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Republic of Moldova

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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Please recycle



I. Background and framework

A. Scope of international obligations¹

1. International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1993)	7	ICRMW
	ICESCR (1993)		ICPPED (signature, 2007)
	ICCPR (1993)		
	ICCPR-OP 2 (2006)		
	CEDAW (1994)		
	CAT (1995)		
	OP-CAT (2006)		
	CRC (1993)		
	OP-CRC-AC (2004)		
	OP-CRC-SC (2007)		
	CRPD (2010)		
<i>Reservations and/or declarations</i>	OP-CRC-AC (declaration, art. 3 (2), minimum age of recruitment 18 years, 2004)		
	OP-CRC-SC (declaration, general, 2007)		
	ICCPR-OP 2 (Declaration, general, 2006)		
	ICCPR-OP 1 (declaration, general, 2008; reservation, art. 5 (2), 2008)		
<i>Complaints procedures, inquiries and urgent action³</i>	OP-CEDAW, art. 8 (2006)	ICERD, art. 14 (2013)	OP-ICESCR
	ICCPR-OP 1 (2008)	CAT, arts. 21 and 22 (2011)	ICCPR, art. 41
	CAT, art. 20 (1995)		OP-CRC-IC OP-CRPD

2. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
	Convention on the Prevention and Punishment of the Crime of Genocide	Conventions on stateless persons	

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
Rome Statute of the International Criminal Court		
Palermo Protocol ⁴		
Conventions on refugees and stateless persons (except conventions on stateless persons) ⁵		
Geneva Conventions of 12 August 1949 and Additional Protocols ⁶		
ILO fundamental conventions ⁷		
UNESCO Convention against Discrimination in Education		

1. The Special Rapporteur on extreme poverty and human rights was concerned that the Republic of Moldova had not ratified a number of complaints and inquiry mechanisms, including those provided for under OP-ICESCR and OP-CRPD. She called on the State to do so as a matter of priority and further encouraged the State to ratify ICRMW.⁸

2. The Working Group on the issue of discrimination against women in law and practice recommended that the Republic of Moldova ratify ICRMW, OP-ICESCR, OP-CRPD, ILO Convention No. 189 Concerning Decent Work for Domestic Workers, Protocol 12 to the European Convention on Human Rights and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.⁹

B. Institutional and human rights infrastructure and policy measures

3. In 2016, the Assistant Secretary-General for Human Rights welcomed the Prime Minister's commitment to establish a new national human rights action plan, as well as a coordinating body under the auspices of Prime Minister's Office to monitor and report progress on human rights. He noted that civil society organizations had a key role to play in advancing human rights, fighting corruption in the Republic of Moldova and ensuring that the new national human rights action plan was fully implemented and achieved results.¹⁰

4. He also noted deep divisions in the country, widespread corruption and governance issues.¹¹

5. He called for the wider involvement of civil society organizations, in particular with women and youth and religious communities, and stressed that more needed to be done to promote and defend the rights of stigmatized groups such as lesbian, gay, bisexual and transgender persons, Roma, persons living with HIV/AIDS and persons with disabilities.¹²

6. The Special Rapporteur on extreme poverty and human rights urged the State to follow the guidance provided by the United Nations system, with a view to establishing an independent national human rights institution in compliance with the Paris Principles.¹³

Status of national human rights institutions¹⁴

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle¹⁵</i>
People's Advocate Office (Ombudsman)		B status

II. Cooperation with human rights mechanisms

7. The Assistant Secretary-General for Human Rights stated that the implementation of a number of recommendations from the first universal periodic review, including recommendations calling for strengthening the Criminal Code provisions against gender-based violence and hate crime, eliminating discriminatory legislation against persons with disabilities, ensuring full enjoyment of rights for all in compliance with CRPD and providing the country's nascent equality body¹⁶ with enforcement powers with a view to strengthen the implementation of the anti-discrimination legislation, were still pending. Progress on those particular aspects of legal reform, as well as serious groundwork on the recommendations of the second cycle, could provide a road map for in-depth reform.¹⁷

A. Cooperation with treaty bodies

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Committee on the Elimination of Racial Discrimination	March 2011	2016	-	Combined tenth to eleventh reports pending consideration
Committee on Economic, Social and Cultural Rights	May 2011	-	-	Third report overdue since 2016
Human Rights Committee	October 2009	2016	-	Third report pending consideration
Committee on the Elimination of Discrimination against Women	August 2006	2011	October 2013	Sixth report due 2017
Committee against Torture	November 2009	-	-	Third report overdue since 2013
Committee on the Rights of the Child	January 2009	2016	October 2013 (to OP-CRC-SC)	Combined fourth to fifth reports pending consideration
Committee on the Rights of Persons with Disabilities	-	2013	-	Initial report pending consideration

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Committee on the Elimination of Racial Discrimination	2012	Preventing and combating discrimination; human rights training for the police, prosecutors and judges; independent national human rights institution, freedom of religion ¹⁸	-

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Committee on the Elimination of Discrimination against Women	2015	Violence against women; employment ¹⁹	2015 ²⁰
Committee against Torture	2011	Parliamentary advocates and national preventive mechanism; excessive use of force by law enforcement officers; redress, including compensation and rehabilitation; forcible detention of persons with tuberculosis ²¹	2011. ²² Further information requested ²³

Country visits and/or inquiries by treaty bodies

<i>Treaty body</i>	<i>Date</i>	<i>Subject matter</i>
Committee against Torture	October 2012	Provide advisory services and technical assistance to the national mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment ²⁴

B. Cooperation with special procedures²⁵

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes	Yes
<i>Visits undertaken</i>	Torture Violence against woman	Working Group on discrimination against women Extreme poverty Disability Minority
<i>Visits agreed to in principle</i>	Freedom of religion	
<i>Visits requested</i>		Trafficking Health
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 16 communications were sent. The Government replied to all of them.	

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

8. The High Commissioner for Human Rights visited the Republic of Moldova in 2011, the Deputy High Commissioner for Human Rights in April 2014 and the Assistant Secretary-General for Human Rights in March 2016.

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

9. The Assistant Secretary-General for Human Rights raised his concern about the many deep divisions in the Republic of Moldova, including along ethnic, religious, gender, political, linguistic and income lines, and urged support for the implementation of the decisions of the Moldovan National Human Rights Institution, the Council for Preventing and Combating of Discrimination and Ensuring Equality, as well as for the strengthening of the independence of the Ombuds institution.²⁶

10. The Committee on the Elimination of Discrimination against Women expressed its concern about the insufficient implementation of laws aimed at the elimination of discrimination against women. It called upon the Republic of Moldova to ensure the effective implementation and enforcement of existing legislation, with a view to reducing structural disadvantages that hampered the effective realization of substantive gender equality.²⁷

11. The Committee on the Elimination of Discrimination against Women reiterated its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society and the persistent stereotyping of older women and women with disabilities. The Committee was concerned that, although the Republic of Moldova was a secular State, religious institutions often perpetuated traditional gender roles in the family and in society and influenced State policies with an impact on human rights. It urged the State to ensure that local authorities promoted policies based on gender equality principles, without interference from religious institutions. It also urged the Republic of Moldova to develop a comprehensive strategy across all sectors, targeted at women and men, girls and boys, to overcome patriarchal and gender-based stereotypical attitudes.²⁸

12. In 2016, the Special Rapporteur on minority issues called on the Government to further promote linguistic rights of minorities and strengthen the unity between various population groups in the country.²⁹

13. The Special Rapporteur on minority issues added that unity in diversity should be promoted in school textbooks, especially in history teaching, through mass media programmes and by ensuring the participation of all communities in decision-making processes. She stressed the need for a dedicated minority rights mechanism at Government level, responsible for minority issues to fill the existing institutional protection gap. In that regard, the Special Rapporteur encouraged the Government to take the necessary measures to guarantee quality education in both mother tongue and the State language (Moldovan/Romanian). She called for the introduction of multilingual education methodologies and multilingual classrooms.³⁰

14. The Special Rapporteur on extreme poverty and human rights recommended that the Republic of Moldova establish mechanisms to ensure that the stigmatization of and discrimination towards the Roma were eradicated in both the public and private sectors, including through training for public service providers and effective accountability and redress mechanisms.³¹

15. The United Nations country team reported that, during the previous two years, the lesbian, gay, bisexual and transgender annual prides had been successfully protected by the police, but much more needed to be done in countering homophobia when it came to

individual cases. At least five cases had been registered of direct attacks in public of lesbian, gay, bisexual and transgender persons, and in almost all of the cases the police had failed to properly investigate them as hate crimes because of insufficient legislation regulating the investigation and prosecution of such crimes.³²

B. Right to life, liberty and security of the person

16. The country team reported that the Republic of Moldova was strengthening its legislative framework and practice in combating torture. That had resulted in the steady decrease in the number of complaints of torture and other ill-treatment registered by prosecutors: from 970 in 2012 to 633 in 2015. At the same time, the April 2009 events still needed to be thoroughly investigated.³³

17. The country team stressed that torture of women and men in psychiatry institutions was a new issue of concern in the Republic of Moldova. The legal framework needed to be strengthened to ensure stronger protection from torture and forced hospitalization and medication.³⁴

18. The country team noted that the national torture preventive mechanism was regulated in law in ambiguous terms and the mechanism was not yet in place.³⁵

19. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment recommended that the national torture preventive mechanism strengthen protection of persons who provided information to the Subcommittee against sanctions or reprisals through, inter alia, follow-up visits, contact with family members and the issuance of a strong warning to the authorities of detention facilities that such behaviour would be reported and sanctioned.³⁶

20. It also recommended that the national torture preventive mechanism prepare a leaflet that described its mandate and working methods, explained the concept of informed consent and provided contact information. It should also indicate and encourage persons deprived of liberty to report any reprisal to the mechanism using the contact details on the leaflet.³⁷

21. The United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Human Rights reported that preventing and combating violence against children was part of the Government Strategy on Child Protection 2014-2020. However, annually approximately 1,000 cases of violence against children were registered with the police. Most victims were recorded as being between 11 and 15 years old. Sexual violence against children was also a concern. The past four years official data of the Ministry of Interior indicated an average of 200 offences of sexual nature (of which approximately half were rape) against children per year. The UNICEF Multiple Indicator Cluster Survey 2012 indicated that 48 per cent of children faced physical methods of disciplining by caregivers.³⁸

C. Administration of justice, including impunity

22. During her visit, the High Commissioner for Human Rights noted that an improved, fully independent judiciary was key to the protection and promotion of human rights in all areas.³⁹

23. The Working Group on the issue of discrimination against women in law and practice recommended that the Republic of Moldova make further revisions in the Criminal Code to enforce the protection of victims of violence against secondary victimization during criminal proceedings.⁴⁰

24. The Special Rapporteur on extreme poverty and human rights urged the Government to ensure that all perpetrators of sexual assault and other forms of abuse are brought swiftly to justice.⁴¹

25. The Special Rapporteur on extreme poverty and human rights recommended that the Republic of Moldova ensure adequate legal and social protection for women and girls subjected to gender-based violence and trafficking.⁴²

26. The Committee on the Rights of the Child regretted that the Republic of Moldova had not established extraterritorial jurisdiction. It recommended that the Republic of Moldova take measures to establish extraterritorial jurisdiction in accordance with article 4 of the Optional Protocol.⁴³

27. The country team reported that there had been a fivefold decrease in the number of children convicted and sentenced to prison. However, official statistics showed that less than half (45 per cent) of the cases involving children offenders were diverted from the criminal justice system, mainly because of the reluctance of prosecutors and judges to do so. Although specialized prosecutors and specialized lawyers providing State-guaranteed legal aid to children offenders existed, no courts or judges were specialized in hearing child cases.⁴⁴

D. Right to privacy, marriage and family life

28. The Committee on the Elimination of Discrimination against Women recommended that the State ensure that the social welfare authorities and other State agencies take measures to combat the practice of child marriage and effectively implement the legislation prohibiting early marriage and, in cooperation with community leaders, raise awareness among Roma communities about the legal prohibition of child marriage and the negative effects of such marriage on the health and education of girls.⁴⁵

29. The Committee on the Elimination of Discrimination against Women was concerned that, following divorce or the death of their husband, women were often denied their right of inheritance. It urged the full implementation of the provisions on inheritance and succession contained in the Civil Code and the closing of the gap between the law and practice, in line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution.⁴⁶

30. The Office of the United Nations High Commissioner for Refugees (UNHCR) noted that the exact number of stateless persons in the country remained unclear. The majority of registered stateless persons resided in the Transnistrian region of the country, where central authorities did not have access to relevant archives and were thus unable to facilitate the naturalization process. Moreover, stateless persons had to fulfil an eight-year residence requirement in order to acquire citizenship through naturalization, which was extensive compared to other countries' in Europe and the region.⁴⁷

31. UNHCR recommended that the Government of the Republic of Moldova conduct a countrywide campaign to identify and register all stateless persons in order to establish the exact number of stateless persons and ensure their access to a nationality or identification and residence documents and ensure that persons applying for statelessness status had the right to valid identity documents.⁴⁸

E. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life

32. In 2016, three special procedure mandate holders sent a communication about the criminal proceedings against a civil society association and its members.⁴⁹

33. In 2015, three special procedure mandate holders raised concerns about the alleged violation of the rights to freedom of religion or belief, freedom of association and freedom of expression of the members of two spiritual associations.⁵⁰

34. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended strengthening the enabling environment in the online arena, for freedom of expression, press freedom and access to information.⁵¹

35. The country team reported that registering a religious community under Law No. 125 on freedom of thought, conscience and religion required at least 10 founding members, and religious associations at least 100 members. Despite the concerns of the Special Rapporteur on freedom of religion regarding the requirement for the founding members of a religious denomination to be citizens of the Republic of Moldova and the promise of the Ministry of Justice to revise the law, there had been no changes in that respect. Law No. 125 continued to provide for a privileged status for the Moldovan Orthodox Church, which generated discrimination against religious minority groups.⁵²

36. The Committee on the Elimination of Discrimination against Women was concerned at the continued low representation of women in the Parliament and in government. It recommended that the Republic of Moldova increase its efforts to provide training and capacity-building for women to enable them to enter public office, and enhance awareness-raising campaigns on the importance of the full and equal participation of women in political and public life.⁵³

F. Right to work and to just and favourable conditions of work

37. The Special Rapporteur on extreme poverty and human rights urged the State to address and eliminate discrepancies in remuneration for women and men; encourage public and private employers to apply affirmative action (quota) policies for women in recruitment and create favourable conditions for women to take up positions traditionally occupied by men.⁵⁴

38. The Special Rapporteur recommended that the Republic of Moldova ensure the provision of skills development initiatives for women and take measures to support self-employment opportunities, especially in rural areas where employment opportunities were limited.⁵⁵

39. The Committee on the Elimination of Discrimination against Women noted the insertion of article 173 into the Criminal Code to criminalize sexual harassment, but regretted the lack of information on court cases brought under that provision. The Committee was particularly concerned that, in practice, women who had suffered from sexual harassment often resigned from their jobs and that perpetrators often enjoyed impunity. It recommended that the Republic of Moldova ensure that women were aware of that legislation and had access to effective civil and criminal law remedies.⁵⁶

40. The Committee on the Elimination of Discrimination against Women reiterated its concern about the lack of parental leave.⁵⁷

41. The Committee expressed concern at the different mandatory retirement ages for men and women. It recommended that the State raise the retirement age for women so

that it was the same as that for men and expand pension schemes in order to ensure at least the minimum subsistence level for women and men.⁵⁸

G. Right to social security and to an adequate standard of living

42. The Special Rapporteur on extreme poverty recommended that the Government ensure that the right to social security was established and defined by law, supported by a long-term strategy and reinforced by an appropriate and adequately funded long-term institutional framework.⁵⁹

43. The Committee on the Elimination of Discrimination against Women was concerned about the situation of women in rural areas, who were more vulnerable to violence and poverty. It recommended that the Republic of Moldova: take immediate steps to implement effective measures to eliminate discrimination against women in rural areas in all areas covered by the Convention, including through the use of temporary special measures; step up efforts to enhance the economic and political empowerment of women in rural areas; include in its next periodic report information and gender-disaggregated data on the access of women in rural areas to land, credit, social and health services and the formal labour market; and integrate a gender perspective into the new Land Code.⁶⁰

44. The Special Rapporteur on extreme poverty and human rights recommended that the Government ensure equity and access to services, without discrimination, and take positive action to enable access thereto by persons who suffered from structural discrimination, such as women, persons with disabilities, the Roma minority and older persons.⁶¹

45. The Special Rapporteur recommended that the Government expand the Ajutor Social programme, ensure that it reached all persons and families in need and, in particular, take appropriate measures to ensure that it reached the poorest rural households.⁶²

46. The Special Rapporteur recommended that the Government complement the Ajutor Social programme with other social and public services, such as preschool education and accessible health services for the poorest families, and ensure that such services were accessible, in practice, for persons with disabilities.⁶³

47. The Special Rapporteur recommended that the Republic of Moldova ensure that benefits were adequate in terms of amount and duration, and that they were provided in a form that was in compliance with the principles of human dignity and non-discrimination.⁶⁴

48. The Special Rapporteur recommended that the Government ensure that the physical infrastructure required for adequate housing was in place for all members of society, and for Roma communities in particular.⁶⁵

H. Right to health

49. The country team reported that the legal framework for health issues had a strong emphasis on the management of health institutions, enhancing the effectiveness of financial resources. The policy documents developed by the authorities in the medical domain did not encompass the human rights-based approach to the right to health. The human rights dimension, including the principle of progressive realization, and the employment of human rights indicators and benchmarks were not part of the policies in the field of health.⁶⁶

50. The Committee on the Elimination of Discrimination against Women recommended that the Republic of Moldova ensure that older women had access to affordable health care and train health workers on geriatric care.⁶⁷

51. The Committee on the Elimination of Discrimination against Women was concerned about the high rate of abortion, in particular in the Transnistrian region and rural areas, which indicated that abortion was used as a method of birth control. It recommended that the Republic of Moldova expand the availability of medically safe modern methods of abortion, including in the Transnistrian region and rural areas, and ensure the availability, accessibility and affordability of modern methods of contraception for girls and women. The Committee recommended that the Republic of Moldova integrate a gender perspective into all health interventions, raise awareness of the importance of using contraceptives for family planning and consider including abortion and contraceptives in the basic insurance package.⁶⁸

52. The Committee on the Rights of the Child was concerned that the Republic of Moldova lacked programmes specifically targeting Roma children, children living in poverty, children affected by migration, children living in care institutions and those who ran away from such institutions. It recommended expanding and strengthening its preventive measures, and establishing special programmes targeting Roma children, children living in poverty, children affected by migration, children living in care institutions and those who ran away from such institutions.⁶⁹

I. Right to education

53. While noting the high level of education of women and girls in the Republic of Moldova, the Committee on the Elimination of Discrimination against Women remained concerned about the persistent segregation of women and girls in traditionally female-dominated fields of study at the post-secondary level and their underrepresentation in engineering, technological and other fields of education, negatively affecting their chances of integration into higher-paying sectors of the labour market. It recommended that the Republic of Moldova encourage young women to choose non-traditional fields of study and professions, and implement programmes aimed at counselling boys and girls on the full range of educational choices.⁷⁰ The Committee urged the Republic of Moldova to eliminate all forms of sex- and gender-based discrimination throughout the education system and in informal education programmes with a view to removing gender stereotypes from educational materials, incorporating human rights education into school curricula and introducing mandatory courses in all teacher training programmes on ways in which schooling reproduced gender inequalities.⁷¹

54. The Committee on the Elimination of Discrimination against Women urged the Republic of Moldova to promote access by Roma girls and girls with disabilities to high-quality mainstream and inclusive education and their retention at all levels of education, including by tackling anti-Roma sentiment, raise awareness of the importance of education as the basis for the empowerment of women and strengthen the implementation of re-entry policies enabling girls who had dropped out to return to school.⁷²

J. Cultural rights

55. As a State party to the Convention concerning the Protection of the World Cultural and Natural Heritage, the Convention for the Safeguarding of the Intangible Cultural Heritage and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, UNESCO encouraged the Republic of Moldova to fully implement the relevant provisions that promoted access to and participation in cultural heritage and creative expressions and, as such, conducive to implementing the right to take part in cultural life, as defined in article 27 of the Universal Declaration of Human Rights and article 15 of ICESCR. In doing so, the Republic of Moldova was encouraged to give due

consideration to the participation of communities, practitioners, cultural actors and non-governmental organizations from the civil society, as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities were given to women and girls to address gender disparities.⁷³

K. Persons with disabilities

56. The Special Rapporteur on the rights of persons with disabilities recommended that the Republic of Moldova: amend the Civil Code to make it consistent with article 12 of the Convention on the Rights of Persons with Disabilities, and review, without delay, all cases of legal incapacitation with a view to restoring the legal capacity of the persons concerned.⁷⁴ She encouraged a third reading of Law No. 87 establishing a right of appeal against guardianship and a right to vote for persons under guardianship in its original text, and promulgate it without further delay to end practices requesting incapacitation for certain administrative procedures, such as receiving a pension, and expedite the restoration of legal capacity for those persons who had been deprived of it.⁷⁵

57. She recommended that the Republic of Moldova take all the measures necessary to set up a policy framework to guide deinstitutionalization processes; the framework should include the development of a national strategy and plan of action to facilitate living and inclusion in the community for persons with disabilities with clear timelines and concrete benchmarks for implementation and evaluation.⁷⁶

58. The Special Rapporteur also urged the Republic of Moldova to develop a mechanism to redistribute public funds from institutions to community services, and allocate sufficient resources from the central budget for the development of support services in local communities.⁷⁷

59. The Special Rapporteur on extreme poverty and human rights urged the Government to establish an independent monitoring body on the rights of persons with disabilities, as provided for in article 33 (2) of CRPD.⁷⁸

60. The Committee on the Rights of Persons with Disabilities requested information on how the guarantees of accessibility provided by Law No. 121 on ensuring equality and Law No. 60 on the social inclusion of persons with disabilities had been translated into the overall national legislative framework.⁷⁹ The Committee on the Elimination of Discrimination against Women urged the Republic of Moldova to disseminate and ensure the implementation of the law on social inclusion of persons with disabilities adopted in 2012, including by creating mechanisms to enforce quotas concerning the employment of persons with disabilities.⁸⁰

61. The Committee on the Rights of Persons with Disabilities requested that the Republic of Moldova report on the effectiveness of the implementation and outcomes of the 2011-2015 Consolidated Strategy for Education Development regarding children with disabilities.⁸¹

L. Minorities

62. The Special Rapporteur on minority issues said that identity documents were often lacking and dropout rates among Roma students were markedly high, and that Roma representatives had expressed their concern that Roma were largely absent from decision-making processes and in public life, both at local and national levels. The expert referred to the establishment of Roma community mediators as instrumental to achieve integration and

combat marginalization and called for measures to be taken to fill all vacant mediator positions and considerations to be given to cover their salaries from the central budget.⁸²

63. The Special Rapporteur on extreme poverty and human rights recommended that the Republic of Moldova ensure access to information for the Roma minority, through channels that were physically accessible and culturally acceptable to them.⁸³

64. The Special Rapporteur on extreme poverty and human rights recommended that the Republic of Moldova introduce affirmative action to ensure the inclusion of Roma representatives in public and political life.⁸⁴

M. Migrants, refugees and asylum seekers

65. UNHCR reported that, in relation with the recommendation emanating from the first universal periodic review “to work towards addressing statelessness and protecting the rights of stateless persons”, accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness had led to the establishment and implementation of a sound national statelessness determination procedure. In addition, between January 2013 and June 2015, over 212,000 persons (1 in 20 Moldovans) had exchanged their old Soviet passports for valid national identity documents and had thus avoided statelessness. That had been one of the largest campaigns to prevent and address statelessness in Europe since the turn of the century.⁸⁵

66. UNHCR recommended that persons who might be in need of international protection be proactively identified and registered as asylum-seekers, including at border-crossing points and in detention centres, and be provided with information about the asylum procedure and referred to the refugee status determination procedure without delay. UNHCR called for the requisite procedural guarantees and safeguards, including access to effective legal remedies, to be available to persons applying for asylum at border-crossing points, in order to prevent them from being denied admission to the territory and refugee status determination procedures and thus being placed at risk of *refoulement*.⁸⁶

67. UNHCR urged the State to establish, within the asylum procedure, an identification and referral system for victims or potential victims of trafficking, who might be in need of international protection, in order to ensure that their cases would be assessed in line with UNHCR Guidelines on International Protection relating to victims of trafficking.⁸⁷

N. Situation in, or in relation to, specific regions or territories

68. In 2013, the High Commissioner for Human Rights stated that people living in disputed territories, where legitimacy of control over a territory, security, development and humanitarian concerns were frequent, often lacked or had very limited access to effective legal remedies. Such political deadlocks and security concerns together affected the full enjoyment of their human rights and often created protection gaps. All human rights should be enjoyed by all people at all times regardless of those constraints.⁸⁸

69. The Assistant Secretary-General for Human Rights emphasized that national human rights action needed to encompass all of the Moldovan regions and people from the Gagauzian region should not be left behind. He urged a swift resolution of issues surrounding the establishment of the Regional Development Centre for Gagauzia and their inclusion in the broader development and human rights initiatives.⁸⁹

70. He referred to the civil society organizations in Gagauzia, the Transnistrian region and the rest of the Republic of Moldova, whose views were crucial and whose activities should be supported.⁹⁰

71. UNHCR noted that the Parliament had ratified international human rights treaties, including the 1951 Convention relating to the Status of Refugees, with a reservation regarding the application of the provisions only in the territory under its jurisdiction, until the full restoration of the territorial integrity of the country. In recent years, there had been numerous instances where persons had claimed that their human rights had been violated by the de facto authorities in the Transnistrian region. In their pursuit for justice and protection before the Moldovan authorities, the lack of prerequisite legal means to remedy such situations and the impossibility of enforcing Moldovan law in the region had resulted in a failure to provide State protection, thus placing potential victims of persecution in a legal limbo.⁹¹

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on the Republic of Moldova from the previous cycle (A/HRC/WG.6/12/MDA/2).

² The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol

- Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.
- ⁷ International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182); Indigenous and Tribal Peoples Convention, 1989 (No. 169); Domestic Workers Convention, 2011 (No. 189).
- ⁸ See A/HRC/26/28/Add.2, para. 12.
- ⁹ See A/HRC/23/50/Add.1, para. 87 (i).
- ¹⁰ Press release of 31 March 2016, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=18550&LangID=E.
- ¹¹ Ibid.
- ¹² Ibid.
- ¹³ See A/HRC/26/28/Add.2, para. 15.
- ¹⁴ According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- ¹⁵ The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions is available from <http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>.
- ¹⁶ Council for Combatting and Preventing Discrimination and Ensuring Equality.
- ¹⁷ Press release of 31 March 2016.
- ¹⁸ See CERD/C/MDA/CO/8-9, para. 25.
- ¹⁹ See CEDAW/C/MDA/CO/4-5, para. 45.
- ²⁰ CEDAW/C/MDA/CO/4-5/Add.1.
- ²¹ CAT/C/MDA/CO/2, para. 33.
- ²² Follow-up responses of the Republic of Moldova to the concluding observations of the Committee against Torture.
- ²³ Letter dated 16 April 2012 from the Committee against Torture to the Permanent Mission of the Republic of Moldova to the United Nations Office and other international organizations in Geneva. Available from http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/MDA/INT_CAT_FUF_MDA_12108_E.pdf.
- ²⁴ See CAT/OP/MDA/1, para. 4, and CAT/OP/MDA/2, para. 2.
- ²⁵ For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.
- ²⁶ Press release of 31 March 2016.
- ²⁷ See CEDAW/C/MDA/CO/4-5, paras. 9 and 10.
- ²⁸ See CEDAW/C/MDA/CO/4-5, paras. 17 and 18.
- ²⁹ Press release of 30 June 2016, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20209&LangID=E.
- ³⁰ Ibid.
- ³¹ See A/HRC/26/28/Add.2, para. 90, (a).
- ³² United Nations country team submission for the universal periodic review of the Republic of Moldova.
- ³³ Ibid.
- ³⁴ Ibid.
- ³⁵ Ibid.
- ³⁶ See CAT/OP/MDA/2, para. 30.
- ³⁷ Ibid., para. 26.
- ³⁸ UNICEF and the Office of the United Nations High Commissioner for Human Rights joint submission for the universal periodic review of the Republic of Moldova.

- ³⁹ Press release of 4 November 2011, see www.ohchr.org/EN/NewsEvents/Pages/HCVisitMoldova.aspx.
- ⁴⁰ See A/HRC/23/50/Add.1, para. 87 (h).
- ⁴¹ See A/HRC/26/28/Add.2, para. 49.
- ⁴² See A/HRC/26/28/Add.2, para. 89 (b).
- ⁴³ See CRC/C/OPSC/MDA/CO/1, paras. 26 and 27.
- ⁴⁴ Country team submission for the universal periodic review of the Republic of Moldova.
- ⁴⁵ See CEDAW/C/MDA/CO/4-5, para. 40.
- ⁴⁶ *Ibid.*, paras. 39 and 40.
- ⁴⁷ UNHCR submission for the universal periodic review of Moldova.
- ⁴⁸ *Ibid.*
- ⁴⁹ See A/HRC/32/53, p. 20.
- ⁵⁰ See A/HRC/29/50, p. 52.
- ⁵¹ UNESCO submission for the universal periodic review of the Republic of Moldova.
- ⁵² Country team submission for the universal periodic review of the Republic of Moldova.
- ⁵³ See CEDAW/C/MDA/CO/4-5, paras. 23 and 24.
- ⁵⁴ See A/HRC/26/28/Add.2, para. 89 (d).
- ⁵⁵ *Ibid.*, para. 89 (e).
- ⁵⁶ See CEDAW/C/MDA/CO/4-5, paras. 29 and 30.
- ⁵⁷ *Ibid.*, para. 27.
- ⁵⁸ *Ibid.*, paras. 27 and 28.
- ⁵⁹ See A/HRC/26/28/Add.2, para. 92 (a).
- ⁶⁰ See CEDAW/C/MDA/CO/4-5, paras. 33 and 34.
- ⁶¹ See A/HRC/26/28/Add.2, para. 92 (b).
- ⁶² *Ibid.*, para. 92 (d).
- ⁶³ *Ibid.*, para. 92 (h).
- ⁶⁴ *Ibid.*, para. 92 (h).
- ⁶⁵ *Ibid.*, para. 90 (b).
- ⁶⁶ Country team submission for the universal periodic review of the Republic of Moldova.
- ⁶⁷ See CEDAW/C/MDA/CO/4-5, para. 32.
- ⁶⁸ *Ibid.*, paras. 31 and 32.
- ⁶⁹ See CRC/C/OPSC/MDA/CO/1, paras. 16 and 17.
- ⁷⁰ See CEDAW/C/MDA/CO/4-5, paras. 25 and 26.
- ⁷¹ *Ibid.*, para. 18.
- ⁷² *Ibid.*, para. 26.
- ⁷³ UNESCO submission for the universal periodic review of the Republic of Moldova.
- ⁷⁴ See A/HRC/31/62/Add.2, para. 65.
- ⁷⁵ *Ibid.*, para. 65.
- ⁷⁶ *Ibid.*, para. 66.
- ⁷⁷ *Ibid.*, para. 66.
- ⁷⁸ See A/HRC/26/28/Add.2, para. 16.
- ⁷⁹ See CRPD/C/MDA/Q/1, para. 11.
- ⁸⁰ See CEDAW/C/MDA/CO/4-5, paras. 37 and 38.
- ⁸¹ See CRPD/C/MDA/Q/1, para. 22.
- ⁸² Press release of 30 June 2016.
- ⁸³ See A/HRC/26/28/Add.2, para. 90 (d).
- ⁸⁴ *Ibid.*, para. 90 (e).
- ⁸⁵ UNHCR submission for the universal periodic review of Moldova.
- ⁸⁶ *Ibid.*
- ⁸⁷ *Ibid.*
- ⁸⁸ Press release of 14 February 2013, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12991.
- ⁸⁹ Press release of 31 March 2016.
- ⁹⁰ *Ibid.*
- ⁹¹ UNHCR submission for the universal periodic review of Moldova.