



Economic and Social Council

Distr.: General
18 April 2024

Original: English
English, French and Spanish only

Committee on Economic, Social and Cultural Rights

Fourth periodic report submitted by the Republic of Moldova under articles 16 and 17 of the Covenant, due in 2022^{*}, ^{}**

[Date received: 15 March 2024]

* The present document is being issued without formal editing.
** The annex to the present document may be accessed from the web page of the Committee.



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List of abbreviations and acronyms

CAP	Centre for assistance and protection of victims and potential victims of human trafficking, Chişinău
CC	Contravention Code
CHIF	Compulsory Health Insurance Fund
CHIS	Compulsory Health Insurance System
EC	Education Code
EqC	Equality Council
GD	Governmental Decision
GPI	General Police Inspectorate
IOM	International Organization for Migration
LC	Labour Code
LPA	Local Public Authorities
ME	Ministry of Environment
MER	Ministry of Education and Research
MF	Ministry of Finance
MH	Ministry of Health
MIA	Ministry of Internal Affairs
MJ	Ministry of Justice
MLSP	Ministry of Labour and Social Protection
NAC	National Anticorruption Centre
NBS	National Bureau of Statistics
ACPMS	Agency for Consumer Protection and Market Surveillance
CAA	Civil Aviation Authority
IEP	Inspectorate for Environmental Protection
NA	Naval Agency
NAER	National Agency for Energy Regulation
NART	National Agency of Road Transport
NEA	National Employment Agency
NHIC	National Health Insurance Company
NHRAP	National Human Rights Action Plan
NHRC	National Human Rights Committee
NFSA	National Food Safety Agency
NPHA	National Public Health Agency
NRAECIT	National Regulatory Agency for Electronic Communications and Information Technology
NSAA	National Social Assistance Agency
OPA	Office of the People's Advocate
PC	Penal Code
PPC	Penal Procedure Code

SAP	Assistance and Protection Service for victims and alleged victims of THB
SCM	Superior Council of Magistracy
SDGs	Sustainable Development Goals
SLI	State Labor Inspectorate
THB	Trafficking in Human Beings
TSA	Technical Supervision Agency
UN 2030 Agenda	2030 Agenda for Sustainable Development
UTA Gagauzia	Autonomous Territorial Unit Gagauzia

I. Introduction

1. The Fourth Periodic National Report on the implementation in 2018-2022 of UN International Covenant on Economic, Social and Cultural Rights was elaborated following the Guidelines on the format and content of periodic State Party reports.
2. The Report includes information on implementing the provisions of the Covenant, developed in compliance with the general provisions of the Articles 16 and 17 under the ICESCR on the format and content of periodic State Party reports, established by the Committee on Economic, Social and Cultural Rights, including other recommendations previously adopted by the Committee.
3. The Report was developed based on the information submitted by relevant authorities and institutions, alongside the statistical reports prepared by the NBS between 2018 and 2022.
4. NBS developed a range of new information on various areas and shared it via the NBS website, such as access to labour market, justice, health, education, household living standards, social protection, including available indicators by various disaggregation, collected during statistical surveys and provided from administrative data sources.
5. Respectively, NEA monitors the data collected at the local level within the Territorial Subdivisions for Employment (TSEs) regarding the registration of unemployed people, providing employment measures for unemployed people requiring additional support on the labour market: (a) young people aged between 16 and 24 years: from disadvantaged families, orphans, children without parental care, under guardianship or trusteeship, (b) people who do not have a profession/trade profession, (c) people with disabilities, (d) long-term unemployed, (e) people aged 50 and over, (f) people released from detention, (g) victims of THB after psychological and social rehabilitation, (h) people struggling with the use of narcotic and psychotropic substances after social and psychological rehabilitation, (i) victims of domestic violence.
6. The statistical monitoring reports are being updated according to Law on Employment and Unemployment Insurance under the Automated Information System managed by NEA which reflect the situation of the unemployed persons, beneficiaries of employment measures according to employment categories and measures, including the type of disability, and the reports shall be available quarterly, annually and as needed.
7. In 2015, Republic of Moldova committed to implement the UN 2030 Agenda, implying that by 2030 key stakeholders will eliminate all forms of poverty, combat inequalities and address the environmental issues and climate change, ensuring that no one is left behind.
8. During the implementation of the UN 2030 Agenda, Republic of Moldova was one of the first countries to nationalize (in 2016) and later to review (in 2019) a set of national SDG indicators. Both processes were established to evaluate the relevance of each indicator and to classify them.

II. Part I

Article 1

9. The Constitution and Civil Code (CC) stipulate that the public property is owned by the state or administrative-territorial units. Underground, air space, water and forest resources used to the public interest, natural resources of the economic zone and the continental shelf are the exclusive object of public property. The Parliament of Republic of Moldova is empowered to approve the main directions of external economic activity.
10. National legislation establishes civil, administrative, and criminal liability for people guilty of violation of the natural resources law. In the Transnistrian region of Republic of Moldova, a perimeter effectively not controlled by the constitutional authorities in the context of an unsettled conflict, it is difficult to efficiently use and preserve natural resources, protect the environment, consistently apply natural environment management tools, fully implement national legislation and international standards.

III. Part II

Article 2

11. All citizens, irrespective of the grounds for acquiring citizenship, shall equally enjoy all social-economic, political and personal rights and freedoms, proclaimed and guaranteed by the Constitution and other laws of Republic of Moldova. “The State must protect the legitimate rights and freedoms of its citizens; ensure the lawfulness of their rights in all areas of economic, political, social and cultural life”. Foreign citizens and stateless persons shall enjoy similar rights and duties with the exceptions provided by the law.

12. The assessment of the activities of the Equality Council (EqC) showed the need to remove functional impediments it was facing. For this purpose, the legislation was completed to strengthen the regulatory framework. The new legal act is aimed to ensure a better explanation and regulation of EqC’s competence; expand anti-discrimination grounds; improve data collection on equality, non-discrimination, and diversity; enhance monitoring, evaluation, and annual reporting of results; strengthen the institutional framework in the field which will lead to a better implementation of the principle of equality and non-discrimination at the national level. The draft law was subjected to evaluation by external experts and is currently submitted to the State Chancellery to be consulted with relevant authorities and civil society.

13. In terms of the implementation of the recommendations of the Committee on Economic, Social and Cultural Rights, in relation to EqC’s competence, the following data are to be presented:

Table 1

<i>Year of EqC’s recommendations</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Implementation rate	63%	35%	41%	40%	22%

Source: Equality Council.

14. The recommendations formulated in 2021 are monitored in 2022. Detailed information on monitoring the implementation of the EqC’s recommendations can be found on official website, www.egalitate.md, under Publications, Reports section.

15. The implementation rate of the EqC’s recommendations is decreasing during the reporting period.

16. Whereas the wage level defines the status of the civil servant on a hierarchical scale, the lawmakers consider that the People’s Advocate (Ombudsmen) role cannot be neglected in a democratic society. Starting from the assumption that it is indispensable to provide status- appropriate social guarantees, the legal framework of the budgetary wage system was amended and supplemented, increasing the Ombudsmen salary in line with international standards and recommendations.

17. In May 2018, the Global Alliance of National Human Rights Institutions (GANHRI) accredited OPA with „A” status under the periodic reaccreditation, acknowledging that the mandate and the practice of the Ombudsmen institution follows the Paris principles.

18. NHRAP for the period 2018-2022 was approved by Parliament Decision No 89/2018 being based on the recommendations accepted by Republic of Moldova under the second cycle of the Universal Periodic Review and the human rights recommendations addressed by the UN, Council of Europe, OSCE and other international organisations and monitoring bodies. The SDGs of the UN 2030 Agenda were also taken into consideration when developing NHRAP. It aims to support public authorities in reshaping public policy-making process at the central and local levels to ensure that it includes people’s needs and considers the obstacles faced by minority and vulnerable groups when fulfilling their fundamental rights. NHRAP has the following main directions:

- Align the national regulatory framework with international human rights standards;
- Ensure access to justice and strengthen national human rights institutions;

- Transparency, access to information and freedom of expression;
- Protection against discrimination and promote equality;
- Prevent and combat domestic violence and ensure gender equality;
- Increase access to quality education for all children and young people at all educational levels in compliance with international standards;
- Ensure universal access to quality, safe and accessible healthcare services for all;
- Continuous increase of the employment rate by providing job opportunities for all;
- Ensure conditions for the protection, upbringing and education of children in families;
- Improve the legal and policy framework for the protection of the rights of people with disabilities;
- Ensure that national minorities are integrated in all state areas of work and combat the discrimination against minority groups;
- Ensure the observance of human rights in the left bank of Nistru River area.

19. To ensure an efficient mechanism for developing and evaluating human rights policy documents, implementation of human rights international treaties to which Republic of Moldova is a party and to monitor the implementation of undertaken commitments, the Government established:

- “National Human Rights Committee” entitled to: coordinate and implement uniformly human rights policy; supervise the process for developing, implementing and evaluating human rights policy documents; to review and approve biannual reports on the NHRAP implementation; facilitate interaction between international human rights mechanisms; coordinate the implementation process of international human rights recommendations, including those addressed under UPR on human rights; assess the level of human rights observance and approve initial and periodic national reports on the implementation of the international treaties, to which Republic of Moldova is a party; establish, if needed, specialised commissions and expert groups in certain areas and to monitor their work etc.;
- Permanent Human Rights Secretariat (PHRS);
- Commissions for Human Rights Protection at local level (CHRP);
- Human rights coordinators at central and local levels.

20. NHRAP implementation is coordinated at two levels: the cross-sectoral strategic coordination, carried out by NHRC as an advisory coordination body consisting of the representatives of the Parliament, Government, public central authorities, law enforcement bodies, human rights institutions, civil society; and the technical coordination – carried out by the PHRS.

21. Human rights national institutions: Ombudsman and EqC are part of NHRC and oversee the 2018-2022 NHRAP implementation. Five representatives of non-governmental organisations are members of NHRC having consultative right to vote.

22. At the local level, 33 municipal and district CHRP were established to ensure the implementation of local plans and programmes on national human rights policy documents and to monitor the observance of human rights at the local level. In this line, 28 human rights coordinators at the central level and 33 human rights coordinators at the local level were appointed as focal points within relevant authorities and institutions.

23. Monitoring reports of NHRAP implementation are prepared annually. The 2018–2021 reports were developed, consulted, and published on the State Chancellery website, under NHRC/national/international reports: <https://cancelaria.gov.md/node/5160>.

24. The Mid-Term Assessment Report on the 2018-2020 NHRAP implementation was developed in 2021 and can be consulted at the following address: https://cancelaria.gov.md/sites/default/files/raport_pnado_2018-2020_3.pdf.

25. In 2021, from February to March, 10 inclusive meetings were conducted aimed to consult national human rights institutions and civil society about the NHRAP Implementation Report, which was subsequently approved at NHRC meeting in March 2021.

26. The relevant institutions, when developing the Sectoral Expenditure Strategy, shall annually plan financial means to ensure the implementation of 2018–2022 NHRAP.

27. Between 2016 and 2020, authorities undertook significant efforts to harmonise inter-ethnic relations and eliminate all forms of discrimination based on race, skin colour, descent or national and ethnic origin.

28. The socio-economic issues faced by Roma people were addressed through the 2016–2020 “Action Plan to support Roma people in the Republic of Moldova” focused on several areas of intervention: education, labour, social protection, and participation of Roma people in decision-making and combating discrimination etc. The implementation of the Action Plan showed that 2/3 of the activities were partially carried out and approximately 1/3 of the actions were not implemented. The socio-economic situation assessment of Roma people reveals the need to continue the Government efforts by approving and implementing a medium-term programme. In this regard, MER developed the 2022–2025 Programme aiming to support Roma people. For this purpose MER established an “Inter-Agency Working Group” that consists of representatives of state institutions, civil society of Roma people, development partners etc. The Programme is a medium-term public policy document describing the objectives and actions to support Roma people and shall be implemented across the following priority areas as education; health; work; social protection; participation of Roma people in public life, including in decision-making; combating discrimination etc.

29. Government is determined to strengthen the Roma community and to improve its situation. An identified and applicable tool is the “community mediator” mechanism, which carries out an important task in strengthening Roma community by ensuring a cooperation balance between the state and community institutions, facilitating their communication and collaboration. Recognizing the role and the added value of the community mediator’s work for Roma communities, the authorities make efforts to ensure the functionality of this service. The 2013-2014 funding model for community mediators has been resumed since 2018. Thus, the corresponding regulatory framework was amended and establishes “the funding for community mediators” through earmarked transfers from the state budget to the first-level local budgets, the central budget of the autonomous territorial unit with special legal status and the budgets of “Bălți and Chișinău municipalities”, which boosted the employment of community mediators at the local level. The Agency for Interethnic Relations shall submit proposals to the MF every year concerning the number of community mediators per local public authorities and the financial means needed to ensure their work’.

30. “The 2019 State Budget Law” planned MDL 2,4 million for 47 community mediators with a planned salary of MDL 46,6 thousand for a community mediator. “The 2020 State Budget Law” planned expenditures of over MDL 3,4 million to ensure the work of 54 community mediators. The planned amount covers not only the community mediators’ wages but also the costs for workplace equipment and training. As of April 2022, there were 45 employed mediators out of 54 planned units.

31. Under the “2022 State Budget Law”, earmarked transfers amounting to MDL 3,6 million shall be transferred from the state budget to local budgets for 53 units of community mediators.

32. The national human rights policy concept of the Republic of Moldova includes priority directions, principles and goals, as well as concrete political, juridical, social-economic, training, cultural and educational tasks. Foreign citizens and stateless persons shall enjoy similar rights, freedoms and duties as the citizens of the Republic of Moldova (the right to residence, work and labour protection, education, leisure, healthcare etc.); with the exceptions provided by the law (they may not be appointed or engaged in activities which require the citizenship of Republic of Moldova, they shall not enjoy the right to elect and to be elected in legislative, executive and other eligible bodies, to participate in universal suffrage, to be members of parties and other socio-political organisations, to serve in the armed forces of the Republic of Moldova).

33. Regarding ensuring the right to physical and mental health, the following measures have to be noted:

- Law on mental health was reviewed being developed amendments on treatment without free consent in accordance with human rights and international conventions.
 - The draft of the “Framework Regulation on the Organisation and Operation of the Specialised Intervention Centre for Autism Spectrum Disorders” was developed. The ‘Clinical Protocol and Treatment Standards for Autism Spectrum Disorders’ were developed and approved.
 - “The Clinical Protocol on Autism Spectrum Disorders in Children and Adults, the Clinical Protocol on Attention Deficit/Hyperactivity Disorder and the Clinical Protocol and Treatment Standards on Dementia” were developed.
 - The curriculum was revised, and new curricula was introduced for psychiatry residents (community psychiatry modules), family doctors (mental health modules) and new healthcare staff (a mental psychology program), and mental health modules for ongoing medical training.
 - The list of medications for mental illnesses (dementia, schizophrenia, bipolar affective disorder, epilepsy with mental disorders) that are fully compensated from CHIS, being supplemented with 11 generic international drugs.
 - The criteria for determining disability and work capacity for children and adults under the “Chapter on Mental and Behavioural Disorders” were revised according to the International Classification of Functioning, Disability and Health and approved by MH and the National Council for Determining Disability and Work Capacity.
 - The employment integration of people with mental health problems was facilitated. 90 specialists of the NEA were trained aiming to initiate and strengthen the knowledge of the specialists of NEA subdivisions.
34. The following actions were undertaken for community engagement, social inclusion and stigma reduction:
- Over 50 events were carried out under the communication strategy and the action plan on stigma and discrimination reduction;
 - 10 types of information materials for children and adults were developed and disseminated;
 - “Sunt bine”, [“I am fine”] podcast - the first podcast on mental health in Republic of Moldova, supported by the MENSANA project, as a documentary partner. At the 2020 Journalists Gala, “Sunt bine” podcast was awarded under the “Podcast/Audio coverage” category. The podcast showed that mental health is a matter of public interest and deserves to be addressed from a much broader perspective than the hot news. “Sunt bine” newspaper has been recently launched;
 - “Bună, Ce faci?”, [“Hello, how are you?”] short video campaign has been launched;
 - The Guideline on facilitating the promotion of community mental health centres on Facebook was developed and the centres’ teams were trained.

Article 3

35. Gender equality is a fundamental human rights principle and a Governmental priority. To implement the final Comments of the UN Committee on reducing the gender pay gap, including by combating gender stereotypes, Law No 107/2022 was approved aiming to define the principle of equal pay for work of equal value between women and men. Thus, the salary system shall include more transparent conditions and rules and it is mandatory for all employers to use a fair job assessment system in terms of equal and fair pay.

36. The legal framework on employment supports women job-seekers who can benefit from equal employment services and measures: registered unemployed women belonging to some categories that require additional support in the labour market.

37. Women’s empowerment is supported and promoted through programmes that impact women’s integration in the labour market as follows:

- The Project “Support for co-creation of economic empowerment programmes for women survivors of gender-based violence” implemented between 2021 and 2022 by government in partnership with civil society and development partners.
- The “Roadmap of women’s economic empowerment” for 2022–2023 developed by of the Economic Council to the Prime Minister.
- The New Occupational Classification (CORM 006-2020) has been approved for the first time, which became gender-responsive and provided both male and female versions for over 80% of 5,600 jobs and professions.
- Campaigns were carried out jointly with the development partners to involve fathers in childcare by promoting paternal and parental leave. The number of paternal leave beneficiaries is constantly increasing.
- The entitlement to the monthly childcare allowance was amended and it shall be available in 2 phases.
- The LC was supplemented with provisions regulating flexible working hours, providing days off for employees when the offline educational process is suspended and regulating the remote work.
- Law No 46/2022 was approved to expand preschool education services and childcare opportunities that meet the needs of parents and provide them more flexibility to decide on the optimal period of childcare and return to work. The Law supplemented regulatory framework and offers to employers the opportunity to provide alternative care services for their employees’ children under 3 years of age.

IV. Part III

Article 6

1. Right to work

38. Constitution guarantees the right to work stipulating that every person shall enjoy the right to work, to freely choose his/her profession, to have fair and satisfactory working conditions, as well as to be protected against unemployment. Also it prohibits the forced labour. The Constitution and LC establish the right to labour protection for employees. The protection measures include health and safety at work, work arrangements for women and young people, minimum wage, weekly days off, paid leave, work under difficult conditions, and other specific arrangements.

39. As regards combating child labour, there is a large list of entities involved in identifying and combating this phenomenon, including education institutions, healthcare facilities, cultural institutions, social care bodies, SLI and other institutions. The Guidelines on the cross-sector cooperation mechanism for identifying, assessing, referring, assisting, and monitoring child victims and potential victims of violence, neglect, exploitation and THB, approved by GD No. 270/2014, regulates the activities to detect and combat child labour.

40. The Practical Guide on Cross-Sector Cooperation Mechanism was approved by a joint order of MLSP, MH, MIA and MER. The document provides a series of recommendations and useful information targeting to ensure efficient and quality multi-sectoral and multi-disciplinary interventions during each suspected or confirmed case of violence, abuse, neglect, exploitation and trafficking of children. The Guide can be consulted on website <https://social.gov.md/wp-content/uploads/2021/12/GHID-de-aplicare-practic%C4%83-a-HG-nr.-270.pdf>.

2. Measures to guarantee the right to work

41. In order to implement the final Comments of the UN Committee on enhancing the employment opportunities for Roma people and people with disabilities, Law No 105/2018 on promoting employment and unemployment insurance is implemented to provide new active employment measures tailored to the needs of different categories of people, including employers and people requiring additional support in the labour market. For enactment of

new measures, GD No 1276/2018 was approved to adopt the procedures for access to employment measures.

42. Roma people and people with disabilities from abroad registered as unemployed can benefit from the following employment services and measures:

- Job intermediation, information about the labour market and career guidance;
- Professional rehabilitation, assisted employment and job adaptation for people with disabilities;
- Professional rehabilitation of people with physical impairment;
- Professional training, including on the job training and internship;
- On-the-job training within the company for unemployed people who do not have a profession or a trade profession;
- Subsidized employment;
- Subsidizing job creation (self-employment and job creation in rural areas);
- Boosting labour mobility.

43. PES is providing services at national and local levels within 35 territorial employment offices.

44. As a result, 1073 job seekers with disabilities were registered in 2021, including 459 women. 610 people with disabilities were registered as unemployed, including 262 women, 188 unemployed people with disabilities were employed, including 73 women.

45. In 2021, 1608 Roma people were registered as job seekers; 1830 people were registered as unemployed, including 1059 women, 126 Roma people were employed, including 68 women.

46. Additional measures were taken to inform people with disabilities and Roma people about existing employment opportunities: informative and career guidance seminars, job fairs, informative leaflets etc.

47. People returned from abroad shall also enjoy the whole spectrum of services and measures aimed to increase the employment level and integration in the labour market. The Diaspora Relations Bureau of the State Chancellery has developed the 2022–2026 National Program to stimulate returns and facilitate the (re) integration of Moldovan migrant citizens and the Action Plan including a wide spectrum of actions involving all interested actors and aimed to support efficiently the returned migrants.

48. To ensure the labour rights protection of Moldovan migrant workers in the countries of destination, the Government is implementing bilateral treaties on labour migration management, as listed in the Table 2 in the Annex.

49. The Government started negotiations on a new treaty with the State of Israel on regulating labour migration in the household sector. To conclude bilateral agreements, a dialogue with other countries of destination was initiated, such as Spain and Portugal. Separate agreements are signed in social security area.

50. Moldovan citizens returned from abroad can benefit from employment services and measures provided by PES such as counselling, assistance and support in launching a business, enabling and developing entrepreneurship opportunities among Moldovan returnees.

Article 7

1. Wage policy

51. Under Article 10(2)(h) of LC, the employer is obliged to pay the wage in full following the terms provided in Article 142, in the collective labour contract and individual labour contract.

52. Given that employers are obliged to declare fully their wages, the Contravention Code (CC) was supplemented respectively. Paid wages and other payments that are not reflected

in the accounting records shall be sanctioned for each identified person with a fee amounting from 400 to 500 conventional units for individuals, a fee amounting from 1000 to 1500 conventional units for officials performing a civic duty and for business entities.

53. In 2022, the MLSP launched the “Trecem pe alb”, [“Start declaring”] national information campaign and an initiative to develop the National Plan on Combating Undeclared Work encouraging the cooperation of the state institutions to jointly combat undeclared work and to inform the public about the benefits of declared work and the measures undertaken by the Government.

54. MLSP is currently consulting a draft law in order to empower the SLI additional rights targeting to reduce undeclared work and wage, namely:

- Carry out unannounced controls when noted about undeclared work;
- Review contravention cases related to undeclared work;
- Submit information on contraventions to the State Tax Service to recover the payments and apply sanctions according to the Tax Code;
- Apply indirect methods and sources to identify undeclared work.

55. SLI undertakes various actions aiming to ensure the enforcement of law on labour, occupational safety and healthcare: inspection visits (including wage inspection visits), child labour monitoring, reviewing petitions and complaints about labour law violations, preventing, sanctioning and combating irregularities, registering staff records, tracking collective labour contracts, investigating accidents at work, information, consultation and raising-awareness actions, measures to strengthen professional skills of labour inspectors.

56. SLI has a professionally trained staff to implement its activities.

57. Statistic data on inspection visits (including wage inspection visits) conducted between 2016 and 2021 are presented in the Table 3 (Annex).

58. After amendments of the CC: “violation of labour law reflected by determining or paying a wage below the minimum level guaranteed by the state or established by collective labour contract/agreement shall be sanctioned with a fee amounting from 70 to 120 conventional units for individuals, a fee amounting from 150 to 240 conventional units¹ for officials performing a civic duty and a fee amounting from 260 to 400 conventional units for business entities”.

2. Occupational safety and health

59. The degree of regulated labour relations, occupational safety and health is one of the most meaningful indicators of the quality of life in any country.

60. Law on State Control of Entrepreneurship Activity stipulates “the same control body shall not be entitled to carry out planned control more than once a calendar year on the same person or the same object of control in case the person owns several separate objects, located separately from the premises and other objects, except the cases when a higher frequency of controls is required according to the control planning methodology based on risk criteria, applied to this control area”.

61. In 2017 the mentioned Law was supplemented with wording that notifies the control authority “the provisions of the Law shall not be applied for the control over the observance of the law on occupational safety and labour relations”.

62. According to the Ministry of Economy, the claim that Law on State Control of Entrepreneurship Activity limits the state controls on labour, occupational safety and health is considered unjustified, because the Law does not restrict access to unplanned (unannounced) controls. Article 14(2) provides that “the deadline referred to in para 1 shall not be applied for unannounced controls”.

63. At the same time, MLSP carries out a series of measures to increase the efficiency of labour inspections, both at legislative and institutional levels. In this regard, the submitted draft law shall introduce new grounds to carry out unannounced controls and allow the

¹ A conventional unit equals to MDL 50 under CC Article 34(1).

inspectorate to apply direct sanctions. It also facilitated access to the inspectorate data and encouraged cooperation between state control institutions.

64. Between 2017 and 2020, the control duties on occupational safety and health were removed from SLI and assigned to 10 relevant authorities: NFSA, ACPMS, NPHA, IEP, NART, CAA, NA, NAER, NRAECIT and TSA.

65. On January 1st 2021, the control duties on occupational safety and health was re-established for SLI. The statistics on the inspections carried out in 2016–2021 on occupational safety and health are presented in the Table 4 (Annex).

3. Equal opportunities for promotion at work

66. Constitution ensures that all citizens shall be equal in front of the law and authorities, regardless of race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, social origin or standard of living. National legislation guarantees equal rights for all citizens to participate in political, economic, social and cultural life.

67. The LC provides the equality in work promotion for employees, excluding any type of discrimination, taking into consideration the work productivity, qualification and length of service in the speciality, which is one of the main principles for regulating labour relations.

68. The number of women in Parliament increased by strengthening the women's role in decision-making and approving the double quota system (40% gender quota and ranking order rules). Thus, 42.7% of the top 10 candidates with the highest chances of entering Parliament were women. In 2021 the highest share of women candidates for MP (46.7%) was recorded. A higher number of women candidates included in the lists increased the number of elected women MPs: about 12% higher compared to 2019 elections and 16% higher compared to 2014 elections. These provisions ensured a fairer distribution of male and female candidates and did not allow the number of women MPs to be affected by repeated changes in the lists. The early Parliamentary Elections of 11 July 2021 showed that 41 women MPs, or 40.6%, entered the Parliament.

69. At the level of central public authority, there has been a positive dynamic in the number of women in the Ministers Cabinet over the years, which increased from 5% (during 2009–2011) to 29.4% (in 2021).

70. Stereotypes and perceptions of women's and men's participation decreased during the reporting period. For example, in 2009 32% of citizens considered women to be less capable and unable to hold leadership positions but this share dropped to 12% in 2021. This trend is also valid for all stereotypes concerning care roles or traditional male roles. For example, the share of people who consider women responsible for housework decreased from 62% in 2017 to 46.4 % in 2021.

4. Rest, leisure, rational work limitation

71. According to the Constitution and LC, a working week lasts a maximum of 40 hours. This complies with the provisions of ILO Convention No 47 on the Reduction of Hours of Work to Forty a Week, ratified by Republic of Moldova in 1995.

72. In compliance with national legislation, the type of working week and work regime – duration of the work program (shift), time of start and end of work, breaks, alternation of working and non-working days – are established by the entity's internal regulations and by collective and/or individual labour contracts. LC provides that the normal daily working time is 8 hours.

73. Under the LC, any employee who works on the basis of an individual labour contract shall benefit of the right for annual rest leave and right for additional paid leave granted to some categories of employees usually added to the main leave. In addition to paid leave, the law provides the annual unpaid leave.

Article 8

1. Right to establish trade unions

74. The employees' right to join trade unions without restriction, including right to establish and join trade unions to defend their labour rights, freedoms and legitimate interests is guaranteed under the provisions of Constitution, LC, and Law No 1129/2000 on Trade Unions. Moldovan citizens living in the country or abroad, as well as foreign citizens and stateless persons legally residing in the country shall enjoy this right. The unemployed, people who lost their jobs and legal self-employed, may become members or join, at their own choice, a trade union in accordance with their status, or may retain the trade union membership of the enterprise, institution, or organisation they worked for.

2. Trade unions' rights to establish federations or confederations

75. The Law on Trade Unions stipulates the rights of trade unions to establish national federations or confederations and to set up international trade union organisations.

76. A trade union is voluntarily established based on common interests (profession, branch, etc.) and is operating usually within enterprises, institutions and organizations, irrespective of their legal form of organisation and type of ownership, departmental or branch membership. The employer has no right to restrict individuals in joining a trade union.

77. A primary trade union organisation shall be set out by at least 3 people considered as founders. The statute of each trade union, developed by the trade union itself, stipulates its organisational structure, the merging procedures, joining, splitting, or dissolving trade unions, and the procedures for establishing trade union centres as federations and confederations.

3. Trade unions' right to operate freely

78. Trade unions' right to operate freely is guaranteed by a wide range of safeguards aimed to ensure favourable conditions for the work of the trade union body within the company. To ensure these conditions, the Constitution LC and Law on Trade Unions ensure the most favourable conditions for trade unions' creation and operation by regulating the trade unions' role within the social partnership and by providing them with necessary rights to carry out their statutory duties, establishing certain obligations for employers.

79. The law provides safeguards for employee representatives, as elected members of trade union bodies and participants in collective negotiations.

80. Any infringements of trade union rights are sanctioned under the CC, which provides for a fine of 40 to 50 conventional units applied in case of any restriction of the right of employees to establish and join trade unions to defend their professional, economic and social interests.

81. National Trade Union Confederation of Moldova (NTUCM) is a national cross-sectoral confederation-based trade union centre, which gathers national trade union centres on a voluntary basis and is independent of public authorities, parties and other socio-political organisations, employers' associations and organisations; it is not subject to their control and is not subordinated to them.

4. Right to strike

82. The right to strike is stipulated in the LC and in the Law on Trade Unions. The trade union body, on its own or at the decision of the trade union members, organizes and conducts, as required by law, meetings, rallies, demonstrations, public actions, processions, marches, picketing, strikes and other actions, as a form of struggle for improving working conditions, increasing wages, reducing unemployment, strengthening the workers solidarity to defend their professional, economic, labour and social rights and interests.

Article 9

83. The pension reform has been carried out since 2017, aiming to ensure the operation of a fair and sustainable pension system that guarantees a decent living for pension beneficiaries.

84. According to Law No 156/1998 on public pension system, the contribution period is one of the essential conditions in order to receive a pension within the public social insurance system. The contribution period is the sum of the working periods during which social insurance contributions were paid to the state social insurance budget. The contribution period shall assimilate some non-contributory periods.

85. To improve social security, MLSP proposed to implement new necessary measures of the legal and regulatory framework by initiating new regulatory policies in the medium-term budgetary framework for 2024–2025.

86. The pension system sustainability is under pressure due to a growing demographic crisis and ageing population. A set of complex and innovative law amendments were made, namely: increasing the minimum pension up to MDL 2,000 per month and continuously aligning the pension to the minimum subsistence, taking into account the insured income and the average monthly insured income paid for retirement and disability pension, increasing the retirement age and the contribution period, implementing a mechanism for increasing pensions based on economic growth by amending the Law on the Public Pension System. The law regulates the following:

- Method to calculate the minimum pension;
- New pension indexation mechanism on 1 April every year;
- New established mechanism to increase pensions in compliance with Law No 156/1998. The calculated part of pensions shall increase annually, on 1 April, by a fixed amount. The fixed amount is determined by multiplying the average pension amount by 50% of GDP growth during the previous year, expressed in comparable prices;
- Grant the right to early retirement pension for long-term careers for people who completed the contribution period.

87. Self-employed specialists working in justice sector and people who established any form of entity provided by the law on lawyers, notaries, bailiffs, authorised administrators, mediators of the public system are compulsorily insured under Law No 489/1999 on the Public Social Insurance System. The amendment of this Law provides self-employed specialists with equal access to social insurance programs since 2021, while the fixed fee increased to MDL 24,255 in 2022.

88. One of the priorities of the social insurance system is to grant equal rights to all citizens of the Republic of Moldova to have access to all categories of social benefits:

- Allowance for temporary work incapacity caused by general diseases or accidents not related to work, occupational diseases and accidents at work, including sick child care allowance;
- Benefits to prevent illness and restore working capacity;
- Maternity allowance;
- Allowance for child care up to 3 years;
- Unemployment benefit;
- Death grant.

89. Project of building social housing for vulnerable groups, phase II, was launched in 2013 with the financial support of the Council of Europe Development Bank and level-two LPA (about 700 houses across the country for about 2,500 vulnerable people). The project was implemented in 12 districts during 2013–2021, and there were provided 556 fully built social housing units.

90. Construction works are being carried out in Cimislia (49 flats) and in Rezina (72 flats), and is planned to build 121 social flats.

91. Regarding the Committee's recommendations namely, the concern on the decrease in public expenditure on education, social protection and healthcare as a percentage of GDP, it should be outlined the positive trend for the expenditures executed from the national public budget (NPB) on these sectors during 2018–2021, as well as the approved expenditure

for 2022. The analysis of the executed/approved expenditure from the national public budget on the above- mentioned sectors shows an increase from year to year (see Table 5 in Annex).

Article 10

1. Family care and assistance

92. According to Constitution, a family is the natural and fundamental element of society and shall enjoy protection from the State and society. The policies of family and child social protection are aimed to encourage the birth rate increase by promoting effective family support, modernisation and diversification of community and family services to prevent institutionalisation of children and enhance the quality of family's life.

2. Protection for mothers before and after childbirth

93. Allowances for families with children are the main financial state support for this category and consist in single or periodic payments granted to families for child birth and child- rearing/care. Law No 315/2016 on Social Benefits for Children, establishes social benefits for children and provide minimum financial state support for childbirth, child care and upbringing of twins, as well as social support benefits for adopted children and children temporarily left without parental care, including for continuing their studies.

94. Law provides the following social benefits for children (detailed in the Table 6 in Annex): single allowance at childbirth; monthly childcare allowance for all children up to 2 years of age; monthly allowance for twin children or for more than one child born from a single pregnancy; monthly and daily allowance for supporting the child under guardianship/trusteeship; daily allowance for children placed in family-type placement services, in small group homes for children at risk and placement centres for children separated from their parents, who are enrolled in educational institutions, from the fifth grade till turning 18 years old; monthly childcare allowance granted for an adopted child; allowance for further studies.

3. Protection and assistance for children and adolescents

95. To ensure the protection of children whose parents are abroad or in another part of the country and to clearly define the authorities in charge of children's registration and monitoring, Law No 112/2020 was adopted to amend the regulatory framework including Law No 140/2013 on the special protection of children at risk and children separated from their parents, regulating custody as a form of protection for children whose parents are abroad or in another part of the country. The new provisions regulate the procedure for establishing custody and the persons who can become custodians and their responsibilities.

96. The data submitted by social assistance territorial structures under "Children at risk and children separated from their parents" annual statistical report show that there were 32,537 children separated from their parents at the end of 2021, including: 28,015 children whose parent/parents are abroad, 872 children temporarily left without parental care and 3,268 children left without parental care. Out of total number of children whose parent/both parents were abroad, 10,775 children were taken into custody by local guardianship authorities, 9,661 children were placed in custody in extended families (children with disabilities – 87) and 1,114 children were placed in third party custody (children with disabilities – 5).

97. The GD on the organization and operation of the social support service for families with children provides support for development of the family's capacities in raising and educating the child, by strengthening family's internal protective factors and connecting the family to relevant community resources. The service targets families with children to prevent and/or overcome risk situations to ensure the child's upbringing and education in family environment.

98. The family support service is provided in two forms: primary family support (a set of activities offered to families with children at the community level to prevent and remove factors that may lead to risk situations) and secondary family support (a set of activities carried out for family and child protection to prevent the child's separation from the family and to prepare the family for the child's reintegration). Under secondary form, families with

children can benefit from financial aid up to MDL 4,000 per child, determined by the family needs.

4. Preventing and combating domestic violence

99. Domestic violence is punishable under the PC by unpaid community work for 150 to 240 hours or by imprisonment for 3–15 years, as well is subject to contravention liability according to CC, by unpaid community work for 40 to 60 hours or by contravention arrest for 7 to 15 days.

100. There are 8 state-funded specialized centres for victims of domestic violence and violence against women located in the north, centre and south of the country. The centres provide social, psychological, medical, primary legal assistance, as well as temporary placement services. Specialized services are also provided by NGOs.

101. There are 4 types of counselling for domestic violence perpetrators (1 state-funded and 3 donor-funded). It is planned to develop a regulatory framework and specialised services targeting victims of sexual violence.

102. During the last years, with the support of development partners, several trainings were provided for forensic doctors, police officers, prosecutors, lawyers, social workers etc. In 2021, 1091 specialists were trained on the role of justice institutions in responding to cases of family violence.

103. The latest legislation amendments aimed to establish a mechanism for providing emergency legal assistance to victims of domestic violence and victims of sexual offences when filing a complaint and requesting protection measures and provides the electronic monitoring of perpetrators of domestic violence against whom protection orders were issued.

104. A governmental website was developed jointly with development partners to raise awareness about violence www.antiviolența.gov.md.

105. By ratifying in October 2021, the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), Moldova expressed the willingness to strengthen its efforts in Convention's implementation.

106. In 2021, there were 947 crimes against family values compared to 866 crimes in 2020 (+0.81%), representing 3.68% of the total number of crimes.

107. There were 2609/2453 crimes against family values or +1.56% cases of domestic violence in 2021, of which:

- 947/866 +0.81% cases included constituent elements of a crime;
- 1,662/1,587 +0.75% cases included constituent elements of a contravention (CC).

108. According to the legal classification of acts, 947/969 crimes were related to family relations, including 11/23 murders and 918/811 domestic violence crimes. According to the classification of committed crimes related to family relations, to be noted that:

- 445 crimes were recorded on mistreatment, other violent actions, resulting in medium harm to bodily integrity or to health;
- 150 cases were recorded under on psychological violence, namely containment, intimidation, aiming to impose the will or personal control over the victim.

109. 91 cases on violence against two or more members of the family were recorded and 28 cases of domestic violence were committed for which protection orders were issued.

110. Other 146 cases were qualified as medium injuries to body or health. About 40 cases of severe injury were registered, and 6 cases of domestic violence were registered on inducing the victim to commit suicide or attempted suicide.

111. 11 cases of domestic violence resulted in victims' death due to life-threatening injuries.

112. The analysis of gender-based crimes on family relations shows that perpetrators' violent actions led to 509 women victims, 207 women victims with children, 12 child victims and 35 male victims. There were 716 male and 60 female perpetrators.

113. In terms of domestic violence contraventions, to be noted that 1,427 women, 43 children and 82 men became victims, while 1,549 men, 61 women and 5 minors were perpetrators.

114. In 2021, based on 1,660 contravention cases, following coercive measures were applied:

- 51 offenders were placed under contravention arrest;
- 399 offenders were sanctioned with unpaid community work;
- 1,207 cases are being reviewed;
- 3 contravention cases were closed.

115. In terms of reports on suspected cases of domestic violence, there were 14,728 police reports on crimes and incidents related to family conflicts in 2021, out of which 1,963 cases were notified by sector policy officer.

116. Following the prosecution actions undertaken by the investigative officers while collecting the evidence, it was found that:

- 1,116 cases were reviewed and the prosecutor ordered the initiation of 99 contravention proceedings;
- Other 918 criminal proceedings were initiated on domestic violence;
- Criminal prosecution was denied in case of 115 complaints due to the lack of constituent elements of the offence;
- 42 criminal cases are handled by the prosecution officers.

117. In 2021 the police submitted 322/340 requests to the court to apply protection measures to domestic violence victims, out of which 5 requests were rejected due to the lack of grounds for applying protective measures. Thus, 28/46 requests were rejected due to the failure to comply with the application procedure being established that the victims of domestic violence were not in a crisis situation and could go to court following the rules of civil procedure, while 11/7 requests were rejected for other reasons.

118. To ensure the protection of victims of domestic violence, the courts issued 766/635 +1.31% protection orders, including 265 protection orders at the request of the sector police officer, 12 orders at the request of the criminal prosecution authority, 4 issued at the request of the prosecutor, 458 orders by victims' direct request or their legal representatives and 29 orders issued at the request of other authorities.

119. The police supervised 509/402 protection orders issued for women victims, 12/16 protection orders for child victims, 207/158 protection orders for women and child victims, 35 protection orders for male victims and 3 protection orders for male victims with children.

120. The monitoring of the compliance of protection measures found that perpetrators violated 373/281 protection orders, therefore criminal cases were initiated based on the constituent elements of the offences.

Share of protection orders executed compared to those violated in 2021:

121. Since 2017, following a risk assessment and based on their own belief, the police apply the emergency restraining order as a temporary measure to protect the victim of domestic violence. It immediately removes the perpetrator from the family lodging and applies some prohibitions to ensure the safety of the victim and other family members.

122. The analysis reveals that the police issued 5,851/4,939 +11.80% emergency restraining orders against domestic perpetrators in 2021.

123. Of these, 12/37 emergency restraining orders were appealed in the administrative procedure, 11/32 are in force and 1/5 are being reviewed by the court. Contravention proceedings were initiated against 726/591 +12.2% family perpetrators for violating protection measures established by the emergency restraining order.

Share of violated emergency restraining orders compared to those issued by the police in 2021

124. The police carried out tertiary prevention activities for 4,938/3,942 domestic violence perpetrators aimed at reducing aggressive behaviour.

125. Thus, in 2021, 3,724/2,411 perpetrators were under police monitoring and 2,695/2,593 persons were removed from the monitoring register. Out of total number of domestic violence perpetrators under police monitoring, 4,715/ 3,748 persons are men and 280/209 persons are women.

126. Police provided assistance and protection to victims and developed 3,920 personal safety plans in 2021.

127. 3,809 cases were referred to other authorities for assistance and counselling services as there is a reasonable suspicion that violent acts might be committed, of which:

- 2,910 cases were referred to social worker;
- 770 cases – to District Divisions for Family Assistance and Protection;
- 64 cases – to specialised NGOs;
- 5 cases – to Maternal Centre for Protection and Assistance of Domestic Violence Victims.

128. To maintain a proactive response to domestic violence cases, the multidisciplinary teams carried out 1,301 interventions during the reporting period. About 247 cases concerning child victims of domestic violence were referred to the guardianship authorities, 55 cases – to the psychological services of the Police Inspectorates for primary psychological counselling of victims in crisis.

129. Activities aimed to increase the level of anticrime education in the community, increase awareness, perception, and safety, and discourage violent behaviour were carried out. To increase the level of professionalism among police officers, trainings modules were conducted.

130. GPI in cooperation with international organisations, i.e. UNDP, UNFPA, OSCE Mission, IOM, UNIFEM, UN Women, OAK Foundation, the Embassy of Sweden, the U.S. Embassy, conducted a number of trainings for police officers on interventions focused on teamwork, interventions within multidisciplinary team.

131. GPI trained 331 police officers/non-commissioned officers (sector police officers and prosecution officers, patrol officers, investigation officers and others) across the country under the implemented projects in 2021.

132. During the first five months of 2022 (compared to the same period of 2021), the Police Inspectorates received 6,012/5,962 notifications on family conflicts, recorded in the Registers of Other Information on Crimes and Incidents (R-2) and 539/766 cases were recorded based on the police officers notifications. Thus, the territorial subdivisions of GPI recorded 357/371 crimes against family values and 623/646 cases on domestic violence. Detailed data are presented in the Table 7 in Annex.

133. The number of offenders sanctioned based on protocols issued for contraventions: 607/627 – men and 16/21 – women, and victims were: 527/582 women; 4/13 – children; 22/23 – men.

134. To ensure the protection of victims of domestic violence, the courts issued 339/337 protection orders for victims of domestic violence that were supervised by the Police, including:

- 212/215 – women victims; 19/4 – child victims;
- 99/90 – women victims with children; 6/21 – male victims;
- 3/7 – male victims with children.

135. The monitoring of the compliance of protection measures found that perpetrators violated 173/177 protection orders, therefore criminal cases were initiated.

136. In 2021, the employees of Public Security Services under the Territorial Police Inspectorates, acting as enforcement officers, issued 2,494/2,317 emergency restraining orders and 288/282 contravention protocols on failure to execute the emergency restraining order.

137. Police carried out tertiary prevention activities for 5,240 domestic violence perpetrators aimed to reduce aggressive behaviour. Thus, in 2022, 1,862/1,834 perpetrators were under police monitoring and 1,598 persons were removed from the monitoring register. Among the total number of domestic violence perpetrators under police monitoring, 4,937 persons are men and 303 persons are women.

138. Police also carried out 3,127 community activities during this period, including: 1,049 meetings with citizens, 373 meetings with students, 815 information sessions in educational institutions, 704 meetings with groups of employees and 186 meetings under Community Safety Councils.

139. Thus, 589,221 citizens were informed, and 43,541 information materials were distributed. Activities were covered by 162 media sources, including: 150 press releases published on the Police Inspectorates' websites/Facebook pages, 7 press releases published in local newspapers, 3 – covered by radio posts, 2 – covered by local television broadcasters. These activities aimed to increase the level of anticrime education in the community, increase awareness, perception and safety, and discourage violent behaviour within the family.

Legal and regulatory framework

140. Law No 144/2021 Republic of Moldova ratified “the Istanbul Convention”, becoming the 35th Council of Europe state Party to the Convention.

141. Several normative acts were amended or adopted for its implementation: the Law No 45/2007 on Preventing and Combating Domestic Violence; 2021-2022 Action Plan on the implementation of 2018–2023 National Strategy for preventing and combating violence against women and domestic violence, Joint Order of MIA, MLSP, MH, MJ, GPO, MER on establishing an inter-ministerial mechanism for monitoring and analysis of cases of domestic violence resulting in death or serious injury to physical integrity of victims.

142. This mechanism is a feasible platform for monitoring cases of domestic violence, in particular, those resulted with serious consequences or death and, at the same time, it aims to provide a strong domestic violence response, to ensure the protection of victims and to discourage perpetrators from committing acts of domestic violence. It also aims to strengthen the efforts of multidisciplinary teams to ensure an immediate and professional response to cases of domestic violence, to adjust the regulatory framework and to meet the requirements of the Istanbul Convention.

143. The Commission organised and held two meetings during the current year following its regulation.

144. To develop specialized services for victims of violence against women and domestic violence and to ensure their accessibility, the MIA aims to develop “the Family Justice Centre in Moldova (FJC)”, a model of an integrated approach and cross-sector cooperation of specialists from police, justice, health and social protection sectors, following the examples of similar centres in European countries and USA.

145. FJC's mission is to ensure the effective exercise of the victim's right to protection by assisting physical, psychological, and social recovery through medical, psychological, legal and social actions. The creation of the FJC will provide urgent, integrated and cross-sectoral response-based services to prevent repeated victimization and/or trauma among victims and to facilitate monitoring, documentation and collection of evidence for contravention and criminal cases.

146. The “Guideline on cross-sector cooperation in cases of domestic violence” was approved in 2022 by joint Order of the MLSP, MIA, MH, MJ and the National Legal Aid Council in order to streamline the cross-sector cooperation between relevant institutions on preventing and combating domestic violence, ensuring the protection, safety and observance of the rights of victims of domestic violence, also to streamline the mechanism for monitoring family perpetrators and reducing their aggressive behaviour.

5. Preventing and combating human trafficking

147. PC stipulates for THB crimes imprisonment from 6 up to 20 years, imprisonment from 10 to 20 years for child trafficking, and deprivation of the right to hold certain positions or to exercise certain activities from 2 to 5 years, while the legal entity shall be punished with a fine from 4,000 to 10,000 conventional units and shall be deprived of the right to conduct a certain activity, or be liquidated.

148. Victims of THB are exempted from criminal liability for any crimes committed by them in relation to this procedural status. The THB victims and alleged victims benefit from informational counselling regarding the range of specialized services needed for rehabilitation.

149. Specialised services are delivered with the beneficiaries' consent, and assistance is provided to victims regardless of whether they are willing to participate as a witness in a criminal prosecution process.

150. Specialized services are provided in 7 centres financed from the state budget and SAP.

151. Since 2018, a pilot project was being implemented by SCM decision, aiming to provide specialization for 6 judges of the Chisinau Court and Court of Appeals in charge with examination of criminal cases on THB and related cases.

152. Based on Law No. 137/2016 on rehabilitating victims of crime, the Programme for creating and developing the National Referral Mechanism for the protection and assistance of victims of crime and the 2022-2024 and Action Plan on its implementation were approved.

153. As special assistance measure, victims and potential THB victims are informed about their rights according with the national law and international treaties. The prosecutors and criminal prosecution officers are aware of the right of victims to receive protection. To assist the victims, in 2021, the General Prosecutor's Office issued the "Guideline on improving the facilitation of support service provision to THB victims and victims of child sexual exploitation".

154. In 2021, the Prosecutor's Office of Telenesti District issued a protection order to ensure the safety of the victim under a THB case.

155. The General Guideline on investigating crimes under PC, approved by the General Prosecutor, increased the responsiveness of the law enforcement bodies to all cases reported by the victims/witnesses of THB who were intimidated to change their statements. Thus, 5 criminal proceedings were initiated under PC, on inducement to make false statements in THB cases and child trafficking.

156. Following Article 26 of the Warsaw Convention, Parties must provide the possibility of avoiding penalties against victims of THB who took part in unlawful activities under coercion. During the reporting period, prosecutors finished 4 cases of THB and migration trafficking concerning the actions undertaken by the victims.

157. In 2021, following the requests submitted by prosecutors, 7 victims were interviewed under special conditions by the investigating judge in specially arranged premises, equipped with audio/video recording means to exclude repeated victimization among THB victims and child trafficking.

158. Also, 17 THB victims received legal support when they were informed about their procedural rights.

Initiated Criminal cases

159. In terms of criminal cases initiated, a total of 202 crimes were registered under this category across the country in 2021 (compared to 222 cases in 2020).

160. The analysis of THB cases in 2021 shows an increase of identified cases and decrease in the number of identified cases of child trafficking compared to 2020.

161. Law enforcement authorities showed an increased interest in developing a new National Referral Mechanism (NRM), approving the procedures for identifying, investigating and prosecuting child exploitation cases using information and communication technologies. The Superior Council of Magistrates extended the mandates for judges specialised in THB from one to five years.

162. The decline in cases was also caused by travel restrictions, both within the country and abroad.

Criminal cases with completed criminal prosecution

163. In 2021, 174 criminal cases on THB and related crimes were completed (198 criminal cases in 2020), 87 criminal cases were sent to court (102 in 2020), investigation of 12 criminal cases was terminated (18 cases in 2020), and 75 criminal cases were closed (78 cases in 2020).

164. According to PC, 51 criminal cases on child trafficking were completed, including 25 cases were sent to court for substantial examination, 2 cases were terminated, and 24 cases were closed.

165. The total number of criminal cases sent to court include 14 cases on sexual exploitation, 11 cases on labour exploitation. The total number of criminal cases terminated and closed include 5 cases on sexual exploitation, 19 cases on labour exploitation and 2 case on exploitation of begging.

166. 13 criminal cases on child trafficking were completed, including 6 cases were sent to court, 3 cases were terminated, and 4 cases were closed.

167. All criminal cases sent to court involve exploitation. The total number of criminal cases terminated and closed includes 4 cases on sexual exploitation, 2 cases on labour exploitation and a case on exploitation of begging.

168. In 2021, prosecutors ordered financial investigations for 8 criminal cases of THB cases and related crimes. As a result, assets worth over MDL 28,891,720 were seized.

Legal and regulatory frameworks (amended or new)

169. To facilitate the implementation of the provisions of GD No 270/2014, in 2021 by joint order of the MLSP, MH, MIA and MER the Practical Guide for the Intersectoral Cooperation Mechanism was approved, as also mentioned in para 40 of this Report. The Practical Guide for the Intersectoral Cooperation Mechanism contains the separate chapter 2.9 – Child Trafficking, which defines the notion of child trafficking and lists the signs by which child trafficking can be identified.

170. With the support of IOM Mission in of Moldova, the Information Guide on THB for employees of the international passenger transport industry on the identification and referral of victims/suspected victims of THB was developed.

Social assistance and protection of victims and suspected victims of human trafficking

171. In 2021, there were 357 victims (335 adult victims, of which 130 females and 205 males; 22 child victims, of which 21 girls and 1 boy) in criminal cases of THB, compared to 139 victims (116 adults, of which 29 females and 87 males; 23 children, of which 20 girls and 3 boys) in 2020.

172. During 2021, 77 victims of THB were assisted in the centres for assistance and protection of victims and potential victims of THB, financed from the state budget, of which 58 adult victims (30 women and 28 men) and 19 underage victims (18 girls and 1 boy).

173. During 2021, IOM Mission, including through its partners, assisted 376 beneficiaries (95 victims of THB and 281 potential victims of THB). Of the total number of THB victims assisted, 41 suffered exploitation. Most of the victims (56) were exploited for labour (forced labour, animal husbandry), followed by 32 victims of sexual exploitation and 6 victims of begging, while 1 victim was exploited for labour and sexually. During 2021, 4 NGOs assisted 45 THB victims and 15 children of victims through rehabilitation and reintegration support.

174. 58 child-victims entered the assistance program in 2021 and 35 – in previous years. 91% of the new beneficiaries are girls. The youngest beneficiary is 5 years old and most beneficiaries are in the 10-13 age category, confirming a downward trend in the age of sexually exploited children.

175. Child victims were provided with legal assistance, special hearings, preparation of psychological assessment reports/psychological reports and psychological assistance. For instance, during 2021, the psychologists of “La Strada” Centre offered services for 26 child victims/witnesses of child trafficking, sexual exploitation or sexual abuse; prepared

11 psychological assessment reports for law enforcement agencies and courts; psychological assistance before and during the criminal proceedings, carrying out 72 interventions etc.

176. In June 2014, a free helpline for children was launched (Child Helpline 116 111). The service is managed by MLSP and implemented by “CNFACEM” NGO providing direct and free access to psychological counselling, psycho-emotional support and informs beneficiaries about their rights and how these rights can be defended. During the reporting period, the counsellors dealt with 7 cases, of which: 6 cases of child labour exploitation and 1 case of potential child trafficking, which were referred to the competent child protection authorities for resolution.

177. NSAA manages the activity of the Centre for assistance and protection of victims and potential victims of THB, Chişinău (CAP).

178. CAP’s capacity is 34 places, of which: 24 places for women and mother-child couples and 10 places – for children separated from their parents.

179. During 2021, 260 beneficiaries received assistance and protection in CAP: 169 beneficiaries of accommodation (57 women and 112 children, including 63 girls and 49 boys) and 91 beneficiaries of day services (43 adults, including 29 women and 14 men, and 48 children, including 27 girls and 21 boys). Out of the total number of 169 beneficiaries of accommodation, 133 were assisted in the adult area, of which:

- Victims of THB – 10 women; Children of victims of THB – 1 girl; Victims of domestic violence – 115 persons (24 women and 71 children, of which 28 girls and 43 boys); Migrants in difficulty – 7 (3 women and 4 children, including 2 girls and 2 boys).
- 36 beneficiaries (32 girls and 4 boys) were assisted in the children’s area, of which: Victims of THB – 11 girls; Victims of domestic violence – 23 children (21 girls and 2 boys); Repatriated children – 2 boys.

180. At the centre, both adult and child beneficiaries benefit from a wide range of services, which were provided in 2021 through two platforms (day services and accommodation) as follows: (i) Assistance on arrival in the country – at the request of MLSP and/or IOM: 4 persons were assisted on arrival; (ii) Temporary accommodation – 169 beneficiaries (57 adults, 112 children); (iii) Social assistance – 260 beneficiaries (100 adults, 60 children); (iv) Psychological assistance – 103 beneficiaries (53 adults, including 51 women and 2 men, and 53 children, including 35 girls and 18 boys); (v) Health care – 93 persons (43 women, 50 children, including 35 girls and 15 boys); (vi) Legal aid – 17 beneficiaries (13 adults, including 11 women and 2 men, and 4 children, including 3 girls and 1 boy).

181. Since February 2021, started to operate the SAP. The service was established by MLSP, NSAA in partnership with IOM in Moldova, with a capacity to provide accommodation and assistance to a maximum of 10 beneficiaries simultaneously, adult male victims and suspected victims of THB and other related offences, for a fixed period of time to help them to recover, rehabilitate socially, return to an active life, reintegrate into their families and resume an independent life.

182. SAP’s services are tailored to the beneficiaries’ individual situation and circumstances, considering applicable legal provisions and quality standards for: temporary accommodation in safe conditions; day services; provision of food, clothing and personal hygiene items; psychological, social and legal assistance; healthcare; assistance in acquiring life skills; referral to retraining and employment services etc.

183. SAP ensures collaboration with local/territorial, central services including non-governmental service providers to efficiently carry out tasks and ensure access/referral of beneficiaries to other services and facilitates the process of (re)integration of beneficiaries into the (extended) biological family and the community through cooperation and, where appropriate, the referral of beneficiaries at the end of the placement period to the territorial multidisciplinary teams.

184. During 2021, 18 people received specialised assistance within the SAP (14 were provided with accommodation and support and 4 people with day services). Out of the total number of assisted persons, 15 have cooperated with the law enforcement authorities and participated in criminal proceedings as injured parties. Identity/civil status documents were

restored for 7 beneficiaries. For 2 beneficiaries the necessary assistance in obtaining social benefits was provided. Also 16 men benefited from psychological services.

Article 11

1. The right to continuous improvement in living standards

185. In the Republic of Moldova, the poverty monitoring and evaluation system was approved by GD No 851/2005. According to it, the NBS collects the necessary data for calculating poverty indicators and poverty lines and conducts the Household Budget Survey (HBS), which is the main source of data for poverty analysis.

186. Republic of Moldova has made substantial progress in recent years in reducing poverty (in terms of social assistance), according to international or national thresholds. The transformations of the social protection system over the last decade have produced positive results in terms of coverage of vulnerable groups and cost efficiency.

187. The main instrument, which acts as a social safety net for poor families (the legislation uses the notion of disadvantaged families) and provides support for the transition out of poverty, is the Social Aid Program. The social assistance program Ajutor Social was launched in 2008 and was designed as a program based on the proxy method of assessment using cash transfer data, replacing those provided based on categories benefits. The program was introduced as a countermeasure to the fragmentation of the social protection programs and the inefficiency of public investment in the field.

188. Social Aid Program addresses the disadvantaged families to reduce poverty and promote self-sufficiency. It provides a guaranteed minimum monthly income (GMI) – a calculated minimum benefit guaranteed by the state to a family (currently MDL 1363) and includes three sets of criteria, which the applicants must meet to qualify. In addition to an assessment of income and occupational status of family members, it also includes a proxy score that assesses family situation. To qualify for the program, families must meet all three sets of criteria. Families who are eligible for the program are also eligible for the cold season benefit, which is a fixed amount (in the period 01.11.2021–31.03.2022 it was MDL 700 per month). The income threshold for the cold season benefit is higher than for Social Aid and therefore more families qualify for this financial support.

189. The Social Aid benefit/cold season benefit is used to cover basic needs (food, medicine, clothing/footwear, services/heating and schooling expenses, etc.) without being conditionate or restricted.

190. In addition, the statistical data on the implementation of the Law on Social Aid show that most social aid recipients (76%) are families living in rural areas. Other detailed data are presented in the Table 8 in Annex.

191. Another way to improve living standards is to prevent corruption, including bribery. NAC provides at least twice a year ongoing training to public authority employees on ensuring institutional integrity on the following topics: Legal regime of gifts; Protection of whistle-blowers; Legal regime of improper influence; Favouritism etc., aimed to ensure institutional integrity, as well as on institutional integrity's assessment.

192. NAC officers were involved in the launch of “Anti-Corruption and Integrity” distance learning platform course, which includes 3 modules: General information on corruption, anti-corruption and integrity; Measures to ensure institutional integrity; Integrity control and accountability for lack of integrity.

193. As of August 2022, 1,457 public servants have registered on the platform and 980 trainees have received a certificate of completion. To prevent corruption in the police, NAC launched in 2021 the anti-corruption information and awareness-raising campaign entitled “Report! Your attitude counts!”. During this campaign NAC officers provided training to 1,302 police officers in 21 information sessions, for the equivalent number of territorial inspectorates across the country. In 2022 the campaign continued, with a further 1,050 police officers trained in 20 sessions.

194. The information campaign in education system “Integrity: credibility in the education system” was launched in November 2021 and continued in 2022 for education employees. 930 managers and teachers from district Education Divisions were trained.

195. In 2022, at the initiative of the General Division of Medical and Social Assistance of Chişinău City Hall, an information campaign was launched with trainings for the territorial social assistance divisions of Chişinău municipality, attended by 120 public servants; and 16 trainings for healthcare facilities of Chişinău municipality, attended by 1,434 medical staff.

196. Two national information and awareness-raising campaigns were launched in April 2022:

- “Integrity for quality public services”, performed by Public Services Agency with 40 trainings for 1,027 public servants;
- “Forests without corruption”, performed by “Moldsilva” Agency and ME with 23 trainings for 1,501 public servants and 30 students in the field;
- In May 2022, another 3 information and awareness-raising campaigns were launched:
- “Integrity for Healthcare System”, carried out by NAC in partnership with MH and NHIC. 19 training activities were provided for 1,196 health professionals;
- “No Corruption in Bacalaureate Exams”, carried out by NAC jointly with MER and National Agency for Curriculum and Evaluation. 7 training activities were provided for 450 people, including chairs and secretaries of BAC 2022 Centres;
- “A lesson in integrity in my school/university”, carried out by NAC volunteers together with the trainers of NAC’s Anti-Corruption Education Division. 24 lessons were jointly delivered by the Anti-Corruption Education Division and NAC volunteers to 829 listeners in some 17 education institutions across the country.

197. In July 2022, the campaign “Integrity for Children” started, with 7 training sessions attended by about 475 children.

198. The law establishes certain permissible gifts, whether offered as a courtesy or received as part of protocol procedures, which may be accepted by public agencies, including judges. The procedure of record keeping, evaluation, storage, use and redemption of gifts offered out of courtesy or as part of protocol procedures (permissible gifts) and of impermissible gifts offered to public servants is provided in the Regulation on the legal regime of gifts (GD No 116/2020).

199. The authorities responsible for examining disclosures of illegal practices are employers, in the case of disclosures of internal illegal practices, and NAC, in the case of disclosures of external illegal practices. (Law No 122/2018).

NAC, as the authority responsible for examining disclosures of illegal practices, shall:

- Ensure the promotion and operation of the national anti-corruption hotline;
- Register disclosures of illegal practices received in writing form, through an electronic online disclosure system, as well as those received via national anti-corruption hotline, and meeting the stated requirements;
- Examine disclosures of unlawful practices relating to corrupt practices and notify the employee of the results of the examination within the specified time period;
- Forward, within 3 working days, to other public entities the disclosures of illegal practices concerning other illegal practices that are a threat or harmful to the public interest.

200. Since 2019, NAC has registered and examined 11 external reports of illegal practices. The status of whistleblower has been granted to 7 persons, while 4 other persons did not apply for this status.

201. Ensuring the integrity of justice sector actors, their accountability and the fight against corruption have been declared a national objective. Thus, due to the implementation of the first comprehensive policy document for the justice sector, the following achievements have been made in combating corruption:

- New mechanisms to prevent corruption and ensure integrity in the justice sector;
- Codes of ethics for justice sector actors was revised and mechanisms for investigating/ reacting to ethical misconduct created;

- New mechanisms for selection, performance evaluation and disciplinary liability of judges created; role and status of the Judicial Inspection strengthened;
- Legislative and institutional reforms implemented to strengthen the administrative capacity of the judiciary –SCM and its specialised bodies;
- Procedures for enforcement of court decisions revised;
- Rethought and strengthened rules on the organisation and functioning of justice sector related professions: notaries, lawyers, bailiffs, judicial experts, mediators, authorised administrators, translators/interpreters;
- Reform of the prosecutor’s office, its management bodies, the statute of prosecutors secured; specialised prosecutors’ offices created and strengthened, etc.

202. The “de jure” establishment of an effective mechanism for holding judges accountable was achieved in 2018 by amending the law governing the disciplinary liability of judges. The amendments addressed the mechanism for examining disciplinary misconduct, strengthened the role of the judicial inspector and excluded the vague interpretations of what constitutes disciplinary misconduct of judges, and clarified the selection of alternate members of the disciplinary panel.

203. Also, the amendments adopted in 2018 in the area of judicial system reform, aimed to increase the effectiveness and independence of the judiciary sector: strengthening the role SCM to ensure the promotion of a merit-based and transparent system for judges’ selection and career; standardizing access to judgeships; ensuring the competitiveness of promotion and transfer procedures for judges; limiting the membership in the SCM to a single term; limiting the voting rights of General Prosecutor, President of the Supreme Court of Justice and Minister of Justice in matters relating to judges’ careers; setting up an effective system for challenging SCM decisions.

204. Legislative and practical measures have been taken to ensure access to justice. Thus, the e-Court File information subsystem, a part of the Integrated Case Management System (ICMS), has been reconfigured, allowing the creation and management of the electronic case file by submitting applications to the court online, with access to the case file by the parties, electronic coordination of the court hearing schedule by the participants in the trial, submission of evidence and distribution of materials in electronic format, introduction of the electronic summons mechanism. The courts have been equipped to develop e-Court File application. The IT solution is one of the measures to mitigate the effects of the reform of the judicial system, as the parties will have to appear before the judge only when the case is heard directly.

205. In line with amendments adopted in 2018 to Civil Procedure Code, the civil procedure was simplified by: reducing the number of steps in challenging court decisions; streamlining mechanisms to ensure that participants in the proceedings enjoy the right to defence and the publicity of the trial; improving the preparation of the case for hearing; the introduction of simplified and expedited procedures for certain civil cases, including anti-abuse provisions, rules of evidence registration and objections/court proceedings; improving remedies.

206. The PC was amended by Law No 165/2020 to adjust criminal penalties for corruption offences, increasing the prison sentence for offences under the articles: Money laundering, Influence peddling, Exercise of duties in the public sector in conflict of interest, Abuse of power or abuse of office.

207. To ensure the continuity of justice reforms, a new policy document, “Strategy for Ensuring the Integrity and Independence of the Justice Sector for 2022–2025”, was adopted in 2021. It includes a strategic and systemic approach to existing problems and sets out tools to address the expected impact. Independence, accountability, and integrity of justice sector actors is one of three strategic lines of intervention of the policy paper.

208. Under the provisions of Law No 26/2022, the evaluation of the integrity and interests of candidates for membership of SCM and Superior Council of Prosecutors (prevetting procedure) is underway followed by an extended external vetting procedure of all magistrates in the current judicial system. This mechanism has been consulted with relevant international organizations.

209. Concerning the measures to streamline the work of anti-corruption authorities, the draft law is being finalized by MJ to narrow the responsibilities of the Anti-Corruption Prosecutor's Office (ACPO) to the investigation of high-level corruption cases and to restructure NAC. In general terms, it is proposed: the cases of petty corruption to be examined by the territorial prosecutor's offices; a list of subjects falling under the jurisdiction of NAC or AP should be compiled; high thresholds should be set so that only those offences that can be subsumed under the concept of grand corruption remain under the jurisdiction of ACPO.

2. Measures to ensure access to water and sanitation services

210. The Government supports and implements UN recommendations on increasing efforts to improve people's access to safely managed drinking water supply and sanitation services. The National Program for the implementation of the Protocol on Water and Health for the years 2016–2025, is being implemented, setting the national objectives and the actions aimed to achieve them. According to national data, in 2021, 70% of the general population, including 98% of the urban and 48% of the rural population had access to a safely managed water supply system, up 1.5% compared to 2020. Records show that 88% of pre-schools and schools have access to a safely managed water supply system. According to NBS, in 2020 compared to 2017, the number of settlements with access to water supply systems increased by 58 settlements. About 82% of settlements are connected to water supply systems, and about 18% of rural settlements do not have access to water supply systems.

211. To ensure equitable access to water and sanitation for vulnerable and marginalized groups, the regulatory and institutional framework was analysed to identify barriers and financial mechanisms to ensure it were established. It was found that the main factors influencing access to water and sanitation in Moldova are area of residence and household income level. The data show that rural and poorer households, have twice as little access to water and sanitation as urban and high-income households. Evidence also shows that while inequalities in access to water are decreasing, inequalities in sanitation are more pronounced, mainly due to lower investments in rural areas.

212. To ensure priority actions' implementation in the field of environmental protection, the Government's 2021–2022 Program of Activities, establishes the key objective with the output/result indicator: "integrated solid household waste management infrastructure planned and designed". In achieving this indicator, ME has intensified the actions for the implementation of the Law No. 89/2020 on the ratification of the Financing Agreement with the European Investment Bank through the project "Solid Waste in the Republic of Moldova", with a first commitment of the EUR 25 million tranche under the EUR 100 million loan program, intended to finance the development of infrastructure in the Waste Management Regions which are the main elements of the integrated waste management system.

213. Also, the 2013–2027 Waste Management Strategy of the Republic of Moldova is being implemented, aiming to set the direction of the activities for the development of the infrastructure and services for proper waste management in order to protect the environment and the people's health, prioritize actions according with the EU waste hierarchy (reduce, reuse, recycle, recover, dispose), and the life cycle assessment tools are used to complement the general rules and better tailor the most effective waste management solutions.

214. The concept of the public policy document "National Waste Management Program for 2022–2027" was developed and submitted for public consultation. It will ensure alignment with environmental policy documents, which indirectly contribute to the development of the sector, especially through the use of renewable energy sources, the greening of small and medium-sized enterprises (cleaner production and sustainable consumption), including through sustainable public procurement.

215. To be noted the regulations on the phasing out of plastic products/items (plastic bags except for biodegradable ones) that came into force on January 1st 2021 and bans the sale/use of disposable plates, cups, other tableware and sticks made of plastic, except for biodegradable ones.

216. A new element in the waste management policy is the establishment within ME of the Circular Economy and Economic Instruments Policy Service, which will allow for more effective working with business through a dialogue platform organised within ME. The Service's priority directions are policy developments on circular economy, green economy,

environmental economic instruments, environmental charges and taxes and extended producer responsibility.

217. For implementing the extended producer responsibility, regulations and monitoring level of achievement of waste collection targets, it was approved the Regulation on the management of batteries and accumulators and waste batteries and accumulators.

Article 12

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

218. The right to health set out in the Constitution, is implemented by ensuring universal coverage of the population with health services and eliminating health inequalities – commitments engaged in the National Development Strategy “Moldova 2030” and the draft National Health Strategy 2031, in line with UN 2030 Agenda.

219. The CHIS set in place the financial instrument aimed to facilitate the achievement of universal coverage by increasing the financing of the health system, improving access to health services, reducing out-of-pocket payments, and making efficient use of health funds.

220. According with the principle of mandatory application, the entire population is subject to mandatory health insurance being part of the CHIS. The share of insured persons in the total population has been increasing since the launch of CHIS in 2004, from 67% to 88% in 2020 (Figure 1 in Annex). About 12% of Moldova’s population is not covered by compulsory health insurance.

221. Most insured persons are government insured (63.3% of the population); employees make up 34.2%. There are only 2.5% of individually insured (63 thousand taxpayers).

222. In 2020, Government provided health insurance for 14 categories of non-employed persons through transfers from the state budget to the funds of CHIF, 4 more categories than in 2004, when the CHIS was introduced.

223. CHIS does not include the employees of the defence and law enforcement agencies (Ministry of Defence, MIA, Intelligence and Security Service). They benefit from health services provided by institutional healthcare facilities, financed mainly from the state budget.

224. According to the Single Program of CHIS, primary and emergency health care services are offered to the entire population regardless of the insurance status (holder or not of a health insurance policy), which ensures the universal coverage of the population with this type of health services.

225. In case of socially-conditioned diseases such as tuberculosis, HIV/AIDS, oncological, psychiatric and infectious diseases, patients benefit from health services covered by CHIF, including specialized outpatient and hospital care.

226. Similarly, drug addiction treatment is covered by CHIF, regardless of a person’s health insurance status. According to records, each year about 550 drug-dependent people are treated in inpatient settings and about 4,700 people receive supportive and anti-addiction treatment in outpatient settings. The Republican Dispensary of Narcology provides counselling and inpatient medical care in the day hospital for about 400 people and outpatient medical and social care for about 240 drug addicts after detoxification. During the last 5 years there have been no recorded cases of overdose or non-pure substance use deaths. In 2021, 87 deaths were recorded among drug users because of concomitant non-contagious diseases.

227. Harm reduction projects, including substitution treatment, are implemented for key populations. Screening and control of HIV/AIDS, viral hepatitis B and C, tuberculosis and sexually transmitted diseases (syphilis) is ensured among injecting drug users, in accordance with national protocols. An important role in implementing harm reduction measures is played by non-governmental organisations, which provide people with syringes, alcohol wipes, condoms, pre-exposure prophylaxis against HIV (PrEP), HIV testing, with an extensive network throughout the country. <https://positivepeople.md/programe-de-reducere-a-riscurilor-in-moldova/>.

228. The population's access to medicines is ensured by CHIF, increasing the number of medicines and the spectrum of pathologies treated. The prescription of compensated medicines is carried out not only in long-term treatment in outpatient settings, but also in episodic treatment carried out in day-care facilities, physiotherapy clinics or at home. Thus, 163 INNs are included in the List of Compensated Medicinal Products, which corresponds to 768 trade names and are used to treat 18 diseases.

229. At the primary health care level, a network of 41 youth-friendly health clinics "Youth Clinics" has been established to help address adolescent health problems. Youth clinics provide to young people health care and counselling services on: STIs and HIV, unplanned pregnancies, mental health issues, violence, trauma and stigma and discrimination etc. To ensure access to reproductive health services for women/girls with disabilities, 30 youth clinics across the country have been equipped with gynaecological chairs adapted for girls and women with disabilities.

230. In the context of the Covid-19 pandemic, national resources and those of development partners have been mobilised, ensuring the response measures to the Covid-19 pandemic and access to health care for the population during the public health emergency. Clear rules have been established for the continued provision of health services for specific health conditions: cancer diseases, kidney failure, childbirth, etc., where medical care cannot be delayed or provided remotely. The medical staff was trained online on all subjects of their competence.

231. To provide the health system with medical staff, the 2016–2025 Strategy for the Development of Human Resources in the Health System was developed and approved, measures being taken to motivate young professionals to work in rural healthcare facilities. In 2020 the single indemnity for doctors/pharmacists was increased to MDL 120 thousand and for health and pharmaceutical staff with secondary education – to MDL 96 thousand.

232. The Regulation on the organisation of residency studies was approved, whereby resident physicians/pharmacists admitted to state-funded postgraduate studies are obliged to work in the contracting institution for at least 3 years after graduation. According to the data of NAPH, in 2020, 12,394 doctors were employed in the country's healthcare facilities (Table 7 in Annex), which is 141 less than in 2019. The number of doctors per 10,000 inhabitants was 35.0 doctors, 0.3 doctors less than in 2019 – an indicator comparable to the average for OECD countries, which is 34.0 doctors per 10,000 population (2020).

233. Regarding the access to health care for vulnerable groups, the Constitution guarantees a minimum of free health care for all its citizens. State guarantees the rights of all citizens to health services according to their needs, through the CHIS, set out in the Single Program of CHIS provision of primary health care, pre-hospital emergency health care, hospital health care – within the approved limits and volume. The population of the country has the right to health insurance, regardless of nationality, race, gender, social affiliation, and religion.

234. The elderly people are provided with condition-specific health services at primary care and outpatient level and in hospitals (in geriatric wards): long-term care with a focus on specific services for long-term treatment of chronic diseases, rehabilitation (physiotherapy, physical medicine). Home health care services, including palliative care, are provided by the family doctor's team.

235. Regarding the right of foreigners to health services, those employed on the basis of an individual employment contract, as well as foreign citizens and stateless persons residing in Republic of Moldova, have the same rights and obligations regarding access to health services as the Moldovan citizens. Health services can be accessed through the CHIS, which requires the mandatory possession/procurement of a compulsory health insurance policy. The policy holder is exempted from the costs of the health services set out in the Single Program of CHIS.

236. The state budget and CHIF finance the implementation of national programs in the priority areas of public health: control of non-communicable diseases (diabetes, cardiovascular diseases, mental health etc.), of communicable diseases (e.g. control and prevention of tuberculosis, HIV/AIDS, viral hepatitis B, C and D etc.), and the immunization program, whose beneficiaries are both insured and uninsured persons.

237. During 2016-2020, after the implementation of the cervical screening program, progress was achieved in preventing cervical cancer. This was achieved due to strengthened capacity of healthcare providers, developed clinical protocols in line with international

standards and equipped laboratories with laboratory devices. Thus, the cervical cancer mortality rate has been reduced. At the same time, the rate of cervical screening is still low compared to other European countries, one of the reasons being the low information level of women: only 24% of women aged 25 to 61 know about the existing services and only 47% know that they are provided free of charge.

238. Progress has been made in rights-based voluntary family planning services. The government has initiated the procurement and distribution of modern contraceptives for vulnerable population groups. As part of the 2018–2022 National Program on Sexual and Reproductive Health and Rights, contraceptives for the vulnerable population are procured annually from the state budget and distributed to primary health care facilities at district and municipal level. Contraceptives are also available in youth-friendly health centres. The regulatory framework for the functioning of the mechanism of contraceptive supply has been developed, the personnel in primary health care institutions have been trained, and an enabling environment for continuous capacity building of health care providers in family planning has been provided.

239. The list of groups benefiting of contraceptives was extended to 12 categories, the availability of at least 5 contraceptive methods was ensured at the level of the primary health care facilities, and provisions have been established for the mechanism of distribution of contraceptives to vulnerable groups, including in the context of public health emergencies. 19 national standard protocols on contraceptive methods for family doctors and gynaecologists have been approved, including provisions for contraceptive counselling for young people, people with disabilities and people living with HIV.

240. To raise awareness among the general population on the importance of family planning and contraception, including how to access family planning services in the context of public health emergencies, several information and communication activities were carried out through social media platforms: www.suntparinte.md, www.gyneco.md.

241. According to national records, only 31.6% of women use modern contraceptive methods, compared to 52% in Eastern European countries. Lower rates of contraceptive use are among the rural population, people living in the north of the country, those with low levels of education and in the poorest quintile.

242. National data also show that the teenage birth rate has declined in recent years, but remains three times higher than the European average, at 26.19 births per 1,000 girls aged 15–19. Most teenage births occur in rural areas.

243. Regarding HIV/AIDS and tuberculosis control, National Program for Prevention and Control of HIV/AIDS and Sexually Transmitted Infections for 2016–2020 and the National Tuberculosis Control Program for 2016–2020 were adopted. Both national programs have set ambitious goals directed towards achieving the SDG target 3.3 on reducing HIV, TB, and hepatitis. Thus, the 90-90-90 targets on HIV diagnosis, treatment, and treatment quality assurance, set in the UN Political Declaration on HIV (to be achieved by 2020), have been adjusted to and integrated into the National HIV Program (to be achieved by 2020).

244. In February 2020, Republic of Moldova joined the Global Partnership to end all forms of stigma and discrimination against people living with HIV, established by UNAIDS, UN Women, UNDP and the Global Network of People Living with HIV, which reiterates the commitment to respect, protect and fulfil the rights of all people, as included in UN 2030 Agenda, the 2016 UN GA Political Declaration on ending AIDS, and the national legislation.

245. Significant progress is achieved in reducing stigma and discrimination for all forms of HIV infection. This progress relates to the implementation of the Law on Ensuring Equality aimed to prevent, combat discrimination and ensure the equality of all people in all areas of life without differences based on race, colour, nationality, ethnic origin, language, religion, sex, age, disability, opinion, political views, or other criteria. A clear mechanism for law implementation is established through the EqC. The Law on HIV/AIDS Prevention amended in 2012 establishes non-discrimination provisions, privacy and confidentiality safeguards and removes travel and immigration barriers for people living with HIV/AIDS. It contains specific clauses on women, HIV infection and gender, aimed to strengthen the response to HIV. Progress has been made in aligning the existing national health regulatory framework with international human rights standards.

246. However, there is evidence that people infected and affected by HIV in Moldova are still among the most stigmatized groups and facing obstacles in accessing the full range of public services and enjoying a quality life.

247. To redress this situation, the Government has developed a strong national partnership on the platform of National Coordinating Council for HIV/AIDS, STI and TB prevention and control programs, involving a diverse community of professionals and stakeholders. Stigma and discrimination in healthcare settings, at the workplace and in the family, in 2020 (communities, families, individuals) have been addressed after being holistically and systematically integrated into the National Roadmap on De-stigmatization. The document also addressed issues related to the criminalisation of HIV transmission.

248. To achieve zero HIV-related discrimination, the Global Fund to Fight AIDS, TB and Malaria grants are being used, which financially supported to reach targets during 2021–2023, as well as continued UN support, in particular the UN Joint Action “Strengthening Human Rights on Both Banks of the Nistru River” (until 2023).

249. Universal access to antiretroviral therapy (ART) is ensured according with the national clinical protocols adjusted to WHO requirements. There are no waiting lists for ART, all people diagnosed with HIV have access to ART, regardless of the availability of health insurance, identification documents, citizenship or any other criteria, which offers a chance to limit the spread of HIV immediately after diagnosis and treatment initiation. Early identification and diagnosis of HIV infection is ensured through universal access to HIV testing in healthcare facilities and NGOs.

250. Information campaigns are carried out every year about HIV infection, including during the World AIDS Day, the International Day against Drug Abuse and Illicit Trafficking, the International Day of Remembrance of AIDS Victims, campaigns against sexual violence.

251. Strengthening the country’s nutritional surveillance system and developing and implementing national policies for the control of non-communicable diseases is a national priority in line with 2030 Agenda commitments. Thus, in 2016 Law on Foodstuffs and Law on Advertising and the CC were amended and supplemented to restrict the advertising of unhealthy food products and prohibit the involvement of children in their advertising.

252. To bring the national legislation in line with Community legislation and regulations in the field of healthy food, a wide range of Governmental Decisions have been drafted and approved as listed in the Table 10 in Annex.

253. National legislation was adjusted to the provisions of International Code of Marketing of Breast-milk Substitutes and 25 assessors were trained to conduct the monitoring study of compliance with BMS. In 2020, information materials were developed on breastfeeding recommendations during the Covid-19 pandemic. Information about the importance of breastfeeding is provided through various broadcasting, printed and online media, etc. Further efforts are needed to address the decline in the share of breast-fed children (data presented in Table 11 in Annex).

254. Guidelines for the organisation of children’s/pupils’ nutrition in general education institutions have been developed and are applied, aimed to improve nutritional status of children and pupils, as well as preventing food poisoning, diarrheal diseases, non-communicable diseases. Awareness-raising activities for local producers took place on rethinking the formula of products to reduce salt, sugar, saturated fat content and to eliminate trans fats.

255. Protocols for the Package of Essential Noncommunicable Diseases Interventions were developed for family doctors aimed to assess the risk of disease through priority non-communicable diseases (NCDs) and assess determinants through brief interventions, including diet and nutrition, health promotion, healthy eating and physical activity.

256. For the treatment and/or prevention of iron-deficiency anaemia, pregnant women and children are annually provided free of charge with iron and folic acid supplements from the CHIF.

257. To promote healthy eating habits, communication campaigns were developed and implemented in 2019–2020: “Reduce salt from food” (2019) and “Choose what you eat” (2020). Information messages on reducing salt, sugar and fat intake and exercising daily for no less than 30 minutes are broadcasted daily on TV channels.

2. The measures to be taken by the States Parties to the present Covenant to ensure the full realization of this right shall include those necessary to ensure:

(a) The reduction of infant and child mortality and the healthy development of the child;

258. According to national legislation, all expenses related to maternal and child health care at all levels of the health system are covered by the state. All children, pregnant women, parturient and newborns are covered by CHIS and benefit from the full range of health services set out in the Single Program of CHIS.

259. Access to medicines in the case of outpatient care for children and women is ensured by compensations from the CHIF. Thus, the medicines payments for outpatient treatment of pregnant women and children are 100% compensated.

260. In the context of the implementation of National Program for the prevention and reduction of mortality and morbidity of children due to congenital malformations and hereditary pathologies for 2013–2017, the new Standards for outpatient surveillance of pregnant women have been approved, setting the time limits for performing ultrasound screening of pregnant women, as well as including new tests such as double and triple tests.

261. Regulation on the inter-sectoral collaboration mechanism in the medical and social field for the prevention and reduction of maternal, infant and under-five mortality rate at home and Framework Regulation on the organisation and operation of Early Intervention Services and Minimum Quality Standards have been approved in new wording. Measures taken for primary, secondary prophylaxis and diagnosis of congenital malformations and hereditary pathologies in the population are listed in the Table 12 in Annex.

262. The inter-sectoral cooperation mechanism for primary prevention of child welfare risks has been developed and approved, implemented at community level by employees of primary healthcare facilities and teachers in kindergartens and schools, and is focused on maintaining or increasing child welfare through prompt and early interventions when different concerns about every child's situation are observed.

263. Due to the measures taken by Government, infant mortality, and stillbirth in the period 2016–2020 were reduced: infant mortality from 352 cases (9.4 cases per 1,000 live births) in 2016 to 271 cases (8.8 cases per 1,000 live births) in 2020, stillbirth from 244 cases (6.5 cases per 1,000 live births) in 2016 to 214 cases (6.9 cases per 1,000 live births).

(b) The improvement of all aspects of environmental and industrial hygiene;

264. Several regulations were developed and approved to ensure a higher level of health protection. Health Regulation on ensuring radiation protection and radiological safety in nuclear medicine practices was approved, aimed to ensure radiological safety and radiation protection of patients, preventing exposure of occupationally exposed workers and of the population to ionizing radiation, preventing contamination of the environment when carrying out investigations with radio-pharmaceuticals.

265. To prevent acute chemical poisoning, the Practical Guide “Methodology for the organisation of communication and information activities in the prevention of acute exogenous chemical exposure” has been developed and approved.

266. Health Regulation on the health surveillance of persons exposed to occupational risk was developed and approved, setting out the requirements for the health surveillance of persons in relation to risk factors (chemical, physio-chemical, biological and other factors caused by the work process) at the workplace.

267. Health Regulation on the protection of workers' health from the risks related to exposure to carcinogens or mutagens at work has been developed and approved. The minimum requirements establishing safety and health rules for the use by workers of personal protective equipment at work have been approved, which state that work equipment must be worn or held by the worker to protect against one or more hazards that could endanger his/her safety and health at work, as well as any additional equipment or accessories designed for this purpose.

268. Law on Drinking Water Quality has been approved, setting the framework for potable water quality, as well as the measures to be taken by authorities responsible for ensuring

long-term compliance of drinking water quality by creating a flexible and transparent legal framework and promoting appropriate risk management.

(c) *The prevention, treatment and control of epidemic, endemic, occupational, and other diseases*

269. Republic of Moldova has a multiple epidemiological obligation of both communicable and non-communicable diseases. The Covid-19 epidemic situation highlighted the disease burden on the socio-economic development and the health system.

270. Communicable diseases remain a challenge, including tuberculosis and HIV. Through the implementation of National TB, HIV/AIDS and STI Control and Prevention Programs, of National Immunisation Program for 2016–2020, the authorities have taken measures to ensure the control of infectious diseases with major impact on public health and access to specialized interventions, as well as to increase preparedness and response capacity to public health emergencies.

271. The implementation of National Immunisation Program provides a coordinated multisectoral and interdisciplinary response at national and local levels to the threat of outbreaks of vaccine-preventable diseases and ensures universal access to disease prevention services and epidemiologically and economically effective measures. As a result of the health system's efforts, some serious communicable diseases have been eliminated (smallpox, polio, diphtheria, etc.), outbreaks of infectious diseases have been prevented and their number reduced to sporadic cases (viral hepatitis B, measles, mumps), death and disability have been prevented and the socio-economic impact of these diseases reduced.

272. Republic of Moldova has no registered cases of poliomyelitis, caused by wild or vaccine-associated virus, tetanus and neonatal tetanus, diphtheria, measles, rubella, congenital rubella, invasive forms of *Hemophilus influenzae* (Hib) infection, pneumococci. Only 11 cases of acute viral hepatitis B in children were recorded in 2021. There has been a significant decrease in rotavirus morbidity from 396 cases in 2017 to 214 cases in 2019 and 126 cases in 2020.

273. To prevent and control the spread of SARS-CoV-2, the National Extraordinary Committee for Public Health has approved the Novel Coronavirus (COVID-19) Preparedness and Response Plan, containing comprehensive measures to limit the transmission and mitigate the social and economic impact as listed in the Table 13 in Annex.

274. The COVID-19 pandemic has challenged government, employers and employees in unprecedented ways and has demonstrated the importance and the need to improve the occupational safety and health systems, especially the occupational health services at both national and enterprise levels. In 2021, Moldova ratified the International Labour Organization Convention No 161 on Occupational Health Services through Law No 18/2021.

(d) *The creation of conditions to ensure that everyone has access to health services and medical aid in the event of illness.*

275. The citizens in cases of sickness are entitled by national law to health care. The Law on Compulsory Health Insurance stipulates that primary and emergency health care services are provided for the entire population, regardless of the insured status of the person (holder or not of a health insurance policy). Home health care services are provided by the family doctor and the family doctor's assistant. Specialised outpatient and hospital care is provided to medically insured persons covered by the CHIS, except for socially-conditioned diseases with major impact on public health, for which care is provided at all levels.

276. During the period of sickness, people insured under the public social security system and unemployed persons entitled to unemployment benefit are provided with a sick leave certificate and are paid temporary incapacity benefit.

277. In accordance with the amendments to the Instruction on the procedure for issuing a sick leave certificate, the sick leave certificate is issued in the following cases: 1) temporary incapacity for work caused by common illnesses or non-work-related accidents; 2) prevention of illness (quarantine); 3) restoration of the ability to work; 4) maternity; 5) care of a sick child. In the case of outpatient treatment, the certificate is issued by the family doctor, and in the case of trauma and other medically justified cases, it may be issued by the specialist doctor.

278. A sick-leave certificate due to illness or injury (including domestic) is issued to the sick person for the entire period of treatment until restoration of the ability to work, but for no more than 180 days in any calendar year. If there is good reason to believe that the insured person can recover, avoid being assigned a disability group and remain able to work, the sick leave certificate is extended with a maximum of 30 calendar days, depending on the course of the illness and the results of rehabilitation measures.

279. In the case of tuberculosis, AIDS and cancer, the maximum period for which a temporary incapacity work certificate is issued is one year within the last two years. This time framework shall not include the days of temporary incapacity for work due to other common illnesses or accidents, for which additional time shall be calculated.

280. To unemployed persons, during the period of unemployment benefit, the certificate is issued for a period of up to 30 days in a calendar year.

281. For sick child caring, the certificate is issued to the mother, father, or guardian. If the mother, father or guardian, for good, documented reasons, is unable to care for a sick child under 10 years of age, a child suffering from an oncological disease under 18 years old or a disabled child under 18 years old, the sick leave certificate is granted to another insured person, optionally another family member. For the care of a sick child, the certificate may also be issued to the insured person during the annual leave, with annual leave being maintained for the duration of the sick leave certificate.

282. The monthly amount of temporary incapacity benefits paid from the state social insurance budget is established according to the length of the total period of contribution as follows: a) 60% of the established calculation basis for a period of contribution of up to 5 years; b) 70% of the established calculation basis for a period of contribution between 5 and 8 years; c) 90% of the established calculation basis for a period of contribution of more than 8 years. For temporary incapacity for work caused by maternity, tuberculosis, AIDS or oncological disease, the allowance is 100% of the established calculation basis.

283. The amount of the allowance for temporary incapacity for work paid from the employer's resources (for 5 first days of the sick leave) is set at 75% of the employee's average salary, as is the amount of the allowance paid from the resources of the self-employed person working in the justice sector, at 75% of the average monthly salary in the economy.

Article 13

1. Right to Education

284. Ensuring equitable access to education for all citizens, regardless of their financial status, place of living, gender, ethnicity etc., is provided by EC. It establishes the "principle of equity", whereby access to learning is achieved without discrimination.

285. According to data presented by local education authorities, in 2020, 330 Roma children were enrolled in these institutions. Compared to 2016, the situation has significantly improved from about 201 children, with an increase of 40% in 5 years. Even though LPA cover the maintenance costs of urban and rural early education institutions, including food, there are Roma children not attending education institutions for various reasons: parents' refusal, incomplete enrolment documentation, lack of vaccination, poor financial situation. Due to collaboration of LPA and education institution administrations with Roma community representatives, in 2020, 1,634 Roma children were enrolled in compulsory education. At the same time, in the 2019–2020 school year 10 Roma children were out of school and 52 Roma children dropped out of school. Over the past few years, MER has taken steps to ensure access to higher education and vocational education and training (VET) for young Roma.

286. The admission to VET and higher education institutions is carried out in accordance with the Regulation on the organisation and conduct of admission to VET programs and the Framework Regulation on the organisation of admission to the first cycle – bachelor's degree, under which 15% of the total number of admission places (in each speciality/trade), provided in the admission plan with funding from the state budget, are reserved for several categories of candidates, including Roma children. Consequently, 2 Roma students were enrolled during the 2020–2021 admission cycle (compared to 18 students during the 2019–2020 admission cycle). Other 15 Roma students were enrolled in VET institutions (compared to 66 in 2019). It should be noted that people with higher education make up only 1% of the total Roma

population, and many Roma enrollees/students/young people do not indicate their ethnicity when filling in their enrolment applications. Therefore, the exact number of Roma students cannot be determined.

287. The promotion of multilingual education and multiculturalism in the national education system is one of the priorities of the MER. To raise awareness of the different approaches to multilingual education, the international conference “Multilingual Education in the OSCE Region: good practices and perspectives for” the Republic of Moldova took place. On November 29th 2019, MER in collaboration with the Office of the OSCE High Commissioner on National Minority organised the workshop Developing multilingual education policies: mapping initiatives and developing a roadmap, aiming to identify opportunities to strengthen the process of integrating multilingual education into the educational system of Moldova.

288. In order to ensure favourable conditions for the social and linguistic integration of ethnic minorities and immigrants MER approved the Order regarding the course “Intercultural Education”. According to it, the higher pedagogical education institutions (8 in number) have developed and organized the course “Intercultural Education” for students of Cycle I – Bachelor in Education Sciences, starting with the academic year 2020–2021, as a mandatory component in the initial training of teachers in higher education. The other universities developed the course “Intercultural Education” as an optional course in other fields, as part of the socio-humanistic component. At the same time, 3 State Universities of Moldova, have developed a new curriculum for the specialty “Intercultural Education” which was approved by MER and proposed for piloting throughout the system.

289. During 2021, the MER monitored the situation aimed to ensure the necessary conditions for the activity of general education institutions by preparing the institutions for the new academic year, for the cold season, in the COVID-19 epidemiological context; ensuring hygiene and sanitation conditions, in accordance with the provisions of the regulatory documents in force; transportation of pupils to and from education institutions etc.

290. To improve hygiene and health conditions, MDL 5 million from the state budget was allocated to the Social Investment Fund of Moldova in 2021 to carry out construction projects and equip sanitary facilities in 16 schools.

291. Within the Moldovan Education Reform Project 23 district schools have been renovated funded from the state budget, and in 17 educational institutions (12 in 2020 and 5 in 2021) the renovation works were carried out by the Social Investment Fund of Moldova.

292. In 2021, the 17 education institutions received funding from the state budget for providing furniture, equipment and equipment for school laboratories.

293. Also, the beginning teachers were encouraged and supported to develop professionally, to avail of free trainings, to apply for assessment in obtaining an academic rank. In this regard, a range of opportunities led the graduates of bachelor’s, master’s and vocational technical degree programs in Education Sciences to take up employment in general education institutions, as listed in the Table 14 in Annex.

294. The students of higher education, technical vocational education programs in Education Sciences also enjoy some benefits as: facilitation of enrolment in state-funded study programs in the field of education; accommodation (dormitory) for the duration of studies; internships in education institutions; guaranteed employment; increase of scholarships etc.

295. Over the years, in the context of acute teachers’ shortage, MER has been monitoring and coordinating, as well as permanently carrying out activities (public events, information campaigns etc.) related to the importance and value of the teaching profession.

296. According to the Regulation on the distribution and use of financial means of the territorial administrative unit, these means shall be allocated including for capital repairs and purchase of fixed assets. The public administration authorities at both levels can contribute to the development of the material base of the education institutions in the administered territory.

297. With the support of the Education Reform in Moldova Project, was equipped 100 Resource Centres for Inclusive Education in 100 general education institutions with teaching and learning materials and specialised equipment for children with special

educational needs and/or disabilities. For equipping these 100 Centres MDL 19 million were allocated.

298. More than 1,700 children with special educational needs and/or disabilities (sensory impairments, learning disabilities, dyslexia, ADD, ADHD, autism, Down Syndrome, physical impairments, communication disorders, etc.), and other children with special educational needs and/or disabilities from district education institutions will benefit from the package of teaching materials and specialised equipment.

299. This consignment consists of specialised equipment for pupils with special educational needs and/or disabilities, including sensory disabilities, and includes: IT equipment, audio books, adapted keyboards (with large keys for children with visual impairments), hearing equipment (radio receivers, radio transmitters for teachers, PHONAK care kits, educational software for language learning, for improving handwriting and reading skills, words and magnetic words and codes for word and sentence building using the Talking Pen, etc.).

300. During September-November 2021, the Republican Centre for Psycho-pedagogical Assistance organised training activities for about 200 professionals from district/municipal services for psycho-pedagogical assistance and teaching support staff from general education institutions, who were provided with specialised equipment for its application in educational practice according to the needs of children with special educational needs.

301. Between May and July 2021, 450 support teachers and psycho-pedagogues working with students with disabilities and special educational needs participated in ongoing training on inclusive education and individualization of the educational process. The activity was carried out involving 20 national trainers working in the psycho-pedagogical assistance services, who were also initially trained based on a structured course.

302. Counselling and career guidance for young people with disabilities has become feasible thanks to the training of professionals in the field, as well as the school and family environment. In 2021, 212 teachers, school psychologists, professionals working in psycho-pedagogical support services strengthened their role in career counselling and guidance, and in making the transition from school to work more effective for people with disabilities.

303. With the help of a validated instrument – the JVIS Test, involving professionals from the psycho-pedagogical support services, qualified counselling and vocational guidance was carried out for about 950 students with special educational needs and vulnerable students, graduates of lower- and upper-secondary levels. Accordingly, 72 psychologists/psycho-pedagogical professionals from district/municipal psycho-pedagogical services were licensed and trained in the application of JVIS/RIASEC vocational guidance tools, licensed tests and 36 computers were procured.

304. In April 2021, about 100 professionals from psycho-pedagogical support services and local educational bodies were trained to strengthen their knowledge in preventing and combating bullying in schools.

305. Another activity involved the development and implementation of component of the Support Program for teachers, students and parents “I am WELL in my school” (continuation of the “I choose to be well” program), as well as of the Live Session Plan on maintaining psycho-emotional well-being in the context of the COVID-19 pandemic. The program runs in 5 sessions on various topics: Resilience in the school environment; Effective teacher-student communication; How to cultivate emotional intelligence; Assertive communication with teenagers in the family; Learning to process large amounts of information.

306. Regarding the financing of inclusive education programs in primary, secondary and high schools, the level-two LPA benefit of special transfers for the financing of primary, secondary and high schools, calculated in accordance with the Methodology of financing based on standard cost per pupil. Also, on the basis of the decision of the Municipal, District Council and/or the People’s Assembly of UTA Gagauzia, the Fund for Inclusive Education is established, determined according to the number of pupils with special educational needs, but not more than 2% of the amount of categorical transfers.

Article 14

307. The provisions of Article 14 are implemented on the basis of the Constitution and EC.

308. The Constitution stipulates: “The right to education shall be ensured through compulsory general education, secondary education, vocational education, higher education and other forms of instruction and further training”.

309. EC stipulates that the State shall ensure the financing of a standard package of education services for pre-school, primary, secondary, and high school education, regardless of the type of ownership of the education institution. The educational process is carried out based on state educational standards approved by the MER, regardless of the type of ownership and legal form of organization of the educational institution.

310. In order to increase the enrolment in compulsory general education, the Instruction on Preventing and Combating Dropout and Absenteeism and the Action Plan for Preventing and Combating Dropout and Absenteeism in General Education have been developed.

Article 15

311. The right of people to take part in cultural life is recognised and granted under Constitution, Science and Innovation Code and Law on Culture.

312. An example of raising public awareness of the spiritual values of Roma people, of fighting discrimination against them and promoting cultural diversity is the celebration of International Roma Day on 8 April 2022. The event features a photo exhibition entitled “Roma Leaders: Past, Present and Future”, with well-known Roma personalities in the national culture: composer Ștefan Neaga, choreographer Pavel Andreicenco, trumpeter Ion Carai, dancer and actress Domnica Negru, writer and translator Anatolie Rădiță, scholar Ion Duminiță and others and a concert featuring performances by the “Roma of Moldova” song and dance ensemble etc.

313. On International Roma Day, the information campaign “Roma rights, now and always” was launched, under the UN Joint Program “Supporting human rights on both sides of the Nistru River”.

314. About accessibility and participation of people with disabilities in cultural activities – Law on the Social Inclusion of Persons with Disabilities establishes the authorities’ responsibility for ensuring the participation of people with disabilities in the activities and cultural life of the community in which they live.

V. Part IV

Steps taken to implement the recommendations contained in paragraphs 9(a), 59 and 73 of the concluding observations.

Follow-up information relating to paragraph 9(a) of the concluding observations (E/C.12/MDA/CO/3)

315. According to the Law on the People’s Advocate (Ombudsman), the authority is independent from any public authority, legal entity, regardless of its type of ownership and legal form of organisation, and from public officials at all levels.

316. Interference in the work of the People’s Advocate Institution, intentional disregard by officials at all levels of government of the People’s Advocate’s appeals and recommendations, as well as hindering in any way the work of the People’s Advocate, shall entail liability under the law. The guarantees of Ombudsman independence are also enshrined in the Constitution.

317. OPA is the autonomous public authority that provides expertise and assistance to the People’s Advocates in the field of prevention of human rights violations, human rights promotion and protection.

318. The key outputs of the subdivisions of the OPA (in terms of volume, complexity, quality) were carried out in a study, which identified that:

- The average post occupancy rate at institution level is 61%. At the level of operational subdivisions, the occupancy rate varies from 50% to 75%.
- The average workload at institution level is 114% or 25 working days per month per staff unit. At subdivision level, the workload ranges from 89% to 159%. Most subdivisions have a workload of more than 100% both at subdivision level and per staff unit.
- There is a shortage of staff in subdivisions.

319. OPA is partially fulfilling its functions and duties. Due to the low occupancy of posts in some subdivisions, there is an extremely high workload.

320. The institution needs to review its staff structure in terms of the number of staff units. Furthermore, additional actions are needed to fill in all vacant posts, ensuring the quality of the recruitment process and the necessary working conditions. Continuous professional development remains a key priority in ensuring better staff performance. Job profiles should reflect the occupational standard of each public function within the OPA.

321. OPA is financed from the state budget within the limit of budgetary allocations, approved by the annual budget law. Following the amendments to the Law on Public Finance and Fiscal Responsibility, in order to strengthen the financial independence of the institution, the draft budget is prepared and approved by an independent/autonomous budgetary authority with the advisory opinion of MF. The draft budget is submitted to the Government for inclusion in the draft state budget, which is then submitted to Parliament for adoption. In case of disagreement, the independent/autonomous budgetary authority submits its objections to the draft budget approved by the Government to Parliament for resolution.

322. In its work, OPA encounters difficulties in fully carrying out its tasks of defending and promoting respect for fundamental human rights and freedoms due to limited financial resources. When drafting the annual budgets, Government allots to institution a predetermined amount of financial means which it must comply with, and distribute the allocated resources to cover its expenses related to the remuneration of employees, payment of contributions to the budget, maintenance of the premises and other expenses strictly necessary for the operation of the institution. After these expenses have been covered, the remainder is to be distributed to cover the expenses incurred for the activities related to the fulfilment of the People's Advocate mandate and of the People's Advocate for Children's Rights. This amount is often small and insufficient for training and advocacy on human rights and other activities necessary for the discharge of the mandate.

323. The institution proposed the Government to return to the original wording of Article 37 of Law 52/2014. So far, the proposal has not been accepted. In the current version, para 37 (Financial provision of the Office) provides as follows:

- OPA shall be financed from the state budget within the limit of the budgetary allocations approved by the annual budget law.
- OPA's budget shall be drawn up, approved and administered according with the principles, rules and procedures laid down in the Law on Public Finance and Fiscal Responsibility.

324. Imposing these conditions substantially affects the financial independence of the institution. MJ proposed an amendment to the Law on the People's Advocate, Article 37 by adding "covering the cost of the needs, so that it can carry out its work fully, independently and efficiently".

325. "The Venice Commission examined the current version of Article 37 of Law, and in Opinion No 906/2017 (CDL-REF(2017)041) concluded that current provisions don't meet the standards for funding an Ombudsman institution noting that these provisions undermine the financial independence of the institution, thus recommending its revision". Although the Venice Principles state that "sufficient and independent budgetary resources must be guaranteed to the Ombudsman Institution; the law should explicitly stipulate that the budgetary allocation of funds to the Institution should be adequate to the need to ensure full, independent and effective discharge of its responsibilities and functions".

326. For promotional activities of OPA, in 2017 were allocated MDL 0,5 mil., in 2018 – MDL 2 mil., in 2019 – MDL 1,8 mil., in 2020 – MDL 1,6 mil., in 2021 – MDL 1,65 mil. The reduction of the budget for these purposes was conditioned by objective factors, such as identifying external sources of funding (international partner organisations – Council of Europe, UNICEF etc.), budget/ caused by Covid-19 or the purchase of services at a lower price than initially estimated.

Follow-up information relating to paragraph 59 of the concluding observations

327. Changing Moldova's health regulatory framework is an ongoing process aimed at improving relations between the health system and the population. Changes to the legal framework during the reporting period were made, including in response to the Covid-19 pandemic. The Law No 102/2017 on Medical Devices has been drafted and legislative acts, as listed in the Table 15 in Annex, were amended.

Follow-up information relating to paragraph 79 of the concluding observations

328. The restructuring process of general education institutions was monitored during the academic year 2020–2021, 2021–2022. Every six months, the network of general education institutions at district/municipality level was evaluated and data was collected in the territories on the decisions taken at local government level regarding the restructuring of the school network.
