

*Comments of the Moldovan authorities to the Report of Commissioner for Human Rights  
of the Council of Europe following his visit to the Republic of Moldova  
from 4 to 7 March 2013*

First of all, the authorities of the Republic of Moldova would like to express their gratefulness to Mr. Nils Muiznieks, the Commissioner for Human Rights of the Council of Europe and his team for the understandable approach during the preparation and conduct of the visit, as well for a balanced report and constructive recommendations made in it.

The Moldovan authorities confirm their readiness to continue the fruitful dialogue with the Commissioner for Human Rights on all issues related to the protection of human rights and fundamental freedoms. In this context, the authorities of the Republic of Moldova would like to present the following information and comments.

Para 15 and all other paragraphs related to the issue of judges' salaries. The national institutions concerned, including on governmental level, are well aware of the need to address this problem. In this context, the Government of the Republic of Moldova approved on 13 February 2013 a draft law amending the Law No. 355-XVI of 23 December 2005 on the salary system in the public sector, which was submitted to the Parliament for examination on 15 February 2013. According to the briefing note on the draft "*in order to implement the salary policy measures related to the monthly salary increase for public officials within the limits negotiated with the International Monetary Fund Mission, it is proposed to increase the monthly salaries with 7%, for public officials holding positions in government, courts, prosecution, as well as staff of the public employees starting with April 1, 2013.*"

The amendment was adopted on March 7, 2013 and entered into force on April 5, 2013. According to the new provisions a wage increase of 35% was introduced, consequently over 1566 public officials, including 516 judges, benefiting from this increase.

Referring to the chapter I, sub-chapter 6 – the following actions have taken in order to combat impunity in cases of ill-treatment and torture. In 2013 the Ministry of Internal Affairs in partnership with the Council of Europe organized a seminar on prevention of ill-treatment and impunity in line with European Convention on Human Rights. A number of 30 employees of the police inspectorate from the Northern part of the country have attended the event.

In general terms, about 134 employees from administrative institutions and the MIA subdivisions have been trained during the first seven months of 2013 and 2 criminal cases were initiated under the provisions of Article 346 of the Criminal Code (deliberate actions aimed at inciting national, racial, or religious hostility or discord).

According to the provisions of MIA Order No. 325 of 20.09.2012, in view to ensure effective monitoring of possible cases of torture, inhuman or degrading treatment within the police

inspectorates including temporary detention isolators, hearing rooms and lobbies - all premises of police inspectorates have been equipped with video cameras/surveillance system.

Chapter II, sub-chapter 1. National Human Rights Action Plan (NHRAP).

Taking into account the United Nations Universal Periodic Review and **other international human rights mechanisms recommendations**, a revised National Human Rights Action Plan (NHRAP) for 2011-2014 was adopted on 27 December 2012.

Paragraph 64. In order to ensure the efficiency of the monitoring and assessment on NHRAP, consultations are being conducted on the extension of membership of the development partners and additional NGOs. A separate invitation has been extended to the Congress of Local Authorities of the Republic of Moldova.

Paragraph 65. Aiming at enhancing transparency of monitoring process regarding the NHRAP implementation, the annual reports are being published on the official web site of the Ministry of Justice. The amended NHRAP and all drafts were made public for consultations on the websites of governmental bodies including on the MoJ.

The central authorities responsible for the NHRAP implementation submitted annually, as a rule in January-February, the progress report to the National Commission. In December 2012 the National Commission acknowledged the reduced number of reports from local public authorities. In this regard, the invitation for National Commission membership to the Congress of Local Authorities of the Republic of Moldova has been extended with the view to ensure a better communication and involvement.

Paragraph 70. The Government takes note of the recommendation and considers it useful. In the process of drafting the amendments to the Constitution, it will be taken into consideration. At the same time, to be mentioned the lengthy period of this process and the difficulty to achieve the immediate results as they equally depend on the political will of all parliamentary political forces.

Sub-chapter 3. Paragraph 87. A feasibility study was launched at the national level in line with the National Human Rights Action Plan in order to assess the advancement in securing the preconditions for the ratification procedures of the Protocol No. 12 to the European Convention for Protection of Human Rights and Fundamental Freedoms.