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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Fortieth session**  
24 January–4 February 2022

## **Compilation on the Republic of Moldova**

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### **II. Scope of international obligations and cooperation with international human rights mechanisms and bodies<sup>1,2</sup>**

2. The Committee on the Elimination of Discrimination against Women encouraged the State to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Committee on the Rights of the Child, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination made similar recommendations.<sup>3</sup>

3. The Committee on Economic, Social and Cultural Rights encouraged the State to consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.<sup>4</sup>

4. The Committee on the Rights of the Child encouraged the State to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.<sup>5</sup>

5. The Committee on the Rights of Persons with Disabilities recommended that the State ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities.<sup>6</sup>

6. The Committee on the Elimination of Discrimination against Women recommended that the State ratify the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.<sup>7</sup>

7. The same Committee recommended that the State expedite the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). The Committee on the Rights of Persons with Disabilities made a similar recommendation.<sup>8</sup>



8. The Special Rapporteur on minority issues encouraged the Government to ratify the European Charter for Regional or Minority Languages.<sup>9</sup>

9. The Committee on the Rights of Persons with Disabilities encouraged the State to adopt all appropriate measures to ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled as soon as possible.<sup>10</sup>

10. The Committee on the Rights of the Child recommended that the State seek to strengthen its national mechanism for reporting and follow-up.<sup>11</sup>

11. The Republic of Moldova contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2018 and 2019.<sup>12</sup>

### **III. National human rights framework<sup>13</sup>**

12. The Committee on Economic, Social and Cultural Rights noted the two national human rights institutions established in the State, namely the People's Advocate (the Ombudsman) and the Council for Preventing and Eliminating Discrimination and Ensuring Equality (the Equality Council).<sup>14</sup>

13. The Committee on the Elimination of Discrimination against Women noted with appreciation that the Office of the People's Advocate had been accredited with A status by the Global Alliance of National Human Rights Institutions in 2018.<sup>15</sup>

14. The Special Rapporteur on the situation of human rights defenders recommended that the Government strengthen the role and independence of the Office of the Ombudsman and the Equality Council by, inter alia, ensuring that they could provide effective remedies and guaranteeing their financial independence with sufficient budgetary and human resources for their adequate and effective functioning; and consider empowering the Office of the Ombudsman to make recommendations to public authorities and the Equality Council on directly sanctioning all acts of discrimination and on litigating at the Constitutional Court on issues relating to equality.<sup>16</sup>

15. The Committee against Torture, while noting the adoption of Law No. 52 on the People's Advocate (Ombudsman) and the subsequent establishment of a council on the prevention of torture to serve as the national preventive mechanism under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, recommended that the State ensure that the mandate of the council included regular, unhindered and unannounced visits to all places where persons were deprived of their liberty, including psychiatric hospitals and neuropsychological institutions, as well as residential institutions for children; and ensure that it was able to hold individual and unsupervised interviews.<sup>17</sup>

## **IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Cross-cutting issues**

#### **1. Equality and non-discrimination<sup>18</sup>**

16. The Committee on Economic, Social and Cultural Rights recommended that the State review its anti-discrimination legislation, particularly the law on ensuring equality, with a view to providing for the prohibition of all direct, indirect and multiple forms of discrimination on all grounds, including health status, wealth, social origin, sexual orientation and gender identity. Such a law should provide for effective remedies for victims of discrimination, including within judicial and administrative proceedings.<sup>19</sup>

17. The Committee on the Rights of Persons with Disabilities recommended that the State strengthen anti-discrimination legislation and procedures to effectively address disability-based discrimination in the public and private sectors.<sup>20</sup>

18. The Committee on the Elimination of Racial Discrimination recommended that the State adopt comprehensive legislation criminalizing hate crimes and ensure that such legislation was in line with the International Convention on the Elimination of All Forms of Racial Discrimination and that racial motivation was listed as an aggravating circumstance.<sup>21</sup>

19. The same Committee recommended that the State ensure that all incidents of hate crimes and hate speech were investigated and prosecuted and that the perpetrators were punished, regardless of their official status.<sup>22</sup>

20. The Committee on the Elimination of Discrimination against Women recommended that the State adopt a law on hate speech and enhance the protection of women from hate speech.<sup>23</sup>

21. The Committee on the Elimination of Racial Discrimination recommended that the State ensure that cases of racial discrimination brought before the Equality Council were investigated and that perpetrators were prosecuted and properly sanctioned.<sup>24</sup>

22. The Committee on Economic, Social and Cultural Rights expressed concern at the large rural-urban inequalities in the enjoyment of the Covenant rights, particularly in the areas of employment, housing, health-care services, education and other services.<sup>25</sup>

23. The Human Rights Committee stated that it remained concerned about reports that individuals belonging to certain groups continued to face de facto discrimination, including lesbian, gay, bisexual and transgender persons, Roma and Muslims.<sup>26</sup>

24. The Special Rapporteur on minority issues stated that Roma communities continued to experience economic, social and political marginalization and were often victims of discrimination, particularly when gaining access to the labour market, education and health-care services. The situation of Roma children and women and girls was of particular concern.<sup>27</sup>

25. The Committee on the Rights of Persons with Disabilities expressed concern about the human rights situation of Roma persons with disabilities, including children with disabilities, who were living in extreme poverty and were vulnerable to marginalization as a result of intersecting forms of discrimination.<sup>28</sup>

26. The Committee on the Elimination of Racial Discrimination recommended that the State continue to take measures to end discrimination against Roma and improve access by Roma to health care, housing, education and employment, and ensure the involvement and consultation of Roma on issues concerning them.<sup>29</sup>

27. The United Nations country team for the Republic of Moldova stated that persons with disabilities continued to face discrimination and had minimal access to public services, information and justice.<sup>30</sup>

28. The Committee on the Rights of Persons with Disabilities recommended that the State, in collaboration with organizations of persons with disabilities, develop and implement public awareness-raising and education programmes on the rights of persons with disabilities, including through sensitization of the media, public officials, judges and lawyers, the police, social workers and the general public.<sup>31</sup>

29. The United Nations country team recommended that the State eliminate stigmatization of and discrimination against persons living with HIV.<sup>32</sup>

30. It also recommended that the State develop and implement specifically tailored educational curricula on equality and non-discrimination for law enforcement agencies.<sup>33</sup>

## **2. Development, the environment, and business and human rights<sup>34</sup>**

31. The Special Rapporteur on human rights defenders noted that oligarchic interests reportedly dominated State institutions, including the legislative, executive, judicial and local administrations, as well as political parties and the media.<sup>35</sup>

32. The Committee on Economic, Social and Cultural Rights stated that it remained concerned about the widespread practice of bribery to obtain public services, particularly in the health-care and education sectors. It was also concerned that, in most cases, prosecutions for corruption were limited to low-level public officials.<sup>36</sup>

## **B. Civil and political rights**

### **1. Right to life, liberty and security of person<sup>37</sup>**

33. The Committee against Torture recommended that the State promptly, thoroughly and impartially investigate all incidents of death in custody, ensuring independent forensic examinations, and prosecute those responsible for violations of the Convention against Torture resulting in such deaths and, if they were convicted, punish them accordingly.<sup>38</sup>

34. The Human Rights Committee stated that it remained concerned at reports of torture and cruel, inhuman or degrading treatment in the State, particularly by police officers during arrest and the preliminary investigation period.<sup>39</sup>

35. The Committee against Torture recommended that the State ensure that all fundamental legal safeguards against torture were enjoyed in practice by all detained persons, including arrested persons and those in pretrial detention, from the outset of their deprivation of liberty.<sup>40</sup>

36. The same Committee recommended that the State ensure that all reports of torture and ill-treatment involving public officials and non-official accomplices were investigated promptly, effectively and impartially by an independent mechanism with no institutional or hierarchical connection to the investigators or the alleged perpetrators.<sup>41</sup>

37. It recommended that the State amend Law No. 137 on the rehabilitation of victims of crimes, with a view to ensuring that victims of torture and ill-treatment had access to redress, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.<sup>42</sup>

38. It recommended that the State ensure the rights of detainees to have prompt and confidential access to a qualified and independent lawyer immediately after arrest and during all stages of detention, including hearings, and to request and receive a medical examination conducted in confidentiality by an independent doctor within 24 hours of their arrival in a place of detention.<sup>43</sup>

39. It recommended that the State ensure that all persons who were arrested on criminal charges were brought before a judge within 48 hours and that no one was held in pretrial detention for longer than prescribed by law.<sup>44</sup>

40. It recommended that the State ensure, in law and in practice, that every person has access to an independent and effective complaints mechanism regarding torture and ill-treatment by law enforcement officials.<sup>45</sup>

41. The Committee against Torture and the Human Rights Committee recommended that the State incorporate the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) into all training programmes for law enforcement officials.<sup>46</sup>

42. The Committee against Torture recommended that the State improve material conditions in temporary detention facilities and pretrial facilities and ensure that those deemed unfit for habitation were not used.<sup>47</sup>

43. The Human Rights Committee noted that it remained concerned that problems of overcrowding, inter-prisoner violence, poor hygiene conditions and lack of access to proper health care in detention facilities continued to persist.<sup>48</sup>

44. The Committee against Torture recommended that the State intensify its efforts to bring the conditions of detention in places of deprivation of liberty into line with international standards such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).<sup>49</sup>

45. The same Committee expressed serious concern at reports that persons with mental disorders and psychosocial and intellectual disabilities were confined to psychiatric hospitals and neuropsychological residential institutions in conditions that included inadequate food and hygiene; that residents of boarding schools had been sent to psychiatric institutions as punishment; and that there were high mortality rates in neuropsychological institutions.<sup>50</sup>

46. The Human Rights Committee expressed concern at reports of serious abuse and ill-treatment committed by caregivers, health professionals and staff of neuropsychological residential institutions and psychiatric hospitals, including rape, forced contraceptive measures, forced abortions, neglect, restraint and seclusion, noting in particular the gravity of the situation in Balti neuropsychiatric institution, Cocieri neuropsychiatric institution and Orhei institution for boys and young men with disabilities.<sup>51</sup>

47. The same Committee recommended that the State adopt a comprehensive, effective and independent monitoring system in all residential institutions and psychiatric hospitals.<sup>52</sup>

## **2. Administration of justice, including impunity, and the rule of law<sup>53</sup>**

48. The same Committee expressed concern at reports that corruption remained endemic and systemic in the judiciary.<sup>54</sup>

49. The Special Rapporteur on human rights defenders noted that lawyers faced politically motivated charges or might receive threats whenever they defended dissenting voices. Judges who examined cases or adopted decisions independently and in accordance with national and international legislation on politically sensitive cases risked harassment or dismissal.<sup>55</sup>

50. The Special Rapporteur recommended that the Government ensure the independence, impartiality, accountability and transparency of the judiciary by, inter alia, protecting judges from interference, ensuring thorough, independent, impartial and prompt investigations into any allegations of interference with the independence of the judiciary, and giving civil society the opportunity to monitor and support the implementation of anti-corruption measures.<sup>56</sup>

51. The Committee on the Rights of the Child expressed concern about the absence of a specialized juvenile court system in the State, the lack of legislation with respect to child victims, witnesses and offenders, and the lack of child-sensitive interviewing facilities outside of the capital. It also expressed concern about the length of pretrial detention, quality of legal services provided to assist children in conflict with the law, conditions of detention facilities, inadequate access to quality education, including vocational training, ill-treatment, including physical beatings, solitary confinement, and children being held in adult detention facilities. It urged the State to bring its juvenile justice system into line with the Convention on the Rights of the Child.<sup>57</sup>

52. The Committee on the Rights of Persons with Disabilities noted with concern the lack of access to free legal aid for persons with disabilities, particularly for those still living in institutions.<sup>58</sup>

## **3. Fundamental freedoms<sup>59</sup>**

53. The Committee on the Elimination of Racial Discrimination expressed concern at the difficulties faced by members of certain minorities, such as persons belonging to ethnic minorities who were Muslims or Jews, to practise freely their right to freedom of religion.<sup>60</sup>

54. The United Nations country team stated that the concentration of media ownership, media control by political and business interests, the fragility of independent media institutions, the limited access to information of public interest and intimidation of journalists needed to be addressed.<sup>61</sup>

55. It recommended that the State improve the transparency and accountability framework, including by amending the Law on Access to Information and strengthening the whistle-blowing mechanisms.<sup>62</sup>

56. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that the State revise its legislation on access to information, specifically to extend to legal entities the possibility of requesting information.<sup>63</sup>

57. The Special Rapporteur on human rights defenders recommended that the Government ensure a safe and enabling environment for human rights defenders so that they could work without fear of reprisals, intimidation or threats, and take measures to guarantee that the existing legislation on relevant human rights, such as freedom of expression, participation in public affairs, and access to justice and to information, was effectively applied in accordance and compliance with international human rights standards.<sup>64</sup>

#### **4. Prohibition of all forms of slavery<sup>65</sup>**

58. The Committee against Torture was concerned that the Republic of Moldova continued to be a country of origin for trafficking for purposes of sexual exploitation and forced labour, the victims of which included both adults and minors.<sup>66</sup>

59. The Committee on Economic, Social and Cultural Rights recommended that the State step up its efforts to investigate acts of trafficking effectively and to prosecute and punish perpetrators with penalties commensurate with the gravity of their offences.<sup>67</sup>

60. The Committee on the Elimination of Discrimination against Women recommended that the State strengthen accessible services for victim protection and support, including free medical services, psychosocial counselling and legal assistance, shelters, rehabilitation and reintegration programmes, by allocating sufficient budgetary resources and cooperating with medical professionals and other service providers.<sup>68</sup>

### **C. Economic, social and cultural rights**

#### **1. Right to work and to just and favourable conditions of work<sup>69</sup>**

61. The United Nations country team noted the poor quality of employment, low labour productivity and wages, and international labour migration, especially among young people. Informal employment remained a challenge.<sup>70</sup>

62. The Committee on Economic, Social and Cultural Rights expressed concern that the employment rate was very low in general and among Roma, especially Roma women, and persons with disabilities, despite the adoption of the quota of 5 per cent for the employment of persons with disabilities.<sup>71</sup>

63. The same Committee recommended that the State take all measures necessary to prevent occupational accidents, improve occupational safety and health and strengthen labour inspections.<sup>72</sup>

64. It recommended that the State increase the minimum wage, particularly in the public sector, to a level that provided workers and their families with a decent living; regularly adjust the minimum wage to the cost of living; reinforce employers' compliance with the minimum wage through labour inspections and complaint mechanisms; and ensure that those who failed to pay the minimum wage were sanctioned.<sup>73</sup>

#### **2. Right to social security**

65. The same Committee reiterated its previous concern that the average contributory pension in the State was well below the minimum subsistence level and that non-contributory social assistance benefits were even lower.<sup>74</sup>

66. It expressed concern at the widespread practice of undeclared wages (so-called "envelope wages"), which was a major obstacle in establishing a comprehensive social security system in the country and had a significant negative impact on the right to social security of those whose salaries were not fully declared.<sup>75</sup>

67. The Committee on the Elimination of Discrimination against Women noted with concern the limited access to social protection for women belonging to disadvantaged groups, such as Roma women and rural women.<sup>76</sup>

68. The same Committee stated that it remained concerned about the inadequate social protection for self-employed women, who were not entitled to maternity benefits.<sup>77</sup>

69. The Committee on the Rights of the Child recommended that the State ensure that all children with disabilities were provided with identification cards to access social services.<sup>78</sup>

70. The Committee on Economic, Social and Cultural Rights recommended that the State raise public awareness of social security programmes and their application procedures and provide Roma and persons in rural areas with assistance to apply for social benefits and the necessary identity documents.<sup>79</sup>

### **3. Right to an adequate standard of living<sup>80</sup>**

71. The same Committee recommended that the State step up its efforts to combat poverty with a special focus on persons in rural areas and pensioners. It also urged the State to ensure that the Ajutor social cash transfer programme covered all eligible persons and increase the amount of benefits to a level that provided the beneficiaries with a decent standard of living.<sup>81</sup>

72. The Committee on the Rights of Persons with Disabilities expressed concern that the majority of persons with disabilities lived in poverty, especially in rural and remote areas, and that the available social allowances were insufficient to cover the minimum necessary for an adequate standard of living. It also expressed concern that the additional expenses related to disability consequently increased the risk of persons with disabilities being institutionalized.<sup>82</sup>

73. The United Nations country team stated that 4 per cent of the population qualified as severely food insecure.<sup>83</sup>

74. The Committee on Economic, Social and Cultural Rights recommended that the State take all measures necessary to address malnutrition among children, women and persons in rural areas.<sup>84</sup>

75. The same Committee recommended that the State intensify its efforts to improve access to safe drinking water and adequate sanitation facilities, with a special focus on rural areas.<sup>85</sup>

76. The United Nations country team stated that in the context of the coronavirus disease (COVID-19) pandemic, rights holders had outlined the risk of not being able to pay rent, mortgage arrears or utility bills and that they faced cuts to water, electricity or telecommunications services. Many of them had had to sell goods from their households to meet their basic needs, especially Roma, persons with disabilities and persons with low economic status.<sup>86</sup>

77. The Committee on Economic, Social and Cultural Rights recommended that the State step up its efforts to increase the provision of social housing with adequate public utilities to young people, persons with disabilities, Roma families and large families, and improve and maintain the quality of existing public housing.<sup>87</sup>

### **4. Right to health<sup>88</sup>**

78. The same Committee recommended that the State improve the quality of health-care services by securing a sufficient number of qualified medical professionals, modernizing medical equipment and facilities and putting in place regulatory mechanisms for public health facilities.<sup>89</sup>

79. It recommended that the State address the discrimination faced by disadvantaged and marginalized individuals and groups, particularly Roma, persons with disabilities, persons living with HIV/AIDS, refugees and asylum seekers in accessing health-care services, and sensitize medical professionals to their special needs.<sup>90</sup>

80. The Committee on the Rights of the Child recommended that the State strengthen both the quality and the availability of services and programmes of mental health for children.<sup>91</sup>

81. The Committee on Economic, Social and Cultural Rights recommended that the State ensure that the compulsory health insurance system covered every person in the State.<sup>92</sup>

82. The United Nations country team recommended that the State improve access for Roma to preventive and curative public health-care services and to health insurance, and take their needs into account when drafting health programmes.<sup>93</sup>

83. The Committee against Torture recommended that the State intensify its efforts to improve health care in penitentiary facilities, including by hiring adequate numbers of qualified medical staff and providing them with training on the Istanbul Protocol.<sup>94</sup>

84. The United Nations country team stated that the COVID-19 pandemic and the lockdown of planned health-care services, including the suspension of immunization services for two months, had brought serious concerns regarding routine immunization coverage on both banks of the Nistru River, further exacerbating the already decreasing trends in immunization coverage of recent years.<sup>95</sup>

85. The Committee on Economic, Social and Cultural Rights recommended that the State take all effective measures to ensure access for all to sexual and reproductive health information and services, including modern contraceptives, carry out comprehensive and age-appropriate sexual and reproductive education in all educational institutions and ensure that health insurance covered abortion.<sup>96</sup>

86. The United Nations country team recommended that the State set up mobile teams of youth clinics to provide outreach sexual and reproductive health services to adolescents in villages.<sup>97</sup>

## **5. Right to education<sup>98</sup>**

87. UNESCO recommended that the State be encouraged to mention explicitly in its education code that the right to education was guaranteed to all, without discrimination of any kind.<sup>99</sup>

88. The Committee on Economic, Social and Cultural Rights recommended that the State strengthen its efforts to improve educational materials and school facilities, including water and sanitation facilities, and increase the number of young teachers, including by improving salaries and benefits.<sup>100</sup>

89. The Committee on the Rights of the Child urged the State to ensure the right to compulsory and free education for all children at the primary and secondary levels, and to continue efforts aimed at improving access to education, including preschool, by Roma children, in particular girls, and children from poor families, especially in rural areas, by addressing barriers to education, including inadequate funding, socioeconomic reasons and transportation.<sup>101</sup>

90. The Special Rapporteur on minority issues stated that she had received credible testimonies of discrimination against Roma children in school, including placing them at the back of the class and being targets of degrading treatment by teachers, non-Roma schoolmates and their parents.<sup>102</sup>

91. The Committee on Economic, Social and Cultural Rights recommended that the State strengthen its efforts to counter low enrolment rates among Roma children and young people in rural areas and the high dropout rates, including among children of Moldovan migrant workers abroad, at all levels of education.<sup>103</sup>

92. The United Nations country team stated that the barriers that still impeded access to education for children with disabilities included lack of or limited accessibility of infrastructure in educational institutions and transportation, limited access to assistive technologies and equipment and to support services, limited capacities of teachers to work with children with disabilities, and the persistence of bullying and stigmatization.<sup>104</sup>

93. The Committee on Economic, Social and Cultural Rights recommended that the State strengthen its efforts to increase access to inclusive education for students with disabilities.<sup>105</sup>

94. UNESCO recommended that the State be encouraged to continue to strengthen its education system, especially for remote learning, in order to ensure equal access to quality education, even in times of crisis.<sup>106</sup>



## D. Rights of specific persons or groups

### 1. Women<sup>107</sup>

95. The Committee on the Elimination of Discrimination against Women stated that it remained concerned about the high prevalence of gender-based violence against women, including domestic violence and economic and psychosocial violence.<sup>108</sup>

96. The Committee against Torture recommended that the State ensure that all allegations of violence were registered by the police and promptly, impartially and effectively investigated, and ensure that victims of domestic violence benefited from protection, including protection orders, by enforcing such orders promptly and effectively.<sup>109</sup>

97. The Committee on the Elimination of Discrimination against Women recommended that the State ensure that victims of violence against women and domestic violence had adequate access to accessible shelters and support services, including medical treatment, psychosocial counselling and legal assistance in all parts of the State.<sup>110</sup>

98. The United Nations country team recommended that the State strengthen the capacities of law enforcement professionals in managing cases of gender-based violence and applying the national legislation on violence against women.<sup>111</sup>

99. The Committee on the Elimination of Discrimination against Women recommended that the State eliminate barriers and stigmas discouraging women from reporting cases of gender-based violence to the competent authorities, including through awareness-raising and judicial or police training.<sup>112</sup>

100. The same Committee stated that it remained concerned about the persistence of patriarchal attitudes and discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society.<sup>113</sup>

101. It stated that it remained concerned at the barriers faced by women and girls in rural areas in accessing vocational training, which continued to confine many women to unpaid domestic and care work.<sup>114</sup>

102. It stated that it remained concerned at vertical and horizontal occupational segregation and the persistence of the gender pay gap, notwithstanding the principle of equal pay for work of equal value in national legislation.<sup>115</sup>

103. It noted with particular concern the low representation of women at the decision-making level, including in the civil service, the foreign service and the security and defence forces, and the very low political and public participation of women belonging to disadvantaged groups.<sup>116</sup>

104. The United Nations country team recommended that the State develop policies and programmes to facilitate the integration and reintegration of women into the workplace and business, and consider introducing initiatives in the legal framework for offering alternative childcare services.<sup>117</sup>

105. It recommended that the State reintroduce the provisions on a gender quota for the Cabinet in the Law on Government.<sup>118</sup>

### 2. Children<sup>119</sup>

106. The Committee on the Rights of the Child expressed concern about the still high maternal and child mortality rates, especially at home due to preventable causes of death, a decrease in immunization rates, inadequate health-care facilities, inadequate access to hygienic sanitation facilities and clean drinking water, and a decrease in the rate of exclusive breastfeeding.<sup>120</sup>

107. The same Committee expressed concern about the high number of children subject to abuse and neglect, including psychological abuse, at home, in institutions and at school, and the lack of support for child victims of abuse and neglect. It recommended that the State provide an accessible mechanism for children, including children with disabilities, and others to report cases of abuse and neglect, including within institutions and schools. It also

recommended that the State increase the number of shelters for child victims of abuse and neglect, including sexual abuse and exploitation, and facilitate the physical and psychological rehabilitation of the child victims, including in rural areas.<sup>121</sup>

108. It urged the State to enforce the legislative prohibition of corporal punishment in all settings, including through awareness-raising programmes.<sup>122</sup>

109. It expressed concern about the increasing number of children being legally separated from their parents, the rate of abandonment of newborn children and the still high number of children in institutions, in particular children under 3 years of age, and children remaining behind whose parents had migrated abroad.<sup>123</sup>

110. The Committee on Economic, Social and Cultural Rights expressed concern at the deplorable situation of about 100,000 children left behind by their migrant parents, illustrated by high school dropout rates, deteriorating nutrition and health conditions, and psychoemotional problems.<sup>124</sup>

111. The Human Rights Committee recommended that the State step up its efforts to provide appropriate and high-quality social services to children in vulnerable situations as alternatives to residential institutions in a manner that took into account their individual circumstances and needs. It also recommended that the State provide adequate follow-up and reintegration support and services for children who left institutional care.<sup>125</sup>

112. The Committee on the Elimination of Discrimination against Women noted with concern reports of child marriages in Roma communities and the fact that article 14 of the Family Code allowed exceptions to the minimum legal age of marriage, whereby it could be lowered from 18 to 16 years in certain cases.<sup>126</sup>

113. The United Nations country team recommended that the State raise awareness among Roma communities of the negative effects of child marriage on the sexual and reproductive health of girls.<sup>127</sup>

114. The Committee on Economic, Social and Cultural Rights recommended that the State step up its efforts to combat child labour, including by strengthening labour inspections and enforcing the relevant legal and administrative measures.<sup>128</sup>

115. The Committee on the Rights of the Child recommended that the State undertake a comprehensive study on the root causes of the phenomenon of children in street situations, develop a comprehensive strategy for the protection of such children with the aim of preventing and reducing the phenomenon and provide such children with adequate protection and assistance for recovery and reintegration, including shelter, education and vocational training, adequate health-care services and other social services, including substance abuse programmes and mental health counselling.<sup>129</sup>

### **3. Persons with disabilities<sup>130</sup>**

116. The same Committee expressed concern that there was a high rate of institutionalization of children with disabilities, especially those with psychosocial and intellectual disabilities, in facilities in inhumane conditions, where they were exposed to neglect and segregated from the community.<sup>131</sup>

117. The Committee on the Rights of Persons with Disabilities recommended that the State expedite the process of deinstitutionalization; ensure the application of the executive moratorium on new admissions; and develop a national strategy for the deinstitutionalization of children with disabilities, encompassing alternative care in family settings and inclusive support services and facilities in the community.<sup>132</sup>

118. The Committee on the Rights of the Child expressed concern that children with disabilities continued to face discrimination and were not effectively integrated into all areas of social life, including the education system.<sup>133</sup>

119. The Committee on the Rights of Persons with Disabilities expressed concern that women and girls with disabilities faced multiple discrimination and exclusion in all areas of life.<sup>134</sup>

120. The same Committee expressed concern that sign language was not adequately recognized as an official language of the State.<sup>135</sup>

121. It expressed concern that legislation to prevent and combat domestic violence failed to protect persons with disabilities, particularly women and girls.<sup>136</sup>

#### **4. Minorities<sup>137</sup>**

122. The Committee on Economic, Social and Cultural Rights recommended that the State take all measures necessary to ensure that persons belonging to ethnolinguistic minority groups, particularly Russian minorities, had their names, including patronymics, on their identity cards.<sup>138</sup>

123. The Committee on the Elimination of Racial Discrimination recommended that the State take the necessary measures to ensure that students belonging to ethnic minorities who were studying in schools offering mother-tongue education were provided with quality instruction on the State language.<sup>139</sup>

124. The Special Rapporteur on minority issues recommended that the Government make the official websites of public institutions available in minority languages.<sup>140</sup>

125. The United Nations country team stated that ethnolinguistic minorities had their access to justice limited when filing lawsuits, and that public documents and legislation were not routinely translated into minority languages.<sup>141</sup>

126. The Special Rapporteur on minority issues urged the Government to consider adopting measures aimed at ensuring and strengthening the political participation of minorities in the State and their full involvement in decision-making bodies.<sup>142</sup>

#### **5. Migrants, refugees and asylum seekers<sup>143</sup>**

127. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that the Government ensure respect for the principle of non-refoulement and access to the territory and the asylum procedure and provide information on the right to seek asylum.<sup>144</sup>

128. It recommended that the Government ensure that asylum seekers had their basic needs covered while staying in the temporary accommodation centre.<sup>145</sup>

129. It recommended that the Government provide asylum seekers with access to the State health insurance scheme.<sup>146</sup>

130. It recommended that the Government ensure the early identification of asylum seekers, their referral to specialized services, and the provision of counselling and appropriate support, including for those with specific needs.<sup>147</sup>

131. It recommended that the Government introduce alternatives to immigration detention in law and apply them in practice, provide humane and dignified conditions of immigration detention, and take into account the situation of persons with specific needs, including vulnerable individuals.<sup>148</sup>

#### **6. Stateless persons**

132. The Committee on the Rights of the Child recommended that the State continue to strengthen efforts to ensure that all births in the State were registered, including of Roma children, children born at home, children born to adolescent mothers and children born out of wedlock.<sup>149</sup>

133. UNHCR recommended that the Government amend domestic law to reinstate safeguards that ensured that all children born on the territory who would otherwise be stateless acquired Moldovan nationality automatically at birth, regardless of the residence status of their parents.<sup>150</sup>

## E. Specific regions or territories<sup>151</sup>

134. The Committee on the Rights of the Child recognized that the State did not have control over the Transnistrian region, which impeded the implementation of the Convention on the Rights of the Child there.<sup>152</sup>

135. The Committee against Torture took note of the State's lack of ability to exercise effective control in the territory of Transnistria, which impeded the application of the Convention against Torture in that region.<sup>153</sup>

136. The Special Rapporteur on human rights defenders had received reports that human rights defenders were not able to work freely in the Transnistrian region, and that they were subjected to various forms of intimidation, threats (including to relatives), attacks, harassment, arbitrary detention and reprisals.<sup>154</sup>

137. The Human Rights Committee recommended that the State review its policies and take all measures appropriate to ensure that individuals in Transnistria could effectively enjoy their rights guaranteed under the International Covenant on Civil and Political Rights.<sup>155</sup>

138. The United Nations country team stated that in the Transnistrian region, only persons with disabilities and older persons who lived alone were entitled to social support services. There was limited staff capacity to serve even those groups, especially in rural areas. Other vulnerable groups had access only to services provided by civil society organizations.<sup>156</sup>

139. The Committee on the Elimination of Discrimination against Women recommended that the State provide adequate funding to civil society organizations in Transnistria that provided accessible and inclusive support and assistance to women who were victims of gender-based violence, and continue efforts to raise the need to ensure the availability of such services with the de facto authorities in Transnistria.<sup>157</sup>

### Notes

- <sup>1</sup> Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the Republic of Moldova will be available at <https://www.ohchr.org/EN/HRBodies/UPR/Pages/MDIndex.aspx>.
- <sup>2</sup> For relevant recommendations, see [A/HRC/34/12](#), paras. 121.1–121.6, 121.8–121.13, 121.43, 122.1–122.16 and 123.1.
- <sup>3</sup> [CEDAW/C/MDA/CO/6](#), para. 48; [CRC/C/MDA/CO/4-5](#), para. 48; [E/C.12/MDA/CO/3](#), para. 77; and [CERD/C/MDA/CO/10-11](#), para. 26. See also [A/HRC/40/60/Add.3](#), para. 11.
- <sup>4</sup> [E/C.12/MDA/CO/3](#), para. 76. See also [A/HRC/40/60/Add.3](#), para. 11, and [A/HRC/34/53/Add.2](#), para. 100.
- <sup>5</sup> [CRC/C/MDA/CO/4-5](#), para. 47. See also [A/HRC/40/60/Add.3](#), para. 11, and United Nations country team submission for the universal periodic review of the Republic of Moldova, p. 13.
- <sup>6</sup> [CRPD/C/MDA/CO/1](#), para. 7 (c). See also [A/HRC/40/60/Add.3](#), para. 11, and [A/HRC/34/53/Add.2](#), para. 100.
- <sup>7</sup> [CEDAW/C/MDA/CO/6](#), para. 33 (h).
- <sup>8</sup> [CEDAW/C/MDA/CO/6](#), para. 23 (f), and [CRPD/C/MDA/CO/1](#), para. 13 (d).
- <sup>9</sup> [A/HRC/34/53/Add.2](#), para. 100.
- <sup>10</sup> [CRPD/C/MDA/CO/1](#), para. 55.
- <sup>11</sup> [CRC/C/MDA/CO/4-5](#), para. 50.
- <sup>12</sup> OHCHR, “Funding”, in *United Nations Human Rights Report 2018*, p. 77; and OHCHR, “Funding”, in *United Nations Human Rights Report 2019*, p. 91.
- <sup>13</sup> For relevant recommendations, see [A/HRC/34/12](#), paras. 121.7, 121.14, 121.17–121.27, 121.30–121.39, 121.42 and 122.23.
- <sup>14</sup> [E/C.12/MDA/CO/3](#), para. 8.
- <sup>15</sup> [CEDAW/C/MDA/CO/6](#), para. 16.
- <sup>16</sup> [A/HRC/40/60/Add.3](#), para. 85 (r). See also United Nations country team submission, p. 15.
- <sup>17</sup> [CAT/C/MDA/CO/3](#), paras. 15 and 16 (b). See also [CCPR/C/MDA/CO/3](#), para. 22 (d).
- <sup>18</sup> For relevant recommendations, see [A/HRC/34/12](#), paras. 121.45, 121.60–121.62, 121.68–121.73, 121.153, 122.17–122.18, 122.20–122.22, 122.24–122.25 and 123.2.
- <sup>19</sup> [E/C.12/MDA/CO/3](#), para. 19.
- <sup>20</sup> [CRPD/C/MDA/CO/1](#), para. 11.

- 21 [CERD/C/MDA/CO/10-11](#), para. 13 (b).
- 22 *Ibid.*, para. 13 (d).
- 23 [CEDAW/C/MDA/CO/6](#), para. 27 (a).
- 24 [CERD/C/MDA/CO/10-11](#), para. 15.
- 25 [E/C.12/MDA/CO/3](#), para. 12.
- 26 [CCPR/C/MDA/CO/3](#), para. 11.
- 27 [A/HRC/34/53/Add.2](#), para. 105.
- 28 [CRPD/C/MDA/CO/1](#), para. 8. See also United Nations country team submission, p. 15.
- 29 [CERD/C/MDA/CO/10-11](#), para. 21 (b)–(c).
- 30 United Nations country team submission, p. 14.
- 31 [CRPD/C/MDA/CO/1](#), para. 19. See also [CRC/C/MDA/CO/4-5](#), para. 30 (g).
- 32 United Nations country team submission, p. 5.
- 33 *Ibid.*, p. 13.
- 34 For relevant recommendations, see [A/HRC/34/12](#), para. 121.129.
- 35 [A/HRC/40/60/Add.3](#), para. 29.
- 36 [E/C.12/MDA/CO/3](#), para. 16.
- 37 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.28–121.29, 121.74–121.82, 121.84 and 122.26.
- 38 [CAT/C/MDA/CO/3](#), para. 22 (a).
- 39 [CCPR/C/MDA/CO/3](#), para. 21.
- 40 [CAT/C/MDA/CO/3](#), para. 9.
- 41 *Ibid.*, para. 14 (b). See also [CCPR/C/MDA/CO/3](#), para. 22 (a).
- 42 [CAT/C/MDA/CO/3](#), para. 30 (a).
- 43 *Ibid.*, para. 9 (a)–(b).
- 44 [CAT/C/MDA/CO/3](#), para. 11 (a). See also [CCPR/C/MDA/CO/3](#), paras. 25–26.
- 45 [CAT/C/MDA/CO/3](#), para. 14 (f).
- 46 [CAT/C/MDA/CO/3](#), para. 14 (d), and [CCPR/C/MDA/CO/3](#), para. 22 (c).
- 47 [CAT/C/MDA/CO/3](#), para. 11 (c).
- 48 [CCPR/C/MDA/CO/3](#), para. 27. See also [CAT/C/MDA/CO/3](#), para. 17.
- 49 [CAT/C/MDA/CO/3](#), para. 18 (c).
- 50 [CAT/C/MDA/CO/3](#), para. 31. See also [CRPD/C/MDA/CO/1](#), paras. 30–31.
- 51 [CCPR/C/MDA/CO/3](#), para. 23 (b).
- 52 *Ibid.*, para. 24 (c).
- 53 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.63, 121.118–121.127 and 123.3.
- 54 [CCPR/C/MDA/CO/3](#), para. 29.
- 55 [A/HRC/40/60/Add.3](#), para. 39.
- 56 *Ibid.*, para. 85 (d).
- 57 [CRC/C/MDA/CO/4-5](#), paras. 42–43. See also [CCPR/C/MDA/CO/3](#), para. 40, and United Nations country team submission, p. 13.
- 58 [CRPD/C/MDA/CO/1](#), para. 26 (b).
- 59 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.64, 121.130–121.144, 121.166 and 122.28.
- 60 [CERD/C/MDA/CO/10-11](#), para. 16.
- 61 United Nations country team submission, p. 15. See also [A/HRC/40/60/Add.3](#), para. 39.
- 62 United Nations country team submission, p. 13.
- 63 UNESCO submission for the universal periodic review of the Republic of Moldova, para. 15.
- 64 [A/HRC/40/60/Add.3](#), para. 85 (g).
- 65 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.108–121.116 and 121.128.
- 66 [CAT/C/MDA/CO/3](#), para. 25. See also [CRC/C/MDA/CO/4-5](#), paras. 40–41.
- 67 [E/C.12/MDA/CO/3](#), para. 47. See also [CRC/C/MDA/CO/4-5](#), paras. 40–41.
- 68 [CEDAW/C/MDA/CO/6](#), para. 25 (c). See also [CRC/C/MDA/CO/4-5](#), paras. 40–41.
- 69 For relevant recommendations, see [A/HRC/34/12](#), para. 121.147.
- 70 United Nations country team submission, p. 16.
- 71 [E/C.12/MDA/CO/3](#), para. 26.
- 72 *Ibid.*, para. 37.
- 73 *Ibid.*, para. 31.
- 74 *Ibid.*, para. 40.
- 75 *Ibid.*, para. 32.
- 76 [CEDAW/C/MDA/CO/6](#), para. 36 (b).
- 77 *Ibid.*, para. 32 (f).
- 78 [CRC/C/MDA/CO/4-5](#), para. 30 (h).
- 79 [E/C.12/MDA/CO/3](#), para. 41 (d).
- 80 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.148–121.150 and 121.152.

- 81 [E/C.12/MDA/CO/3](#), para. 49.
- 82 [CRPD/C/MDA/CO/1](#), para. 50.
- 83 United Nations country team submission, p. 2.
- 84 [E/C.12/MDA/CO/3](#), para. 51.
- 85 *Ibid.*, para. 53. See also United Nations country team submission, p. 17.
- 86 United Nations country team submission, p. 8.
- 87 [E/C.12/MDA/CO/3](#), para. 55.
- 88 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.83, 122.19 and 122.29.
- 89 [E/C.12/MDA/CO/3](#), para. 57 (c).
- 90 *Ibid.*, para. 57 (d). See also [CEDAW/C/MDA/CO/6](#), para. 34 (b), and [CRPD/C/MDA/CO/1](#), paras. 46–47.
- 91 [CRC/C/MDA/CO/4-5](#), para. 33.
- 92 [E/C.12/MDA/CO/3](#), para. 57 (a).
- 93 United Nations country team submission, p. 4.
- 94 [CAT/C/MDA/CO/3](#), para. 20 (a).
- 95 United Nations country team submission, p. 3.
- 96 [E/C.12/MDA/CO/3](#), para. 63 (a)–(c). See also [CEDAW/C/MDA/CO/6](#), paras. 34 (d)–(e) and 35 (b) and (d)–(e); [CCPR/C/MDA/CO/3](#), para. 18 (b); and United Nations country team submission, p. 5.
- 97 United Nations country team submission, p. 6.
- 98 For relevant recommendations, see [A/HRC/34/12](#), para. 121.151.
- 99 UNESCO submission, para. 13.
- 100 [E/C.12/MDA/CO/3](#), para. 71 (b). See also [CRC/C/MDA/CO/4-5](#), para. 36 (d)–(e).
- 101 [CRC/C/MDA/CO/4-5](#), para. 36 (a).
- 102 [A/HRC/34/53/Add.2](#), para. 65.
- 103 [E/C.12/MDA/CO/3](#), para. 71 (a).
- 104 United Nations country team submission, p. 6.
- 105 [E/C.12/MDA/CO/3](#), para. 71 (c). See also [CRC/C/MDA/CO/4-5](#), para. 30 (b), and [CRPD/C/MDA/CO/1](#), paras. 44–45.
- 106 UNESCO submission, para. 13.
- 107 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.16, 121.40, 121.46–121.59, 121.85–121.102 and 121.145–121.146.
- 108 [CEDAW/C/MDA/CO/6](#), para. 22. See also [CAT/C/MDA/CO/3](#), para. 23, and [E/C.12/MDA/CO/3](#), paras. 44–45.
- 109 [CAT/C/MDA/CO/3](#), para. 24 (b)–(c). See also [E/C.12/MDA/CO/3](#), paras. 44–45, and [CCPR/C/MDA/CO/3](#), para. 16 (a).
- 110 [CEDAW/C/MDA/CO/6](#), para. 23 (c). See also United Nations country team submission, p. 9.
- 111 United Nations country team submission, p. 12.
- 112 [CEDAW/C/MDA/CO/6](#), para. 23 (a).
- 113 *Ibid.*, para. 20. See also United Nations country team submission, p. 14.
- 114 [CEDAW/C/MDA/CO/6](#), para. 30 (d).
- 115 *Ibid.*, para. 32 (a).
- 116 *Ibid.*, para. 26 (b)–(c).
- 117 United Nations country team submission, p. 8.
- 118 *Ibid.*, p. 11.
- 119 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.41, 121.103–121.107 and 122.27.
- 120 [CRC/C/MDA/CO/4-5](#), para. 31.
- 121 *Ibid.*, paras. 20 and 21 (c) and (e).
- 122 *Ibid.*, para. 19.
- 123 *Ibid.*, para. 26 (b).
- 124 [E/C.12/MDA/CO/3](#), para. 28 (a).
- 125 [CCPR/C/MDA/CO/3](#), para. 42.
- 126 [CEDAW/C/MDA/CO/6](#), para. 42 (a).
- 127 United Nations country team submission, p. 6.
- 128 [E/C.12/MDA/CO/3](#), para. 43. See also [CRC/C/MDA/CO/4-5](#), para. 38.
- 129 [CRC/C/MDA/CO/4-5](#), para. 39.
- 130 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.154–121.162 and 122.30.
- 131 [CRC/C/MDA/CO/4-5](#), para. 29 (c). See also [CRPD/C/MDA/CO/1](#), para. 16.
- 132 [CRPD/C/MDA/CO/1](#), paras. 17 and 37.
- 133 [CRC/C/MDA/CO/4-5](#), para. 29 (a).
- 134 [CRPD/C/MDA/CO/1](#), para. 12.
- 135 *Ibid.*, para. 40.
- 136 *Ibid.*, para. 12 (b).
- 137 For relevant recommendations, see [A/HRC/34/12](#), paras. 121.15, 121.44, 121.65–121.67, 121.163–

- 121.165 and 121.167–121.172.
- <sup>138</sup> [E/C.12/MDA/CO/3](#), para. 75.
- <sup>139</sup> [CERD/C/MDA/CO/10-11](#), para. 19.
- <sup>140</sup> [A/HRC/34/53/Add.2](#), para. 103.
- <sup>141</sup> United Nations country team submission, p. 12.
- <sup>142</sup> [A/HRC/34/53/Add.2](#), para. 108.
- <sup>143</sup> For relevant recommendations, see [A/HRC/34/12](#), para. 122.31.
- <sup>144</sup> UNHCR submission for the universal periodic review of the Republic of Moldova, p. 2. See also [CAT/C/MDA/CO/3](#), para. 28.
- <sup>145</sup> UNHCR submission, p. 3.
- <sup>146</sup> *Ibid.*, p. 3.
- <sup>147</sup> *Ibid.*, p. 3.
- <sup>148</sup> *Ibid.*, p. 4. See also [CAT/C/MDA/CO/3](#), para. 28.
- <sup>149</sup> [CRC/C/MDA/CO/4-5](#), para. 18. See also UNHCR submission, p. 6.
- <sup>150</sup> UNHCR submission, p. 5.
- <sup>151</sup> For relevant recommendations, see [A/HRC/34/12](#), paras. 121.173–121.175.
- <sup>152</sup> [CRC/C/MDA/CO/4-5](#), para. 4.
- <sup>153</sup> [CAT/C/MDA/CO/3](#), para. 6.
- <sup>154</sup> [A/HRC/40/60/Add.3](#), para. 70.
- <sup>155</sup> [CCPR/C/MDA/CO/3](#), para. 6.
- <sup>156</sup> United Nations country team submission, p. 7.
- <sup>157</sup> [CEDAW/C/MDA/CO/6](#), para. 23 (d).
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