2009, 887 people were diagnosed with AIDS. Out of the total number of people with HIV/AIDS, 500 people on the right bank and 490 on the left bank died during 1987–2009.

64. During the reporting period the HIV/AIDS incidence increased both among men and women: in 2003 the ratio was almost 1:2 higher in men; by 2010 the numbers almost equilibrates (Table 15). We note that feminization of the epidemic has increased of the share of women infected with HIV from 26.5% in 2001 to 43.9% in 2009¹⁶. About 80 new cases of HIV infection are recorded among pregnant women every year.

¹⁵ 1987 – as a landmark year when the first cases of HIV/SIDA were recorded

¹⁶ Women's vulnerability to HIV and AIDS in the Republic of Moldova, 2010. MoH, MLSPF, NCMH, UNAIDS. Chisinau, 2010.

Table 15. HIV/AIDS incidence during the reporting period 2003-2010

| Year | Total | | Men | | Women | |
|------|-----------|---------------------|-----------|---------------------|-----------|---------------------|
| | HIV Cases | Incidence 100000 | HIV Cases | Incidence 100000 | HIV Cases | Incidence 100000 |
| 2003 | 171 | 4.72 | 110 | 6.35 | 61 | 3.23 |
| 2004 | 224 | 6.21 | 114 | 6.59 | 110 | 5.86 |
| 2005 | 310 | 8.61 | 177 | 10.26 | 133 | 7.11 |
| 2006 | 358 | 9.97 | 198 | 11.51 | 160 | 8.55 |
| 2007 | 412 | 11.5 | 233 | 13.54 | 179 | 9.62 |
| 2008 | 447 | 12.51 | 240 | 13.91 | 207 | 11.15 |
| 2009 | 445 | 12.47 | 252 | 14.69 | 193 | 10.42 |
| 2010 | 457 | 12.81 | 224 | 13.06 | 233 | 12.57 |

Source: MoH

65. The epidemic situation with syphilis and gonorrhoea shows a descending curve. The incidence per 100 thousand people for syphilis was 70.3 in 2010, as compared to 80.7 in 2003, and for gonorrhoea – 36.0 and 47.8 respectively (Table 16, Annex 16). Gonorrhoea incidence (total population) per 100 thousand inhabitants is higher among men (60.7) compared to women (13.1); as well as syphilis incidence (total population) per 100 thousand inhabitants is higher among men (79.0) compared to women (62.2).

Table 16. Syphilis and gonorrhoea incidence (per 100 thousand inhabitants)

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|--|-------|------|------|------|------|------|------|------|
| Syphilis incidence (total population) per 100 thousand inhabitants | 80.7 | 71.3 | 69.6 | 68.8 | 77.3 | 71.5 | 69.6 | 70.3 |
| – men | | | | | 87.3 | 80.9 | 78.4 | 79.0 |
| – women | | | | | 68.1 | 62.8 | 61.5 | 62.2 |
| – adults over 18 years | | 89.4 | 85.3 | 84.9 | 96.3 | 87.0 | 84.8 | 84.0 |
| – children of 0-17 years | | | | | | | | |
| 11 months 29 days | | 15.4 | 18.6 | 13.9 | 14.6 | 17.9 | 14.9 | 19.6 |
| -rural | 63.4 | 64.2 | 66.5 | 65.3 | 71.5 | 61.4 | 61.8 | 66.8 |
| -urban | 105.2 | 81.4 | 74.0 | 73.8 | 85.3 | 85.8 | 80.7 | 75.3 |
| Gonorrhoea incidence (total population) per 100 thousand inhabitants | 47.8 | 51.4 | 53.6 | 50.8 | 48.8 | 46.7 | 42.8 | 36.0 |
| – men | | | | | 79.4 | 75.5 | 69.4 | 60.7 |
| – women | | | | | 20.5 | 20.0 | 18.2 | 13.1 |
| – adults over 18 years | | 63.4 | 65.9 | 62.1 | 60.5 | 57.1 | 51.5 | 43.7 |
| – children of 0-17 years | | | | | | | | |
| 11 months 29 days | | 14.2 | 13.8 | 12.3 | 10.2 | 10.7 | 11.5 | 7.4 |
| -rural | 32.0 | 34.1 | 38.1 | 38.3 | 34.5 | 31.2 | 32.3 | 26.1 |
| -urban | 70.1 | 75.9 | 75.6 | 68.6 | 69.2 | 68.6 | 57.6 | 50.0 |

Source: MoH

66. The evaluation of implementation of the National Program for Prevention and Control of HIV/AIDS and Sexually Transmitted Diseases for 2006-2010 showed the

actuality of this issue, contributing to strengthening and mobilization of national and foreign resources for the implementation and extension of strategies and activities of prevention, supervision and control, treatment, care and support for HIV-infected people and their family members.

67. A special public health problem, affecting women and, especially, men are socially conditioned diseases. Addictive behavior and mainly alcohol abuse is a medical and social problem of a growing importance, which, according to WHO, is the most important risk factor out of the 10 identified in the Republic of Moldova. Over the years the number of alcohol addicts under medical supervision increased: from 45691 (2006) to 46813 (2010). The number of women varies between 16.9% and 15.5% (Table 17). Women account for 14.7% among the newly diagnosed patients (2010). More than 60% alcohol addicts come from the rural area (women - 62.3% and men - 66.4%).

Table 17. Information about alcohol-induced psychosis and chronic alcohol addiction

| | <i>Under supervision at the end of year-total</i> | <i>including women</i> | <i>Newly established diagnoses-total</i> | <i>including women</i> |
|------|---|------------------------|--|------------------------|
| 2010 | 46813 | 7255 - 15.5% | 4321 | 638 - 14.7% |
| 2009 | 49398 | 7349 - 14.9% | 4633 | 801 - 17.3% |
| 2008 | 46131 | 7490 - 16.2% | 3987 | 730 - 18.3% |
| 2007 | 46507 | 7637 - 16.4% | 4003 | 614 - 15.3% |
| 2006 | 45691 | 7730 - 16.9% | 3849 | 667 - 17.3% |

Source: MoH

68. The problem of smoking women and men are the focus of attention of health care and education system. According to studies¹⁷, the share of smoking men is about 51% of all men (fourth place in Europe), and 7.1% among women (in urban areas - 13.6%). Most women smokers (9.8%) are in the age group of 20-34 years, i.e. the most fertile and productive period. In other age groups the share of working women is the following: 15-19 years - 4.3%, 35-49 years - 5.8%. Unlike men, where the difference between smoking prevalence by type of residence - urban or rural, is not significant, there is an obvious discrepancy in case of women: 13.6% of urban women smoke, compared with only 2.3% in rural areas. Chisinau is the city with the highest share of smoking women, of 17.4%, i.e. one in six women. Prevalence of smoking women increases with increasing income - from 1.2% in the lowest quintile to 16.8% in the highest.

69. At the same time, the specialists estimate that this trend will not be confirmed by the new MICS survey, which is conducted in 2011 because since 2008, a new legislative framework was adopted: Law no 124-XVI of May 11, 2007 ratifying the WHO Framework Convention on Tobacco Control and Law no. 278 of December 14, 2007 on Tobacco and Tobacco Products (Official Gazette no. 47-48 of March 7, 2008, Article 139).

70. According to the National Center of Public Health, currently there are held public debates on the first National Tobacco Control Program and is started the process of drafting a new Law on Tobacco Control. Particular attention should be given to raise awareness of the risks caused by tobacco use, health consequences and protection measures.

71. The analysis of mortality specific for both genders and of the main causes of death highlighted the following 10 major causes of mortality: diseases of the circulatory system, tumors, diseases of the digestive system, traumas and poisoning, diseases of the respiratory

¹⁷ Demographic and Health Survey in Moldova, 2005.

system, communicable and parasitic diseases, diseases of the nervous system, endocrinous diseases, genital-urinary diseases, congenital malformations (Annex 8).

72. The structure of mortality by classes of death has not changed: similarly to the previous years, most deaths (56.1%) are caused by diseases of the circulatory system, followed by tumors (13.6%), diseases of the digestive system (9.8%), accidents, poisonings and trauma (8.2%), diseases of the respiratory system (5.5%)¹⁸. Male mortality, specified by causes of death, differs from the female mortality, being 3.1 times higher in case of accidents, poisonings and trauma, 2.7 times higher in case of communicable and parasitic diseases, 1.8 times higher in case of diseases of the respiratory system and 1.2 times higher in case of tumors. „Female supramortality” occurred only in the case of diseases of the circulatory system (1.3 times higher).

73. A significant increase of deaths due to tumors recorded among women with breast cancer, from 18.2 cases in 1990 to 25.7 in 2008 to 100,000 women. It is worrying increase of deaths from tuberculosis, from 4.6 in 1990 to 16.7 cases per 100,000 people in 2008. A high mortality rate due to cirrhosis, as a consequence of increased morbidity of viral hepatitis¹⁹.

74. The decrease of mortality among aged people who are able to work is a major public health issue. The prevention of trauma and poisoning, early identification and the adequate treatment of cardiovascular, oncological and communicable diseases (tuberculosis) are priority directions in this area.

75. In education, during the past years (2003-2010) a relatively stable evolution of the net enrollment rate was registered both in primary and secondary education, which dropped if compared with 2003. The situation is determined by demographic factors. The population aged between 3-23 years has recorded a decrease of 19.2 per cent, while the number of persons covered by the training process (3-23 years) has decreased by 21.7 per cent.

76. The network of secondary education institutions in the country during the academic year 2009-2010 comprised 415,462 thousand students: 207,344 girls and 208,118 boys. Gender differences are not significant: boys – 88.5%, girls – 87.1% (in primary education); boys – 83.65%, girls – 83.1% (in secondary education) (Table 18).

Table 18. Net enrollment rate in education

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|------|------|------|------|------|------|------|------|
| Net enrollment rate in primary education, total | 92.4 | 91.0 | 87.8 | 87.6 | 87.7 | 87.5 | 87.6 | 87.8 |
| Boys | 91.9 | 91.3 | 87.8 | 88.1 | 88.5 | 88.2 | 87.8 | 88.5 |
| Girls | 92.8 | 90.6 | 87.7 | 87.0 | 86.9 | 86.8 | 87.4 | 87.1 |
| Net enrollment rate in secondary education, total | 87.5 | 88.5 | 86.8 | 86.2 | 85.6 | 84.6 | 84.0 | 83.3 |
| Boys | 86.9 | 88.4 | 86.2 | 86.4 | 85.7 | 84.9 | 84.5 | 83.6 |
| Girls | 88.0 | 88.5 | 87.3 | 85.9 | 85.5 | 84.3 | 83.5 | 83.1 |
| Teacher/pupil ratio in | | | | | | | | |
| 1-4 grades | 19 | 18 | 17 | 17 | 16 | 16 | 16 | 16 |
| 5-9 grades | 13 | 12 | 12 | 12 | 11 | 11 | 11 | 9 |

¹⁸ Statistical Yearbook of the Republic of Moldova, 2010. NBS. Chisinau, 2010

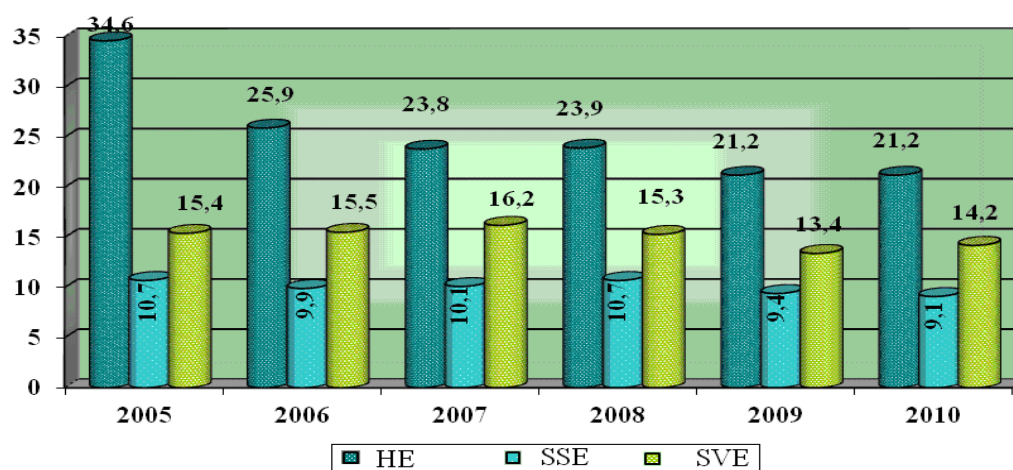
¹⁹ Green Paper of the Population of the Republic of Moldova, 2009

Source: MEd

77. The gender balance is maintained at the first stages of education (primary, secondary). Differences arise at the secondary vocational education stage, where the share of boys is higher (69.4%) in academic year 2010/2011. Girls have a higher share in higher school (57.6%), in secondary specialized education (55.8%), in higher education / public institutions (57.7%), in higher education / non-public institutions (52.2%).

78. Data on the evolution of the number of pupils and students in schools indicates the prevalence of preferences for higher education (HE), followed by secondary vocational education (SVE) and secondary specialized education (SSE) (Figure 3).

Figure 3. Evolution of registration of pupils and students in higher, secondary specialized and secondary vocational education, during 2005-2010, thousand people



Source: MEd

79. The evolution of the population's literacy level was relatively stable in the past years, constituting 99.1%, but an increase over 2003 (97.9%). Gender differences remain at 1.2% (Table 19). According to experts this is due to several factors: demographic, migration, etc.

Table 19. Literacy rate

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|-------|------|------|------|------|------|------|------|------|
| Total | 98.7 | 98.9 | 99.0 | 99.0 | 99.1 | 99.1 | 99.1 | 99.1 |
| women | 97.9 | 98.3 | 98.4 | 98.4 | 98.5 | 98.5 | 98.5 | 98.5 |
| men | 99.5 | 99.6 | 99.6 | 99.6 | 99.7 | 99.7 | 99.7 | 99.7 |

Source: NBS

80. At present, women account for 49.3% of the total employed population. The general picture on women's situation is as follows: during 2003 – 2010 the rates of women's activity, occupation and unemployment decreased, and since 2006 – 2007 these rates are lower than the similar rates for men (Table 20, Annex 17).

Table 20. Employment rate

| Year | Economically active population | | | Employed people | | | Unemployed | | |
|------|--------------------------------|-------|-------|-----------------|-------|-------|------------|------|-------|
| | Total | Men | Women | Total | Men | Women | Total | Men | Women |
| 2003 | 1473.6 | 731.2 | 742.4 | 1356.5 | 661.3 | 695.2 | 117.1 | 69.9 | 47.2 |

| Year | Economically active population | | | Employed people | | | Unemployed | | |
|------|--------------------------------|-------|-------|-----------------|-------|-------|------------|------|-------|
| | Total | Men | Women | Total | Men | Women | Total | Men | Women |
| 2004 | 1432.5 | 701.6 | 730.9 | 1316 | 631.5 | 684.6 | 116.5 | 70.1 | 46.4 |
| 2005 | 1422.3 | 689.5 | 732.8 | 1318.7 | 629.7 | 689 | 103.7 | 59.8 | 43.9 |
| 2006 | 1357.2 | 690.2 | 666.9 | 1257.3 | 628.6 | 628.7 | 99.9 | 61.7 | 38.2 |
| 2007 | 1,313.9 | 663.0 | 650.8 | 1,247.2 | 621.5 | 625.7 | 66.7 | 41.5 | 25.2 |
| 2008 | 1,302.8 | 658.8 | 644.0 | 1,251.0 | 628.8 | 622.3 | 51.7 | 30.0 | 21.8 |
| 2009 | 1,265.3 | 648.5 | 616.8 | 1,184.4 | 597.7 | 586.7 | 81.0 | 50.8 | 30.2 |
| 2010 | 1,235.4 | 630.6 | 604.8 | 1,143.4 | 573.3 | 570.1 | 92.0 | 57.3 | 34.4 |

Source: MLSPF

81. During the reporting period, women represented the group of persons, who were employed to a higher extent than men; therefore the unemployment rate among women was lower than among men. According to the 2010 statistics, the unemployment rate among men is almost twice higher than among women.

82. The main goal of legal protection and support of women in the field of labor and employment in the Republic of Moldova is not mere provision of special conditions for women, but ensuring equal opportunities for women and men to work. Thus, on the labor market a series of active measures are taken with a view to promoting and supporting women and young girls, especially from the rural area, specifically assistance to start up some economic activities, professional training and employment.

83. Although the unemployment rate among men is higher (in 2009 – 7.4%) than among women (4.9%), women face more difficulties than men on the labor market, including gender-related problems. The inactivity rate among women is higher than among men, constituting 55.4%. We note the necessity to conduct wider studies to identify the factors that determine this phenomenon.

84. At the same time, NEA carries out a number of measures on the labor market, in line with the relevant legislation, which increase the employment level of people, including that of women on the labor market. According to the legislation on employment and social protection of jobseekers, the unemployed can contact the regional agencies that are located in 35 regions of Moldova: 32 - in rayons, 2 - in municipalities and 1 - in the Gagauzia TAU to benefit of active and passive measures. Interested persons may obtain information on employment, vacancies, etc. accessing www.jobmarket.gov.md and phone 0 8000 1000 (toll free in Moldova).

85. The agencies provide free mediation services to jobseekers, consisting of both information about job vacancies and employment conditions, and short listing of candidates that meet the requirements of the job offers, in accordance with their education, skills and interests. Thanks to the services provided by local agencies, the following performance were achieved (Table 21).

Table 21. Dynamics of labor mediation services, 2007-2010

| | 2007 | | 2008 | | 2009 | | 2010 | |
|-------------------------------------|-------|-------|-------|-------|--------|-------|--------|-------|
| | Total | Femei | Total | Femei | Total | Femei | Total | Femei |
| Registered unemployed | 48396 | 24325 | 46230 | 23973 | 79241 | 39856 | 81523 | 40960 |
| Employed | 23367 | 13030 | 22185 | 12151 | 17001 | 9292 | 14681 | 8006 |
| Beneficiaries of mediation services | 69978 | 35554 | 67121 | 35509 | 105488 | 53803 | 104457 | 54155 |

| | 2007 | 2008 | 2009 | 2010 |
|---|------|------|------|------|
| Telephone services | 5558 | 7546 | 6074 | 4207 |
| Workshops and seminars organized | 368 | 431 | 371 | 484 |
| Labor market information (radio, TV, press) | 1314 | 1329 | 683 | 694 |

Source: NEA

86. To facilitate employment job fairs were organized, attended by both employers and jobseekers. After the fairs the number of unemployed people increased during 2007-2010 (Table 22).

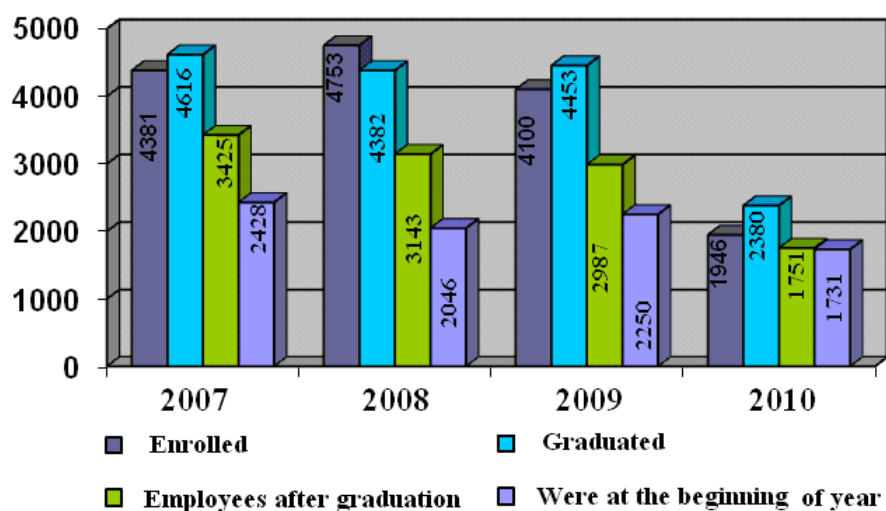
Table 22. Job fairs, 2007-2010

| | 2007 | 2008 | 2009 | 2010 |
|---|-------|-------|------|-------|
| Job fairs organized | 71 | 81 | 45 | 63 |
| The number of businesses participating in job fairs | 777 | 936 | 413 | 458 |
| The number of vacancies presented at the job fair | 12501 | 15981 | 5508 | 7200 |
| The number of people that attended the job fair | 13375 | 14267 | 6424 | 11100 |
| Number of people employed after job fairs | 2529 | 3182 | 1444 | 1785 |

Source: NEA

87. The vocational training facilitates the social integration of the unemployed in accordance with their professional aspirations and labor market needs, allows changing skills as requested by the economic restructuring, social mobility or changes in the work capacity. In 2010 employment after course completion reached 73.6% (in 2009 - 67%) (Figure 4).

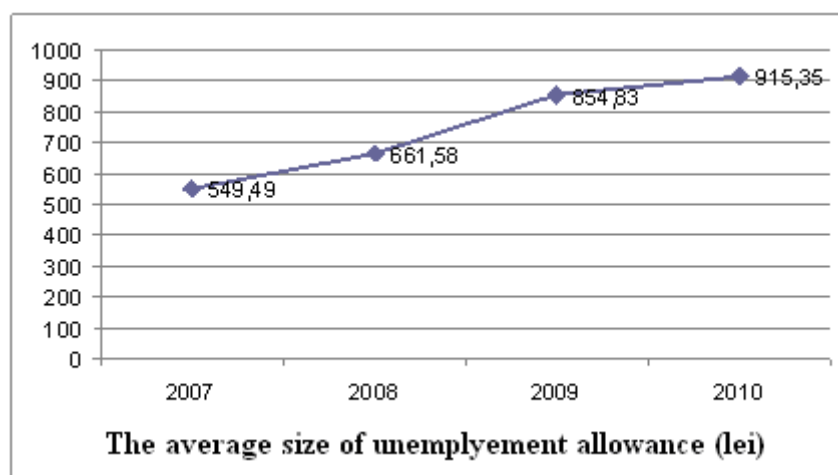
Figure 4. Training of the unemployed in 2007 – 2010



Source: NEA

88. The allowance for professional integration and reintegration is one of the passive social protection measures, aimed at providing material support to certain categories of vulnerable unemployed, who are not insured against risk of unemployment. The allowance for professional integration and reintegration is granted under Art. 34 of Law No. 102-XV on employment and social protection of jobseekers, certain categories of people with a long break in employment. The allowance is 15% of the average salary per economy from the previous year and is granted for a period of 9 months. The unemployment allowance has increased during the past years (Figure 5).

Figure 5. Dynamics of the unemployment allowance (lei), 2007-2010



Source: MLSPF

89. Salary is the main source of revenue to meet the vital needs of employees and their families and is an effective form of labor stimulation. Thus, the salary income of the population during 2006-2010 is presented in the table below (Table 23). The salary policy in 2010 focused on strengthening the relevant legal and regulatory framework with a view to improve and liberalize the remuneration system of the national economy employees and ensure a continuous increase of salaries for all employees.

Table 23. Dynamics of the salary income

| | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|-------|--------|--------|--------|--------|
| Average monthly disposable income per person, MDL | 839.6 | 1018.7 | 1188.6 | 1166.1 | 1273.7 |
| including salary income in% | 41.6 | 41.4 | 42.9 | 43.5 | 42.6 |

Source: Living level of the population in 2005-2009, 2010, Statistical bulletin. NBS, 2010

90. There is a gender pay gap on the labor market (in 2010, the women's average salary accounted for 76% of men's). This is caused by a number of factors, particularly by the employment of women in fields where women predominate traditionally (education, healthcare), where salaries are lower than in the sectors dominated by men (constructions, transportation, etc). The legislation doesn't contain discriminatory provisions on remuneration.

91. Women work mainly in agriculture (28.4%), public administration, education, healthcare and social assistance (27.8%), as well as in trade, hotels and restaurants (19.6%). Regarding women's occupational groups, non-skilled workers have the biggest share

(23.6%), followed by workers in services and trade (19.4%) and specialists with a high qualification (17.3%). As for the professional status, most of them are employed (71.0%, compared with 0.6% that have their own business and 24.9% are self-employed).

92. The following are “feminized” economic activities: health and social care (79.4% of employees); education (74.3% of employees); hotels and restaurants (73.0% of employees); financial activities (65.8% of employees); leisure, cultural and sporting activities (54.1% of employees).

93. Finally, the existing wage gap leads to low accumulations for pensions, which, subsequently, affects directly the pension size, which has a negative impact on the welfare of women and men.

94. According to the data of the National Confederation of Trade Unions of Moldova, over the years women constituted more than half of the total number of union members, their number decreasing in positions of responsibility (Table 24).

Table 24. Number of trade union members

| | 2007 | 2008 | 2009 | 2010 |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| Number of NCTUM members | 570 thousand people | 545 thousand people | 504 thousand people | 485 thousand people |
| Including women | 55.7% | 56.3% | 57.1% | 58.3% |
| Number of General Council members of NCTUM, including women | 162 people 73 (45.1%) | 160 people 73 (45.6%) | 158 people 71 (44.9%) | 158 people 70 (44.3%) |
| Number of Confederation Committee members of NCTUM, including women | 37 people 6 (16.2%) | 35 people 5 (14.3%) | 34 people 5 (14.7%) | 33 people 5 (15.1%) |

Source: National Confederation of Trade Unions

95. According to the data presented in Table 25, in 2010 the internal and external state debt increased by MDL 5811.8 thousand, or about 1.4 times, if compared with 2006. In order to improve and ensure the joint monitoring of external assistance, the Government and partners on development have signed the Agreement on Cooperation Principles to improve official assistance on development provided to Moldova.

Table 25. The internal and external state debt of the Republic of Moldova, 2006-2010, million MDL

| | 2006 | 2007 | 2008 | 2009 | 2010 |
|---------------------|---------|---------|---------|---------|---------|
| Internal state debt | 9268.8 | 8668.2 | 8094.5 | 9517.5 | 13565.9 |
| External state debt | 3790.2 | 3748.7 | 3509.9 | 5104.9 | 5304.9 |
| TOTAL | 13059.0 | 12416.9 | 11604.4 | 14622.4 | 18870.8 |

Source: MF

96. At the same time, Annex 18 shows that the social expenditures have the greatest share in the total expenditures of the national public budget. According to the information provided by the Ministry of Finance, the appropriations for social insurance and assistance increased from 11.5% of the GDP in 2006 up to 14.3% in 2010. The appropriations for justice increased from 0.4% to 0.5% of the GDP. The expenditures for public order maintenance, defense and state security decreased from 2.2% (2006) to 1.8% (2010) of the

GDP, especially those dedicated to the internal affairs bodies: from 0.8% to 0.5% of the GDP. This is also mentioned by experts, who noticed the declining efficiency of the public order bodies due to insufficient resources.

B. Constitutional, political and legal structure of the state

97. The legislative, executive and judicial powers in the Republic of Moldova are separated and they collaborate in exercising the prerogatives vested in them, according to the provisions of the Constitution.

98. The Constitution of the Republic of Moldova is the supreme law of the country (1994). The laws or other legal acts and regulations that contradict the provisions of the Constitution do not have any legal power.

99. The Republic of Moldova pledges to respect the Charter of the United Nations and the treaties to which it is a party, to observe in relations with other states the unanimously recognized principles and norms of international law. The Constitution of the Republic of Moldova recognizes and guarantees all its citizens the right to preserve, develop and express their ethnic, cultural, linguistic and religious identity.

100. On January 1, 2011, 33 political parties were registered in the Republic of Moldova, 4 of which became parliamentary parties as a result of the elections from November, 2010 (Party of Communists (42 seats), Liberal Democratic Party (31), Democratic Party (14), and Liberal Party(12)). Among the leaders of the registered parties there are only 3 women (National Liberal Party, Party for the Unification of Moldova, Conservative Party).

101. At present, the Ministry of Justice has no data related to the parties' composition disaggregated by gender, because the registration procedure does not request this information. This subject was discussed at the meeting of the Governmental Committee for Equality between women and men (Gender Equality) (14.06.2010), during which the need to collect gender-disaggregated statistics on the composition of political parties was noted. They also discussed the possibility to record in dynamics gender-disaggregated data on the composition of registered political parties. Members of the Committee (representatives of NGOs) have stated that it is possible to record such data only at registration, as later the member turnover is high. At the same time, representatives of Government agencies have noticed the current deficiencies in collecting such data and the lack of proper resources.

102. The Constitution of the Republic of Moldova provides fundamental rights and freedoms in a democratic society. Moldovan citizens can elect and be elected without regard to race, nationality, ethnic origin, language, religion, gender, opinion, political affiliation, wealth or social origin (EC, Article 3). The Electoral Code (1997, amended over time) is a solid basis allowing organization of elections in a democratic manner.

103. According to the Constitution of the Republic of Moldova, the citizens have the right to vote and to be elected since the age of 18, except for the persons who were recognized as incapable or sentenced to imprisonment by a irrevocable court judgment. Citizens who have reached the age of 25 years may apply for the position of mayor, from the age of 18 – for the position of local councilor. The citizens of the Republic of Moldova participate in elections by universal, equal, direct, secret and freely expressed vote. According to the legislation, in hospitals and in other institutions polling stations shall be opened for at least 30 voters. Mobile ballot boxes are brought to home of the voters, if requested.

104. According to the national legislation, local and parliamentary elections are held every four years. According to the legislation, the ballots shall be printed in the Moldovan/Romanian and Russian languages, and the Electoral Code was published in both

languages. People should be provided the possibility to vote overseas, both at the diplomatic missions and consular offices, and outside them beginning with 2010. This amendment (2010) was adopted with the purpose to improve the realization of the right to vote of the increasing number of Moldovan citizens residing abroad.

105. The Central Electoral Commission presents the following statistics regarding the number of voter who participated in the voting at the: Parliamentary elections of 05.04.2009 – participation rate - 57.54%; Parliamentary elections of 29.07.2009 - participation rate -58.77%; Parliamentary elections of 28.10.2011 - participation rate - 63.37%. 1st round of the June 5, 2011 - participation rate – 54.59%; 2nd round of 19 June 2011 - participation rate – 54.41%.

106. For the parliamentary elections of November 28, 2010, under Articles 18, 26(1)f), 48, 49 and 83 of the Electoral Code, the Central Electoral Commission (Decision no. 3815 of November 12) approved the printing and distribution of 2,811,571 ballot papers, 2,113,766 copies in the official language and 697,805 copies in the Russian language, including 20,000 copies for polling stations, where the citizens from the left bank of the Nistru river voted and 130,530 copies for polling stations from abroad (Decisions no. 3816, no. 3864, no. 3914, and no. 3937)²⁰. Thus, opportunities to vote were provided to all citizens.

107. Also worth mentioning is the fact that currently the Central Electoral Commission does not have the competence to develop gender-disaggregated statistical information on the election campaign. Such information will be accessible only after the full implementation of the Concept of State Automated Information System "Elections" (SAIS "Elections") adopted by the Parliament by the Law No. 101-XVI of May 15, 2008.

108. During the organization and conduct of any type of elections, the Central Electoral Commission reviews and settles the received applications, petitions and complaints. 82 complaints (of which 3 complaints of completion) were filed by voters, electoral candidates, and other persons with the Central Electoral Commission during the election period. The Commission was informed about the violation of the electoral legislation during the electioneering by the candidates, cases of electioneering on the elections day and on the previous day, the failure to include in the financial statement the expenses related to electoral advertising or misreporting, the use of administrative resources, the failure to suspend some candidates, some errors in the electoral lists, method of establishing electoral committees in the polling bureaus from abroad, as well as the actions/lack of actions of other institutions/organizations. The Commission was informed about some errors made on the elections day and during the voting process and the tabulation of election results as well. Violations of Articles 13(3), 29(11), 38(2), 38(5), 38(7) - (9), 39, 47, 54, 641(6), 641(10), and 84 of the Electoral Code were alleged.

109. Nevertheless, the object and nature of the alleged violations was not based on gender. Thus, the Central Electoral Commission claims that during the election campaign it was not informed about any gender-based violations.

110. 2 petitions on violations committed during parliamentary elections were registered by the Ministry of Information Technology and Communications during 2008-2010. According to the law, the petitions shall be stored for 3 years.

111. The Electoral Code requires the establishment of the Center for Ongoing Training on Elections, with the purpose to train the electoral officials – the main factor in the organization of fair elections and a qualitative electoral process.

²⁰ www.cec.md

112. According to statistical data, the access to personal computers and Internet is as follows (Table 26):

Table 26. Rate of the population's access to personal computers and Internet

| <i>Access to personal computers</i> | <i>2006</i> | <i>2007</i> | <i>2008</i> |
|-------------------------------------|-------------|-------------|-------------|
| Total | 8.46 | 9.22 | 13.10 |
| Urban | 16.45 | 17.14 | 23.76 |
| Rural | 2.45 | 3.18 | 4.73 |
| Access to Internet | 2.44 | 3.08 | 4.37 |

Source: NBS [1]

113. The legal and regulatory framework recognizes the activity of Non-Government organizations, establishing procedures for their registration and operation in Law no. 837 on Public Associations, dated May 17, 1996. In 2008, the Parliament approved the Strategy for Civil Society Development in 2009-2011 (P. D. no. 267 of December 11, 2008), through which civil society organizations (CSOs) are recognized as plenipotentiary partners in the cooperation with public authorities and business units both at the national and local level. In this respect, the experience of the National Council for Participation of NGOs, established by the Prime Minister, is important. The situation is influenced, on the one hand, by the professionalism, openness and active involvement of CSOs from various fields in the settlement of problems encountered by the Government, and on the other hand, by the necessity of implementing the European standards, which require the active involvement of the civil society in the decision-making process.

114. By 2010, were registered at Ministry of Justice about 5000 of Non-Government Organizations, with different scope of activity; a large number which, at first glance, can be regarded as a visible indicator of citizens' participation. However, only a small proportion of them are active organizations, and they operate mainly in the urban area and concentrate their efforts particularly on issues of national importance and less on issues of local importance. CSOs are not funded by the state, depending on alternative financial resources, especially funds from international donors.

115. At the same time, the positive experience of the Ministry of Youth and Sports shall be mentioned, which in order to support the development of the network of Youth Resource Centre, NGOs, youth local councils, youth initiative groups and diversification of services for young people, launched the Grants Program. Through the Grants Program, in 2010, about 64 projects were supported logistically and financially, implemented by NGOs, initiative groups with non-formal education activities. At present they work on the procedure of services accreditation, which will allow using NGOs' potential more actively.

116. The Republic of Moldova is a Parliamentary Republic. In December 2010, the following Parliament structure was established: Standing Bureau (13 members - three women), 4 parliamentary factions (one of the four chairpersons is a woman), 10 standing committees (one of 10 chairpersons is a woman). The President of the Republic of Moldova, as the head of the state, represents the State and is the guarantor of sovereignty, national independence, unity and territorial integrity of the nation. The Government carries out the domestic and foreign policy of the State, governs the public administration and is accountable to the Parliament. The Cabinet of Ministers is the supreme body of the executive power.

117. Over the past few years the number of women in decision-making positions evolved positively, but in an unstable fashion (Table 27). Important to mention that during 2001-2005 the position of Speaker of the Parliament was held by a woman. As for the composition of the Moldovan Parliament of the 19th legislature, elected on November 28,

2010, 19 seats (18.81%) are held by female MPs and respectively, 82 seats (81.19%) are held by male MPs. In April 2011, after reshuffles in the Government, the gender composition of the Parliament was the following: 21 women (20.8%) and 80 men (79.2%). The composition of the group of female MPs, by political affiliation, is the following: 12 MPs – PCRM, 4 MPs – LDPM, 3 MPs – DPM, 2 MPs – LPM.

Table 27. Women in decision-making positions at the central level

| <i>Position</i> | <i>2005</i> | <i>2009</i> | <i>2010</i> |
|----------------------|-------------|-------------|-------------|
| Member of Parliament | 20.8% | 25.7% | 18.8% |
| Minister | 6.7% | 6.2% | 6.2% |

Source: CEC

118. Representation of women in government was similarly uneven. Over the years, in most cases at least one position of minister was assigned to a woman, with some exceptions. Thus, in 2008-2009 (first half), the position of prime minister and three positions of ministers were held by women. In April 2011, the Moldovan Government consisted of 15 men and 1 woman ministers (6.2%). 7 of the 35 deputy ministers are women (20.0%).

119. During the recent years the number of women in decision-making positions at local level increased gradually (Table 28).

Table 28. Women in decision-making positions at the local level, %

| <i>Position</i> | <i>2003</i> | <i>2007</i> | <i>2011</i> |
|-----------------|-------------|-------------|-------------|
| Head of Rayon | 3.1% | 3.1% | 9.3% |
| Mayor | 15.3% | 17.9% | 18.04% |
| Rayon councilor | 10% | 16.48% | 18.39% |
| Local councilor | - | 26.5% | 28.71% |

Source: CEC

120. Representation of women in the decision-making process is uneven in the Republic of Moldova. In 2011 at the level of local public authorities, women have extended their representation as mayors (18.04%) and councilors, both at the rayon (18.39%) and local level (28.71%). At the local level, women are more numerous than men on the last hierarchy place, specifically in the position of consultant/specialist (Annex 19).

121. At the level of legislative power, starting with the parliamentary elections of 2009, the current situation is favorable to women. Thus, the number of women MPs had a cyclical growth. As regards the representation of women in decision-making positions at the level of central Government, the Republic of Moldova witnessed the following trend: though in ministries and other central public authorities there is a gender balance in the distribution of employees and even of the decision-making positions, the higher on the hierarchy of decision-making positions, the fewer women are appointed, as compared with men.

122. Experts believe that despite the relative growth of women's representation in rayon and local councils, as well as in the Parliament, women's presence in decision-making structures cannot be anticipated, depending mainly on how the issues of equal opportunities are perceived by each party²¹.

²¹ The Second Millennium Development Goals Report. Republic of Moldova, 2010.

123. In the Republic of Moldova, justice is administrated in the name of the law by courts of law only. The Constitutional Court of the Republic of Moldova is outside the legislative, executive and judiciary powers. Justice is administered by the Supreme Court of Justice, courts of appeal and courts of first instance. According to the law, specialized courts may be established for some specials cases. It is forbidden to set up courts of exception.

124. The organic law establishes the structure of the courts of law, their areas of competence and the corresponding judicial procedures. Legal hearings in all courts of law are public. Cases may be heard behind closed doors only as stipulated by law in compliance with all established legal procedures. Legal cases are heard in the Moldovan (official) language. The persons who do not know or are unable to speak Moldovan have the right to be informed about the content of all documents and progress of the case and to talk in the court through an interpreter. In accordance with the law, legal hearings may also be conducted in a language that is found to be acceptable by the majority of the persons that participate in the hearing. The parties involved in a case and the state authorities may appeal against the court judgments in accordance with the law.

125. During the reporting period the ratio of judges per 100,000 people was around 12%. Number of women in the judiciary system increased from 31.35% in 2006 to 36.9% in 2010 (Table 29).

Table 29. Number of judges

| | 2006 | 2007 | 2008 | 2009 | 2010 |
|-------------------------------------|------|------|------|------|------|
| Total number of judges | 437 | 430 | 437 | 440 | 439 |
| rate to 100,000 people, % | 12.2 | 12.0 | 12.2 | 12.3 | 12.3 |
| No. of women in the judicial system | 137 | 139 | 147 | 163 | 162 |

Source: Superior Council of Magistracy

126. In June 2011 the Constitutional Court of the Republic of Moldova included 6 constitutional judges (4 men and 2 women). The Superior Council of Magistracy included 12 members (10 men and 1 women).

127. According to the data submitted by the Department of Judicial Administration of the Ministry of Justice, during 2010 the judges from courts of first instance had a monthly caseload of 69 cases, from the Economic Court – 84.3 cases; Court of Appeal – 47.4 cases; Balti Court of Appeal – 32.2 cases; Bender Court of Appeal -18 cases, Cahul Court of Appeal - 18.9 cases; Comrat Court of Appeal – 17.8 cases; respectively the monthly caseload of each judge is 33.6 cases. The Supreme Court Judges – 22.5 cases. Thus, the monthly workload of judges from superior courts is 57.3 cases.

128. At present the Government is developing the Strategy for Justice System Reform in cooperation with other competent structures and civil society organizations.

129. The Prosecutor’s Office has an important role; according to Article 124 of the Constitution of the Republic of Moldova it represents the interests of the society and protects the legal order and the rights and freedoms of the citizens, leads and conducts the penal prosecution, represents the prosecution in courts of law in line with the law, being part of the judicial authorities.

130. During the reporting period, according to the complement of staff of the prosecution bodies, the rate of prosecutors per 100,000 people was around 20% (Table 30). There is an increasing trend in the number of women in the prosecution bodies. Nevertheless, women are under-represented compared to men.

Table 30. Number of prosecutors

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---------------------------|------|------|------|------|------|------|------|------|
| Total prosecutors | 710 | 788 | 724 | 731 | 787 | 748 | 785 | 736 |
| rate to 100,000 people, % | 19.7 | 21.9 | 20.2 | 20.4 | 22.0 | 21.0 | 22.0 | 20.7 |
| Women | 112 | 182 | 194 | 236 | 238 | 237 | 250 | 241 |
| Men | 598 | 606 | 530 | 495 | 549 | 511 | 535 | 495 |

Source: General Prosecutor's Office

131. The legal framework prohibits formally all forms of ill-treatment, including torture. The rule is provided at various levels, starting with the Constitution, the Criminal Code, Criminal Procedure Code, Enforcement Code, the Law on Police, etc. Those acts were amended or adjusted to the recommendations of the Committee against Torture, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, CPT, etc. The Republic of Moldova is a party to the most important treaties to combat the phenomenon of torture, including the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Geneva Conventions of 1949 and Additional Protocols I and II, as well as the Rome Statute (International Criminal Court).

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

a) Prosecutor's Office, by monitoring compliance with laws in places of preventive detention and in prisons (supervision by the prosecutor of the places of detention of the police and the Ministry of Justice) and by conducting criminal prosecution, if appropriate. In 2010 the General Prosecutor's Office established the Section for Combating Torture.

b) Center for Human Rights by examining complaints, fact-finding visits, proposals for legislative amendments, reports and recommendations for public authorities;

c) National Mechanism for the Prevention of Torture through periodic visits and provision of institutional recommendations for all places of detention;

d) Visits of civil society organizations in places of detention;

e) Stipulation of rights and procedural guarantees for persons in places of detention.

133. According to Article 88 of the Criminal Code of the Republic of Moldova, the terms of deprivation of the right to hold certain positions or to perform certain activities and of imprisonment are calculated in months and years, and the terms of unpaid community service work - in hours. The time the person is under remand custody until the case proceedings is included in the term of imprisonment, calculating one day for one day, and in the terms the community service work - calculating one day remand custody for two hours of unpaid community service work.

134. Article 186 of the Criminal Procedure Code provides that the term of keeping the person in custody starts from the moment of deprivation of liberty of the person at his/her retention, and if the person was not retained – it starts from the moment of the execution of the court judgment on the application of this preventive measure. The period of person's detention in custody during the criminal proceedings before submittal of the case to the court shall not exceed 30 days, except for the cases provided by this Code. The law stipulates life imprisonment as the maximum punishment. Life imprisonment cannot be

applied to women and minors (Criminal Code, 71(3)). It should be noted that the criminal legislation of the Republic of Moldova does not stipulate death penalty as punishment.

135. Over the past four years the reform of the penitentiary system had as major objectives: improvement of the execution-criminal legal framework, enhancement of detention conditions in accordance with international standards, strengthening the capacities of the penitentiary staff, ensuring transparency in institutions of detention and prevention of torture and ill-treatment, which are in the process and require a consistent implementation.

136. In this context, worth mentioning is the significant improvement of the detention conditions in the Rusca prison for women, who have committed different crimes (Annex 20), was established a Center for mothers with children.

137. The statistical data shows an increasing level of some types of crime (Annex 20), favored by both difficult socio-economic conditions and gaps in the existing legal-regulatory framework²².

138. Regarding the investigation of the April 2009 events (when mass demonstrations of protest occurred), a series of actions are undertaken by the competent structures. The General Prosecutor's Office has recorded and considered 108 complaints regarding alleged cases of torture, inhuman or degrading punishment or treatment from behalf of police officers. Of the total number of complaints, 58 criminal cases were initiated, of which in 29 cases criminal prosecution was ordered under Article 3091 of the Criminal Code (torture), in 17 cases criminal prosecution was ordered under Article 328(2)a) of the Criminal Code (excess of power or exceeding of power attributions). Of the total number of criminal cases, 27 case files regarding 43 police officers were completed and sent to the indictment in court²³.

139. The prosecutors, on cases that involved criminal prosecution, requested temporary suspension from office of 14 employees of MIA, and currently this procedural measure of constraint shall be applied to 9 defendants, because other 5 defendants filed an appeal and courts of law ruled in their favor.

140. Regarding the rehabilitation of victims who have suffered from the demonstrations of April 2009, by providing adequate compensations, a Special Commission was established on April 15, 2010 with a purpose to identify the civil persons and policemen who have suffered as a result of the events of April 7, 2009, as well as to coordinate and develop the necessary actions to help them. Currently the authorities are negotiating the possibility to Establish a Compensation Fund for the victims of violence of any kind.

141. In order to prevent similar cases, the police is trained in conducting special operations, such as measures to control mass riots in accordance with European standards and avoid traumas and losses of human lives. In this context, training courses are organized to strengthen the capacity of the police to manage the crowd and control of mass disorder, avoiding disproportionate use of force, in accordance with international standards.

142. Respecting the human rights and fundamental freedoms, ensuring public order in the society, protection of citizens' life and health is a national priority in the activity of law enforcement bodies.

²² Share of major crimes including homicide is, theft, robbery. Most detained persons are aged between 21-30 and 30-40 years. Most detained persons are unemployed, with incomplete secondary education.

²³ The Report of the Republic of Moldova for the Universal Periodic Review, 2011
<http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CMDSession12.aspx>

143. The official statistics on the frequency of murders in Moldova (per 100,000 people) reveals the following situation (Table 31):

Table 31. Number of murders (per 100 thousand people)

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---------|------|------|------|------|------|------|------|------|
| Murders | 9.9 | 8.4 | 7.5 | 7.1 | 6.0 | 6.5 | 6.7 | 7.4 |

Source: NBS

144. Data on the crime situation confirm how serious the situation in this area is (Table 32). Note deficiencies in terms of collecting statistical data disaggregated by gender and age.

Table 32. Situation with crimes against life and health of person, including domestic violence, in dynamics for 2003-2010

| Year | Committed by | Murders/ in family | Severe bodily injuries / in family | Average bodily injuries | Slight bodily injuries | Rapes | Sexual violence |
|------|--------------|--------------------|------------------------------------|-------------------------|------------------------|-------|-----------------|
| 2003 | | 279/51 | 382/48 | 827 | 98 | 240 | 65 |
| 2004 | | 235/35 | 339/29 | 701 | 67 | 312 | 126 |
| 2005 | | 218/14 | 351/25 | 774 | 28 | 247 | 98 |
| 2006 | | 189/20 | 364/30 | 680 | 9 | 229 | 91 |
| 2007 | | 174/14 | 365/16 | 788 | 7 | 231 | 111 |
| 2008 | Total | 185/30 | 358/33 | 795 | 1 | 262 | 119 |
| | Men | 145 | 275 | 524 | 1 | 200 | 73 |
| | Women | 14 | 30 | 29 | | 1 | |
| 2009 | Total | 189/17 | 354/29 | 812 | | 219 | 100 |
| | Men | 165 | 275 | 595 | | 168 | 95 |
| | Women | 13 | 24 | 26 | | 1 | |
| 2010 | Total | 211/31 | 394/29 | 916 | | 321 | 156 |
| | Men | 120 | 256 | 633 | | 260 | 86 |
| | Women | 21 | 24 | 38 | | | 3 |

Source: MIA

145. We find that the number of recorded cases of trafficking in human beings are decreasing (table 33). Thus, in 2010, 140 criminal cases for trafficking in human beings were initiated, in 2007 - 251 crimes, in 2008 - 215 crimes and in 2009 / 185 crimes. This positive trend is also noticed in combating trafficking in children: 61 cases were registered in 2006, 47 in 2007, 31 in 2008, 21 in 2009, and 21 cases in 2010. This is due to some extent improves the quality of pro-active prevention measures of this scourge. However, the phenomenon of trafficking in human beings and children did not decrease, due to several simultaneous factors:

a) The change of trends in human trafficking (e.g. the decrease in the duration of exploitation of the victim to 4 months on the average, the payment of insignificant salaries to victims by traffickers, the Stockholm syndrome inspired to the victim), which determine many people to not identify themselves as victims of trafficking in human beings;

b) Some criminal cases initiated on trafficking in human beings / children are re-qualified at a different stage of criminal proceedings under other articles of the Criminal Code (prostitution, illegal removal of children out of the country, organization of illegal migration, forced labor);

c) Other factors.

Table 33. Statistics of the criminal cases of trafficking in human beings (article 165 Criminal Code) and trafficking of children(article 206 Criminal Code) for the years 2007-2010.

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

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

146. There is an increase in the number of rapes (per 100,000 people) (Table 34). This crime is punishable by law. According to the Criminal Code, Article 171(1), the rape, or sexual intercourse committed by a person's physical or mental coercion or taking advantage of their inability to defend themselves or to express their will, shall be punished with imprisonment for 3-5 years. Depending on the aggravating circumstances, rape is punishable with imprisonment for 5-12 years (Article 171(2)), imprisonment from 10 to 20 years or life imprisonment (Article 171(3)).

Table 34. Number of rapes (per 100 thousand people)

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|-------|------|------|------|------|------|------|------|------|
| Rapes | 320 | 336 | 280 | 268 | 281 | 306 | 264 | 368 |

Source: NBS

147. Cases of female genital mutilation, honor killing and use of acid were not detected in the Republic of Moldova.

148. Statistical information on police work on crimes, including domestic violence during 2007 - 2010 is as follows (Table 35):

Table 35. Indicators to combat crime, including domestic violence

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|-------|-------|-------|-------|-------|-------|-------|-------|
| The total number of petitions considered by the OOS, including on | 24642 | 24864 | 23521 | 25475 | 28966 | 28236 | 30142 | 30592 |

| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|-------|-------|-------|-------|-------|-------|-------|-------|
| domestic violence issues | 4281 | 3707 | 3083 | 2855 | 2519 | 2992 | 2862 | 2765 |
| The total number of prepared minutes to the OOS under Article 78 of the Contraventional Code (causing light bodily injuries), including in the family | 15470 | 19101 | 18055 | 19453 | 19815 | 21404 | 18993 | 19382 |
| The following cases of domestic violence occurred: | | | | | | | | 2135 |
| - murders (Article 145 Criminal Code) | 100 | 63 | 39 | 50 | 30 | 63 | 46 | 60 |
| severe bodily injuries (Article 151 Criminal Code) | 52 | 35 | 16 | 20 | 14 | 30 | 17 | 31 |
| Family aggressors targeted by police | 48 | 28 | 23 | 30 | 16 | 33 | 29 | 29 |
| | 5598 | 5292 | 5468 | 5345 | 5449 | 4681 | 4745 | 4569 |

Source: MIA

149. The analysis of the crimes committed against life and health of the person, as well as of the cases of domestic violence shows an increase in the number of severe intentional injuries, rapes and murders committed within the family. A sharp increase in the number of complaints filed to the bodies of internal affairs by victims of domestic violence is noticed. The crime situation is determined and by persistent socio-economic problems, such as: difficult living conditions; abusive consumption of alcohol; shortage of jobs/failure of employable persons to find a job; decline in moral values; family disruption, etc.

150. The experts also mention aspects of system functionality. Thus, in most cases of domestic violence, "reconciliation" between spouses takes place due to the fact that the fines imposed under the law as sanctions are paid from the budget of the family of the victim and perpetrator, and the methods of influence against perpetrators sometimes do not attain the desired goals regarding their re-education and re-socialization. There are procedural and systemic barriers that hinder the process of issuing and enforcing the orders of protection in DV cases (especially increasing the accountability of professionals for identification and reporting the DV cases). Similarly, there are several aspects of human factors (attitude to this issue as a private matter, blaming the victim, the victim's dependence on the aggressor, etc.). In this context, it is necessary to identify the gaps/discrepancies in the legal and regulatory framework and adjust the legislation in order to strengthen the system of citizens' protection from violence and abuse.

151. An important precondition for system functionality is to strengthen the capacity of relevant experts in the field. During the reporting period MIA, MoD, MLSPF organized training on human rights, covering specific segments relevant for their activity (workshops, round tables, conferences, study visits). Special training guidelines were developed for the employees of law enforcement bodies and prosecutors, which also include human rights issues.

152. The employment of women in law enforcement bodies increased during the reporting period. Currently, the ratio of women to men in military units and management

bodies of the National Army is as follows: 40% of the total number of public servants and 21% of contract soldiers are women. Of them, 39 female soldiers hold positions of responsibilities in the National Army. Women of the National Army participated in peacekeeping missions in Georgia, Liberia and Ivory Coast.

153. During the recent years women account for about 10% of the staff of the Ministry of Internal Affairs. In 2010, 38 of the 172 women held executive positions in the central office of the Ministry of Internal Affairs and its subordinated subdivisions. For example, 21 of the 140 female employees of the Civil Protection and Emergency Situations held executive positions and 88 women worked in the corps command and troops and one woman held an executive position in the General Division for State Guard. In the "Shield" Regiment, 44 of the 589 employees of the troops and body control are women.

III. General framework for the protection and promotion of human rights

A. Acceptance of international human rights norms

154. The Republic of Moldova has ratified nearly all core international human rights treaties, extensively accepting the obligations that derogate and periodically submitting national reports on their implementation (Annex 21). As a member state of the Council of Europe (CoE), the Republic of Moldova has ratified the European Convention on Human Rights and the majority of its Protocols, including Protocols No. 6 and 13, which abolish death penalty, as well as other CoE instruments in the field. The Republic of Moldova was the first state to ratify the Council of Europe Convention on Action against Trafficking in Human Beings. The Republic of Moldova has also ratified the main conventions of the International Labour Organization, including those in the fields of forced labour and child labour, as well as international treaties on humanitarian law.

155. Recognition of human rights by international documents had an influence on the national legislation of the Republic of Moldova, contributing to the affirmation of respect for human rights and for improvement of national legislation. By ratifying international treaties on human rights was established the platform of a new legal and socio-political system. Currently, the clear tendency is to create mechanisms on implementation of the national system of human rights promotion and respect, based on international legal instruments. In this context, implementation of international legal instruments remains an important challenge.

156. The Republic of Moldova adhered to the Convention on the Elimination of All Forms of Discrimination against Women by the Decision No. 87-XIII of May 28, 1994 of the Parliament of the Republic of Moldova, which entered into force on July 31, 1994. The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women was ratified by Law No. 318-XVI of December 15, 2005, which entered into force on February 28, 2006.

B. Legal framework for the protection of human rights at the national level

157. Human rights situation in Moldova in recent years has made noteworthy progress in terms of normative framework, however, effective enforcement of human rights remains a challenge requiring considerable effort. The State recognizes that respect for human rights

is an essential component and also a prerequisite of sustainable development (Parliament Decision nr. 90 of 12.05.2011).

158. The legislation of the Republic of Moldova provides for equal rights for women and men in all areas of public and private life. During the reporting period the institutional and regulatory framework regarding promotion and protection of human rights was improved continuously according to international standards, national priorities and aspirations of European Integration. Particular attention is given to improve the system of relevant legal norms implementation and to ensure their effectiveness.

159. The national system on human rights is based on the Constitution of the Republic of Moldova of July 29, 1994, the national legislation²⁴ and international instruments, which the Republic of Moldova is a party to. Title II of the Constitution “Fundamental Rights, Freedoms and Duties” stipulates detailed political, civil, economic, social and cultural rights. Therewith, the Constitution (Article 54, clause 2) provides a restrictions in the exercise of a series of rights and freedoms, which must be proportionate to the situation that determined them and cannot affect the existence of the right or freedom. The Constitution also consecrate the supremacy of international norms on human rights standards in relation to national legislation and, namely, according to Article 4 it guarantees that “human rights and freedoms shall be understood and implemented in accordance with the Universal Declaration of Human Rights, and with other conventions and treaties endorsed by the Republic of Moldova, and wherever disagreements appear between conventions and treaties on human rights signed by the Republic of Moldova and her own national laws, priority shall be given to international regulations.”

160. Once the Parliament ratified the European Convention on Human Rights and Fundamental Freedoms on September 12, 1997, the Republic of Moldova guarantees to its citizens the right to appeal to the European Court, in accordance with the Convention. Thus, between 1998 and 2010, the European Court of Human Rights issued a total of 193 judgments on the Republic of Moldova. As to compared, in 2008, the ECHR adopted 28 judgments of conviction against the Republic of Moldova, which shows a decrease compared to the year 2007 (54 judgments). Among the issues raised by the ECHR are included, in particular, the following aspects:

- a) non-performance or delay of national judicial decisions,

²⁴ The range of fundamental human rights and freedoms is mainly regulated by the following regulatory acts: Civil Code of June 6, 2002, in force since June 12, 2003, Criminal Code of April 18, 2002 in force since June 12, 2003, Civil Procedure Code of May 30, 2003, in force since June 12, 2003, Civil Procedure Code of March 14, 2003 in force since June 12, 2003, Law on Judiciary Organization no 514-XIII of July 6, 1995, Law on Public Position and Status of Public Servant, no. 158-XVI of July 4, 2008, Law on the Code of Conduct of Public Servants, no. 25-XVI of February 22, 2008, Law no.1349 of October 17, 1997 on Ombudsmen, Law on the Rights of National Minorities and the Legal Status of their Organizations, no. 382-XV of June 19, 2001, Law no.5-XVI of September 9, 2006 on Equal Opportunities for Women and Men, Law no. 45-XVI on Prevention and Combating of Domestic Violence, adopted on March 1, 2007, in force since September 18, 2008, Law no.105-XVI of May 16, 2008, on the Protection of Witnesses and Other Participants in the Criminal Process, Law no. 241 of October 20, 2005, on Prevention and Combating of Trafficking in Human Beings, Law no. 1585-XIII of February 27, 1998, on the Compulsory Health Insurance, Law no. 23 of February 16, 2007 on the Prevention of HIV/AIDS, Law on Health Care no.411-XIII of March 1995, Law no. 102 -XV on Employment and Social Protection of Jobseekers, Law no. 133-XVI of June 13, 2008, on Social Aid, Law on Education no.547 of July 21, 1995, Law no.270 on Asylum in the Republic of Moldova of December 18, 2008, Law no. 180-XVI on Labor Migration of July 10, 2008, Law no. 125 of May 11, 2007 on Religious Cults and their Component Parts, Law no.338 of December 15, 1994 on the Rights of the Child, etc.

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- b) poor conditions of detention in prisons,
 - c) ill-treatment and torture during the pre-trial detention,
 - d) insufficient motivation of the retention and detention,
 - e) infringement of private property,
 - f) violation of individual appeal to the ECHR, etc. In the context of ensuring women's right to justice, the Government is settling currently the domestic violence cases (case of Mudric and of Eremia), which were submitted to the ECHR.

161. The Optional Protocol to CEDAW entered into force for the Republic of Moldova in February, 2006. So far this Protocol has not been applied as a mechanism to protect women's right in Moldova, as the Moldovan citizens use the mechanism of the European Court for Human Rights. Through this mechanism, all citizens have the possibility to get compensation for the violated rights.

162. The special importance of the freedom of assembly is laid stress on in article 40 of the Constitution, thus giving it the status of a fundamental right. Law on Assemblies, no. 26-XVI of February 22, 2008 was assessed as progressive and liberal, considered to be rallied to the best practices in the field of granting the freedom of assembly. If in 2007 there were records of violation of the right to freedom of assembly, then in 2008 a positive dynamics of respecting this right was noted, while the cases labeled as problematic are rather exceptions to the rule. For instance, while previously the local public authorities used to reject the requests of the LGBT Community to organize Pride parades because of reasons related to location, then now these requests are satisfied.

163. Legal practice progressing continuously to ensure freedom of assembly. Regrettably, however, are some instances of lack of adequate capacity in the police to deal with ensuring the right of assembly, protection against aggressive interference from third parties. Redress the current situation would be possible by expanding constructive dialogue between authorities and civil society, exchanging views, finding solutions and achieving optimal joint programs that simultaneously benefit would influence the degree of maturity of the community.

164. The legal framework on the freedom of expression has been improved significantly during the past years. In October 2010, the Law on Freedom of Expression, which transposes into the national legislation the case law of the European Court of Human Rights, came into force. In this context, journalists and media institutions are exempt from attracting liability for allegedly defamatory articles published more than a year ago, for value judgments, for criticizing public persons, authorities and the state etc. Under the same law, the court may no longer sequester the property of an editor's office and its bank accounts to ensure claims for compensation for moral damage. Citizens also have the opportunity to criticize the authorities without being prosecuted and subjected to pressure afterwards.

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

166. Currently in the country there are about 17 press agencies, 50 radio stations, 63 television channels and about 140 cable TV operators, 260 newspapers and magazines. The activity of these mass-media means, together with the new competitive media entities that entered the market in 2010, gradually eliminate the informational vacuum from the media market and contribute to the development of pluralism in this sector.

167. In 2008 the Law on Transparency in decision nr.239-XVI from 13.11.2008, which aims to inform the population on decision making in the public authorities, to ensure direct participation of citizens and all stakeholders in decision making process was adopted. Thus, the consolidation of modern democratic state based on rule of law and respect for human rights will be ensured by continuous increase of the transparency of political and administrative decisions, increase cultural cooperation with civil society and promoting reforms designed to increase public confidence towards public authorities.

168. The Government launched a website to promote the e-government initiatives and services in the Republic of Moldova. In addition, the Government also decided to create units of information and communication with mass-media in 24 central public authorities. These actions of the Government are aimed at improving the transparency of governance and will facilitate the access of mass-media to these institutions.

169. The principles of non-discrimination, universality and equality of rights, provided by Constitution, are essential and are at the basis of the system of human rights protection in Moldova. The legal framework contains provisions that prohibit discrimination on the criterion of race, nationality, ethnicity, language, religion, social origin, gender, opinion, political affiliation, personal property or any other criterion that aims at restricting or removal of the recognition, exercise, in condition of equality, of human rights and fundamental freedoms or rights recognized by law. Thus, the national legal framework contains provisions inserted into various laws prohibiting discrimination on various grounds, but it is necessary to strengthen and adjust it according to international norms for promoting good practice of non-discriminatory behavior.

170. To strengthen the existing norms and establish a real and viable mechanism for the implementation of these provisions, the draft law on prevention and combating of discrimination was developed. The draft contains, inter alia, an indicative list of the discriminatory criteria and stipulates the establishment of the Council for Preventing and Combating Discrimination. At the same time, after the adoption of the relevant regulatory framework on anti-discrimination, Protocol no.12 to Convention for the Protection of Human Rights and Fundamental Freedoms shall be ratified and the statement under Article 14 of the International Convention on Elimination of All Forms of Racial Discrimination shall be made.

171. The Republic of Moldova is a poly-ethnic state (national minorities account for 35.5% of the population), that is why continues efforts are made to ensure compliance with the ethnic, cultural, linguistic, and religious identity of each person belonging to a national minority, as well as to create appropriate conditions enabling them to express, preserve and develop this identity.

172. The national legislation ensures the right to choose the language of education and training at all levels of education. The right of citizens to education in their native language is ensured through the establishment of the necessary number of educational institutions, classes, groups, and their operating conditions. The pre-university educational institutions network of Moldova includes 1,489 institutions (schools, secondary and high schools) of which 280 institution are teaching in Russian, and 82 are mixed. In Moldova 3 models of language study of the national minorities in the pre-university education system were formed:

- a) schools and high schools teaching in Russian;
- b) schools teaching in Russian, with Ukrainian, Gagauz, Bulgarian, Polish, Hebrew, or German as a course in the curriculum;

c) experimental educational institutions, where languages of the national minorities are used as the teaching language: Ukrainian – in two schools, Bulgarian – one school.

173. With a view of achieving more effective linguistic integration of the representatives of the national minorities, the National Association of European Trainers of Moldova (ANTEM) jointly with the Bureau of Interethnic Relations, with support of OSCE High Commissioner on National Minorities implement the long-term project “Training for national linguistic minorities in Moldova”. This project aims at socio-linguistic and professional integration of the representatives of minority groups and is focused on civil servants, policemen, doctors and lawyers.

174. In order to create necessary the conditions for the socio-cultural development of the Roma the Government of the Republic of Moldova implemented the Action Plan to support Roma of the Republic of Moldova for the period of 2007-2010, which precedes the Action Plan for the period of 2011-2015, which confirms the measures undertaken to ensure and implement Roma integration in the active socio-cultural life of the society. The New Action Plan was developed in the EU framework on Roma, OSCE/ODIHR Strategy and Report on implementation of the strategy in states that are party of OSCE (2008), CoE and UN recommendations. The document stipulates the priorities relating to education, labor, health, social security, culture, public administration - public order and community development, housing.

175. “Teleradio-Moldova” National Public Broadcaster – the channel with national coverage make TV and radio programs in the state language and the language of the ethnics groups. These programs aim at reflecting the life of citizens of different ethnicities, supporting the preservation of different ethnic identities, reflecting the cultural activities, promoting tolerance, etc. In the country there are local TV and radio stations that broadcast programs in the language of national minorities. There are no legislative barriers for the publication and distribution of newspapers and magazines in the language of national minorities. They are usually published by non-government organizations, including in Ukrainian, Russian, Gagauz, Bulgarian, Hebrew, Polish languages.

176. The access for national minorities to official information is ensured – laws, Parliamentary decisions, decrees of the President, Government provisions and decisions, the acts of the Constitutional Court and of the Court of Auditors and others are published in the Official Gazette of the Republic of Moldova in the official and Russian languages.

177. Promotion and enforcement of human rights and fundamental freedoms represents a priority of the state, as confirmed in the Government policies and framework program of the National Action Plan on Human Rights (NAPHR). The first NAPHR covered the period of 2004-2008 and was adopted through the Declaration and Action Plan of Vienna (1993). NAPHR aims at ensuring the implementation of a single strategy and policy of the state institutions and the civil society, with a view to improve the situation of human rights by identifying and formulating of the priority tasks and implementation measures, establishing deadlines, assessment indicators, etc.

178. The second NAPHR for 2011-2014 represents the continuity of policies, focused on adherence to international human rights instruments; adjustment of the national legislation to the international standards; free access to justice; enhancement of the national mechanism for human rights protection; effective defense of the political, civil, economic, social and cultural rights; enhanced protection of national minorities, ethnic groups, and people in difficulty; enhanced professional, moral and disciplinary education of citizens in human rights.

C. Framework within which human rights are promoted at the national level

179. The Constitution of the Republic of Moldova stipulates the separation of the three state powers – legislative, executive and judicial, and a clear delimitation of their duties. The responsibility for the implementation of the national and international human rights obligations belongs to state and to its component parts, including the three-level judiciary. According to the European Convention on Human Rights, upon completion of all national ways of appeal, the persons whose rights were violated may appeal to the European Court for Human Rights.

180. The Republic of Moldova Parliament contains in its structure a Standing Committee for Human Rights and Inter-Ethnic Relations. Its main objectives include issues of human rights, national minorities, cults; citizenship, ensuring legal regulations on migration; gender equality, protection of foreign communities, victims of political repressions and refugees.

181. A series of structures and institutions for human rights protection were established at the national level, including:

a) *Coordinating Council of Ethno-Cultural Organizations* – public advisory consultative body of the national minorities' NGOs that operate under the Bureau of Interethnic Relations. The major objective of this structure is to ensure the maintenance of a continuous dialogue between the Government and ethnic communities;

b) *The National Council for Participation (NCP)* – established at the initiative of the Government as a consultative body aimed at developing and promoting the strategic partnership between public authorities, civil society and private sector to strengthen the participatory democracy;

c) *The National Council for Child's Rights Protection* – governmental body intended to provide guidance and monitoring of central and local public authorities and of the civil society in order to ensure observance of children's rights in the Republic of Moldova.

d) *National Committee for Combating Human Trafficking* – the Government's advisory body, coordinates the activities of preventing and combating human trafficking, the cooperation of public authorities with international organizations, NGOs, and other institutions; The Committee has a Standing Secretariat, which is meant to streamline the coordination and management of anti-traffic activities, performed by all Government and Non-Government players in the area;

e) *Government Committee for equality between women and men (Gender Equality)* - consultative body, created beside the Government, having the following competences: promotion of gender equality; coordination of the activity of the central and local public administration in issues related to gender equality; development of cooperation of state structures with the civil society in issues related to gender equality;

f) *Government Council for the Issues of Persons with Disabilities* – consultative body to set up in order to develop and promote state policy, programs, plans and actions for prevention and rehabilitation of persons with disabilities and ensure their equal opportunities with other citizens of Moldova to achieve their constitutional rights and freedoms;

g) *National Commission for Population and Development* – consultative body set up to coordinate the process of demographic security policy, programs and action plans in the field, medium and long term;

h) *National Commission for the Implementation of the National Action Plan on Human Rights* – body that coordinates, monitors and evaluates implementation of NAPHR (will be created according to Parliament Decision no.90 of 05.12.2011);

i) *Government Commission for the Reintegration of the Country*, which coordinates the actions aimed at identifying solutions for problems related to the Transnistrian dispute and ensuring their implementation.

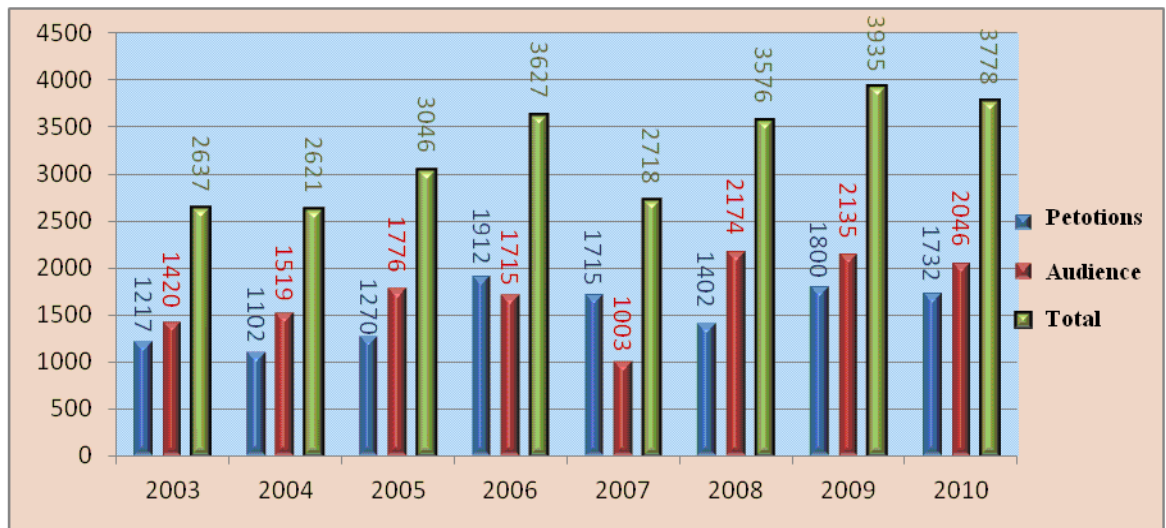
182. The *Centre for Human Rights (CHRM or the Ombudsmen Institution)* is the Independent National Institute for Human Rights Promotion and Protection, accredited according to the Paris Principles with B status. During their mandate, given for a period of 5 years by majority vote of the elected MPs, the ombudsmen shall ensure observance of the constitutional rights and freedoms of individuals in their relations with Central and Local Public Authorities, organizations, and enterprises, regardless of the type of ownership, public associations and persons in positions of responsibility at any level. Ombudsmen have the right to inform the Constitutional Court to review the constitutionality of laws and parliamentary decisions, decrees of the President of Moldova, Government decisions and provisions, on their compliance with the generally accepted principles and international legal acts on human rights.

183. The Centre for Human Rights of Moldova CHRM consists of 4 ombudsmen with equal rights, one of whom is specialized in child rights protection (Child's Ombudsman), officials and three representative offices located in: Balti, Cahul and Comrat (Autonomous Territorial Unit of "Gagauz-Yeri"), operating as territorial subdivisions of the institution. During the reporting period, with few exceptions, the gender ratio among ombudsmen was 50/50.

184. In July 2007 the Moldovan Parliament by amending the Law on Ombudsmen, established the National Mechanism for Torture Prevention, in accordance with the Optional Protocol to UN Convention against Torture. Later, an Advisory Board was established under the CHRM, vested with direct duties in the prevention and monitoring of torture and other cruel or inhuman treatments or punishments.

185. The number of people assisted by the ombudsman institution and the number of petitions examined during 2003-2010 are shown in Figure 6.

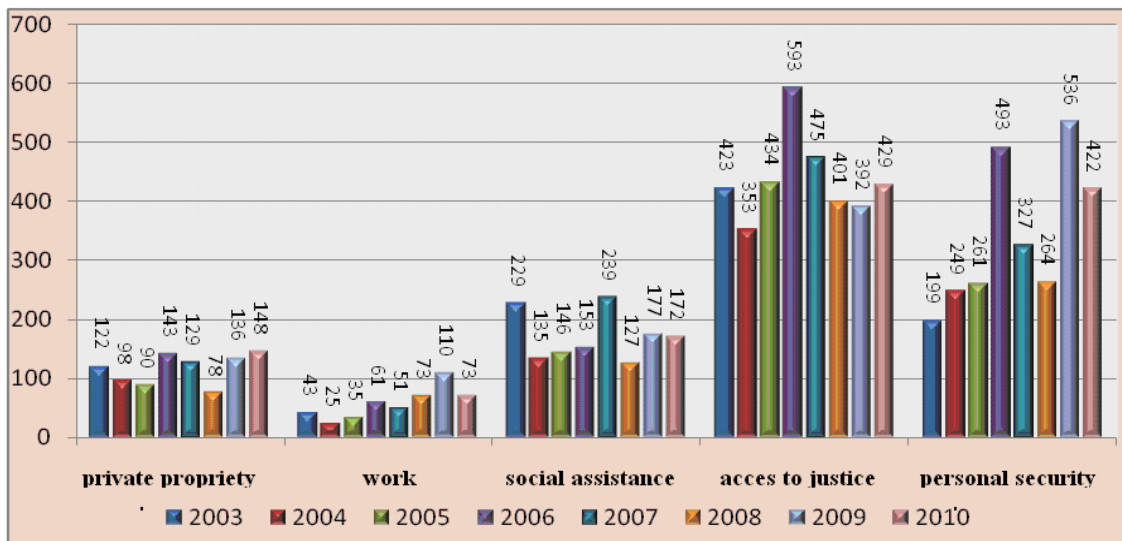
Figure 6. Petitions examined by ombudsmen



Source: CHRM

186. Note that during the entire activity of ombudsmen, the topics related to such constitutional rights as the right to the private property, free access to justice, right to labor and labor protection, right to social assistance and protection, security and personal dignity, still remain to be the most sensitive areas for all types of appellants. Figure 7 presents the number of petitions for 2003-2010, classified by topics.

Figure 7. Petitions examined by ombudsmen, classified by topics



Source: CHRM

187. In the view of CHRM experts, the existing system for statistical data compilation no longer meets the institution's needs for complaints management, and the classification of application by the Centre does not always present very clearly their nature.

Also, note that despite the efforts made to establish a position of ombudsperson specialized on gender issues, it has not been established.

188. The main body administering the legal aid system is the *National Legal Aid Council* (NLAC) and its Territorial Offices. Ministry of Justice is the policy making body in the field. The Bar Association cooperates with the NLAC for ensuring the delivery of legal aid. NLAC's activity is regulated by the Regulation on National Legal Aid Council, approved by the Minister of Justice Order nr. 18 of 24.01.2008. National Council is formed of 7 members (5 men and 2 women). At present there are deficiencies to ensure its operating mechanism.

189. It marked the development of alternatives to judicial dispute resolution, mediation and arbitration, and developed alternatives to detention, probation institution creation and thus reduced the number of persons in detention.

190. During the recent years, an important legal and regulatory **framework for women's rights protection and promotion** was developed in the Republic of Moldova:

191. *Law no. 241-XVI of October 20, 2005 on Preventing and Combating Trafficking in Human Beings* (Official Gazette of the Republic of Moldova no. 164-167/812 of December 9, 2005)

192. *Law no. 5-XVI of February 9, 2006 on ensuring equal opportunities for women and men* (Official Gazette of the Republic of Moldova no. 47-50/200 of March 24, 2006)

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193. *Law No. 45-XVI of March 1, 2007 on Preventing and Combating Domestic Violence* (Official Gazette of the Republic of Moldova no. 55-56 of March 18, 2008)
194. *National Action Plan on Preventing and Combating Violence against Children for 2009-2011* (G.D. no. 1344 of December 1, 2008)
195. *The National Referral System Strategy for the protection and assistance to victims and potential victims of human trafficking* and the Action Plan on the implementation of the National Referral System Strategy for the protection and assistance to victims and potential victims of human trafficking for 2009-2011 (G.D. no. 257 of December 5, 2008).
196. *National Programme on Ensuring Gender Equality for 2010-2015* (G.D. No. 933 of 31.12.2009), the gender equality being approached as a crosscutting issue of human rights.
197. At the same time, though a legal and regulatory framework is in place, there are some problems with its implementation: poor training of experts from different areas related to the identification, registration and reporting of domestic violence cases; shortage of qualified human resources and limited financial resources to provide assistance to victims of domestic violence and work with perpetrators; lack of mechanisms for sexual harassment identification, failure to refer all DV cases through the National Referral System; shortage of assistance and protection services for victims; lack of re-socialization services for domestic perpetrators; imperfection of the monitoring and evaluation system in violence and human trafficking, etc.
198. Ensuring gender equality in the economic, political and social life of Moldovan women and men underlies the observance of all citizens' fundamental human rights. An important step in confirming the political will of the Government of the Republic of Moldova to promote and observe the gender equality principle is the strengthening of the national mechanism of gender equality. Currently, the Republic of Moldova has an **institutional mechanism**, defined by the Law on ensuring equal opportunities for women and men (2006), which specifies concrete authorities and their relevant duties:
199. The Governmental Committee for Equality between women and men (which coordinates the activities of CPAs and LPAs regarding gender equality issues)
200. Department for Gender Equality and Prevention of Violence Policy (DGEPVP), MLSPF (which develops and promotes gender equality policies and performs the secretarial work of the Committee)
201. Gender Focal Points in line ministries/departments (which monitor compliance with gender equality legislation by CPAs)
202. In 2010, gender equality Councils were established in line ministries: MLSPF, Ministry of Finance, Ministry of Economy.
203. If the gender equality promotion focused so far on the implementation of projects, where the Government was a co-partner in such projects aimed at promoting women, currently emphases are put on enhancing the Government as a catalyst and promoter of experiences initiated by mainstreaming gender equality in national policies.
204. During the reporting years some progress in the activity of the National Mechanism was noticed, such as: better activity of the Commission thanks to the establishment of the Secretariat, provided by the Department for Gender Equality and Prevention of Violence Policy, MLSPF, and active participation of NGOs representatives. The Department for Gender Equality and Prevention of Violence Policy, MLSPF, was established and strengthened. An important step forward in the activity of the Government Committee was the inclusion of representatives of the NGOs active in the gender/women's rights field, which were selected on principles of transparency and participation. The network of GFPs at national level was established. The capacities of the Gender Focal Points were

strengthened through trainings on gender budgeting, implementation and reporting on the provisions of CEDAW, familiarization with the Optional Protocol to CEDAW and the gender equality standards and mechanism, etc.

205. At the same time mention the existence of several reserves in its functionality: dependence on staff turnover, lack of continuous training of civil servants in gender equality, limited human and financial resources. Due to the lack of resources Gender Focal Points have not been established in the LPAs (as provided by Law no. 5-XVI), but this function is complemented by the specialist on problems regarding families with children at risk within the Directorate/Department of Social assistance and family protection at the rayon level . According to the job description, he has a number of other responsibilities in the field of human trafficking, people in vulnerable social groups, etc. Obviously having a fairly impressive task assignments, and no relevant financial support (in district budgets are not provided financial grants to combat the phenomenon), it is difficult to achieve effective programs to eliminate discrimination on grounds of gender.²⁵ Thus, appeared a gap between the national, rayon and local units, which impedes the effective functioning of institutional mechanisms.

206. The Gender Focal Points, set up in most structures of central public authorities, do not always have a significant operation. Their effectiveness remains limited due to the high workloads (the need to perform additional non-remunerated activities, besides the basic function), staff turnover (especially due to the political implications), lack of resources, insufficient capacity in the area.

207. The training and strengthening of the specialists' skills, including those of public servants, is an important precondition for ensuring an efficient activity of the competent bodies. During the reporting period, many training activities were performed in this field. Among the relevant strategies in this field are: organization of training seminars, workshops; organization of study visits; provision of information materials, etc.

208. During 2006-2010, Moldovan specialists went on study visits to Austria and Romania to take over good practices in the establishment and development of services for victims/perpetrators of domestic violence, interaction between Government agencies, LPAs and NGOs for the settlement of domestic violence cases. As a result, the legal and regulatory framework was amended (adopted Law no.45-XVI, Law no. 167-XVI), and the foundation was laid for the development of support service for the victims of domestic violence. 10 specialists (public servants, teachers) benefited of training on gender budgeting in Moscow, developed the curriculum and introduced the Gender Budgeting course in Master studies, Academy of Economic Studies of Moldova, provided methodological support.

209. In 2010 only under "Protection and Empowerment of Victims of Human Trafficking and Domestic Violence" Project training was provided to: 21 trainers-doctors – domestic violence and organization of training sessions for doctors; 28 trainers (judges, prosecutors, lawyers, etc.; workshops were organized for multidisciplinary specialists: 22 social workers, 106 post chiefs, 148 family doctors, 111 psychologists/teachers, 28 priests, 180 judges, prosecutors and lawyers on the implementation of Law no. 45-XIV on Preventing and Combating Domestic Violence / the Law no. 167. Post-training monitoring and supervision missions were organized in 28 target communities. Guidelines on the Intervention of social assistance bodies, internal affairs bodies and healthcare facilities in cases of domestic violence were developed. All these contributed to familiarization of the mentioned experts with international standards on handling of domestic violence cases from

²⁵ Report on the Compatibility of Gender Equality Legislation, MLSPF, 2009

the human rights perspective and to the enhancement of the specialized intervention in family violence situations.

210. Annually, with the support of national and international partners, trainings of Gender Focal Points were organized; especially the UNIFEM (now part of UNWomen) project “Promoting Gender Equality in National Development Policies and Programs”, should be mentioned, whose program focused during 2007-2009 on strengthening the Government’s capacities in the development of gender-sensitive policies. Thanks to the information and training received during the mentioned period the specialists from CPAs got involved actively in the development of the National Programme on Ensuring Gender Equality for 2010-2015. Finally, the document was approved by Government Decision no 933 of December 31, 2009.

211. Only during 2010, with the support of UNAIDS, UNFPA and UNWomen, training seminars were organized for Gender Focal Points on gender budgeting, reporting criteria based on CEDAW, HIV/AIDS issues, etc. As a result, the quality of sector documents improved in this area.

212. During the mentioned period, with the support of UNIFEM (now part of UN Women), a library was established in the Department for Gender Equality and Prevention of Violence Policy (MSPFC/MLSPF), containing various local and foreign literature on gender equality. This literature is available to the specialists from this field, including from other ministries. At the same time, we mention the lack of resources for the development and publication of information materials and, particularly, of methodical and training resources for different groups of specialists.

213. To implement the Concluding Comments of the Committee on the Elimination of Discrimination against Women: the Republic of Moldova (2006), the Government agencies in partnership with the civil society trained law enforcement professionals and Gender Focal Points on CEDAW and Optional Protocol. Thus, during 2008-2010, “CEDAW and OP CEDAW – women’s rights protection instruments” seminars were organized in partnership with MLSPF and Gender Centre, Political Club 50/50 and with the support of OSCE Mission to Moldova, KARAT Coalition & Oxfam Novib, were about 200 persons were trained.

214. At the same time, despite the mentioned efforts, the level of knowledge of CEDAW and OP CEDAW among specialists from law enforcement and judicial bodies is still unsatisfying. This is proved by the fact that no court judgment has ever made any reference to the Convention.

215. The subject of human rights is included in various training programs for specialists. Subjects "Civic Education" and "We and the Law" in pre-university education system is focused on familiarizing young people with their rights and obligations. Annual Human Rights Day is celebrated on the 10th of December²⁶. The Government recognizes the need to strengthen efforts academia, civil society and state structures, thus ensuring a consistency and durability of the process of education and information on human rights.

²⁶ Promotion of human rights is one of the major priorities of the United Nations Country Team in Moldova. Starting in 2004, the UN Agencies in Moldova have annually provided awards for the best promotion of human rights by non-government organizations and the media. The awards are presented during the Human Rights Gala of Awards ceremony, which is organized annually on December 10, Human Rights Day. A competition is organized by the United Nations Country Team in Moldova (UNCT). In previous years, a public application/nomination process has been undertaken. http://www.un.md/news_room/pr/2011/HRGala2011/index_eng.shtml

216. Over the years, the Government agencies, LPAs in partnership with civil society organizations and with the support of international organizations (OSCE Mission to Moldova, UNFPA, UNDP, UNWomen, UNAIDS, ILO, etc.) participate in different activities as part of the “16 Days of Activism against Gender based Violence” global campaign, focused on informing the population about the phenomenon of domestic violence as a violation of human rights, protecting and assisting victims of domestic violence, solving and combating violent actions, etc. Since 2010 the MLSPF took over the leadership in the coordination of the Campaign, in cooperation with the specialized NGOs and the above-mentioned international organizations. In 2010, the Campaign covered approximately 100,000 people. A positive fact is that resources from LPA budgets were allocated for some activities.

217. In accordance with the UN General Assembly Resolution 47/237 of September 20, 1993, Moldova is celebrating the International Family Day. Since 2009, the “Family” Festival has been annually organized in Moldova at the initiative of MLSPF and UN Agencies. Only in 2010, the events brought together around 70,000 participants, being organized in 10 rayons, and raised the public awareness on such issues as family values, zero tolerance for domestic violence, a more active involvement of men in childcare and household responsibilities, etc. In 2011, the event was of a larger scale; about 20 LPAs organized this festival and celebrated the International Family Day on May, 15.

218. These activities aim at fulfilling the recommendations of the Committee on the Elimination of Discrimination against Women on organizing campaigns to raise women’s and men’s awareness of equal responsibilities of women and men in the private and public life, on encouraging mass media to build positive images of women and their status, etc.

219. During the reporting period from the state budget have been provided funds for rehabilitation services for victims of trafficking of human beings and VF: in 2010 461,1 thousand lei for maintenance of the Assistance and Protection Centre for Victims and Potential Victims of Human Trafficking from Chisinau. In 2009, financial funds of MDL 447,8 thousand lei were allocated from the municipality budget for maintenance of the Center of family crisis SOTIS; in 2010 were allocated 526,9 thousand lei. These actions demonstrate the Government's and LPA’ efforts, to ensure the sustainability of services, to overcome addiction international funds.

D. The submission of national reports

220. On March 1, 2006, the Government of the Republic of Moldova adopted Decision no. 255 regarding the National Commission for Initial and Periodic Reports on the implementation of international covenants to which the Republic of Moldova is a state party. This Decision also approved the composition of the Commission and its Regulations. The Commission members represent the absolute majority of the Cabinet of Ministers, thus covering all areas that are governed by international treaties, which the Republic of Moldova is a party to, as they are distributed in Chapter IV of the G.D. no. 255, specifically: human rights and justice, economic and social sector and the real sector.

221. Since its establishment in 2006, the Commission met in several meetings that convened working groups, examined the draft reports submitted to the Commission, approved the national reports, approved the action plans to implement the final observations of the UN Thematic Committees, etc. It should be mentioned that all meetings of the Commission were attended by representatives of NGOs working on human rights, who can comment on all documents examined by the Commission and whose findings are considered by members of the Commission.

222. The Report on CEDAW implementation in Moldova was developed with the support of Gender Focal Points from line ministries/structures. Aside from the inter-ministerial consultations, consultations with international and national non-governmental organizations were held with the support of the UNWomen in the process of Report drafting. To ensure the participatory principle, the Draft Report was placed on the site www.mmppsf.gov.md and was discussed at a Roundtable with the participation of representatives of Government agencies, CSOs, international organizations.

223. The Report on CEDAW implementation in Moldova was discussed and approved at the meeting of the Government Committee for Gender Equality (June, 9, 2011). According to the mentioned procedures, the document was approved by the National Commission for development of initial and periodic reports on implementation of international conventions, which the Republic of Moldova is a party to (June, 30, 2011). In July 2011 the report was heard at the meeting of the Parliamentary Committee on Social Protection, Health and Family.

3. Information on non-discrimination and equality and effective remedies

224. According to the national legislation, the state and the family are committed to ensure the raising, support, education and protection of the child. The National Council for Child's Rights Protection (NCCRP) is responsible for ensuring the development and implementation of policies for protection of the rights of the children and the family, and ensure inter-sectorial coordination both at national and local level. Also, the Ombudsman for Children's Rights is an important tool in the promotion, protection and monitoring of the rights of minors.

225. Cases of children's rights violation are solved largely through guardianship authorities that are operating in each district/municipality. According to the law, starting with the age of 14 years children can apply directly to these institutions if some of their rights are violated. Children also may address a complaint directly to the court of law.

226. The social policies for child protection are regulated by the National Strategy on Child and Family Protection (2003), and the Strategy and Action Plan for the Reform of the Residential Childcare System for 2007-2012. They stipulate, as a priority, the application of family-type and community-based protection forms for children in difficulty. Placement of the child in residential institutions is the last option, because of predominantly negative repercussions, affecting the psycho-social development of the child and his/her integration in society at the post-institutional stage. Identification of mechanisms for reorienting the money from the residential care to the new set of community-based and family-type services are important goals in this respect.

227. Specialists mention the contradictory impact of the labor migration of parents, which on the one hand provides economic and financial benefits, but on the other hand affects the children left behind. Children and elderly family members of migrants are often subject of social exclusion²⁷. To reduce the negative effects of migration and maximize its development benefits, the Government has established among its priorities – development of policies and initiatives in this field. Together with the actions of migration management and efficient use of remittances, an important direction is the protection of children and elderly persons left behind. In this context, the Government is implementing the National Action Plan on the Protection of Children Left without Parental Care (2010-2011). As for extracurricular programs and children's involvement the decision-making, positive models

²⁷ Specific needs of children and elderly without care of family members left to work abroad. MLSPP, USM, OIM, UNFPA, Agency of Czech Republic for Development Cooperation. Chisinau, 2011. www.mmppsf.gov.md

of participation include: Local Councils of Children, Child Rights Monitoring Group, establishment of teams of peer educators in healthy life promotion, etc. Committees for the Protection of Children in Difficulty were established with the purpose to prevent children's institutionalization and promote deinstitutionalization.

228. The reform of the juvenile justice system covers all categories of children, such as minors victims and children witnesses of crimes. Also, primary and secondary mechanisms are developed to prevent initial or repeated commitment of crimes by minors. The community services of mediation, probation and community work are used as alternatives to detention. They are used in cases of light less serious crimes, when the detention can be avoided.

229. The access of individuals and groups at risk to the system of state social guarantees is the key element in measuring the non-discriminatory treatment and equal opportunities for all members of the society to receive Government aid with a view to diminish the risk of poverty. The system of services has an important role in the social protection system, as it comes to complement, and sometime even to replace the system of cash benefits, contributing significantly to a more effective inclusion.

230. Social Protection in the Republic of Moldova is in transition from the system of placing people with special needs in residential institutions to community-based social services. The establishment of services at the community level involves high costs and the existence of a dual system does not encourage their development. The early stage of the deinstitutionalization process involves maintaining a dual system: the establishment of alternative services at the community level while maintaining the existing system till the full reintegration into the new system of the concerned persons.

231. The National Program on the Establishment of Integrated Social Services for 2008 – 2012 is being implemented, with a view to extend the community-based and specialized social services and to improve significantly the efficiency and effectiveness of highly specialized social services, combining the prevention and rehabilitation measures. To provide qualitative social services the authorities are developing currency a evaluation and accreditation mechanism for social services providers.

232. In 2010, the Republic of Moldova ratified the UN Convention on the Rights of Persons with Disabilities, by Law no.166-XVIII of July 9, 2010. In this context and with a view to implement the reviewed European Social Charter, social inclusion of the persons with disabilities represents one of the priorities of the local and central public authorities and the civil society. To adjust the regulatory acts on social protection of persons with disabilities of the Republic of Moldova to the provisions of the Convention, Law no.169-XVIII of July 9, 2010 approved the Strategy on Social Inclusion of Persons with Disabilities for 2010-2013, which defines the reform of the state policy in the field and contains guidelines for the harmonization of the system of social protection of persons with disabilities to the EU standards and provisions of the Convention.

233. In Moldova are over 179.000 disabled people of which 15.000 are children. Of the total number of persons with disabilities, about 49.0% are women and 51.0% men. Approximately 59% of the total number of persons with disabilities live in rural areas. Depending on age, disability prevails among those aged between 40 and 59, which is over two thirds of cases. According to NSIH, the number of persons with disabilities, stable population and employed population in the Republic of Moldova increased during 2006-2010, representing 5.0% and 15.7% respectively at the end of 2010 (Table 36).

Table 36. Dynamics of the population and number of persons with disabilities, 2006-2010

| | 2006 | 2007 | 2008 | 2009 | 2010 |
|---|---------|---------|---------|---------|---------|
| Number of stable population, thousand pers. | 3,589.9 | 3,581.1 | 3,572.7 | 3,567.5 | 3,563.7 |
| Employed population, thousand pers. | 1257.3 | 1247.2 | 1251.0 | 1184.4 | 1143.4 |
| Number of persons with disabilities, thousand pers. | 167.5 | 170.3 | 173.1 | 176.7 | 179.1 |
| The ratio between the number of persons with disabilities and stable population, % | 4.7% | 4.8% | 4.8% | 5.0% | 5.0% |
| The ratio between the number of persons with disabilities and employed population, % | 13.3% | 13.7% | 13.8% | 14.9% | 15.7% |
| Number of children under the age of 18 years (up to 16 years for 2006-2007) | 787.4 | 777.9 | 882.7 | 852.7 | 826.4 |
| Number of children with disabilities, thousand pers. | 12.6 | 12.7 | 14.1 | 15.2 | 15.1 |
| The ratio between the number of children with disabilities and the total number of children, % | 1.6% | 1.6% | 1.6% | 1.8% | 1.8% |
| The ratio between the number of children with disabilities and the number of persons with disabilities, % | 7.5% | 7.4% | 8.2% | 8.6% | 8.6% |

Source: NBS, NSIH

234. The Government has approved a series of concept papers relating to social services, including “Protected house” and “Community House”. These services ensure placement in a dwelling of adults with mild mental disabilities with full legal capacity who have no home or need to improve their living conditions, and which with periodic support, can have an independent life in the community or assurance of persons with mental disabilities, that require continuous provision of minimum subsistence, protection, care and support them to develop and integrate in the community.

235. In 2010, the Ministry of Labor, Social Protection and Family jointly with the Ministry of Health, Family Doctors Centers and Sections/Divisions of Social Assistance and Family Protection conducted a research to establish the number of persons with disabilities who require care, permanent surveillance by another person (the results are shown in Tables 37, 38). The statistics are used to develop policies and estimate the needed expenditures for the development of Personal Assistance social service.

Table 37. Number, category and characteristics of persons with disabilities who require permanent care

| Category | | | | | | Gender | | Main caretaker | | |
|---------------|-----------------|-------------------------|--------------------------------------|--|---|-------------------------|-------|----------------|--------|------------------|
| | Total, thousand | Child with disabilities | With disabilities from the | Person with disabilities of employable age | Person with disabilities after the retirement age | Old age retired persons | Women | Men | Parent | Another relative |
| | 1 | 2 | 3 | 4 | 5 | | | | | |
| 13.8 | 13% | 17% | 19% | 15% | 36% | 54% | 46% | 29% | 60% | 11% |
| 8.8 (1+2+3+4) | 20% | 27% | 29% | 23% | - | 44% | 56% | 45% | 47% | 8% |
| 4.2 (1+2) | 43% | 57% | - | - | - | 44% | 56% | 78% | 17% | 4% |

Source: Research carried out by MLSPF, MoH, FDC, SSAFP

Table 38. Main caretaker by categories of persons

| Category | Main caretaker | | |
|----------------------------|----------------|------------------|----------|
| | Parent | Another relative | Stranger |
| Children with disabilities | 91.1% | 6.5% | 2.4% |
| Adults with disabilities | 33.0% | 57.8% | 9.2% |
| Old age retired persons | 0.4% | 83.6% | 16.0% |

Source: Research carried out by MLSPF, MoH, FDC, SSAFP

236. Despite the positive actions mentioned, the social inclusion, especially of children with disabilities, is difficult due to limited physical access to kindergartens, schools, universities and other public institutions, which impedes the exercise of the right of such persons to education and participation in the social and cultural life of the society, which later has a negative impact on employment opportunities and the social life²⁸. It is necessary, inter alia, to establish a national automated data system, including data disaggregated by gender, which is under development now.

237. To ensure the right to social integration (in the following areas: social protection, employment, healthcare, educational, informational, accessibility to infrastructure, etc.) of persons with severe disabilities who require care, permanent surveillance by another person, MLSPF included in the draft law on the social inclusion of persons with disabilities, which was submitted to the Government for consideration and approval, an article on the establishment and development of the "personal assistance" social service.

238. In July 2011 The Ministry of Labour, Social Protection and Family presented a roadmap for the formulation of a new methodology to determine disability in the Republic of Moldova. Developed with the support of the United Nations Development Programme (UNDP), the roadmap will facilitate the launch of reforms to ensure social inclusion of people with disabilities in accordance with the provisions of the UN Convention on the Rights of Persons with Disabilities and its implementation by various central and local state institutions.

239. The development of the integrated social service system creates better opportunities for social inclusion of persons in difficulty, ensuring observance of their fundamental

²⁸ Approaches to social exclusion in Moldova. Methodological and analytical aspects. NBS, UNIFEM, UNDP. Chişinău, 2010. www.undp.md

rights. In 2010 Law no. 123 of June 18, 2010 on Social Services was adopted. This law establishes the general framework for the set up and operation of the integrated social service system, determining the duties and responsibilities of local and central public authorities, other legal entities and individuals empowered to provide social services, as well as protection of the rights of beneficiaries of social services.

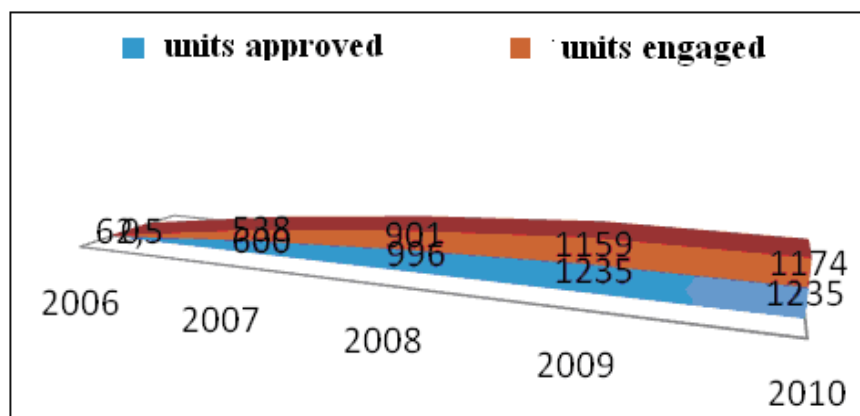
240. According to data provided by the territorial structures of social assistance in 2010 in Moldova were 108 social institutions that have provided social services for 5240 people / families and disabled adults. Currently, community-based social services are being established and developed as an alternative to the social residential services (Figure 8, 9). They aim at maintaining individuals or families in need in an organizational framework in the proximity of the community with the main objective to prevent marginalization and social exclusion and to facilitate the reintegration of beneficiaries in the family environment and in the community. At the community level there is a limited number of social services: home care, social aid canteens, financial support from the fund of social support of the population and services of community centers.

Figure 8. Dynamics of social services development, 2006-2010



Source: MLSPF

Figure 9. Dynamics of social services development, 2006-2010



Source: MLSPF

241. The elderly are regarded as one of the main groups vulnerable to social exclusion due to their age peculiarities, which influence on the personal autonomy (sensory and physic/locomotion difficulties), as well as the ability to earn additional income. Thus, the

elderly account for quite a large share, 24.8% of the total population in continuous poverty, which is explained by the limited ability to obtain additional income and small pensions. Therefore they are in position to ask for the support of children, relatives, neighbors, enabling thus the social cohesion. Thus, the elderly manage to obtain and provide easier a tip or help in case of illness; however, it is more difficult to obtain a more consistent financial support for the resolution of emergencies.

242. Pensions are the main source of income of the elderly, meant to compensate the loss of income related to retirement, at the same time they show the payment capacity of the social insurance system. Pensions compensate for the previous income before the retirement only in the proportion of 26.3%, representing about 55% of the subsistence minimum for pensioners. This leads to the conclusion that the elderly are facing serious problems in accumulation and redistribution of resources²⁹.

243. Over the past years, the legislation on pensions has undergone several changes. The first was made in 2010 when Parliament decided that senior officials will receive a pension equal to 42 percent of their salary, rather than 75 percent, as it was before. Pension on insurance has increased for ministers from 2 to 4 years. On April 1, 2011, pensions were indexed by 7.8 percent. The average pension for all ages is 900 lei. Village workers earn an average of 570 lei, while the remaining pensioners – 641 lei. Beginning with July 1, pension on insurance will increase gradually for 6 months each year, from 30 to 35 years for both women and men. Judges and prosecutors will be retiring as other public servants: women – 57 years, and men – at 62. Military and police will be retiring after 25 years, but not after 20, as it was before³⁰. Thus, the Government put efforts to adjust the pension system to the realities of social development, to reduce the existing discrepancies.

244. In accordance with Law no. 499-XIV of July 14, 1999 on State Social Allowances for Some Categories of Citizens (as amended), state social allowances are the amounts paid monthly from the state budget through the state social insurance budget to people that do not qualify for the right to receive a pension. The beneficiaries of social allowances are the most vulnerable people.

245. In order to ensure the rights of people suffering from various illnesses and require specialized medical assistance there were created different specialized services. It was established the National Center for Mental Health (the Ministry of Health Order no. 482 of 13.07.2010). Also, was planned the development of the National Strategy for the Integration of Mental health services in primary care and the Plan of activities to increase access to mental health care. Within the Republican Narcological Dispensary is established a Psychosocial Rehabilitation Center for Drug Users which is given comprehensive treatment from drug addiction. The treatment includes rehabilitation which is provided by specialized psychotherapeutic team consisting of psychologists, physicians, social workers and volunteers (former drug users). Also, 10 community centers were created to support patients with tuberculosis, which stretches throughout the whole country.

246. For people infected with HIV is carried out activities focusing on health services, medical care, adherence to ARV treatment. The network of Offices on counseling and voluntary testing for HIV and Hepatitis B and C operating in the country, providing information and confidential and free testing. In order to prevent HIV / AIDS from mother to fetus, pregnant women have access to voluntary counseling and testing, confidential and specific treatment. Due to these activities in Moldova, perinatal infection risk is minimized and reduced from 40-50% to 1.92%.

²⁹ Approaches to social exclusion in Moldova. Methodological and analytical aspects, 2010. www.undp.md

³⁰ <http://news.mail.ru/inworld/moldova/politics/6504477/>

247. An important step was the adoption of the National Program to promote Healthy Lifestyle for the period 2007-2015. Special attention being dedicated to organizing public information campaigns addressed to various aspects of health and specific events such as September, 10- International Day for the prevention of suicide, October 2, - World No Alcohol Day, October, 10- World Health Day mental, November, 21- World Day of Remembrance for road accident victims, May, 31 - World No Tobacco Day, etc.

248. Moldova marks annually the international anti-AIDS day, when mass information campaign for the population, experts' training and other activities are organized. The performed activities in the administrative regions of the country were related to the promotion of preventive measures, communication, solidarity with people living with HIV, engaging young people, peer to peer educators of the international HIV prevention project with the young people from "Dance 4 Life", which gave young people a real opportunity to engage in combating and preventing HIV / AIDS, STDs, drug addiction and alcoholism. In 2010 in some regions (Soroca, Anenii Noi, Ialoveni) competitions under the slogan "Be responsible for your health and provide support for people living with HIV" were held with the participation of children and youth. Educational institutions organized lectures, discussions and disseminated informational materials. The event was organized in the form of concerts for young people in the rayons on the left bank of Nistru River, who were actively involved in HIV prevention activities. Thus, in the country in 2010 only the health workers organized 142 seminars and developed 110 information materials. The health workers participated in 40 TV programs, 28 radio broadcasts. 42 articles were published, 2,515 lectures held and 37,300 discussions, 75 thematic evenings organized and 600 health bulletins, billboards, health corners developed.

249. In cooperation with NGOs, the MoH is implementing 49 programs and projects based on the strategy for risk mitigation, prevention, rehabilitation and psychological assistance to IDUs, detainees, people on methadone replacement therapy, migrants, international route drivers, commercial sex workers, people with HIV, sexual minorities, etc.

250. The International Day of people with disabilities is carried out with sales exhibition of works made by people with special needs, including beneficiaries from the subordinated social institutions. The event is organized annually by the MLSPF in collaboration with Network of NGOs in the social field.

251. As a result, increases awareness raising of population in the field, people more insistently claiming the rights to qualitative social assistance and care. At the same time, should be noted the need for sustainable actions that may positively changed on the mentality of the population.

252. The Republic of Moldova is a transition country, in full implementation of numerous reforms. The criminal and administrative legislation, as well as the laws that regulate peaceful meetings, access to legal assistance, domestic violence, prevention and combating trafficking in human beings, juvenile justice and social assistance were significantly improved. Concurrently, many challenges and events remained outstanding, including the post election events of April 2009, which tested the national capacities of human rights and imposed a new pro-active approach. Experts note a shortage of enforcement mechanisms of the legal and regulatory framework, insufficient of financial and human resources, persistence of certain stereotypes and prejudices on the basis of gender, ethnicity, religion, age.

253. Note that the Republic of Moldova continues the implementation of international standards on Human Rights and recommendations made by UN, CoE, OSCE and the UN Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment and on violence against women.