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Republic of Moldova

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Introduction

1. As a nation founded on the human rights principles of equality under the law and respect for the dignity of the individual, the Republic of Moldova (hereinafter the "RM") is firmly dedicated to the promotion of human rights.

2. The Government of the RM welcomes the 2nd cycle of the Universal Periodic Review (UPR), which provides an opportunity to scrutinize the progress of the country in protecting and promoting human rights and to a productive debate between the Government and the relevant stakeholders.

I. Methodology and consultations

3. The Report for the 2nd cycle of the UPR comes as a continuation of the process, which started in 2011, when the RM submitted the 1st cycle Report. The present Report has been prepared by the Ministry of Justice (MoJ) in cooperation with the Ministry of Foreign Affairs and European Integration, according to the guidelines of the UN Human Rights Council (HRC) Resolution and General Guidelines adopted by the HRC for the 2nd cycle of the UPR process[1].

4. The Report was drafted on the basis of broad consultations conducted with all relevant stakeholders dealing with human rights (HR) in the framework of an ad-hoc working group. The draft of the Report was published on the official page of the MoJ for public discussions; the consultations have been extended in a public debate, and the relevant suggestions received during the consultation process have been incorporated.

5. The 2nd UPR Report is structured in thematic chapters corresponding to the thematic groups in which the 122 recommendations fully or partially accepted by the RM have been compiled.

6. The Report went through the approval process of the National Commission for Initial and Periodic Reports on the Implementation of International Conventions to which the RM is a State party.

II. Background and legislative framework, developments since the previous review

A. Legislative framework (73.7, 73.20, 75.15, 75.16, 75.17, 76.5)

7. The Law on People's Advocate (Ombudsman) was adopted on 03.04.2014[2]. It has consolidated the capacity of the former Center for Human Rights, current Office of People's Advocate (OPA).[3]

8. The new Law has reduced the number of People's Advocates, has modified the appointment procedure (by Parliament on public contest basis) to guarantee transparency and implication of civil society and has established compliance criteria. The development and functioning of the institution is ensured by a new procedure of financial resources allocation.

9. Currently there are two People's Advocates: one being specialized in the protection of the rights of children. The People's Advocate may hold one single mandate of seven years.

B. Human rights policies (73.15 and 73.16)

10. The recommendations of the 1st cycle of evaluation, as well as the recommendations of other international and regional structures have been included in the revised National Human Rights Action Plan (NHRAP) for 2011–2014. The implementation of the NHRAP with relevant sector impact assessment was evaluated in 2015. Following the recommendations formulated for the RM in the 2nd UPR cycle, the country will develop a new NHRAP. Other national policy documents have also been developed[4].

11. The civil society is an active partner and evaluator in implementing human rights policies, in general and the objectives of the NHRAP, in particular. Representatives of civil society were included in the Committee for NHRAP implementation, National Committee for combating trafficking in human beings, jointly with the representatives of public institutions and representatives of international organizations. The exercise to amend the NHRAP based on the UPR recommendations in 2012 included in the Working Group the representatives of non-commercial organizations active in the field of human rights promotion. The process to develop the second UPR Report included the organization of two international seminars in cooperation with foreign partners and representatives of civil society.

C. International obligations (73.1, 76.1, 76.2, 76.3, 73.44, 75.1, 75.2, 76.13)

12. The ratification process of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has started in 2012–2013 with public consultations[5]. This process was temporarily suspended to evaluate the implementation costs for currently the RM is a party to 3 international instruments in the field of migration and 40 international labor instruments, which constitutes a sufficient legal basis in this field.

13. The opportunity to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights was reflected in the 2013 Feasibility Study prepared with the Office of the High Commissioner for Human Rights (OHCHR) support. Although the ratification of the Protocol is feasible, the relevant actions have not advanced yet.

14. A Standing Steering Committee has been created to develop reports and answers of the RM to interstate communications and individual complaints lodged against the RM with the UN Committee against Torture[6].

15. The ratification of the International Convention for the Protection of All Persons from Enforced Disappearance is premature for the time being. Although initiated, the ratification procedure was temporary suspended because the RM does not face phenomena that are the object of the treaty. The country has registered only a few cases of enforced disappearances.

16. The Law No. 311 of 26.12.2012 recognizes the competence of the UN Committee on the Elimination of Racial Discrimination (CERD) to receive and consider complaints from people and groups of peoples under the jurisdiction of the RM who allege to be victims of human rights violations committed by national authorities. The Interethnic Relations Bureau (IRB) is the national entity responsible for the implementation of Article 14 of the 1965 Convention[7].

D. Human rights protection and promotion

17. A firm supporter of the UN and HR mechanisms, since 2012 the RM has ratified the 3 following international treaties: the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters[8], the European Convention on the Supervision of Conditionally Sentenced or Conditionally Released Offenders[9] and the Agreement between the Government of the RM and the International Centre for Migration Policy Development regarding the status of the Organization in the RM and migration cooperation.

18. The RM ratified the Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data[10].

19. The draft Law on the ratification of Protocol No. 12 to the ECHR was approved by the Government Decision (GD) No. 360 of 12.06.2015 and is planned to be examined by the Parliament in the near future.

20. The draft Law on the ratification of the Additional Protocol to the Convention on the Rights of Persons with Disabilities is being currently promoted.

21. A new Law on the Government Agent to the ECtHR was adopted on 30.07.2015. The Law provides for a revised mechanism to observe the ECHR in the RM, regulates the representation before the ECtHR and enforcement of the European Court decisions and judgments. It institutes government supervision over national authorities involved in the enforcement of the ECtHR decisions and judgements. To ensure the implementation of the Law, the Regulation on the procedure to enforce the ECtHR judgments has been drawn up.

III. Post-review evolution, achievements and challenges

A. Non-discrimination (75.5, 75.6, 75.7, 75.8, 75.9, 75.10, 75.11, 75.12, 73.28, 75.3, 75.33, 73.26, 75.32, 75.27, 76.4)

22. On 25.05.2012 the Law on ensuring equality was adopted. The list of non-discrimination criteria, according to the law, is rather *indicative than limitative*, which allows to cover all grounds for discrimination.

23. The Council on the Prevention and Elimination of Discrimination and Ensuring Equality (the Council)[11] was created as a Collegial body having the status of a legal person of public law aiming at ensuring the protection against discrimination and equality of all persons who consider themselves victims of discrimination. The activity of the Council is based on impartiality and independence principles; it adopts decisions on immediate reinstatement of victims of discrimination in their rights, it formulates recommendations[12].

24. In 2014 the Council was invested with powers of an investigating agent for certain categories of contraventions[13]. The procedure to examine complaints on the rectification of the civil status acts as a result of sex change was stipulated as judiciary practice in the Recommendation No.16 issued by the Supreme Court of Justice (SCJ) in November 2012.[14]

25. The observance of anti-discrimination policies is always monitored at the level of audio-visual communication and mass media[15].

26. The Anti-discrimination Manual for Judges was developed in 2014[16]. The topics on preventing and combating discrimination are included in the curricula for the training seminars for judges, prosecutors and other actors from the justice sector offered by the National Institute of Justice (NIJ)[17].

27. On 30.06.2016 the Government approved the draft Law on incriminating the bias based offences[18].

28. The observance of the rights of the LGBT persons in the RM is ensured for them through peaceful actions carried out lately[19].

29. According to statistics, in 2015, 17 complaints to combat discrimination, xenophobia and extremism were registered nationwide. Out of these, in 3 cases ordinances not to initiate criminal proceedings were adopted. Out of the total number of criminal cases initiated, 4 cases with regard to 15 persons (including 3 minors) were submitted to courts with an indictment, 1 case suspended according to Article 287/1 para. (2) of the Criminal Procedure Code (CPC) (the person who may be charged is not identified), 1 case suspended according to Article 287/1 para. (1) of the CPC (the accused evaded) and 8 cases are under examination. The court pronounced just a single conviction sentence establishing the violation of the person's rights.

B. Persons belonging to national minorities (73.60, 73.2, 73.4, 73.61, 73.5, 73.10, 73.24, 73.25, 75.23)

30. Drafting laws and policies in the field of inter-ethnic relations and protection of the rights of persons belonging to national minorities represents a constant activity of the Government of the RM[20]. The legislation of the RM in this sense corresponds to the highest and recognized international standards, consisting of a set of legislative and normative acts[21].

31. The *Strategy on inclusive diversity in the Republic of Moldova (2016–2026)* was developed with the support of the OSCE High Commissioner on National Minorities, and was expertised by the CoE.

32. The spirit of tolerance and intercultural dialogue is promoted through traditional campaigns and ethno-cultural festivals, for instance International Mother Language Day (February of every year), International Romani Day (April of every year), Days of Ukrainian Culture (March of every year), Poland Spring (April of every year), Day of Slavic Literature and Culture (May of every year), International Holocaust Remembrance Day (January 2014, 2015, 2016), etc.

33. Non-governmental ethno-cultural organizations of persons belonging to national minorities contribute to preservation and development of cultural identity, traditions and customs of ethnic groups. According to the IRB data, as of 01.01.2016 there were 93 accredited republican public associations of persons belonging to national minorities (which represents about 30 ethnic minorities) and about 120 local non-governmental ethno-cultural organizations. The support to ethno-cultural activities is provided through the House of Nationalities – a cultural, methodological, and informative center, which functions under the aegis of the IRB[22].

34. The Action Plan to support Roma population was implemented in 2011–2015[23]. The institution of community mediator has been created[24]; the selection of mediators (representatives of local Roma civil society or appointed by the general assembly of the local community) was vested with local authorities. A community mediator covers at least 150 beneficiaries. In 2013, MDL 462.6 thousand were allocated from the State budget to train the first 15 community mediators in 14 localities, in 2014 – MDL 1619.8 thousand to employ all 48 community mediators in 44 localities populated by Romani. On 1 January 2015 the new provisions on decentralized funding entered into force at national level, according to which local public authorities (LPAs) should allocate funds for a number of local services, including for the activity of community mediators; however the hiring

process of community mediators by the LPAs was stopped due to lack of finance. According to latest data, in 2015 the number of community mediators employed within the mayors' offices and paid from the local budget was only 15, and in 2016 – 9 persons. It should be mentioned that in the given situation, the role of public associations of Romani is very important. Taking into account that sometimes one of the reasons not to employ the community mediator lies in the lack of his/her necessity, the role of public associations of Romani is important in building an efficient dialogue with LPAs in order to further improve the service of community mediator.

35. The Guide for Roma families was developed with the financial support of the OSCE/ODIHR and published in 3 languages (Romanian, Russian and Romani)[25].

36. The new Action Plan to support the Roma people for 2016–2020 was approved on 09.06.2016 by the GD No.734. The document is a continuity of Government's commitment to enhance social inclusion of Romani. The Plan stipulates specific measures and responsibilities in such fields like education, health, labor and social protection, housing and community development, participation in decision-making process and combating discrimination. The Plan contains measures to ensure social security on labor market, whose absence generates directly a precarious social and economic situation for Romani, and leads to poverty followed by all negative consequences of the phenomenon. Funding the activities of the Plan will be made from State budget allocations with the support from European funds, technical assistance projects/programmes, public-private partnerships, etc.

C. Right to education (73.22, 73.9, 76.11, 76.12, 73.59, 76.10)

37. The right to choose the language of education and training at all levels and steps of education is ensured by creating an adequate number of education institutions, classes, groups[26].

38. Currently, there are 3 ways of studying the languages of persons belonging to national minorities[27]. One of the realities of the modern school for children of persons belonging to national minorities is the need to study 4 languages: Romanian, Russian, mother tongue and one of the international languages. To meet the requirements of the new society, the achievement of this objective is possible by introducing multi-cultural and poly-linguistic education.

39. Since 2013 the Project Distance Learning of Romanian Language has been implemented. It aims at training the youth for their integration in the society through linguistic and cultural immersion.

40. The National Programme to enhance the quality of Romanian language taught in general education institutions for persons belonging to national minorities (2016–2020)[28] was adopted on 31.12.2015. Its goal is to form and develop the communication skills in Romanian of non-Romanian speaking students.

41. The education system of the RM is organized to ensure the right of all to education. National priorities in education, in general, and education for children and youth with disabilities, in particular, are enshrined in the Education for All National Strategy[29], Social Inclusion Strategy for persons with disabilities (2010–2013)[30], Development program of the inclusive education in the RM for years 2011-2020[31].

42. The national education system provides the persons with disabilities with education at all levels of the education system[32].

43. Ongoing specialized assistance is provided to children with disabilities in general education institutions by organizing multi-disciplinary intra-school committees, and psycho-pedagogical assistance service[33].

44. The meals for children in pre-university institutions are provided in accordance with the normative acts[34]; the financial funds for the meals are used within the approved local budgets.

45. There is a financial norm set for the free meals for the children of the I-IV forms from the primary schools, gymnasiums and high schools, as well as the school pupils of the V-XII forms from the pre-university institutions from the left bank of Nistru river and Bender municipality, school-pupils from theoretical high school "Stefan cel Mare", Grigoriopol, located in Doroțcaia, including school-pupils from Doroțcaia village, Dubasari district.

D. Justice and corruption (75.38, 75.36, 75.37)

46. The reforms in the justice sector were implemented in accordance with the Action Plan for the implementation of Justice Sector Reform Strategy for years 2011–2016[35]**.**

47. The funds for the courts have been increased, the court management system was reformed by revising the duties of courts' presidents and by creation of the head of court secretariat positions. The judges selection system and performance evaluation system have been established.

48. Currently all courts use the Integrated Electronic Programme for the Management of Court Files and audio recording of hearings[36].

49. In 2013–2015 a number of legal acts aiming to reform the institution of judges' immunity in order to prevent corruption was adopted.[37] A wide set of anti-corruption laws was adopted, directed to discourage corruption and to establish more severe sanctions for corruption in the justice sector, and also enhance the efficiency of the judiciary coercion. The fine threshold for committing material offences was increased by 3 times, including for acts of corruption; the term to hold certain positions or carry out an activity for corruption offences increased by 3 times, the extended confiscation was instituted, and a new definition of the offence "illicit enrichment" was included in the Criminal Code (CC).

50. The Law No. 3 of 25.02.2016[38] provides for the prosecution service reform. To implement the provisions of this law, on 01.07.2016 the Law No. 152 on amending and supplementing certain legislative acts was adopted. The Law harmonizes the legislation in force with the provisions of new Law on Prosecution Service, such as CPC, Code of Civil Procedure, Contravention Code, Family Code, Law on special investigation activity, Law on payment of wages in the budget sector, and other laws. At the same time, currently the amendments to the Constitution regarding the appointment and dismissal of the Prosecutor General are being promoted. In 2013 the reform of the Ministry of Internal Affairs (MIA) has started aiming at institutional separation between the MIA and the Police[39].

51. On 23.12.2013 the Law No.326 on amending and supplementing certain legislative acts was adopted, as well as the Law No.325 on professional integrity testing, both establishing a new instrument to prevent corruption among public agents. The latter Law was amended by the Law No. 102 of 26.05.2016, which provides for the institution of judicial control over means and technical methods of testing and changes the approach of integrity assessment: from public officials to the institution they work for.

52. The Law No.79 on reorganization of judicial system was adopted on 21.04.2016; it aims at ensuring accessibility and independence of the judiciary system through court optimization, capacities enhancement, improving the quality of the administration of justice, and creating the basis for judges' specialization.

53. The general regulation framework for legal professions (lawyers, notaries, bailiffs, forensic experts, authorized administrators, etc.) and on relevant self-administration bodies have been amended in order to enhance and strengthen their capacities.[40]

E. Torture/other inhuman and degrading treatment (IDT) and detention conditions (74.2, 76.14, 73.29, 73.14, 73.47, 75.39, 73.43, 73.48, 73.46, 73.45, 75.34, 75.35)

54. The Law No. 252 of 08.11.2012 approved the amendments to the CC, CPC and to the Enforcement Code by including a new article "Torture, inhuman or degrading treatment" and its aggravating circumstances. There were excluded the possibility to apply amnesty, prescription to criminal punishment in cases of torture, IDT as well as the possibility to apply a more gentle punishment than that stipulated by law. The operated amendments have harshened significantly criminal sanctions for torture and have regulated expressly the exclusive competence of the prosecutor to prosecute the torture cases, IDT, alleged cases or other crimes attributed to policemen, and to special investigating bodies.

55. Confidential compulsory medical examination of the arrested person immediately after his/her admission and release from detention, and during the entire detention period – at his/her request, and right to medical examination independent of the detection by the doctor from the detention facility of eventual signs of torture, IDT have been introduced. The CPC was supplemented with strict provisions regarding the arrest documentation, with the purpose to consolidate the guarantees when placing in detention. Hence, art.167 para.(1) expressly stipulates the obligation to describe in the arrest report the physical state of the arrested person, complaints about his/her health conditions, description of clothing, explanations, objections, requests of that person, request to have a medical examination, including on own account, as well as the obligation to provide him/her with a copy of the report. According to art.167 para.(6) of the CPC, if bodily injuries are discovered on the arrested person during the arrest, the investigator will immediately inform the prosecutor, who, depending on the case, will either order a forensic examination or a medical examination to determine the origin and character of injuries.

56. Following these amendments ill-treatments have been partly eradicated, ensuring thus the fulfilment of the criminal legislation purpose and achievement of social equity[41].

57. The Law No. 218 of 19.10.2012 regulates the procedure for the use of physical force, special means and the fire arms; by the Law No. 146 of 14.06.2013 the confinement as disciplinary sanction was replaced by that of disciplinary isolation.

58. The methodological recommendations to efficiently investigate torture, IDT[42] were approved. The Regulation on identification, registration and reporting procedure of alleged torture, IDT[43] was adopted on 31.12.2013.

59. All territorial and specialized prosecution offices have hotlines to receive information and complaints; they are provided with video surveillance equipment[44]. 21 courts are provided with 41 plastic boxes or special furniture for the accused persons; the metallic cages, which were previously considered degrading, were removed from court rooms.

60. The measure to improve detention conditions has a continuous character, the financial means allocated and used for this purpose have increased[45]. The Register of persons detained, arrested and convicted was adopted[46], which contributes to the functioning of a standardized and protected system against manipulations.

61. Since 2015 an electronic monitoring of persons released from criminal liability[47] is in place[48].

F. Freedom of religion, expression and assembly (76.15, 73.3, 73.52, 73.27, 73.53, 73.55, 73.56, 73.57, 75.4, 76.9, 73.54)

62. The prerogative of the Government is to provide the rights to freedom of expression and assembly equally to everyone.

63. A Working Group to develop the new draft Law on non-commercial organizations was created in 2016. The aim is to submit this draft Law to the Parliament by the end of 2016. The right to freedom of conscience, thought and religion is enshrined in the Law No. 125 of 11.05.2011. Currently, there are around 2,634 religious cults and component parts registered at national level (religious communities and institutions).

64. The subject "Religion" was included in the curricula of primary, secondary and high school as an optional one[49]. Currently, the legal framework is examined to introduce necessary amendments to align it with international standards.

65. As a condition to issue licenses for radiobroadcasting in areas where persons belonging to national minorities represent the majority of the population, the broadcasting of radio and TV shows in the language of these minorities (Gagauzian, Russian, Bulgarian, and Ukrainian)[50] is requested.

66. The existing Audio-visual Code was amended on 05.03.2015 to ensure the transparency of mass media ownership[51].

67. A new Audio-visual Code is being currently promoted[52], in order to improve the situation of freedom of expression.

G. Rights of women and domestic violence (74.1, 75.18, 75.19, 73.58, 76.6, 75.20, 73.18, 73.8, 73.30, 73.31, 73.32, 73.33, 75.28, 73.34)

68. Preventing and combating domestic violence is part of national family care and support policy[53].

69. During 2010–2015 the National Programme on gender equality has been implemented. Based on its assessment report, recommendations for a new programme have been drafted. The new programme is currently under development.

70. On 23.12.2013 the Action Plan on ensuring the observance of the principle of equality between women and men in the electoral process for years 2014–2015 was approved. The Index on gender mainstreaming in public policies was developed in 2013. According to the document, out of 12 policies and strategies assessed, only the National Programme for the Prevention and Control of HIV/AIDS and Sexually Transmitted Diseases is consolidated with regard to gender mainstreaming. The draft Strategy for the protection of child and family, and draft Strategy for decentralization in the education sector are at an average level of gender mainstreaming, and the rest of 9 national policies and strategies analyzed are at the initial level of gender mainstreaming, although, each has more or less gender relevance.

71. The Law No.71 was adopted on 14.04.2016[54]; it provides for 40% participation share of both sexes in the political and public decision making process; additionally it makes provisions for paternal leave[55]. The Program to support the mass media institutions in ensuring gender equality (printed media, online media, national and local electronic media) was implemented in June 2015–July 2016.

72. The new Strategy on gender equality in the RM was developed for years 2016–2020.

73. Amendments and supplements[56] to 11 legislative acts in the field of prevention and combating domestic violence[57] are being promoted. The Strategy on the prevention and combating violence against women and domestic violence[58] is also being drafted.

74. To ensure the implementation and continuity of assistance programs for reintegration of victims of violence, financial resources are allocated from the State budget every year[59]. Eight temporary placement and rehabilitation centers are currently operating in the RM[60].

75. The Project Consolidation of National Statistical System Harmonized Set of Development Indicators in a Gender Sensitive Manner is ongoing.

76. The assistance networking has been extended to the Transnistria region of the country[61].

H. Rights of the child and juvenile justice (75.21, 73.11, 73.21, 73.23, 73.49)

77. The legal framework for the protection and monitoring of children in difficulty was established by Law No. 140 of 14.06.2013. The Law on special protection of children at risk and children separated from parents, in force since 01.01.2014, revised the activity of guardianship authorities and vested the mayors and territorial social assistance and family protection offices with powers in this field, regulated the *ex officio* notification procedure and registration of complaints about children at risk, conferral of the status and placement of children separated from parents. The Strategy for the protection of the child for years 2014–2020 was approved on 10.06.2014[62]. Free telephonic assistance service for children was launched in June 2014[63]. The Automatic Information System of the State Labor Inspectorate has been operational since July 2014. It was designed in the context of economic empowerment of women by increasing their employment capacity[64].

78. The new Classification List of jobs carried out in difficult, injuring and/or dangerous circumstances was approved and prohibits the employment of persons under 18 years[65]. It prohibits the employment of school-pupils in seasonal agricultural works (a usual practice in rural localities)[66].

79. The standards of social support service to families with children[67] were approved.

80. The General Prosecutor's Office created a specialized subdivision for minors and human rights; in territorial prosecutor offices prosecutors specialized in children matters were appointed[68]. Their efficiency is enhanced via ongoing trainings within the NIJ[69].

81. In 2013–2015, rooms for hearing children, equipped accordingly, were opened in eight prosecution offices. The Methodological Guide on handling cases with children victims/witnesses of crimes[70], the Guide of the interviewer of children[71] were drawn up.

82. Enhanced attention is paid to detention conditions of minors, by organizing permanently trainings for the staff[72]; the individualized Methodology of work with minors was approved[73]. The Law No. 82 of 29.05.2014 made the amendments to the Enforcement Code, including serving the prison sentences by minor detainees. These refer to the escort of inmate to prison. The transfer of minors to other than specialized prisons is prohibited; the right to petition is exercised by the minor inmate, his/her legal representatives or, in the absence of such, by the guardianship services in the jurisdiction of the prison; the time in solitary detention of minors as a disciplinary sanction was reduced up to 3 days compared to previous regulation of up to 5 days.

83. Procedures regarding juvenile probation were established. The amendments to the Law No. 8 of 14.02.2008 on probation were made on 03.12.2015 by amending art.15^2 para. (5) which requires the existence of one probation officer specialized in juvenile probation in

every probation office. The officer is trained to work with this type of subjects. Also, the educational measures applied to minors were revised to include new educational measures to observe rights of the child and his/her social reintegration. Viable measures alternative to prison were also created. Alternative education programs for social reintegration of the minors in probation are being implemented[74]. The Law No. 123 aiming at strengthening the juvenile probation system was adopted on 02.06.2016.

I. Human trafficking (73.12, 73.41, 73.37, 73.17, 73.36, 73.38, 73.39, 73.40, 75.25, 75.26, 73.42, 75.30, 75.29, 73.50, 75.31, 75.40)

84. The Law No. 270 of 07.11.2013 has significantly enhanced the legislative framework in combating trafficking in human beings (THB)[75]. The Law on rehabilitation of victims of crimes was adopted on 17.06.2016. The beneficiaries of this law are the victims of THB and victims of trafficking in children[76].

85. The spectrum of means by which a child can be exploited in online regime was enlarged and the level of protection of minors against potential offenders has been enhanced.[77]

86. The www.antitrafic.gov.md was launched in 2013. The national anti-traffic campaigns are organized annually[78].

87. Specialized services for victims and potential victims of the THB are provided by 7 centers of assistance and protection, and are funded from the State budget within the National Referral System (NRS)[79]. Besides, in June 2016 an emergency placement Centre for victims and potential victims of trafficking in children (7–18 years) was opened, which provides social and medical assistance services to reintegrate them in the family and society. Joint Bureau for Information and Services (JBIS) was created and is operational in 25 districts of the country[80].

88. The intervention procedure of employees of education institutions was instituted in 2013. It allows them to intervene in cases of abuse, neglect, exploitation, trafficking of children in the residential education system[81].

89. The diplomatic missions and consular offices of the RM are involved in the consolidation of contracts with national[82] and international institutions from the accreditation countries with a view to identifying the victims of THB and ensure the repatriation from the countries with a high risk of THB, including where the RM has no diplomatic missions.

J. Persons with disabilities (73.19, 75.13, 73.51, 75.14, 75.22)

90. There have been established such specialized structures as: National Council on the rights of persons with disabilities, National Council on the protection of the rights of the child and other structures vested with promotion and protection of rights of persons with disabilities. In order to promote a viable mechanism of protection and social inclusion of persons with disabilities, the institution responsible for determining the disability was reformed[83].

91. The normative framework that regulates the organization and functionality of many types of social services was developed[84]. Currently, the funding mechanisms for social services, which have to be developed by LPAs are examined and identified.

92. The revised Regulation of the Commission on the protection of children in difficulty was approved.[85]

93. Equal opportunities and rights of persons with disabilities to public services, public places are imposed and ensured through legal requirements[86]; unfortunately, their implementation is slow[87].

94. The draft Law that regulates the legal capacity of the persons with disabilities is being currently promoted. To comply with the provisions of art.12 of the UN Convention of the rights of persons with disabilities, the draft law modifies the concept of legal capacity of persons with disabilities by providing the adult person and emancipated person with the possibility to obtain protection in case of decreased personal, physical or mental abilities, to institute a family council, provide for the possibility to appoint a temporary guardian as well as the capacity to represent him/herself in a civil process. The National Programme for Social Inclusion of Persons with Disabilities for years 2017–2022 is drawn up, which will continue the reforms initiated by the Strategy for social inclusion of persons with disabilities.

95. Social awareness campaigns of human rights and opportunities for social integration of persons with disabilities are organized systematically in cooperation with the mass media to promote best practices in the field of disability[88].

K. Right to study the official/State language (73.9)

96. The activity to promote the official language and training of adult population is provided to persons belonging to national minorities, in particular, adults speaking other language, in cooperation with OSCE High Commissioner on National Minorities, LPAs and National Association of European Trainers in Moldova (ANTEM)[89].

97. The Project Teaching the Language to Persons Belonging to National Minorities of the RM, as well as the Programme Distance Learning of Romanian Language[90] aiming at linguistic, social, cultural and professional integration of speakers of other languages[91] was implemented. The National Programme to improve the quality of Romanian language in general education institutions for persons belonging to national minorities (2016–2020)[92] was approved.

98. Since 2016 a new project has been implemented – Simultaneous Learning of Romanian and Gagauzian Languages Programme. This aims to involve at least 150 children (5–7 years) and their parents in learning simultaneously Romanian and Gagauzian languages (from 3 districts of Autonomous Territorial Unit of Gagauzia (Comrat, Ceadar-Lunga and Vulcanesti)).

L. Events of 7 April 2009 (73.13)

99. After the events of 7 April 2009, 108 complaints were registered and examined regarding the alleged torture, punishment or IDT applied to demonstrators by the policemen; in 31 cases the prosecutors initiated investigations *ex officio*. In total, there were initiated 71 criminal cases[93]. Out of the total number, 28 cases against 47 policemen were finalized and sent to court[94]. 14 employees of the MIA were suspended temporarily[95]. Out of the total number of criminal cases, in 28 cases against 47 policemen, criminal prosecution was closed by making the indictment and submitting it to court. The first instance courts delivered sentences in 27 cases with regard to 46 policemen[96], the courts of appeal delivered 39 decisions with regard to 67 persons[97], and the Supreme Court of Justice adopted 31 decisions[98].

100. Criminal cases against persons who participated actively in mass disorders[99] were initiated[100]. The Courts delivered 19 judgments with regard to 28 persons[101], and also there were pronounced 17 irrevocable sentences with regard to 27 persons[102].

101. To identify civil persons and employees of law-enforcement agencies who suffered during events and to recover the damage caused to them, a Governmental Commission[103] was set-up; it identified and compensated all those who suffered during the events of April 2009.

M. Transnistrian region of the Republic of Moldova (75.41, 73.63)

102. Following the visit of Mrs. Navanethem Pillay, former UN High Commissioner for Human Rights (1–4 November 2011) in the RM, the Report on human rights situation in the Transnistrian region of the RM was developed by Mr. Thomas Hammarberg, the former European Commissioner for Human Rights, and which was published in February 2013. During the period covered by this report, the recommendations contained in Hammarberg's report could not be discussed within the existing dialogue platforms between Chisinau and Tiraspol for reasons beyond the control of Moldovan authorities. However, the identification of possibilities to implement the above-mentioned recommendations is foreseen to be dealt with in the next National Human Rights Action Plan. The Transnistrian region of the Republic of Moldova remains a big gap in terms of protecting human rights. In this context, we are committed to settle related issues through dialogue and mutual understanding on the basis of international standards and commitments for real impact of human rights on the ground.

103. On 17.10.2012, in Varnita village, an office of the former Centre for Human Rights of Moldova was opened, which increased the access of the Office of the People's Advocate employees to the residents of Transnistria. As a result, the promotion of human rights and legal training of that population were facilitated. The social-vulnerable persons from Transnistria region and Tighina (Bender) municipality are now provided with State guaranteed legal aid. In this way, a quality service system in social, economic and legal area was developed to ensure the protection of human rights throughout the entire country, including Transnistria.

104. To ensure the right to education and instruction, budgetary seats in universities were allocated to graduates of education institutions from Transnistria region and Tighina (Bender) municipality.

IV. National priorities and initiatives

- To continue reaching the objectives included in the Action Programme of the Government for 2016–2018;
- To improve the oversight mechanism of international human rights recommendations by developing a new comprehensive National Human Rights Action Plan (2017–2020);
- To establish a mechanism to coordinate the implementation and monitoring of the National Human Rights Action Plan, as well as of the international HR recommendations;
- To identify the solutions for the improvement of the human rights situation in the Transnistrian region of the Republic of Moldova;

- To efficiently implement the Justice Sector Reform Strategy for 2011-2016 and enforce its outputs. To work out a new policy document in order to ensure the continuity of justice reform;
- To strengthen institutional capacities for the efficient activity of the People's advocate institution (Ombudsman Office); to improve the Law on the Ombudsman in line with the Venice Commission opinion of July 2015 and Paris principles on National Human Rights Institutions (A status);
- To consolidate the normative framework that regulates the activity and competences of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality;
- To strengthen the functionality of the National Preventive Mechanism (according to the OpCAT provisions);
- To develop far-reaching and coordinated policies in order to prevent and fight against all forms of violence. To create a mechanism to support victims of violence and to supervise the execution of protection ordinances;
- To implement the National Action Plan for Roma (2016–2020);
- To ensure freedom of expression online and offline, as well as personal data protection;
- To develop mechanisms for preventing and fighting against all forms of exploitation, abuse and violence against children;
- To prevent and combat trafficking in human beings by strengthening central and local capacities on new forms of online trafficking;
- To improve the execution process of the European Court of Human Rights decisions;
- To advocate for the promotion and protection of human rights at the international level.

Notes

[1] HRC resolutions 5/1 dated 18 June 2007 and 16/21 dated 25 March 2011, plus follow-up General Guidelines for the Preparation of Information under the Universal Periodic Review (A/HRC/DEC/17/119).

[2] In force since 09.05.2014.

[3] By the Law No. 164 of 31.07.2015 the Regulation on the organization and operation of the People's Advocate Office was approved.

[4] The Action Plan in support of the Roma population of the RM for 2011-2015; National Programme for gender equality for 2010-2015 and the Action Plan for the implementation of the Programme for 2013-2015; Action Plan for the implementation of Justice Sector Reform Strategy for 2011-2016; Action Plan for 2011-2015 for the implementation of the National Strategy on Migration and Asylum (2011-2020); Visa Liberalization Action Plan (Chapter 2.4.3. Rights of citizens, including the protection of persons belonging to national minorities) that had a strong focus on human rights policies.

[5] Consultations were attended by international experts; they examined provisions of conventions on migration ratified already by the RM, their compatibility with the national legislation.

[6] The GD No. 1331 of 29.11.2007.

[7] The GD No. 644 of 23.08.2013. In December 2015 IRB developed and submitted to the CERD Committee the Observations of the RM regarding individual opinion No. 57/2015 addressed to Mr. Belemvire, which was submitted to CERD Committee for examination on 21 April 2015. We would like to mention that this is the first case communicated to the Government since the recognition of the CERD authority by the RM.

[8] The Law No. 312 of 26.12.2012, in force since 01.12.2013.

[9] The Law No. 131 of 11.07.2014, in force since 10.02.2016.

[10] The Law No. 125 of 31.05.2012, in force since 13.07.2012.

[11] By the Law No. 298 of 21.12.2012 the Regulation on the activity of the Council on the prevention and elimination of discrimination and ensuring equality, this becoming functional since October 2013.

[12] During the period 2013-2015, the Council registered 348 complaints and the members of the Council have initiated 17 cases ex officio. Having examined the cases, the Council adopted 230 decisions of which 103 decisions established discrimination and 45 decisions – did not establish discrimination and 81 decisions of inadmissibility. During the same period, the Council concluded 32 reports on discovered administrative offences and issued a number of recommendations to prevent and eliminate discrimination in future on behalf of the respondents. At the same time, the Council reviewed 28 regulations in force from the perspective of compliance with non-discrimination standards and issued 48 advisory opinions with regard to the compliance of draft normative acts with the non-discrimination standards. During the reporting period, the Council organized and carried out public awareness campaigns, having organized in this sense 109 trainings with the participation of 2192 persons.

[13] The Law No. 306 of 26.12.2012 has incriminated the contraventions and some discriminatory facts, introduced amendments and supplements to the CC, CPC, and Contravention Code and to a number of special laws.

[14] An eloquent example of judiciary practice is the Decision of Rascani Court of Justice of Chisinau mun. that obliged the owner of the mdn.md to eliminate the black list of public officials and protectors of LGBT persons' rights from its webpage.

[15] The Code of Ethics of the broadcasters was amended by Decision of the CCA No. 197 of 23.12.2014, which has included the gender equality. The media monitoring methodology was amended with the gender equality/dimension. For instance, the monitoring reports of electoral campaign of the broadcasters during 2014 parliamentary elections and 2015 general local elections monitored the gender inclusion (masculine/feminine) in the social-political, equidistance and objectivity component.

[16] http://www.cnajgs.md/uploads/asset/file/ro/419/Manual_Anti-Discriminare_pentru_Judecatori.pdf

[17] In 2015 the NIJ trained 470 persons from all districts of the republic, including: 2 seminars in prevention and combating racial discrimination and intolerance - 30 judges and 30 prosecutors; 10 seminars in preventing and combating gender-based discrimination – 150 judges and 150 prosecutors; 3 seminars in the protection of migrants against discrimination - 25 judges, 25 prosecutors and 20 criminal investigators of the police.

[18] The draft defines clearly, fully and insusceptible of interpretations the facts motivated by the pre-trial.

[19] Events: the 12th edition of the Rainbow over Nistru Festival of the LGBT community organized by the NGO GenderDoc-M (February 2013) and first LGBT Marche on 19.05.2013, organized on the International Day against Homophobia and Transphobia with the participation of the Commissioner for Enlargement and European Neighborhood Policy, Mr. Stefan Fule.

[20] The Action Plan of the Government for 2013-2014, approved by the GD No.125 of 30 May 2013; the Action Plan of the Government for 2015-2018, Action Plan of the Government of the Republic of Moldova for 2016-2018 approved by Parliament Decision No. 01 of 20 January 2016; National Human Rights Action Plan for 2011-2014; National Action Plan for the implementation of the RM-EU Association Agreement for 2014-2016, approved by GD No. 808 of 7 October 2014; National Cultural Development Strategy 'Culture-2020' approved by GD No.271 of 9 April 2014, etc.

[21] The main laws that regulate the rights of persons belonging to national minorities include the Constitution, Law No. 3456-XI on languages spoken in the Republic of Moldova of 01.09.1989, Law No. 382-XV on the rights of persons belonging to national minorities and the legal status of their organization of 19.06.2001, Law No. 546-XV on the approval of the National Policy Concept of the Republic of Moldova of 19.12.2003, Law No. 344-XIII on special legal status of Gagauzia (Gagauz-Yeri) of 23.12.1994. 2. Laws that regulate the rights of persons belonging to national minorities in different fields include: Law on the procedure to publish and entering into force of official acts (No.173-XIII of 06.07.1994), Law on the rights of the child (No. 338-XIII of 15.12.1994); Law on identity documents in the national passport system (No. 273-XIII of 09.11.1994); Law on the judiciary (No.514-XIII of 06.07.1995); Law on publicity (No. 1227-XIII of 27.06.1997); Law on Culture (No. 413-XIV of 27.05.1999); Law on citizenship (No. 1024-XIV of 02.06. 2000); Law on access to information (No. 982-XIV of 11.05.2000); the Audio-visual Code of the Republic of Moldova (No. 260-XVI of 27.07.2006); Law on freedom of conscience, thought and religion (No. 125-XVI of 11.05.2007); Law on ensuring equality (No. 121 of 25.05.2012), Education Code (No. 152 of 17.07.2014), *etc.* 3) Decrees of the President and GDs on ensuring cultural development of minorities *(Ukrainians, Russians, Bulgarians, Roma, Jews).*

[22] In 2014-2015, IRB in cooperation with ethno-cultural organizations organized about 450 actions, including fine arts and craftsmanship exhibitions, book launches, commemoration and celebration evenings, festivals, promotion of national traditions and habits, conferences, roundtables, seminars, concerts, shows, competitions, national holidays, etc. The financial support of these IRB activities accounted to about MDL 394 thousand in 2014.

[23] Approved by the GD No. 494 of 08 July 2011 and amended by the GD No. 56 of 31 January 2012. Local public administration authorities developed local sectorial plans, organized awareness campaigns of public opinion towards the spiritual values of the Roma, combating the discrimination of Roma and promotion of cultural diversity, non-government organizations of Roma were supported and cultural diversity were promoted in the RM, cultural events were organized to celebrate the International Day of Roma People.

[24] The GD No. 557 of 17.07.2013 on the approval of the Framework-Regulation on the activity of community mediators.

[25] A framework of assistance in optimizing the requests for social, medical, education, civil papers, etc. assistance, distributed to leaders of Roma association, as well as population in communities densely populated by Romani.

[26] The curricula for schools teaching in mother's and official language are developed annually, as well as curricula for studying the mother language as a subject.

[27] The Russian schools are traditionally attended by persons belonging to national minorities: 262 gymnasiums and lyceums/high schools, Russian schools where Ukrainian, Gagauzian, Bulgarian languages are studied as subject 3 times a week and a new subject – History, culture and traditions of Russians, Ukrainians, Gagauzians, Bulgarians - once a week; experimental gymnasiums and lyceums/high schools where the primary and secondary education is delivered in mother language: Ukrainian and Bulgarian.

[28] The GD No. 904.

[29] The GD No. 410 of 4 April 2003.

[30] The Law No.169 of 9 July 2010.

[31] The GD No. 523 of 11 July 2011.

[32] In the academic year 2014-2015, 35 pre-school education institutions had registered 2,127 children

with disabilities, pre-university institution – about 8,564 children with special needs in education. Also, 17 schools for children with deficiencies in intellectual or physical development have registered 1,000 children with disabilities, and about 780 children are home schooled. In the academic year 2014–2015, the secondary professional education accounted for about 167 children with physical and sensor disabilities. There is a tendency to integrate the children with disabilities in high education institution, hence, 278 young people with severe or accentuated disability were enrolled in 20 high education institutions in the academic period 2013–2016.

[33] Created based on the GD. 732 of 16.09.2013.

[34] The GD No.234 of 25 February 2005 on meals provided by schools; GD No.198 of 16 April 1993 on the protection of socially vulnerable children and families; Order of the Minister of Education No.1277 of 30 December 2014 on financial means for children's meals in education institutions.

[35] Approved by the Parliament Decision No. 6 of 16 February 2012. According to statistics, 378 of total 487 actions are considered achieved, this accounting for 77.6% of the total to be implemented.

[36] In 2012-2015 the legal professionals and judges benefited from training in information technology application. By Decision No. 165/6 of 18.02.2014, the Regulation on establishing single national complexity levels of civil, criminal and contravention cases was approved, which include also the List of complexity levels.

[37] The Law No. 233 of 10.12.2015 on amending and supplementing Article 19 of the Law No. 544-XIII of 20 July 1995 on the status of judges; the Law No. 177 of 25.07.2014 on amending and supplementing some legislative acts; the Law No. 153 of 05.07.2012 on amending and supplementing some legislative acts.

[38] In force since 01.08.2016.

[39] According to public opinion polls carried out by the Institute for Public Policy, there was registered an increase of confidence of citizens within the MIA in 2013 from 23.7% in May to 31.3% in December.

[40] The Law No. 69 of 14.04.2016 on the organization of notary activity; the Law No. 137 of 3 July 2015 on mediation; the Law No. 264 of 11.12.2008 on the status, authorization and organization of the activity of interpreters and translators in the justice sector; the Law No. 161 of 18.07.2014 on authorized administrators; the Law No. 68 of 14.04.2016 on judiciary expertize and status of judiciary experts.

[41] According to statistics, in 2015 there were registered more sentences convicting State agents to imprisonment with real serving time of sentence.

[42] Approved by the Order of General Prosecutor No.76/08 of 30.12.2013, it is a methodological guide addressed to prosecutors who investigate torture, leading to reduced delays by observing reasonable investigation terms, unifies the investigative practice of criminal case of ill-treatment.

[43] The Regulation was approved by joint Order of the General Prosecutor, Minister of Justice, Minister of Health, Minister of Internal Affairs, Director of National Anticorruption Centre and Director of Customs Service, and published in the Official Monitor No.147-151 of 06.06.2014, in force since 07.07.2014. The Regulation institutes clear, express, and diligent mechanisms to identify, register, report and examine the complaints on torture, IDT, as well as the possibility of the prosecutors to act rapidly in such cases. Current statistics data prove that polices promoted lately have had a positive impact in diminishing the number of torture cases. If the number of complaints on ill-treatment has not changed, then the cases of torture have shown a sharp reduction: from 130 complaints in 2013 to 88 in 2014 (which is a difference of 32.4%), a trend that practically have been registered in 2015 too when the number dropped from 88 to 40 complaints, (in per cent – by 54.5% less).

[44] 600 video cameras in prisons, 44 video cameras in the police inspectorates, including in questioning rooms for hearings.

[45] Allocated financial means are used for capital and current reparations, medical assistance services, meals to detainees and ensure the detainees with household products.

[46] The GD No. 716 of 28.08.2014 on the approval of the Regulation on the Register of detained, arrested and convicted persons (joint one for DPI, GPI, MIA and NAC).

[47] By the Law No. 138 of 31.12.2015 on amending and supplementing some legislative acts.

[48] The monitoring is provided through bracelets and transmitters, which notify through *GPS technologies, via a mobile, land line the monitoring center about the violation of allowed perimeter. The number of violation of probation cases will be decreased by 30% by* 2018. About 100 persons were monitored in the first year. Their number will gradually increase to 500 by 2018.

[49] The GD No. 596 of 02.07.2010. The groups in primary grades are formed based on applications of parents or legal guardians of pupils, in secondary and high school – based on applications of children. The subject is taught based on Curriculum developed in two options: one for Orthodox and Roman-Catholic religion and other for Evangelistic and Seventh Day Adventist religion. The children who belong to different religious cults do not attend these classes.

[50] To ensure freedom of expression, the cable television in small localities include between 25-30 channels and over 100-130 channels – in case of larger distributors. Due to steep progress of electronic communications and information technologies, the number of broadcasted/re-transmitted channels is growing, especially the channels in Russian language. The share of Russian channels in the informational space in the RM is 75-80%. Most radiobroadcasters who hold broadcasting licenses broadcast daily newsletters, analytical and information and entertainment shows in Russian language, ensuring persons belonging to national minorities with free and unfettered access to information. *The competition to select draft audio-visual programmes* takes places since 2013 to allocate financial resources for production of projects on/about/with and in languages of national minorities (Russian, Romanian, Bulgarian, Gagauzian) from the Fund for Radiobroadcaster Support.

[51] The Law was published on 1 May 2015 and is in force since 1 November 2015. The Law reduced from 5 to 2 the number of licenses held by a radiobroadcaster in the same administrative-territorial unit. The declarations of private radiobroadcasters are examined during public session, published on the CCA webpage and contain information on owner/final beneficiary of each TV or radio channel.

[52] The draft of the Audio-visual Code was voted in the Parliament in the first reading on 1 July 2016.

[53] Awareness campaigns on violence against women are organized every year: 2013 campaign - 16 days of actions against gender violence with the message 'Indifference makes you an accomplice to violence!', the 2014 slogan was 'Live your life without violence', the 2015 message was 'Life with no domestic violence". For the first time in 2014 the State budget allocated financial resources to organize the campaign. The campaigns include different activities: seminars and awareness campaigns within high education institutions, local and national flash mobs, TV and radio shows, press conferences with the participation of State officials, etc. These are covering the entire territory of the republic engaging local and central public authorities and civil society.

[54] A draft that introduced amendments to 17 legislative acts. Law on Government – ministries/deputy ministries, Electoral Code – collection of information desegregated by sex and political party registration by observing the principle of gender equality, Law on ensuring equal chances between women and men and Law on political parties – their obligation to contribute to gender equality and equal chances between men and women. The following were modified: Law on media, Law on publicity, Audio-visual Code to oblige periodical publications and press agents to use non-sexist language and to present the images of women and men in the light of equal rights in public and private life, to include the criteria of inadequate publications and to define the sexist publications.

[55] For 14 calendar days, the objective to conciliate the family and professional lives was implemented to ensure a harmonious growth and development of the child in accordance with the Strategy for the protection of child and family for 2014-2020.

[56] Was approved by the Government on 27.04.2016.

[57] The draft modified the definitions: domestic violence, moral prejudice and aggressor/perpetuator, as well as includes new definitions 'crises/critical situations', 'urgent restraining order'. The new inclusion of 'urgent restraining order' as temporary protection measure for the victim, has the purpose to improve the protection mechanism applied by the police for up to 10 days. According to this, the aggressor/perpetuator is removed immediately from the family by setting interdictions to prevent the repetition/commission of violent actions. The inclusion of new contravention 'persecution acts' is promoted – repeated persecution of a person causing anxiety, fear for own safety or safety of close family, forcing the person to change its lifestyle. It is suggested to extend the circle of subjects in the Criminal Code (family member) to include life partners, parents and children, relatives and in-laws who live together or separately and to extend the range of rights to victims of domestic violence.

[58] The goal of the Strategy – ensure a systemic approach towards violence against women, including towards domestic violence and ensure an efficient response of law-enforcement agencies in cases of violence, focused on the four pillars of Istanbul Convention: Prevention, Protection, Punishment and Integrated Policies. The Strategy's focus is to inform about the seriousness of phenomenon, zero tolerance against all forms of violence, combating stereotypes and gender prejudice, enhancing legal and normative framework in accordance with international standards.

[59] Unfortunately, the criminal situation indicates the increase in cases of domestic violence, including resulting in serious consequences or death of the victim. Methodological recommendations on the implementation of legislation in combating domestic violence with permanent title to ensure trainings on quick and effective action at the initial phase of violent manifestations were developed.

[60] The centers provide psychological services, social and medical assistance, as well as legal assistance to victims of domestic violence: 7 are funded from the State budget through local state budget and 1 center is funded by a NGO: Maternal Centre 'Pro Familia' in Causeni; Centre for Assistance and Protection of Victims and Potential Victims of Human Trafficking, Causeni; Maternal Centre 'Pro Femina' in Hincesti; Maternal Centre in Cahul; Family Crisis Centre 'Sotis' in Balti; Maternal Centre 'Ariadna' in Drochia; Centre for Assistance and Protection of Victims and Potential Victims of Human Trafficking in Chisinau; AO Centre 'Casa Marioarei' in Chisinau municipality.

[61] The first service (social apartment) for victims of domestic violence with a capacity of 3-5 couples mother-child was launched in March 2015 in Bender town. It provides the same range of services as on the Right Bank of the River Nistru. All projects were implemented with the support of foreign partners and civil society. In 2013 – 2015 the service networking in Transnistria region assisted 692 beneficiaries, of which 362 victims of domestic violence. At the same time, the hotline was launched for victims of domestic violence, which assisted 4,139 cases in the same period.

[62] The GD No. 434. The document includes a set of long-term priorities and polices meant to solve issues faced by the family and the child as response to challenges of the RM to migration phenomenon, economic situation and factors resulted from advanced technologies.

[63] The service is available at a national number and is free, 24/24, confidential and anonymous, and provides psychological counselling to children, parents and/or their caretaker, facilitates the access to child protection system.

[64] The system includes data on controls carried out by the SLI at different units, number and nature of violations discovered and has to be integrated into the portal of the Electronic Governance Centre (E-Government). The system has a separated component that allows monitoring and use of data on labor law violation with regard to minors.

[65] The GD No. 541 of 07.07.2014.

[66] The Order of the Ministry of Education No. 393 of 29 September 2014.

[67] The GD No. 780 of 25.09.2014, represents a monthly or lump sum financial support for a determined period of time but not longer than 6 months to care for the child and/or enroll the child in the educational process provided to the parents or *de facto* caretaker of the child.

[68] Statistics show a positive impact of juvenile justice reform on the criminal proceedings in cases with children. In 2010 – 2014 the following statistics were registered regarding holding and arresting minors: 2010 – 44/43; 2011 – 40/25; 2012 – 59/43; 2013 – 35/24; 2014 – 18/13, 2015 – 41/31.

[69] Currently, criminal proceedings in criminal cases with minors are being closed in the proportion of 95-98% within a month. The term of criminal case examination in court is already different; sometimes the sentences are delivered in the pre-trial and other times by extending the examination of such cases up to 3-6 months. This delay is determined by the absence of the culprits, injured parties, witnesses, defenders, etc., overloaded schedule of the judges (in case of postponement, appoint the criminal case in a month or even longer). The alternative measures to serving a sentence are applied in over 50% of cases that involve children suspected of committing a crime. The reconciliation, release from criminal liability and constraint measures for educational purposes are most often applied.

[70] Approved by Order of General Prosecutor No.25/25 of 03.08.2015 and decision of the Superior Council of Magistracy No.619/25 of 02.09.2015.

[71] The methodological Guide for lawyers specialized in providing State guaranteed legal aid in cases with minors was developed. The training courses: 'Applying procedural measures of constraint and preventive measures. Extending the application of alternative measures to detention for detained minors' are provided by the NIJ.

[72] The educational process of minor inmates is differentiated, in accordance with an individual educational intervention plan and is carried by taking into account the individual particularities of the inmate (based on complex evaluation and behavior analysis), using individual or group psycho-pedagogical methods. The individual disciplinary liability which implies disciplinary isolation of the minor is applied only as an exceptional measure, if he/she committed repeatedly, intentionally irregularities that may significantly make disorder or breach the safety of the prison, own life or

health or life and health of other persons.

[73] Order of the Director of the Department for Penitentiary Institutions No.116 of 08 May 2013.

[74] The Action Plan of the National Probation Inspectorate for 2016, para. 2.1. The preventive actions are implemented based on cooperation agreements/memorandums of understanding signed with public and private organizations. For instance: Agreement with General Inspectorate of Police (No.4 of 09.12.2014) Chapter III Responsibilities of parties para. f) *to ensure the participation of the probation councilor for minors and a representative of the Inspectorate of Police in classes organized for the prevention of the crime phenomenon among delinquent children in education institutions to prevent new crimes.*

[75] The Law defines clearly the difference between forced labor and THB for exploitation, pimping and THB for sexual exploitation. The sanctions for trafficking in children, pimping and begging, THB by public and international officials were tightened; the beneficiaries of THB services were punished, organ trafficking and publicity for selling and procurement of organs became an offence. The amendments resulted in signing the European Convention on the Fight against Trafficking in Human Organs on 25.03.2015.

[76] To draft a public policy that ensures the right of the victim to compensation guaranteed by the State, in 2013, at the initiative of Standing Secretariat of the NTHBC, the Study 'Rights, Reinstatement and Resolution: compensation of victims of human trafficking in the Republic of Moldova' has been developed with the purpose to examine the legal framework in view of compensation provided to people who suffered from these experiences. The Study examined the subject in the view of access to compensation for severe violation of human rights, such as trafficking being essential for any strategy that intends to prevent and protect efficiently the victims.

[77] The Law No. 121 of 02.06.2016 on the amendment of Article 175^1 of the Criminal Code of the Republic of Moldova No. 985-XV of 18 April 2002.

[78] 2013 – National Campaign 'Anti-trafficking week'; 29-30 September 2015 Regional Conference: 'Ten years of the Council of Europe Convention on Action against Trafficking in Human Beings: Results and Perspectives in Eastern Europe (Belarus, Republic of Moldova and Ukraine)'; 1 October 2015 Roundtable entitled 'Presentation of experience of the Republic of Moldova in the repatriation process of victims of human trafficking (adults and children), unaccompanied children and migrants in difficulty, beneficiaries of the National Referral System to specialists from Ukraine'. The prevention is ensured through the medialization (as far as possible) of investigated case files on prevention and action against THB. Measures to enhance the professional level of investigating officers and prosecutors in cases of THB are being undertaken, training courses in cooperation with national and international NGOs are organized.

[79] National Referral System (NRS), approved by the Parliament Decision No.257 of 30.12.2008 (for years 2009-2016), for protection and assistance to victims and potential victims of human trafficking – is the special framework to cooperate and coordinate the efforts of State institutions in strategic partnership with civil society, as well as with other active players in this field, to ensure the protection of human rights, victims and potential victims of human trafficking (hereinafter referred to THB). This working methodology has been implemented in the RM since 2006 and has the goal to reinstate and rehabilitate human rights.

[80] The GD No. 661 of 30.08.2013. Through JBIS – the service providers contribute to changing the attitude of the beneficiaries toward the manner of settling difficult situations and direct the beneficiaries to employment, business launching, professional development, the issued being resolved in a short period of time through common actions of different service providers by offering different solutions. Public service providers, members of the JBIS are territorial social assistance offices, agricultural divisions, economy and capital investments, territorial employment office, territorial labor inspections, land and cadaster relations services, territorial social insurance offices, territorial tax service, legal aid, territorial medical insurance agencies or family doctors, civil offices, territorial civil protection and exceptional situations offices, ecology inspection, department of education, youth and sport.

[81] The Order of the Minister of Education No. 77 of 22.02.2013.

[82] The GD No. 65 of 23.01.2013. There have been hired social assistants and psycho-pedagogues within the teams of experts, new criteria to determine the disability and ability to work were developed and approved.

[83] National Council for the rights of persons with disabilities and national councils for the protection of

human rights, rights of children, gender equality, etc.

[84] Social service ’communitarian house’ (the GD No.885 of 28.12.2015, provides permanent care to persons with disabilities and strengthens self-service and social skills; the persons benefit from accommodation, protection and supervision of health status, medical assistance and permanent care and support. There are 12 services in the republic covering 81 beneficiaries); Social service ’personal assistance’ for children and adults with severe disabilities (the GD No. 314 of 23.05.2012, provides assistance so they can live independently in their own house and in the community. In total, about 1,895 personal assistants have been employed and activate currently); Specialized social service ’Respiro’ (the GD No. 413 of 14.06.2012 provides assistance 24 hours to persons with severe disabilities for maximum 30 days a year, time when the families, relatives or persons who take care of them benefit from a break. There are 5 Respiro services in the republic for 177 beneficiaries/year); Social service ’Foster family for adults’ (the GD No. 75 of 03.02.2014, provides assistance and care to beneficiaries in the family of family assistant. There are currently 40 services in the republic); sign language interpretation service for persons with hearing impairment (deaf or/and speech impaired persons) and representatives of different authorities in the situations when they need an interpreter to exercise their rights and obligations (the GD No. 333 of 14.05.2014). The specialized social service ‚mobile team’ continues to be rendered. It is provided to persons with average or severe disabilities (especially children with disabilities). The social assistance is provided at the residence of the beneficiary based on his/her identified needs and counselling and support to persons who take care of him/her to increase this person’s social independence and integrity. Currently, 19 mobile teams provide services to about 518 persons with disabilities, including children with disabilities.

[85] The GD No. 7 of 20.01.2016. Compared to the moment of launching in 2009, in 2015 the number of cases reviewed and meetings held annually by the Committees grew by about 6 times and the results of the activity of Committees denote the need to continue the process of development, diversification and growth of quality of services addressed to families with children in difficulty and implementation at the national level of inclusive education programs.

[86] The construction companies will ensure the accessibility to persons with disability when designing buildings, the transport companies will adapt the vehicles to be used by persons with disabilities, State and private companies have to reserve and mark accordingly at least 4% of parching lots for vehicles driven by persons with disabilities using the international signs. All public and private institutions have to ensure an accessible infrastructure to persons with disabilities, including in such sectors as culture, tourism, sport, divertissement, housing, etc.

[87] To ensure full civil and political rights to persons with disabilities, perforated files, special information materials were prepared for the 2014 parliamentary elections, in accordance with the CEC Guideline No. 3019 of 24.11.2014. At the 2015 general local elections, this voting procedure was extended to all 1,977 polling stations. On 26.01.2016, the Regulation on accessibility of electoral process to persons with disability was approved by Decision No. 4463. It was developed with the support of development partners.

[88] The Action Plan dedicated to the International Day of Persons with Disabilities (3 December) is developed and implemented with the participation of PLAs, international agencies and civil society every year (fairs to sell goods manufactured by persons with disabilities, press conferences, roundtables). During the Human Rights Watch Film Festival organized annually, the movie theatres show films about and with persons with disabilities.

[89] ANTEM has become an active promoter of studying the official language by foreigners, professional, competent and responsible approach to integrate the persons belonging to national minorities by cultivating the communication skills. ANTEM perseverates in opening the dialogue and intercultural and interethnic communication by providing services to study the official language to different categories of beneficiaries.

[90] In 2015 the programme had about 300 beneficiaries (including students, school managers, young specialists, young mothers, persons with disabilities) in 9 localities of the R. Moldova.

[91] In 2008-2015, about 5000 public officials, doctors, professors, employees in economy, policemen, etc. benefited of training courses for studying Romanian languages organized by ANTEM.

[92] The GD No. 904 of 31 December 2015.

[93] 42 – torture, 19 – misuse of power and excess of duties, 10 – other crimes.

[94] In other cases, the criminal proceedings were stopped due to lack of constitutive elements of crimes, or were suspended because it was not possible to identify the persons who acted illegally, because

their heads were covered with hoodies.

[95] This procedural measure of constraint is applied to 9 defendants, because when its application was appealed, the court satisfied the complaints of 5 accused.

[96] 8 sentences with regard to 16 policemen; 2 sentences to discontinue with regard to 3 policemen; 17 acquittals with regard to 27 policemen.

[97] 18 convictions with regard to 34 persons (hence, 3 acquittals were overturned); 4 decisions to suspend criminal proceedings against 7 persons, including one sentence against one person due to the death of offender; 16 decisions to deny appeals to 24 persons, by maintaining the sentences of the courts of first instances; one decision regarding 2 persons to return the case to the court of first instance for re-adjudication.

[98] 14 decisions with regard to 26 persons to admit ordinary appeals and return the cases to court of appeal for re-adjudication; 3 decisions with regard to 7 persons to admit the appeals, overturn the decisions and adopt new decisions; 14 decisions with regard to 19 persons to reject the appeals and maintain the decisions of the Court of Appeal.

[99] Accompanied by the destruction of buildings housing the Parliament and the President (art.285 CC), committing hooliganism (art.287 CC), and open substraction of goods from these premises – theft (art.187 CC).

[100] Initiated – 102 criminal cases; sent to court – 31 criminal cases with regard to 43 persons; criminal proceedings suspended in 3 criminal cases with regard to 6 persons which get away from the prosecution (4 are minors); criminal proceedings stopped in 68 criminal cases with regard to 178 persons, including due to reconciliation of the accused with the representative of the State.

[101] Convictions in 9 criminal cases with regard to 14 persons; acquittals – 1 criminal case with regard to 1 person; the criminal proceedings stopped in 9 cases with regard to 13 persons.

[102] 7 conviction sentences with regard to 11 persons (based on a sentence – one person was fined, and in the rest of the cases, the conditional suspension of penalty was applied).

[103] The GD No. 67 of 2 February 2012.