



Economic and Social Council

Distr.: General
18 November 2011
English
Original: French

Committee on Economic, Social and Cultural Rights

Forty-sixth session

Summary record of the first part (public)* of the 8th meeting

Held at the Palais Wilson, Geneva, on Thursday, 5 May 2011, at 3 p.m.

Chairperson: Mr. Pillay

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

Consideration of reports

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (item 7 on the agenda) (*continued*)

Second periodic report of the Republic of Moldova (continued) (E/C.12/MDA/2; E/C.12/MDA/Q/2; E/C.12/MDA/Q/2/Add.1, in English only and HRI/CORE/1/Add.114)

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

Articles 10 to 12 of the Covenant (continued)

2. **Mr. Țurcanu** (Republic of Moldova) said that there were plans to abolish the compulsory pre-nuptial medical examination by the end of the year. In order to encourage young doctors to move to rural areas, the State offered a bonus equivalent to about \$3,000, accommodation and a heating allowance, in return for a commitment to three years' service. No cases of discrimination against Roma by the ambulance services had ever been brought to the attention of the Ministry of Health, which undertook to take any measures that might be deemed necessary should such a situation arise. Any delays in the arrival of ambulances were most probably due to the poor state of the roads, or bad weather. The emergency services did not enquire into callers' ethnic origin. On the issue of school meals and child malnutrition, children were entitled to free medicines, including vitamin supplements. Discrimination was prohibited by law and the Ministry of Health, which had a hotline, had never received a single complaint of discrimination or denial of access to treatment from any persons living with HIV/AIDS. The authorities also undertook to intervene should such an incident occur. Abortion was permitted, including for HIV-positive women.

3. **Ms. Handrabura** (Republic of Moldova) said that school meals were provided free of charge for pupils during the early years of primary school, with 30 per cent of children from disadvantaged backgrounds continuing to enjoy that benefit in later years. At secondary school, 10 per cent of such pupils received free school meals.

4. **Mr. Țurcanu** (Republic of Moldova) pointed out that health insurance contributions were deducted on an equal basis and had increased from 2.5 per cent to 3.5 per cent for both employer and employee, but coverage had improved. The State paid the contributions of the various categories of person in difficulty, including the unemployed, while self-employed workers enjoyed a reduction in premiums, 17 per cent in the case of farmers, for example. The aim was to offer better coverage to as many people as possible.

5. **Mr. Sainciuc** (Republic of Moldova) explained that, with regard to social insurance, the Government sought to improve cost-sharing by employer and employee. In 2004, the employer paid 28 per cent of social contributions, while the employee paid 1 per cent. In 2010, those figures stood at 23 per cent and 6 per cent respectively. The budget was triennial and the amounts were guaranteed for that period. The same applied to health insurance.

6. **Mr. Sadi** asked whether the State party had a programme for the repatriation of victims of trafficking and how it worked. He wished to know whether modern or traditional treatment was administered for HIV/AIDS, and why schools, apparently, did not provide pupils with any concrete information on AIDS prevention. He would also like the delegation to explain the high rate of cardiovascular disease in the State party and to

indicate whether there were campaigns in Moldova to fight alcohol and tobacco consumption.

7. **Ms. Shin** recommended establishment of an effective helpline, accompanied by rigorous monitoring, to combat acts of discrimination allegedly perpetrated by the ambulance services against Roma. She wished to know whether children with minor disabilities had access to the system of education for all. The delegation might confirm whether Moldovan schools actually provided compulsory weekly hour-long classes on sexual and reproductive health, because she had heard that parents and the Orthodox Church had put up so much resistance that those classes seemed to have become optional. Lastly, she sought information on medical coverage for workers in the informal sector, who did not have employee status, and on the scope of such coverage.

8. **Ms. Barahona Riera** expressed concern at the participation of private insurance companies in the national insurance system and sought clarification of the system's financial workings so as better to understand what was covered by private insurance and what by the State, and to whom payments were made. How, for instance, did the elderly, who were not included in the vulnerable groups covered by compulsory public insurance and who could not pay into private schemes, gain access to health care? She was also concerned by the lack of permanent funding in certain sectors, such as palliative care and health care in rural areas, which although vital, operated with the support of NGOs and international organizations. As to the amendments to the Criminal Code concerning domestic violence, she invited the delegation to provide information on the new sanctions imposed on perpetrators of that form of violence.

9. **Mr. Turcanu** (Republic of Moldova) said that, with regard to the treatment of HIV/AIDS, his country worked in cooperation with the Global Fund to Fight AIDS, Tuberculosis and Malaria, employing the methods used in Western Europe. The State party had all the medicines necessary to treat cardiovascular disease and implemented programmes to combat alcohol and tobacco consumption, in accordance with the relevant WHO programmes, and had ratified the WHO Framework Convention on Tobacco Control. As to ambulance services and allegations of discrimination against Roma, the Ministry of Health had a free non-discriminatory 24-hour helpline for all calls concerning health issues. All children, pensioners and young people over 18 in higher education were covered by public health insurance and received free medicines. Health insurance was financed from a single fund, the amount being decided each year by the Ministry of Finance, which allocated the necessary financial resources on the basis of the number of individuals in each of the different insuree categories: children, pensioners and so on. The Government was endeavouring to increase funding by involving private insurance companies, but the system remained public. It was also attempting to expand access to health insurance for all categories, including informal sector workers, for whom it proposed an annually renewable health insurance policy with 100 per cent coverage in return for a 50 per cent premium, provided the contract was signed during the first quarter of the year.

10. **Ms. Handrabura** (Republic of Moldova) said that the Orthodox Church had brought considerable pressure to bear in order to prevent any offer of sex and reproductive health classes. The Government was, nevertheless, seeking solutions to the problem. The Moldovan curriculum comprised 12 compulsory subjects making it very demanding, and there were also plans to add a course on active citizenship. Textbooks were also being revised and the authorities intended to promote a healthy lifestyle, particularly with regard to the dangers of tobacco and alcohol, sales of which were prohibited in the immediate vicinity of schools.

11. **Ms. Pascal** (Republic of Moldova) explained that several ministries — Labour, Social Protection and the Family; Foreign Affairs and European Integration; Internal Affairs; Culture; and Information — and consulates, diplomatic missions and various

bodies were competent to intervene in repatriation procedures, which rested on the following principles: voluntary repatriation, requiring the written agreement of the party concerned or, in the case of children under the age of 10, of their legal representative; individuals wishing to be repatriated must undertake to obtain assistance during the procedure; should the legislation of the country where they were located prohibit them from remaining in the country, even temporarily, the Moldovan authorities would assist them. The repatriation procedure was initiated only when the competent bodies, having studied all the opinions and different parameters, were convinced of the veracity of the facts. In the case of children, they based their decision on the best interests of the child, paying particular attention to age and level of development and the potential for family reunification. Repatriation might be considered harmful to the interests of the child either because family-related conditions were not fulfilled or because it was in the children's interest to continue their education in the country where they were currently located. When family-related conditions were not fulfilled and the competent bodies considered that, all in all, the child must be repatriated, the Ministry of Labour, Social Protection and the Family took the measures required to organize their arrival in the Republic of Moldova. The International Organization for Migration (IOM) and Terre des Hommes were the two main funding sources in that area.

12. Human trafficking crimes were penalized with prison sentences of up to 20 years, the maximum sentence being imposed if the victim was a child. The illicit transfer of children, procurement and organized illegal migration were held to be analogous to trafficking. There were plans for training to help officials identify cases of trafficking. Guidelines were about to be adopted by the National Committee for Combating Trafficking in Human Beings so as better to define the concept of "trafficking victim".

13. Criminal case law demonstrated that the ordinary courts did not consider procurement and illegal immigration involving children to be the same as child trafficking. In 2011 the Supreme Court had set itself the tasks of reclassifying those various categories of crime; examining, in legal and practical terms, all of the cases before the European Court of Human Rights; and preparing a manual to help judges to identify such offences and publishing the relevant case law in order to determine the appropriate sanctions. In 2006, with donor support, the Ministry of the Interior set up the local Centre for Combating Trafficking in Human Beings, specializing in gathering information on the various cases of trafficking. As to domestic violence, the Criminal Code had been amended in 2010, and henceforth provided for sentences of 180–240 hours' community service, as well as 5–10 years' imprisonment in the event of a child victim's death.

14. **Ms. Handrabura** (Republic of Moldova) announced that the pilot project for the integration of children with disabilities in the general education system, launched in two regions in 2009, would be expanded to cover all of Moldova.

15. **Ms. Dumbrăveanu** (Republic of Moldova), on the same subject, raised the issue of the lack of social assistants.

Articles 13 to 15 of the Covenant

16. **Ms. Cong** requested the State party to provide disaggregated data in its next periodic report and asked whether the high dropout rate in schools in rural areas was due to the fact that migrants' children were looked after by their grandparents, whose pensions were often small, and whether measures were being taken to remedy the situation.

17. **Mr. Marchán Romero** noted that tables 36 and 37, found in the Annex to the Government's written replies to the list of issues, indicated that the budget allocations for science, innovation and social issues had fallen during the fiscal year 2009/10. He wondered whether that trend was due to a change in priorities or a lack of budgetary

resources. Referring to the Committee's general comment No. 21 (2009) on the right of everyone to take part in cultural life, and citing paragraph 868 of the State party report, he wished to know whether, in addition to the measures taken to improve physical access to cultural establishments, the Government planned to make it more affordable. He also wished to know how much, and in what way, civil society and the private sector helped to fund cultural events and institutions. In that regard, he pointed out the State's moral responsibility to regulate such assistance. He would like to know what measures had been taken to strengthen social cohesion and inter-ethnic dialogue. As to paragraph 897 of the State party's report, he wondered about the nature of the limits imposed in the field of freedom of creation and artistic performance, including the freedom to disseminate the results of such activity.

18. **Mr. Kedzia** asked what mechanisms were in place to guarantee the participation of minorities in the decision-making process in areas concerning them. Regarding the growing use of the Internet, he wondered about the risk of a digital divide, in particular with regard to marginalized groups' access to learning resources and employment.

19. **Mr. Kerdoun** requested confirmation that in the State party, despite provisions guaranteeing free primary and secondary education, in practice parents had to make an unofficial financial contribution to the upkeep of schools, the purchase of teaching materials and even teachers' salaries, which would lead to discrimination against Roma children and poor parents. Should that be the case, did the State party intend to adopt provisions to remedy it?

20. **Mr. Abdel-Moneim** (Country Rapporteur), referring to the tables on pages 5 and 7 of Annex 1 of the State party's report, observed that the total amount of social expenditures compared to gross domestic product (GDP) should be higher than that of financial resources allocated to education. He would like clarification in that regard. Comparing the figures in tables 7 and 8 of the Annex, he estimated that, in the long term, it was not feasible to triple the budget allocation to the science sector unless the number of pupils enrolled in primary and secondary education also increased.

21. Noting, in paragraph 836 of the report, that the State financed the studies of 21.8 per cent of students, he wished to know who paid the tuition fees of the remaining almost 80 per cent or so of students and whether university education was an affordable option. Lastly, had tickets for the many artistic and cultural events organized in the Republic of Moldova, such as the 2,305 shows, concerts or plays that had been put on in 2007, been sold at a price affordable by all?

22. **Mr. Texier** said that he was under the impression that Roma language and culture were not taught in any of the schools in the State party and would like confirmation.

23. **Mr. Ribeiro Leão** asked whether there were enough preschool educational establishments in the country to meet demand.

24. **Ms. Handratura** (Republic of Moldova) said that the Moldovan authorities did not collect data on children living with AIDS, Roma children or children in conflict with the law, but they did plan to establish those additional indicators in the near future. The Moldovan Government was aware of the importance of having an up-to-date database to facilitate monitoring developments in the situation of a given group, such as orphans, children with physical or mental disabilities, or even children left in the care of their grandparents while their parents worked abroad. Working in partnership with the World Bank and UNICEF, the Moldovan Government had, a year previously, established a fund to provide financial support to disadvantaged grandparents who could not afford to send their grandchildren to school, which was a common situation in rural areas.

25. Indicators of Internet access were very good, even though in some regions schools were equipped with only one computer for every 10 pupils. On-line learning and knowledge assessment resources, to which migrants and detainees had access, had improved and many services, including administrative services, were available on the Internet. A new Education Code had been adopted and had led to the preparation of a new strategy for the 2011–2015 period, accompanied by a national action plan. Given the sheer scale of illegal immigration, children of migrants in an irregular situation were often compelled to leave school before the end of the school year, a fact that should be taken into account in calculations of school enrolment and dropout rates, and called for a specific methodology. Officially, education was compulsory as of age 7, but sufficiently intelligent children could attend school from the age of 5. The electronic register of pupils that the Ministry of Education was planning to launch in six months time would provide a clearer picture of enrolment rates in the various types of educational establishment and of school life in general. The education budget had doubled between 2006 and 2011, rising from around 3 million to 6 million Lei over that period. Notwithstanding, parents usually felt obliged to donate money to schools, officially or unofficially, in order to ensure that their children received an education. In its fight against corruption, the Government had allowed parents' associations responsible for relations with school principals to play a more significant role.

26. In conclusion, in order to combat discrimination against Roma in the field of education, two secondary schools and a crèche had opened their doors to Roma of various ages and provided courses on Roma culture and traditions. School mediators of Roma origin were called in to support the pupils. Furthermore, the draft syllabus for the year 2011/12 provided for the teaching of Roma history, culture and traditions and those of four other national minorities, Gagauz, Bulgarians, Ukrainians and Russians.

27. **Mr. Sainciuc** (Republic of Moldova) said that, in order to determine the financial resources to be allocated to a given branch of higher education, the State worked on the basis of a three- or four-year projection of the number of posts to be filled in the various sectors of economic activity. That having been said, the universities could not turn away additional students wishing to enrol in courses linked to those sectors, especially if they could afford to pay for their studies, as was often the case with students belonging to the 40 per cent of Moldovan families receiving remittances from relatives abroad. Budgetary funding for the sciences had fallen slightly in 2010 because of the financial crisis, but science remained a popular choice, accounting for one third of all students.

28. An Internet job market site had been created. It was a sort of computerized labour exchange, where job-seekers could register as being unemployed and offer their services, and employers could publicize job vacancies. The site was accessible to the general public thanks to the large number of computers available nationwide. Families living in rural areas were not excluded because many of them used Internet telephone services to communicate with their relatives abroad.

29. In order to ensure that the Republic of Moldova respected its international commitments, a number of specialized bodies had been set up, including the National Bureau for Inter-ethnic Relations, responsible for consulting with the representatives of the various ethnic groups prior to any decisions concerning them. The Republic of Moldova also had a very active Ministry of Culture, which ensured that tickets for cultural events were not too expensive and that everyone, even in rural areas could take part in cultural life. Like the other ministries, its budget had been slightly reduced since the start of the financial crisis, but funding would be restored to previous levels over the next few years. Neither the Act nor the Constitution established any limit on creativity. There was an annual Day of Culture, when entry to all the country's museums and other cultural sites was free for

everyone. During the financial crisis, the Government had done its utmost to ensure that cultural associations, libraries and other cultural bodies had not needed to close their doors.

30. **Ms. Handrabura** (Republic of Moldova) said that Moldova had taken part in a large-scale cultural project organized in the Balkan countries in which it had presented an extremely interesting educational project entitled "Let's get to know one another better through dialogue, history, ethnology and other values". The aim of the project was to use cultural policy as an instrument for inter-ethnic dialogue. That module, which had proved highly successful, had been included as an optional subject on syllabuses in secondary schools and teacher training colleges.

31. **Mr. Sainciuc** (Republic of Moldova) thanked the members of the Committee for their pertinent questions, which had helped to encourage discussion on how best to guarantee the rights enshrined in the Covenant. He assured them that, despite the limited human and financial resources at its disposal, the Government was determined to continue along the road of democratization and greater respect for human rights. Also the Government would adopt an action plan to ensure follow-up to the concluding observations and recommendations to be drawn up by the Committee at the end of the session.

32. **The Chairperson** announced that consideration of the second periodic report of the State party had been concluded. He welcomed the frank and fruitful dialogue with the State party and urged it to sign the Optional Protocol to the Covenant.

33. *The Moldovan delegation withdrew.*

The first part (public) of the meeting rose at 4.50 p.m.