



EQUAL RIGHTS TRUST

The Equal Rights Trust

Suggestions for the list of issues to be adopted by the Committee on Economic, Social and Cultural Rights at its 60th session (pre-sessional working group) in relation to the third periodic report submitted by:

Republic of Moldova

27 January 2017

Statement of Interest

1. The Equal Rights Trust (the **Trust**) submits the following suggestions questions for adoption by the Committee on Economic, Social and Cultural Rights (the **Committee**) based upon the third periodic report submitted to the Committee by the Republic of Moldova (Moldova) at the Committee's 60th session (pre-sessional working group).
2. The Equal Rights Trust is an independent international organisation whose purpose is to combat discrimination and promote equality as a fundamental human right and a basic principle of social justice. Established as an advocacy organisation, resource centre and think tank, it focuses on the complex relationship between different types of discrimination and inequality, developing strategies for translating the principles of equality into practice.
3. We have been actively involved in promoting improved protection from discrimination in Moldova since 2013. During the project "Empowering civil society in Moldova and Transnistria to combat discrimination through documentation, litigation and advocacy" the Trust worked in partnership with Promo-LEX to increase the capacity of civil society to combat discrimination in Moldova through documentation, litigation and advocacy. In the course of this project, the Trust and its partners undertook research on patterns of discrimination and inequality in Moldova, including discrimination in accessing the rights provided under the International Covenant on Economic, Social and Cultural Rights (the Covenant) which culminated in the publication of the report: *From Words to Deeds: Addressing Discrimination and Inequality in Moldova* (the Report).¹
4. The findings and conclusions of the Report inform this submission to the Committee. This submission focuses on the extent to which Moldova has met its obligations to respect, protect and fulfil the rights to equality and non-discrimination under the Covenant. Given the comprehensive nature of our Report, this submission does not provide an exhaustive account of its findings, but instead focuses on providing the Committee with information on the impact which discrimination on different grounds has on the enjoyment of economic, social and cultural rights in Moldova.

¹ The Report can be accessed here:

http://www.equalrightstrust.org/ertdocumentbank/From%20Words%20to%20Deeds%20Addressing%20Discrimination%20and%20Inequality%20in%20Moldova_0.pdf.

5. This submission is divided into two parts. The first analyses the consistency of the existing legislative framework related to equality in Moldova with the requirements arising under Article 2(2) of the Covenant, on non-discrimination. The second examines the enjoyment of a number of rights protected under the Covenant where discrimination results in the denial or limitation of their effective enjoyment by different groups of persons in Moldova.

Part 1: Article 2(2): The Legal Framework Related to Equality

6. Under Article 2(2) of the Covenant, state parties undertake to guarantee the rights in the Covenant “without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”. As the Committee has noted, compliance with this obligation, states necessitates the adoption of specific, comprehensive non-discrimination legislation.²
7. Article 16 of the Moldovan Constitution contains a limited guarantee of equality providing that “[a]ll citizens of the Republic of Moldova shall be equal before the law and public authorities, regardless of the [sic] race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin”. This provision is, however, limited as it “does not exist independently of the Constitution”³ and so does not confer a freestanding right to equality and non-discrimination. Moreover, the list of protective characteristics appears exhaustive, and does not include age, disability and sexual orientation.
8. However, the Constitutional guarantee forms only part of the legal framework on equality in Moldova. The **Law on Ensuring Equality** (Law No. 121 of May 2012) is the primary non-discrimination statute in Moldova, prohibiting a range of discriminatory conduct on a range of grounds.⁴ The Law on Ensuring Equality is to be welcomed: it has served to radically enhance the Moldovan equality framework and to make tangible progress towards meaningful compliance with the Covenant’s requirements in respect of Article 2(2). Amongst its positive features, the law applies to all persons in Moldova (not only citizens) and provides for “positive measures” to be taken to protect persons at a particular disadvantage.⁵
9. However the law is constrained by its limited ambit of application, in particular, though discrimination is prohibited in “political, economic, social, cultural and other spheres of life”,⁶ the provisions of the law expressly exclude the familial and marital sphere, adoptive relationships, and religious institutions.⁷ In addition, although the list of protected characteristics is open-ended, it omits several grounds which have been recognised by the Committee, including gender identity, sexual orientation, and health status.⁸

² Committee on Economic, Social and Cultural Rights, *General Comment No. 20: Non-discrimination in economic, social and cultural rights (Article 2, Para. 2, of the International Covenant on Economic, Social and Cultural Rights)*, UN Doc. E/C.12/GC/20, 2009, Para 37.

³ Constitutional Court, Decision No. 14 of 8 October 2013, available at: <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=350284>.

⁴ Law on Ensuring Equality (Law No. 121 of 25 May 2012), Articles 7 – 9.

⁵ *Ibid.*, Article 1(1), Article 5(a).

⁶ *Ibid.*, Article 1(1).

⁷ *Ibid.*, Article 1(2).

⁸ Note that the Council on the Prevention and Elimination of Discrimination and Ensuring Equality has held that sexual orientation is a protected characteristic within the meaning of Article 1(1) of the Law on Ensuring Equality, Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Decision No. 028/13 of 21 January 2014, available at: <http://www.egalitate.md/media/files/files/>

10. The Law on Ensuring Equality established a regulatory body charged with promoting equality – the Council on the Prevention and Elimination of Discrimination and Ensuring Equality (**CPEDEE**).⁹ The creation of this body is a welcome development. However, the CPEDEE is not empowered with judicial authority, meaning it is only able to refer cases to the court, and it is not impose sanctions directly.¹⁰ Moreover, there is evidence that national courts routinely strike out referrals from the CPEDEE in relation to violations of the equality provisions of the Contravention Code, with the result that the CPEDEE has abandoned the practice of making such referrals.¹¹
11. The Law on Ensuring Equality is complemented by two specific non-discrimination statutes: the Law on Ensuring Equal Opportunities between Women and Men¹² (the **Equal Opportunities Law**) and the Law on Social Inclusion of Persons with Disabilities¹³ (the **Law on Persons with Disabilities**).
12. Both laws have shortcomings. The Equal Opportunities Law is primarily a statement of principle, limited to imposing duties on public bodies to make ‘equal opportunities’ decisions and policies.¹⁴ It contains no enforcement mechanisms or remedies for breach of duty. While victims of gender discrimination can now rely on the Law on Ensuring Equality, there are areas in which the Equal Opportunities Law offers broader guarantees, but where there is no right of action¹⁵
13. The Law on Persons with Disabilities creates ostensibly robust and far-reaching protections of persons with disabilities including in accessing their economic and social rights. A number of its provisions are welcome developments, for example Chapter 3 of the Law contains provisions designed to enhance the accessibility of social infrastructure for persons with disabilities and it establishes liability for breach.¹⁶ However, it is difficult for persons with disabilities to benefit from certain protections designed to enhance their access to economic, social and cultural rights. As discussed below, Article 34(4) imposes an obligation on employers with at least 20 staff to create or reserve 5% of jobs for persons with disabilities.¹⁷ However, there is a no indication of how this quota will be implemented nor is there sanction for breach.¹⁸ Moreover, as outlined below, research conducted for our Report indicates that this law has not yet resulted in any major reduction in the discrimination faced by people with disabilities in Moldova.¹⁹

decizie_conf_cauza_nr_028_2013_bn_3543907.pdf.

⁹ *Ibid.*, Article 11.

¹⁰ Law on Ensuring Equality (Law No. 121 of 25 May 2012), Article 15(4); Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 257.

¹¹ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p.280.

¹² Law No. 5-XVI of 9 February 2006, the (Equal Opportunities Law).

¹³ Law No. 60 of 30 March 2012.

¹⁴ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p.257.

¹⁵ *Ibid.*, p.262; for example, there is an obligation under Article 10(1) of the Equal Opportunities Law which requires employers to cooperate with employees to establish internal regulations to prevent cases of discrimination at work. There is currently no way for an aggrieved person to obtain relief under this provision.

¹⁶ Law No. 60 of 30 March 2012, Articles 22-25.

¹⁷ Law No. 60 of 30 March 2012, Articles 34(4).

¹⁸ *Ibid.*

¹⁹ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 270.

Suggested Questions on Discrimination in relation to the Legal Framework

- What plans, if any, does the state party have to expand the scope of the Law on Ensuring Equality to include discrimination in areas of family law and in the practices of religious institutions?
- Can the state party confirm that the words “any other similar criteria” in Article 1 of the Law on Ensuring Equality are interpreted as prohibiting discrimination on the basis of sexual orientation and gender identity? What plans, if any, does the state party have to clarify this interpretation, and raise awareness of the protection provided as a result?
- What plans, if any, does the state party have to imbue the CPEDEE with judiciary authority such that it can make enforceable judgments, or alternatively, to obligate national courts to accept and pursue all referrals received from the CPEDEE?
- What steps will the state party take to harmonise the provisions of the Equal Opportunities Law and the Law on Ensuring Equality such that the broader protections under the Equal Opportunities Law are enforceable?

Part 2: Discrimination Affecting the Enjoyment of Other Covenant Rights

14. The report *From Words to Deeds: Addressing Discrimination and Inequality in Moldova* presents evidence of discrimination and inequality on grounds of, *inter alia*, race and ethnicity, sexual orientation and gender identity, health status, gender, disability, religion or belief, age and language. It finds that discrimination is a major factor in limiting the enjoyment of other Covenant rights on an equal basis with others. This section of the submission examines some of those issues, highlighting the impact of discrimination on the enjoyment of the right to work (Article 6), the right to physical and mental health (Article 12) and the right to education (Article 13).

Article 6: The right to work

Access to employment for Roma and other ethnic minorities

15. Although discrimination on the grounds of race and ethnicity is prohibited under both Article 16 of the Constitution and the Law on Ensuring Equality, our Report indicates that Roma are still widely discriminated against in the labour market. Although the government has created an Action Plan for supporting Roma Population in the Republic of Moldova for 2011-2015 (Roma Action Plan), as of 2015 only 70 of the 1,100 Roma registered with the National Employment Agency were employed.²⁰ Roma are disproportionately likely to be employed as unskilled or informal workers.²¹ This has a direct effect on the average monthly income of a Roma family, which is about 1,000 lei (approx. €45), 40% less than the average income of a non-Roma household.²²

²⁰ National Employment Agency, *Activity Report for 2015*, 2016, p. 16

²¹ United Nations in Moldova, *Roma in the Republic of Moldova: In Communities Inhabited Mainly by Roma*, 2013, p. 36, available at http://www.unicef.org/moldova/ro/Raport_ROMA_rom2013.pdf.

²² UN Women, United Nations Development Programme, and Office of the High Commissioner for Human Rights, *Study on the Situation of the Romani Women and Girls in the Republic of Moldova*, 2014, p. 37, available at: <http://www.un.md/publicdocget/126>

16. One leading cause of the high levels of unemployment in the Roma community is the deep seated negative social attitudes held by employers and potential employers towards Roma.²³ For example, the Report documents the case of a Roma man who was invited to interview as a waiter, but after his ethnicity became clear to the potential employer during interview and he was never informed of the outcome of the interview; he later learned that the job had been offered to an ethnic Moldovan man.²⁴ Moreover, Roma women are vulnerable to multiple discrimination; as a result of lower levels of education, a lack of job opportunities, limited childcare and gender stereotypes in the Roma community, only 15% of Roma women aged over 15 are employed. This problem is particularly acute in rural areas.²⁵
17. Other racial minorities, including refugees and asylum seekers and in particular those of African or Asian descent, are subject to discrimination from prospective employers. A man working at a charity centre for refugees told our researchers how African refugees are unable to find jobs as employers immediately associate them with the Ebola virus.²⁶ Our Report also finds that visible racial minorities – those with darker skin colour than the average Moldovan, are more vulnerable to discrimination in employment.²⁷

Access to employment for women

18. The Law on Ensuring Equality expressly prohibits discrimination on the basis of gender, including in respect of employment; this protection is supported by provisions in the Labour Code.²⁸ This is supported by policies²⁹ and overseen by two bodies which form the national machinery for the advancement of women.³⁰ Despite these numerous protections, our review of available data found that women higher rates of unemployment than men: 40.6% of women are unemployed, compared to 36.5% of men.³¹
19. There is also a persistent gender pay gap in Moldova exacerbated by a segregated labour market whereby women continue to be primarily employed in the lowest paid sectors such as healthcare, education and social assistance.³² The vertical and horizontal segregation of the

²³ Equal Rights Trust, “No Jobs for Roma: Situation Report on Discrimination against the Roma in Moldova”, *The Equal Rights Review*, Vol. 15, 2015, p. 130

²⁴ Chisinau Court of Appeal, Decision No. 2a-3692/14 of 22 January 2015, available at: http://cac.instante.justice.md/apps/hotariri_judecata/inst/cac/get_decision_doc.php?decision_key=839655A-F-7FAC-E411-8112-005056A5D154&case_title=Dosar-02-2a-15181-26082014-29671.

²⁵ Interethnic Relations Bureau of Moldova, *Population Census*, 2004, p. 37

²⁶ Equal Rights Trust interview with Salifo, 16 September 2015, Chişinău.

²⁷ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 71.

²⁸ Law on Ensuring Equality (Law No. 121 of 25 May 2012), Article 1(1); ; Labour Code of the Republic of Moldova (Code No. 154 of 28 March 2003), Articles 10(2)(f)-(g).

²⁹ National Programme on Ensuring Gender Equality (2010-2015).

³⁰ The Directorate for Ensuring Equality between Women and Men is responsible for assessing compliance of national law with the principle of gender equality, and the Government Commission on Equality between Women and Men was established to implement the Law on Equality of Opportunities between Men and Women.

³¹ National Bureau of Statistics of the Republic of Moldova, *A Statistical Portrait of Men and Women in Moldova*, 2014, p. 2, available at: http://www.statistica.md/public/files/publicatii_electronice/femei_si_barbati/Portret_statistic_femei.pdf.

³² Promo-LEX Association and Others, *Submission to the Committee on the Elimination of Discrimination against Women for Moldova*, 2013, Para 57, available at: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MDA/INT_CEDAW_NGO_MDA_14954_E.pdf.

labour market also results in women facing obstacles in the equal enjoyment of the right to pursue work of one's own choosing, as guaranteed by Article 6 of the Covenant.

20. Several Moldovan policy documents and laws contain discriminatory provisions which reflect patriarchal attitudes.³³ Notably, men and women are subject to different retirement ages (currently, women retire at 57 while men may continue working until they reach 62 years of age).³⁴ Moreover, Article 251 of the Labour Code prohibits the dismissal of women with children under six years old,³⁵ exacerbating the discrimination faced by younger women, pregnant women and women with children, who may be perceived by employers as giving rise to greater obligations. There is also evidence that there is a lower percentage of women with children at preschool age in employment compared to women who do not have children that age.³⁶
21. Although job advertisements that discriminate on the basis of gender are prohibited by law,³⁷ there is evidence that such advertisements are still prevalent.³⁸ Most senior staff responsible for making employment decisions are men.³⁹
22. Our research also indicated that hiring practices continue to discriminate against pregnant women, women with children, and younger women who are perceived as likely to become pregnant. For example, the Trust collected testimony from women asked outright at job interviews whether they are married, pregnant or have plans to do either.⁴⁰ Our research also revealed that employers may avoid contracts with women or impose contracts that exclude key employee rights such as childcare allowance and maternity allowance.

Access to employment for persons with disabilities

23. Discrimination on the grounds of disability is expressly prohibited in the employment context.⁴¹ There are also specific protections for persons with disabilities in relation to leave entitlement⁴² and adjustments to the duration of working time.⁴³ In addition to this, under Article 34(4) of the Law on Persons with Disabilities, employers are required to ensure that at

³³ Government Decision No. 264 of 1993 prohibits women from undertaking certain forms of dangerous work. See Decision approving the List of Industries, Professions and Works with Hard and Harmful Working Conditions Proscribed to Women and Maximum Permissible Norms for Women on Manual Lifting and Carrying of Loads, available at: <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=300608>.

³⁴ Law on State Social Insurance Pensions (Law No. 156 of 14 October 1998).

³⁵ Labour Code of the Republic of Moldova (Code No. 154 of 28 March 2003).

³⁶ Gender Equality Platform and Others, *Joint Submission to the Universal Periodic Review for the Republic of Moldova*, 2016, Para 5.1, available at: <http://cdf.md/files/resources/98/UPR-submission-gender-equality-platform-Moldova.pdf>.

³⁷ Law on Ensuring Equality (Law No. 121 of 25 May 2012), Article 7(2)(a).

³⁸ Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Activity Report, 2014, p. 9, available at: <http://egalitate.md/media/files/Moldovan-Equality-Body-Activity-Report-2014.docx>.

³⁹ National Bureau of Statistics of the Republic of Moldova, *A Statistical Portrait of Men and Women in Moldova*, 2014, p. 2, available at: http://www.statistica.md/public/files/publicatii_electronice/femei_si_barbati/Portret_statistic_femei.pdf.

⁴⁰ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 128.

⁴¹ Law on Ensuring Equality (Law No. 121 of 25 May 2012), Article 1(1); Labour Code of the Republic of Moldova (Code No. 154 of 28 March 2003), Article 8.

⁴² Labour Code of the Republic of Moldova (Code No. 154 of 28 March 2003), Articles 120(2), 121(1).

⁴³ Labour Code of the Republic of Moldova (Code No. 154 of 28 March 2003), Articles 96(4), 97(1), 100(4).

least 5% of their employees are persons with disabilities.⁴⁴ As indicated in the third periodic report submitted by the Republic of Moldova, the Moldovan government has also undertaken a series of reforms seeking to improve the integration of persons with disabilities.⁴⁵

24. Despite the steps taken, our research indicates that there has been little improvement in the situation faced by persons with disabilities, who remain stigmatized, isolated and vulnerable. Research in 2014 showed that, notwithstanding the obligation in Article 34(4) of the Law on Persons with Disabilities, less than 1% of the Moldovan workforce was made up of persons with disabilities, and only 46.1% of those recognized as having a disability were employed.⁴⁶
25. As noted above, one shortcoming of the Law on Persons with Disabilities is the absence of an independent enforcement mechanism with the powers and resources to enforce the existing minimum legislative quota.⁴⁷ While there is a National Council on the Rights of Persons with Disabilities, the UN Special Rapporteur on the Rights of Persons with Disabilities has reported that many Council decisions have been “challenged and overturned in court”, and recommended that an independent monitoring mechanism be established.⁴⁸
26. Negative attitudes of employers to persons with physical or mental disabilities persist. The Trust collected testimony from persons with disabilities who had experienced discrimination in exercising their right to work. For example, one woman with multiple sclerosis told us:

During my work, I had to go on a sick leave. Because treatment lasted several weeks and the administration found out about my diagnosis, they asked me to leave the job because they thought I could fall on the floor at any time, losing my consciousness. Even after I told them about multiple sclerosis they did not give up. I was asked to quit the job.⁴⁹

27. Access to employment for persons with disabilities is also impeded by a general lack of physical accessibility in general infrastructure and workplaces, and accessibility of information. While the state adopted an Action Plan on Measures to Ensure Accessibility for People with Disabilities to Social Infrastructure, an assessment by the Office of Ombudsman in 2015 revealed that no significant change in levels of accessibility has been achieved.⁵⁰

28.

Access to employment for persons living with HIV and persons living with tuberculosis

⁴⁴ Law on Social Inclusion of Persons with Disabilities (Law No. 60 of 30 March 2012).

⁴⁵ Committee on Economic, Social and Cultural Rights, *Third Periodic Report: Moldova*, UN Doc. E/C.12/MDA/3, 14 October 2016, Para 49, listing reforms including the Strategy for Social Inclusion of Persons with Disabilities (2010-2013) and the National Action Plan for implementing the Strategy for Social Inclusion of Persons with Disabilities (2010-2013).

⁴⁶ National Bureau of Statistics of the Republic of Moldova, *The Situation of People with Disabilities in Moldova*, 2015, available at: <http://www.statistica.md/newsview.php?l=ro&id=4976&idc=168>.

⁴⁷ Legal Assistance Centre for Persons with Disabilities, *Submission to the Committee on the Rights of Persons with Disabilities for Moldova*, 2015, p. 32, available at: http://www.advocacy.md/sites/newadvocacy/files/Raport%20de%20alternativa%20CRPD_ROM.pdf.

⁴⁸ Human Rights Council, *Report of the Special Rapporteur on the Rights of Persons with Disabilities on her Mission to the Republic of Moldova*, UN Doc. A/HRC/31/62/Add.2, 2016, Paras 15-16.

⁴⁹ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 161.

⁵⁰ Council on the Prevention and Elimination of Discrimination and Ensuring Equality, *Activity Report*, 2015, p. 22, available at: <http://www.egalitate.md/media/files/Raport%20general%202015.pdf>.

29. While the Law on Ensuring Equality does not explicitly include health status in its list of protected grounds, the Law on Prevention of HIV/AIDS Infection specifically prohibits both discrimination based on HIV status and mandatory HIV testing in employment.⁵¹ Despite this, there is strong evidence that persons living with HIV have limited access to employment. Only a third of the people living with HIV surveyed in research conducted by the Soros Foundation in 2012 were in full or part-time employment; this research revealed that a primary cause of unemployment of people living with HIV is their health status.⁵²
30. Our research indicates that in practice many employers request medical records and certificates, which detail whether an individual has HIV or tuberculosis, from their (prospective) employees in breach of the Law on Prevention of HIV/AIDS Infection.⁵³ One interviewee told the Equal Rights Trust:

When I went to the doctor in early 2015 to obtain my certificate I was seen by the nurse who I later learned was my colleague's wife. I later discovered that she had told her husband that I was HIV positive and that I had provided a false certificate to my employer. The other employees, including the director, then found out about my HIV status and on the same day I was forced to resign.⁵⁴

Access to employment for older persons

31. Discrimination on the basis of age is prohibited by the Law on Ensuring Equality and by the Labour Code.⁵⁵ Changes have also been made to the Labour Code to include positive action measures to promote the employment of older persons: for example, pensioners are allowed to be employed on fixed term contracts and persons with five years or less until retirement have a preferential right to maintain their job in case of redundancies.⁵⁶
32. Despite this, the CPEDEE has noted significant trend in employment discrimination on grounds of age.⁵⁷ Older persons remain heavily underrepresented in the workforce – only 16.4% of the persons aged 60 and over are economically active.⁵⁸ Statistics from the National Employment Office in 2015 reveal that 16,607 persons aged between 50-65 years were registered as unemployed for six months or more.⁵⁹

⁵¹ Law on Prevention of HIV/AIDS Infection (Law No. 23-XVI of 16 February 2007), Articles 15 and 22.

⁵² Malcoci, L., *The Socio-Economic Situation of HIV Infected Persons, 2012*, p. 93, available at:

http://soros.md/files/publications/documents/Raport_Soros_2012_statut%20HIV.pdf.

⁵³ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 98

⁵⁴ *Ibid.*

⁵⁵ The Law on Ensuring Equality, Article 1(1); Labour Code of the Republic of Moldova (Code No. 154 of 28 March 2003), Article 8.

⁵⁶ Labour Code of the Republic of Moldova (Code No. 154 of 28 March 2003), Article 8, Article 183(2)(l) and National Employment Agency, *Activity Report for 2015, 2016*, p. 16, available at: <http://anofm.md/files/elfinder/Raport%20de%20activitate%20ANOFM%202015%20final.docx>.

⁵⁷ Council on the Prevention and Elimination of Discrimination and Ensuring Equality, *Activity Report, 2015*, p. 3, available at: <http://www.egalitate.md/media/files/Raport%20general%202015.pdf>.

⁵⁸ National Bureau of Statistics of the Republic of Moldova, *Elderly in Moldova in 2014, 2015*, available at: <http://www.statistica.md/newsview.php?l=ro&idc=168&id=4916>.

⁵⁹ National Employment Agency, *Activity Report for 2015, 2016*, p. 16, available at: <http://anofm.md>.

33. Certain legal provisions discriminate against older persons in employment. For example the Law on the Public Function and Status of Civil Servants and the Labour Code, respectively, allow civil servants and teachers who reach the retirement age to be dismissed.⁶⁰
34. Although the CPEDEE has recognised that job announcements which include age as a selection criteria can constitute age discrimination,⁶¹ age discrimination in job interviews persists. One interviewee told us:

Every time during a job interview or on the phone when the potential employer contacts you, the first question is: "What is your age?" Sometimes I lie that I am 5 years younger, hoping to at least be invited for a job interview but even that does not help. At one point, I decided to call an announcement for a nanny/babysitter and they also asked about my age. I told them I am pension age and the person who placed the ad, said: "no, no, we need a younger person." When I was looking for a job my age was an obstacle at both public and private companies. So I stopped looking for a job.⁶²

35. Moreover, although the CPEDEE has proactively addressed the issue of age discrimination, the Moldovan courts have had a mixed record in responding to age discrimination in employment. A ruling in the Edinet District Court in 2013 found that a termination of a labour contract upon an employee reaching the pension age did not constitute discrimination on the basis of age, as it was permitted by the Labour Code.⁶³

Suggested Questions on Discrimination in respect of the Right to Work

- What measures – beyond legislation – has the state party taken to ensure the equal enjoyment of the right to work, without discrimination of any kind, including in particular on the basis of race and ethnicity, gender, disability, health status and age?
- What assessment, if any, has the state party made of the effectiveness of the Law on Ensuring Equality in eliminating discrimination in the exercise of the right to work? What was the outcome of this assessment?
- What steps has the state taken to monitor the implementation of measures to comply with the obligation of non-discrimination in respect of the right to work? In particular, what data has the state party collected on participation in work, disaggregated on the basis of all grounds of discrimination recognised by the Committee?
- What measures is the state party taking to increase the participation of Roma, in particular Roma women, in employment?
- What measures is the state party taking to combat discrimination against women in employment? In particular, what steps are being taken to address the horizontal and vertical segregation in the labour market?

⁶⁰ Law on the Public Function and Status of Civil Servants, (Law No. 158 of 4 July 2008), Article 62(1)(d); of the Republic of Moldova (Code No. 154 of 28 March 2003), Article 301(1)(c).

⁶¹ Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Decision No. 050/14 of 22 February 2014, available at: http://egalitate.md/media/files/files/decizia_cauza_050_gavrilo_i_rodion_catre_legis-com_srl_5733279.pdf.

⁶² Equal Rights Trust interview with Mrs Valentina, 24 April 2015, Anenii Noi town, Anenii Noi region.

⁶³ Edineț District Court, Decision No. 2-206/13 of 20 March 2013, available at: http://www.jed.instante.justice.md/apps/hotariri_judecata/inst/jed/get_decision_doc.php?decision_key=13423C31-E899-E211-B0BC-00215AE0E41D&case_title=Dosar-28-2-33-10012013-4559.

- What steps does the state party intend to take in relation to the quota established under Article 34(4) of the Law on the Social Inclusion of Persons with Disabilities? In particular, does it intend to create a mechanism to monitor and enforce this quota?
- What measures are taken against employers who discriminate on the grounds of health status in breach of the provisions of the Law on Prevention of HIV/AIDS Infection?
- What measures is the state party taking to ensure that the practices of employers do not discriminate against older persons – particularly where such practices, such as discriminatory job announcements have already been found by the CPEDEE to constitute unlawful discrimination?
- What measures, if any, has the state party taken to prohibit discrimination in the public services and by private employers on the basis of age?

Article 12: the right to physical and mental health

Access to healthcare for Roma and other ethnic minorities

36. Our Report found that Roma do not enjoy equal access to healthcare: a UN study found that in 65% of Roma with health issues in 2014 stated that they had hesitated to consult a doctor in the previous year, citing unaffordability and a lack of health insurance.⁶⁴ Our research also found evidence of poorer health outcomes for Roma than for non-Roma. A different UN study found significant differences in the self-assessment of health status between Roma and non-Roma in all age cohorts – for example, almost twice as many Roma (41%) as non-Roma (21%) aged 30-49 years stated that their health was bad or very bad.⁶⁵
37. One barrier to the access of Roma to healthcare is that, despite the existence of a compulsory health insurance scheme, over 58% of Roma are not insured, compared with 24% of non-Roma.⁶⁶ There is also evidence that Roma experience discrimination when seeking to access healthcare services. For example, the Trust received reports that emergency ambulance services have failed to respond to calls from Roma living in certain settlements, and that doctors have charged for providing services that fall under the insurance plan to Roma.⁶⁷
38. Our research also found evidence of discriminatory denial of health service based on stigma. For example, Vera, a 25-year old Roma woman, gave us the following account of a time when she tried to access healthcare services:

*[They said I had to wait] because we Gypsies smell bad, and they would need to refresh the room the whole day and that other patients feel very bad because of our smells. I was terribly offended and humiliated.*⁶⁸

⁶⁴ UN Women, United Nations Development Programme, and Office of the High Commissioner for Human Rights, *Study on the Situation of the Romani Women and Girls in the Republic of Moldova*, 2014, p. 43, available at: <http://www.un.md/publicdocget/126>.

⁶⁵ United Nations in Moldova, *Roma in the Republic of Moldova: In Communities Inhabited Mainly by Roma*, 2013, p. 36, available at http://www.unicef.org/moldova/ro/Raport_ROMA_rom2013.pdf.

⁶⁶ *Ibid.*

⁶⁷ Equal Rights Trust interview with Bogdan Elena, 10 April 2015, Hîncești, Hîncești region.

⁶⁸ Equal Rights Trust interview with Vera, 23 June 2015, Bugeac village, Comrat.

39. Roma women are particularly vulnerable to multiple discrimination in accessing healthcare. A lack of jobs, lack of identity cards and birth certificates, long waiting times and discrimination from local authorities inhibit their access to healthcare.⁶⁹
40. All of this said, Moldova has made welcome efforts to address this problem, for example, under the Roma Action Plan, the Ministry of Health developed and retained oversight of a Sector Action Plan (2012-2015) to support the Roma population in its access to healthcare. This involved the sending out of mobile teams to localities to increase the accessibility of healthcare services, to increase the quality of medical services, and to educate young people on how to lead a healthy lifestyle.⁷⁰ The Trust encourages such efforts and welcomes evidence on the effectiveness of the Sector Action Plan.

Access to healthcare for persons with disabilities

41. Discrimination against persons with disabilities in accessing medical and health services is expressly prohibited under law,⁷¹ and all persons with disabilities are issued free medical insurance under the Law on Mandatory Medical Health Insurance.⁷² However, persons with disability remain at a disadvantage when seeking to access healthcare services whether in relation to their disability or otherwise.⁷³
42. Focus groups conducted by the Trust revealed that persons with disabilities experience discrimination from medical staff.⁷⁴ Our findings are corroborated by those from others, such as a 2013 study by Association “Motivatie” 3, which found that prejudice from healthcare professionals and a lack of reasonable accommodation impedes access to healthcare.⁷⁵
43. Our Report highlights the multiple discrimination faced by women with disabilities who face particular problems in accessing healthcare. For example, pre-natal healthcare is not accessible for pregnant women with disabilities as while some hospitals have access ramps, the majority of medical institutions do not have adapted consultation and delivery rooms, examination chairs or delivery tables.⁷⁶ Mariana, a woman interviewed by the Equal Rights Trust, told our researchers that she was advised by a gynaecologist that “in case you get pregnant, I will not register you – I do not want such statistics.”⁷⁷

⁶⁹ UN Women, United Nations Development Programme, and Office of the High Commissioner for Human Rights, Study on the Situation of the Romani Women and Girls in the Republic of Moldova, 2014, p. 17, available at: <http://www.un.md/publicdocget/126..>

⁷⁰ Committee on Economic, Social and Cultural Rights, *Third Periodic Report: Moldova*, UN Doc. E/C.12/MDA/3, 14 October 2016, Paras 154-156.

⁷¹ Law on Ensuring Equality, Article 8(b); Constitution of Moldova, Article 51.

⁷² Law on Mandatory Medical Health Insurance (Law No. 1585 of 27 February 1998), Article 4(4)(i).

⁷³ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, pp. 165-167.

⁷⁴ Equal Rights Trust, Focus group with 12 persons with disabilities, 11 July 2015, Cahul town, Cahul rayon.

⁷⁵ Association “Motivation”, *Analysis of the Individual Experience of People with Disabilities in Republic of Moldova: 1 February – 31 July 2013*, 2014, p. 83, available at: <http://www.cod.rs/wp-content/uploads/2014/06/Raport-interviuri-EN.pdf>.

⁷⁶ Independent Press Association, “Women with Locomotor Disabilities Discriminated in Maternity”, 14 July 2014, available at: <http://www.api.md/news/view/ro-femeile-cudzabilitati-locomotorii-discriminate-in-maternitati-557>

⁷⁷ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 168.

Access to healthcare for persons living with HIV

44. Despite legal protections against discrimination on the basis HIV status in accessing healthcare, there are persistent reports of people living with HIV being refused medical treatment and facing other discrimination in accessing healthcare. There is significant evidence to suggest stigmatization, and discrimination by health institutions and healthcare professionals in their provision of healthcare services to HIV-positive patients.⁷⁸
45. Researchers from the Soros Foundation documented cases of doctors refusing to perform surgery on people living with HIV after they revealed their health status to medical staff.⁷⁹ This was corroborated by the testimonies gathered by the Trust; one person interviewed in Bălți city shared the following account:

At the end of 2014, I spoke to the surgeon in our city centre clinic and informed him I was HIV positive. He then became aggressive and asked me why this was not listed on my medical card. I tried to explain the situation, because I know that including this information on my medical card is not mandatory. The doctor and the nurse shouted at me, saying that they were at risk of infection and that I should have warned them of my status. I tried to explain that they were required to treat me as they treated other patients. I said I would complain to the director of the clinic because the doctor had written my health status on my medical card without my consent. After this, the doctor ripped up my documentation.⁸⁰

46. There is also worrying evidence of women living with HIV facing discrimination during their pregnancy and maternity. A 2012 study found that women living with HIV have been advised to terminate their pregnancies, even in the final trimester, on the grounds that their child might be born with disabilities or rejected by society.⁸¹ The Trust also collected evidence that women living with HIV are subject to discriminatory treatment during childbirth:

Women living with HIV who participated in our focus group said they often felt isolated and ignored during childbirth, as they were placed in rooms alone, with some stating that they were placed in very cold rooms with their newborn babies and felt forced to warm their babies with plastic bottles filled with hot water.⁸²

47. Ministry of Health Order No. 100 states that women living with HIV may only give birth in two specialized medical facilities, located in Chişinău and Bălți. Despite the CPEDEE recommending the repeal of Order No. 100, there is no evidence that such a repeal has occurred.⁸³

⁷⁸ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, pp. 100-104.

⁷⁹ Malcoci, L. and Barbarosie, A., *The Phenomenon of Discrimination in Moldova: Perceptions of the Population: A Comparative Study*, 2015, p. 33, available at: http://www.soros.md/files/publications/documents/The%20Phenomenon%20of%20Discrimination%20in%20Moldova_0.pdf.

⁸⁰ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, pp. 101-102

⁸¹ Malcoci, L., *The Socio-Economic Situation of HIV Infected Persons*, 2012, p. 93, available at: http://soros.md/files/publications/documents/Raport_Soros_2012_statut%20HIV.pdf.

⁸² Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 103.

⁸³ Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Activity Report, 2013, p. 16, available at: <http://egalitate.md/media/files/Moldovan-Equality-Body->

48. In addition to the discriminatory treatment of people living with HIV, another barrier to their effective access to healthcare is the fear of seeking healthcare and of registering with clinics that has arisen as a result of widespread unauthorized disclosures of health status. There are reports of doctors breaching patient confidentiality regarding their HIV status,⁸⁴ despite this being illegal under national law.⁸⁵ This situation is particularly acute in rural areas.⁸⁶ In addition to breaching the rights of people living with HIV, it discourages testing and so prevents people living with HIV from accessing essential antiretroviral treatment.

Access to healthcare for persons living with tuberculosis

49. There are also serious grounds for concern regarding the forcible detention and treatment of tuberculosis sufferers deemed to have “avoided treatment” under the Regulation on Coercive Temporary Hospitalisation in Anti-Tuberculosis Specialised Healthcare Institutions of Persons with Contagious Tuberculosis who Refuse Treatment (the Regulation).⁸⁷ As noted by the Committee in General Comment No. 14, states have an obligation to refrain “from applying coercive medical treatments, unless on an exceptional basis for the treatment of mental illness or the prevention and control of communicable diseases”.⁸⁸ Thus, any decision to forcibly detain and train a tuberculosis sufferer should involve a careful balancing of their right to physical and mental health together with their right to non-discrimination and equality, against public health concerns.⁸⁹ It is not evident that the Regulation provides scope for such a balancing exercise. There is no clear definition of what behaviour constitutes “avoiding treatment”; to the extent that there is a blanket requirement that such persons are subject to forcible treatment, this could not adequately provide for the rights of the individual. The Council on the Prevention and Elimination of Discrimination and Ensuring Equality has declared that the provisions of this Regulation do not guarantee tuberculosis sufferers the rights under the Constitution, in violation of international and national non-discrimination standards.⁹⁰ Despite this declaration, the Regulation remains in force.

Suggested Questions on Discrimination in respect of the Right to Physical and Mental Health

Activity-Report-2013.doc.

⁸⁴ Malcoci, L. and Barbarosie, A., *The Phenomenon of Discrimination in Moldova: Perceptions of the Population: A Comparative Study*, 2015, p. 33, available at: http://www.soros.md/files/publications/documents/The%20Phenomenon%20of%20Discrimination%20in%20Moldova_0.pdf.

⁸⁵ Law on Prevention of HIV/AIDS Infection (Law No. 76 of 12 April 2012 amending the Law No. 23-XVI of 16 February 2007), Article 14.

⁸⁶ Equal Rights Trust, Focus group, 9 July 2015, Chişinău.

⁸⁷ Forcible detention and treatment is provided for in the Regulation on Coercive Temporary Hospitalisation in Anti-Tuberculosis Specialised Healthcare Institutions of Persons with Contagious Tuberculosis Who Refuse Treatment.

⁸⁸ Committee on Economic, Social and Cultural Rights, *General Comment No. 14: The Right to the Highest Attainable Standard of Health*, UN Doc. E/C.12/2000/4, 2000, Para 12.

⁸⁹ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, pp. 107

⁹⁰ Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Activity Report, 2014, p. 9, available at: <http://egalitate.md/media/files/Moldovan-Equality-Body-Activity-Report-2014.docx>.

- What measures – beyond legislation – has the state party taken to ensure the equal enjoyment of the right to physical and mental health, without discrimination of any kind, including in particular on the basis of race and ethnicity, disability and health status?
- What assessment, if any, has the state party made of the effectiveness of the Law on Ensuring Equality in eliminating discrimination in the exercise of the right to physical and mental health? What was the outcome of this assessment?
- What steps has the state taken to monitor the implementation of measures to comply with the obligation of non-discrimination in respect of the right to physical and mental health? In particular, what data has the state party collected on access to healthcare, disaggregated on the basis of all grounds of discrimination recognised by the Committee?
- What measures, beyond the Section Action Plan, does the state party intend to implement to improve the access of Roma, in particular Roma women, to healthcare?
- What steps, if any, has the state party taken to ensure that healthcare professionals who impose wrongful charges for the provision of healthcare are identified and sanctioned?
- What measures does the state party intend to take to ensure the accessibility of healthcare to persons with disabilities?
- What steps does the state party intend to take to maximise the access of pregnant women with disabilities to pre-natal health care?
- What measures has the state party taken to identify and sanction unauthorised disclosures of a patient's HIV status?
- What steps does the state party intend to take to ensure that the compulsory treatment of tuberculosis sufferers gives adequate protection to the rights of the individual?

Article 13: the right to education

Access to education for Roma and other ethnic minorities

50. Our Report presents evidence that Roma children do not participate equally in education: 43% of Roma children between the ages of seven and 15 do not attend school, as compared to only 6% of non-Roma children.⁹¹ At the secondary education stage, only 14% of Roma girls are enrolled in school, as compared with 78% of non-Roma girls and 17% of Roma boys.⁹² Among adults, 45% of Roma women have no formal education, compared with 2% of non-Roma women and 33% of Roma men.⁹³
51. A major barrier to education for Roma children is the widespread practice of informal payments for schooling. Although primary and secondary education should be provided free of charge in Moldova, and the Roma Action Plan provides for free teaching materials and manuals for Roma children, the practice of demanding informal payments continues unchecked.⁹⁴

⁹¹ UN Women, United Nations Development Programme, and Office of the High Commissioner for Human Rights, *Study on the Situation of the Romani Women and Girls in the Republic of Moldova*, 2014, p. 30, available at: <http://www.un.md/publicdocget/126>.

⁹² Interethnic Relations Bureau of Moldova, Population Census, 2004, p. 30.

⁹³ UN Women, United Nations Development Programme, and Office of the High Commissioner for Human Rights, *Study on the Situation of the Romani Women and Girls in the Republic of Moldova*, 2014, p. 30, available at: <http://www.un.md/publicdocget/126>.

⁹⁴ UN Women, United Nations Development Programme, and Office of the High Commissioner for Human Rights, *Study on the Situation of the Romani Women and Girls in the Republic of Moldova*, 2014, p. 31, available at: <http://www.un.md/publicdocget/126>.

52. Another barrier to education is the discrimination faced by Roma children in schools. The UN Special Rapporteur on Extreme Poverty has reported that even in areas with a predominantly Roma population, Roma children are segregated in schools.⁹⁵ This segregation takes place at a school level, class level, or even within the classroom⁹⁶ and is coupled with negative attitudes towards Roma from teachers who believe that Roma children are frequently absent and require a special curriculum which will only provides a 'basic proficiency in writing, reading, and how to count money'.⁹⁷

Access to education for persons with disabilities

53. There is an extensive framework of legislation and policy to promote access to education for persons with disabilities. Discrimination in education on grounds of disability is prohibited,⁹⁸ and there are specific provisions for the regulation of education of persons with disabilities,⁹⁹ and for children with special educational needs, including the right for parents to choose the educational institution they want their children to attend.¹⁰⁰ A Programme on Inclusive Education (2011-2020) has also been approved by the Government of Moldova, which addresses, among other things, the inclusion of children with special educational needs.¹⁰¹
54. Despite this framework, barriers to education persist. This can be seen in the low enrolment rates of persons with disabilities in higher education, which is a consequence of students being excluded from education at the earlier stages of education, and can in part be attributed to other barriers such as a lack of accessibility.¹⁰² The CPEDEE has considered several cases of children who have been excluded from education by being refused admission.¹⁰³ For example, in 2013, the CPEDEE found that a child with diabetes who had been refused enrolment in two kindergartens in Chişinău because of her special educational needs, had been the subject of discrimination.¹⁰⁴

Access to education for persons living with HIV and persons living with tuberculosis

55. Although discrimination based on HIV status is specifically prohibited in Article 23 of the Law on Prevention of HIV/AIDS, there is evidence that educational institutions have declined to

⁹⁵ Human Rights Council, *Report of the Special Rapporteur on Extreme Poverty and Human Rights, Magdalena Sepulveda Carmona, Addendum*, UN Doc.A/HRC/26/28/Add.2,2014. Para 57.

⁹⁶ Human Rights Information Centre, *Preliminary Findings of Study on Discrimination in the School System in Moldova*, 2014, p. 3.

⁹⁷ National Bureau of Statistics of Moldova, *Number of resident population in Moldova on 1 January 2016, in territorial, on average, genders and age groups*, Para 84.

⁹⁸ Law on Ensuring Equality, (Law No. 121 of 25 May 2012), Article 9.

⁹⁹ Law on the Social Inclusion of Persons with Disabilities (Law No. 60 of 30 March 2012), Chapter IV.

¹⁰⁰ Education Code of the Republic of Moldova (Code No. 152 of 17 July 2014), Articles 136(1) and 138(1)(a).

¹⁰¹ Decision approving the Development Program of Inclusive Education in Moldova for 2011-2020 (Government Decision No. 523 of 11 July 2011), available at: <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339343&lang=1>.

¹⁰² Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 164.

¹⁰³ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 163-164.

¹⁰⁴ Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Decision No. 005/2013 of 25 November 2013, available at: http://egalitate.md/media/files/files/decizie_proiect_cauza_005_13_f_v_final_2502223.pdf.

accept children living with HIV into kindergartens and schools.¹⁰⁵ Children living with HIV experience stigma: 48.9% of respondents to a 2015 study considered that children with HIV should be segregated from other students in schools.¹⁰⁶ Children of adults living with HIV are subject to discrimination by association. The Trust collected testimony from parents living with HIV who have been forced to remove their children from schools because of pressure from directors of kindergartens or teachers.¹⁰⁷

56. The Trust has also found evidence of discrimination in the classroom against children whose relatives have tuberculosis. In one case which was shared at a focus group discussions, school administrators moved a child's desk to the back of the classroom because they had a relative with TB; the child was asked to keep her mouth closed during school time and to avoid talking during class, unless asked by the teacher, so that "she would not spread the disease". The girl was bullied by other children and eventually left the school.¹⁰⁸
57. Ove 1,300 children remain in special boarding schools that lack the required materials and expertise to administer educational services effectively to children with disabilities.¹⁰⁹ There have also been reported difficulties in the integration of children with disabilities into mainstream schools. The Legal Assistance Centre for Persons with Disabilities has recorded that many mainstream schools are unwilling to accept children with disabilities, and that mainstream schools lack the skills and resources to effectively cater for children with disabilities.¹¹⁰

Suggested Questions on Discrimination in respect of the Right to Education

- What measures – beyond legislation – has the state party taken to ensure the equal enjoyment of the right to education, without discrimination of any kind, including in particular on the basis of race and ethnicity, disability and health status?
- What assessment, if any, has the state party made of the effectiveness of the Law on Ensuring Equality in eliminating discrimination in the exercise of the right to education? What was the outcome of this assessment?
- What steps has the state taken to monitor the implementation of measures to comply with the obligation of non-discrimination in respect of the right to education? In particular, what data has the state party collected on participation in education, disaggregated on the basis of all grounds of discrimination recognised by the Committee?
- What measures is the state party taking to increase the participation of Roma children in education?
- What measures is the state party taking to eliminate *de facto* segregation of Roma children within the education system?

¹⁰⁵ Malcoci, L., *The Socio-Economic Situation of HIV Infected Persons*, 2012, p. 111, available at: http://soros.md/files/publications/documents/Raport_Soros_2012_statut%20HIV.pdf.

¹⁰⁶ Council on the Prevention and Elimination of Discrimination and Ensuring Equality and Office of the High Commissioner for Human Rights, *Study on Equality Perceptions and Attitudes in the Republic of Moldova*, 2015, Study on equality perceptions and attitudes in the Republic of Moldova, 2015, p. 19, available at: <http://md.one.un.org/content/dam/unct/moldova/docs/>

¹⁰⁷ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 100.

¹⁰⁸ Equal Rights Trust, *From Words to Deeds: Addressing Discrimination and Inequality in Moldova*, p. 109.

¹⁰⁹ *Ibid.*

¹¹⁰ Legal Assistance Centre for Persons with Disabilities, *Submission to the Committee on the Rights of Persons with Disabilities for Moldova*, 2015, p. 29, available at:

http://www.advocacy.md/sites/newadvocacy/files/Raport%20de%20alternativa%20CRPD_ROM.pdf.

- What measures is the state party taking to ensure the inclusive education of children with disabilities, and to end the practice of institutionalisation? In particular, what steps is the state party taking to ensure that mainstream schools are able to accommodate the needs of children with disabilities?
- What measures is the state party taking to combat the stigmatisation of persons living with HIV and persons with tuberculosis in the education system?