



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

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**Responses to the list of issues and questions with regard to
the consideration of the fourth and fifth periodic reports**

Republic of Moldova*

* The present document is issued without formal editing.



General

1. With the view to improving the statistical collection and analysis system, the Government Committee on Gender Equality approved on 3 April 2012 the Gender Sensitive Development indicators, which serve as a useful working tool for specialists at the national and local levels to be used in the process of formulation, implementation and assessment of public policies. The primary and secondary indicators are classified in accordance with the thematic areas of the NPEGE (employment and migration, gender-sensitive budgeting, women's participation in decision-making, social protection and family, healthcare, education, combating violence and trafficking in human beings, public awareness levels and mass-media role). The development process was a participatory one, carried out within the workshops for gender focal points within Central Public Administration as well as for representatives of territorial social assistance authorities. The Set of harmonized development indicators was presented and approved at the meeting of the Governmental Committee for Equality between Women and Men dated April 3, 2012.

Within the project "Strengthening the National Statistical System", the National Bureau of Statistics with the support of UNDP and UN-Women developed and published the 2012 edition of "Women and Men in the Republic of Moldova. Analysis from a territorial perspective". The analysis covers 11 chapters, which include major public and social sectors, providing statistical data disaggregated by gender. Also within the above mentioned project, in 2011 the study "Violence against women in the family" was developed and published (annex No. 1).

Trafficking in human beings (THB):

According to the data of the Ministry of Internal Affairs on combating human trafficking during **2012** the following were recorded:

151 criminal cases for human trafficking offences, with 266 identified victims of which:

Gender dimension

- about 65% are women (174 persons) and 35% are men (92 persons);

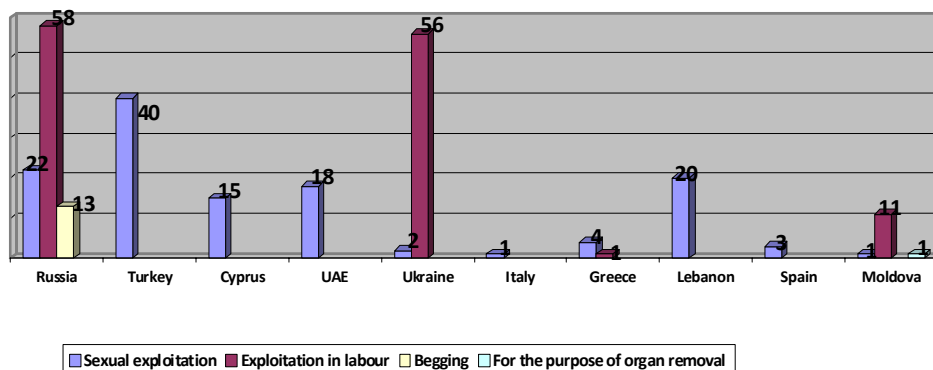
The purpose of trafficking

- 126 victims were sexually exploited (100% women);
- 126 victims were exploited in labour (37 women, 89 men);
- 13 victims were exploited in begging (6 women, 7 men);

Destination country depending on the number of victims identified:

- sexual exploitation;
- exploitation in labour;
- begging;
- for the purpose of organ removal.

Country of destination according to number of victims identified

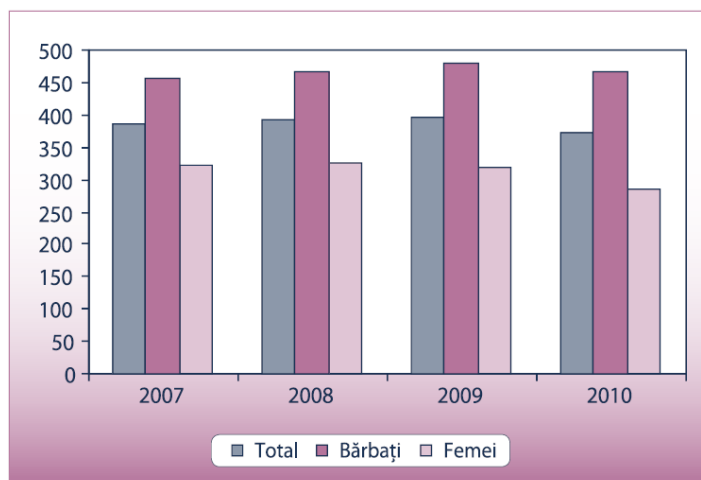


Women with disabilities

The Republic of Moldova ratified in 2010 the *UN Convention on the Rights of Persons with Disabilities*, thus reaffirming the particular importance given by the Government to achieving better standards towards the inclusion, ensuring equal rights and quality of life of persons with disabilities, including women.

Annually, the *Medical Commission for Expertise of Vitality* establishes the degree of disability for about 13,000 persons aged 16 years and older, and an average of 372.8 persons recognized as disabled for the first time account for 100,000 population. The incidence of primary disability is much higher for men — 465.7 persons per 100,000 men as compared to 286.9 persons per 100,000 women. However, primary disability in women has recently decreased as compared to 2006, while for men it remains a high one. At the regional level, we find the highest rate of incidence of primary disability in people of ATU Gagauzia, where 532.1 persons with primary disability account for 100,000 population as compared to 301.1 persons in Chisinau municipality.

Incidența primară a invalidității, persoane la 100 mii populație



Incidence of primary disability, persons per 100,000 population

- Total
- Men
- Women

Statistical data, disaggregated by gender, are very important in the process of public policy development. Thus, the development of regulations starts, first of all, with the ex ante analysis elaboration, one of objectives of which is to study the problem based on the studies, monitoring reports, researches and statistical data available in that area. In this respect, statistical data are important sources which form the basis of policy substantiation, being used to analyse the current situation, to identify key issues, to establish certain progress indicators, etc.

With regard to Romani women, specific actions targeted at the situation of the Romani women are contained in the National Action Plan for the support of Roma people for 2011-2015, which is considered to be a gender-sensitive strategy. The Plan provides for the mapping of Roma population and of the existing medical and social services, including disaggregated by gender, the elaboration of analysis/quantitative and qualitative research disaggregated by gender in the area of education, social protection, health etc. Hence, in 2013, UNDP presented the Report on mapping the localities densely populated by Roma, which offers disaggregated data. A separate study regarding the situation of Roma women was elaborated in cooperation with UN-Women, the Office of the High Commissioner for Human Rights, UNDP Moldova, upon consultation of relevant national authorities, Roma NGO's and LPA's.

Constitutional, legislative and institutional framework

2. On May 25, 2012, the Law No. 121 on Ensuring Equality was adopted. The purpose of this law is to prevent and combat discrimination and to ensure equal opportunities and treatment to all persons in the Republic of Moldova in the political, economic, social, cultural and other spheres of life regardless of race, colour, nationality, ethnic origin, language, religion or beliefs, sex, age, disability, opinion, political affiliation, or any other similar criteria. Also, it is important to note that the Law includes liability for acts of discrimination. According to article 17, acts of discrimination are subject to disciplinary, civil, administrative and criminal legislation in force. Therefore, the provisions of art. 24 of the Law No. 5 on ensuring equal opportunities for *women and men*, through the amendments made has acquired an applicable connotation.

Chapter III of the Law No. 121 also provides for the institutional framework for preventing and combating discrimination and ensuring equal opportunities. Thus, subjects with powers in preventing and combating discrimination and ensuring equal opportunities are:

- (a) Council on preventing and combating discrimination and ensuring equal opportunities;
- (b) public authorities;
- (c) courts.

On December 21, 2012 the Parliament adopted the Law No. 289 on the activity of the Council on Prevention and Combating Discrimination and Ensuring Equality.

Along with the regulation on Equality Council, amendments to related legislation such as the Criminal Code, Contravention Code, Law on public service, etc. were adopted. It provided for administrative and criminal liability for acts of discrimination, including on grounds of sex.

On November 29, 2012 the Parliament adopted a decision on the creation of the Commission responsible for the organization and development of the public contest for the selection of the candidates for the members of the Anti-discrimination Council. The Commission developed the Rules for the contest and announced the competition¹ on December 20, 2012. Since then, 2 rounds for the selection of the candidates were organized. 2 members out of 5 applications were selected by the Commission in the initial phase (lawyer Doina-Ioana Străisteanu and psychologist Oxana Gumenaia) and 3 other members out of 9 new applications were approved by the Parliament on June 6 2013 (Andrei Brighidin, Lucia Gavrilă, Ian Feldman). Thus, full composition was ensured for the Council, which will meet shortly for establishing a Strategy of activity and electing the President of the institution.

At the same time, the Law No. 121 provides for the right to protection of the victim of discrimination. Any person who is considered to be a victim of discrimination is entitled to bring an action before the court and request:

- to establish infringement of his/her rights;
- to prohibit further infringement of his/her rights;
- to restore the previous situation of infringement of his/her rights;
- to repair material and moral damage that was caused to him/her, as well as to reimburse court costs;
- to declare the act which led to his/her discrimination invalid.

Trade unions or community-based organizations in the field of promotion and protection of human rights may also bring an action before the Court to protect those who are considered to be victims of discrimination.

With reference to harmonization of national legislation with provisions of the Law No. 5-XVI dated February 9, 2006

In 2012 the draft Law which aims at the harmonization of national legislation with the provisions of the Law No. 5 was developed and submitted to the Government for approval. It is currently in the final phase of approval by the Government and to be sent to the Parliament for examination.

The draft law provisions were harmonized with Council of Europe recommendations and propose the amendment of the following laws:

- An affirmative action, providing for a minimum participation rate of 40% for both sexes, was proposed to be included in the Law No. 64-XII of May 31, 1990 on the Government to ensure the promotion of active participation of women in decision-making and public representation structures. Also, strengthening the powers of Government regarding the role of promoter and coordinator of gender sensitive policies was envisaged.

¹ <http://parlament.md/Actualitate/Noutati/tabid/89/NewsId/690/Default.aspx>.

- The amendments to the Press Law No. 243-XIII of October 26, 1994 determine periodicals and news agencies to use a non-sexist language, and to present women and men in terms of equal rights in public and private spheres of life.
- The Law No. 271-XIII of November 9, 1994 on Civil Protection states the need to eliminate protectionist provisions against women.
- The Law No. 411-XIII of March 28, 1995 on Protection of Health prescribes that women and men enjoy equal opportunities to achieve their potential health, including by equal access to health-care services and quality of these services.
- The Law on Education No. 547-XIII dated July 21, 1995 was supplemented with special provisions ensuring the development and monitoring of educational curricula, content of subjects, education standards and resources, organization of education process in line with the principle of equality between women and men. Also it is proposed to promote balanced participation of women and men in holding teaching and scientific positions in the education and science system.
- With the view to strengthening the institutional mechanism it was proposed to amend the Law No. 797-XIII of April 2, 1996 on the adoption of the Regulation of Parliament, thus providing in articles 12 and 16 for ensuring fair representation and parity of women and men in the composition of the Standing Bureau and Standing Committees.
- Amendments were proposed to the Law No. 1036-XIII of December 17, 1996 on the Penitentiary System in the context of exclusion of expressions different from maintenance conditions of women and men.
- Proposals to amend the Law No. 1227-XIII of June 27, 1997 on Advertising refer to the prohibition of sexist advertising.
- Proposed additions to the Electoral Code 1381-XIII of November 21, 1997 are in line with the provisions of the UN Convention on the Elimination of All Forms of Discrimination against Women (article 4); recommendations of the ODIHR/OSCE experts, which indicates on ensuring of equal opportunities for women and men not only de jure but also de facto by special measures. It provides for the inclusion of gender dimension in the organization and conduct of electoral campaigns for national and local elections, regular monitoring of the progress in order to achieve gender balance in the electoral rolls and other candidate selection processes, information and awareness campaigns for the general public on balanced participation of women and men at all levels of political and public life.
- Given the role of trade unions to protect the professional, economic, labour and socially collective and individual rights and interests of their members, it was proposed to make amendment to the Law on Trade Unions No. 1129-XIV of July 7, 2000 which will strengthen basic rights of trade unions members and the segment related to the field of gender equality.
- It was proposed to supplement art. 74, para. 1 of the Family Code No. 1316-XIV of October 2, 2000 with the provisions that would ensure compliance with the principles of solidarity and social equity in developed policies on observance of children's rights which are an important priority in the country.

- Amendments to the Law No. 140-XV of May 10, 2001 on Labour Inspection explicitly include the exercise by the Labour Inspection of the control of compliance by the employer with the principle of equality between women and men, which will improve the application of the mentioned principle.
- The Criminal Code No. 985-XV of April 18, 2002 provides for the equality before the law and criminal liability of persons who have committed crimes and, in this context it was proposed to amend art. 159 of the Criminal Code that contains a direct connotation with respect to protection of women's reproductive rights.
- The submitted proposals to complete articles 5 and 9 of the Labour Code No. 154-XV of emphasize the compliance of the principle of equality between women and men in the labour market. Being guided by the provisions of Recommendation No. R (96) 5 of the Committee of Ministers of the Council of Europe on reconciling work and family life, and the results of social studies carried out in member states of the European Union focused, it was proposed to include paternal leave, in order to promote on the equitable distribution of roles between women and men in public and private life, as well as the principle of shared parental responsibility. The proposal submitted for art. 329 broadens the scope of subjects with the right to damage compensation by the employer, by including employees discriminated at work.
- The amendments proposed for the Law No. 412-XV dated December 9, 2004 on official statistics, ensure the harmonization with the Final Comments of the UN Committee on the Elimination of Discrimination against Women and with the provisions of art. 22 of the Law No. 5-XVI, which incorporate the competence to collect, process and generalize sex disaggregated statistical information of NBS as well as expressly provides for the obligations of authorities of central and local public administration, parties, other sociopolitical organizations, legal entities and natural persons, carrying out entrepreneurial activity.
- Amendments to the Law No. 5-XVI of February 09, 2006 on ensuring equal opportunities between women and men include new definitions, and namely the principle of equality between women and men, gender audit, incitement to discrimination on the grounds of sex, victimization, discrimination by association on the grounds of sex, harassment, gender coordinating council; inclusion of affirmative actions to ensure a higher representation of women in decision-making — providing a 40% minimum participation share of both sexes in holding public positions at central and local levels; encouragement of women to participate in political life; improvement of the institutional mechanism at national and local levels by strengthening existing institutional links — creation of a Gender Coordinating Council within CPA. Additions were made with reference to employers' obligations to ensure that all employees are informed of the prohibition of acts of discrimination and sexual harassment at work. The gender equality reporting mechanism was improved and powers of central and local authorities were described in details. The institutional mechanism responsible of addressing cases of discrimination on the grounds of sex was harmonized with the provisions of the Law No. 121 on ensuring equality.

- The amendments proposed to the Broadcasting Code No. 260-XVI dated July 27, 2006 provide for the definition of sexist advertising and incorporation of certain guidelines on ensuring compliance with the principle of equality between women and men. Taking into account the recommendations of the Concluding Comments of CEDAW addressed to the Republic of Moldova in 2006 with respect to strengthening of the local institutional mechanism, amendments were proposed to the Law No. 436-XVI of December 28, 2006 on Local Public Administration in order to ensure the implementation, monitoring and coordination of policies at the local level.
- Amendments to the Law No. 170-XVI of July 19, 2007 on the Status of Security and Intelligence Officer reinforce the right of both sexes to reconcile family and professional life, excluding any discrimination with reference to women involved in the respective service.
- In order to achieve the set goals related to balanced participation of women and men in political life, the amendments to the Law No. 294-XVI dated December 21, 2007 on Political Parties are of special importance.
- For the Contravention Code No. 218-XVI of October 24, 2008, a norm to penalize sexist advertising was proposed, thus ensuring harmonization with the modifications introduced into the Law No. 1227-XIII on Advertising dated June 27, 1997.
- The Law No. 199 of 16.07.2010 on the Status of Persons with Public Dignity Functions included an affirmative action — a minimum participation rate of 40% for both sexes designed to ensure the promotion of active participation of women in decision-making and public representation structures. The amendment is made on the basis of international standards in the field.

3. Training sessions

In 2012, the National Institute of Justice in cooperation with the General Prosecutor's Office and the Centre for Combating Trafficking in Human Beings (CCTHB) developed the curriculum of training workshops focused on classification of human trafficking, improvement of victim cooperation, *techniques for interviewing victims* and protection of the victim, for prosecutors, judges and police officers. Based on this curriculum, five workshops were organized for prosecutors, *criminal investigation officers* and judges. At the same time, a workshop for police officers was organized on issues of begging and trafficking for the purpose of begging.

In order to consolidate the capacities of the police in combating domestic violence, the Ministry of Internal Affairs, with the support of the United Nations Population Fund, have initiated the procedure of establishing the thematic curriculum for chiefs of police stations and *chiefs of police divisions* at the Institute of Continuous Professional Education and Applied Scientific Research within the Academy "Stefan cel Mare". In this regard, the UNFPA has developed a Guide for students of the Academy "Stefan cel Mare" on the implementation of the legislation on preventing and combating domestic violence, which is to be coordinated and published. Additionally, there were organized training of trainers sessions in November and December 03-05 2012. The participants who were trained will have the opportunity to disseminate the information to subordinated staff and ensure the sustainability of the event and transfer of know-how.

Training on best practice of the police of the Republic of Moldova to respond to domestic violence:

- Training of trainers — the activity initiated in 2012 by “Lawyers for Human Rights (U.S.) in partnership with the Women’s Law Centre (Republic of Moldova) — 16 police officers, 7 representatives of non-governmental organizations, service providers for victims of domestic violence were trained.
- Police officers trained on best practices for responding to domestic violence in their turn will train another 500 police officers all over the country during 2013.

These trainings for police officers are part of a multi-sectoral effort of the country regarding domestic violence. Similar Training of Trainers were organized during October-November 2012 for health workers.

A training course on CEDAW was organized within the Project “Support to Justice Sector Reform in Moldova for women from marginalized groups, including Romani women, women with disabilities, women living with HIV/AIDS; women from religious minorities, migrant, refugee and stateless women, women who are lesbian, bisexual or transgender, and/or women representatives of other marginalized groups.

National machinery for the Advancement of Women

4. According to the provisions of the Law No. 5-XVI, the following authorities are vested with duties in the field of ensuring equality between women and men:

- (a) Governmental Committee for equality between women and men;
- (b) Ministry of Labour, Social Protection and Family (specialized body);
- (c) ministries and other central administrative authorities (gender units);
- (d) local public administration authorities (gender units).

The initiative to strengthen the institutional mechanism by establishing Gender Coordinating Councils is promoted by the draft Law on harmonization of national legislation with provisions of the Law No. 5-XVI. According to the draft (mentioned also in response No. 2), the Gender Coordinating Council will have the following duties:

- to monitor compliance with the legislation on equality between women and men within the specialized central public authorities;
- to approve reports, presented by Gender units on ensuring equality between women and men in their area of activity and to submit them in the manner as established by the specialized authority;
- to examine cases of discrimination on the grounds of sex and sexual harassment at the branch level as well as within the decentralized structures, to submit proposals to remove discrimination conditions to the head of the institution and to cooperate with the Council to prevent and eliminate discrimination and ensuring equality, by providing data, information and documents required by the it. In cases of examining sexual harassment complaints, the materials accumulated will be delivered to competent law enforcement authorities;

- to ensure/contribute to consolidation of knowledge of public officials in the branch field on the issues related to ensuring equality between women and men.

Currently, Gender Councils activate within the Ministry of Defense, Ministry of Economy, Ministry of Finance, Ministry of Justice, Ministry of Labour, Social Protection and Family. Besides the Gender Councils in the institutions mentioned in the report, the other central public authorities dispose of Gender Focal Points (GFPs), authorized to monitor compliance with gender equality legislation, new amendments to the law aiming to formalize their activity at the local level, as well.

Additionally, the same draft Law on harmonization of national legislation with provisions of the Law No. 5-XVI provides for the establishment of gender units at the level of local public administration authorities of level II (within the apparatus of district, municipal Council, ATU Gagauzia), while at the level of local public administration of level I, functions of gender units are exercised by the Secretariat of the Mayor's Office. The responsibility for exercise by local public administration of powers established by the law and for carrying-out the efficient activity of the subordinated gender units lies with the district president of the and mayors.

The network of gender units both at the central and local level is regularly consolidated through specific trainings, meetings and involvement in the public policy formulation cycle. Among these were:

- The training workshops "Gender mainstreaming in public policies" conducted for gender units within line ministries and other central public authorities, which empowered gender units with concrete tools and skills to assess sectoral policies from a gender perspective. (September and November 2012);
- Workshops on gender equality, social assistance system, child protection, conducted for representatives of local public administration, with participation of Regional Development Agencies and the Congress of Local Authorities from Moldova. (September, October 2012);
- Trainings on the use and assessment of the Gender sensitive indicators.

On March 27, 2013, the draft concept of gender sensitive budgeting was presented at the meeting of the Governmental Commission for Equality between women and men. The concept is to be analyzed and discussed in order to identify a common vision on its implementation at the national level.

Temporary special measures

5. In order to ensure the promotion of women to decision-making positions, and balanced representation of women and men in the political sphere, the new draft law on harmonization of the national legislation with provisions of the Law No. 5-XVI, includes an affirmative action providing for a minimum participation rate of 40% for both sexes. The same amendments prescribe or the Law on political parties a compulsory requirement for the list of candidates at the registration of a party and namely: representation in the lists of candidates of women and men, without discrimination based on sex, by ensuring that out of every 5 persons on any numeric segment of the list at least two belong to the same sex. (See the list of amendments in Response No. 2 of this document).

Also, currently pending is a Draft Law on the Amendment and Completion of Legislative Acts, which aims to amend legislation pertaining to political party and

election campaign financing. These draft Amendments had been prepared following extensive discussions under a Working Group established by the Central Election Commission, which included other government bodies, civil society, political parties and international development partners. One of the bill's criteria contained regarding state budget allocations for the financing of political parties is that 10% are distributed to political parties that promoted women on their candidate lists in parliamentary elections, proportionally to the number of seats obtained by female candidate. A joint opinion of the European Commission for Democracy through Law (Venice Commission) and OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) commends the fact that the amendments create financial incentives (not mandatory requirements or sanctions) for parties who promote women's participation within their ranks. Such incentives may not be considered discriminatory in light of the requirement for special measures defined by CEDAW (Article 4) 9 and as articulated in Council of Europe Recommendation (2003) 310 on balanced participation of women and men in political and public decision-making.

Stereotypes

6. The "Family" Festival

In accordance with the UN General Assembly Resolution 47/237 of 20 September 1993, the "Family" Festival has been annually organized in our country since 2009. Only in 2010, the events brought together around 70,000 participants, covering 10 regions, and raised the public awareness on such issues as family values, zero tolerance for domestic violence, a more active involvement of men in childcare and household responsibilities, etc. In 2011 and 2012, the event was organized on a larger scale in 20 and 21 regions, respectively. Multiple actions have been organized at the local level, for example the roundtable "The school of young fathers" in the Nisporeni region in order to promote role model fathers and their importance for the education and rising of children, thus consolidating the principle of shared responsibility between women and men in the family, in order to combat the attitudes which constrain women to traditional roles.

The major objectives of this event are:

- to mobilize the community to build healthy and harmonious family relationships, to support vulnerable families and to change behaviour in the spirit of values on which the family is based: love, mutual respect, equal sharing of household responsibilities, fighting all forms of violence against women, children, and older persons etc.;
- to sensitize the society, the public opinion and policy makers regarding the problems faced by the families today and to identify practical solutions to overcome them.

It is also important to mention that the draft Government Decision on Family Day celebration was developed. The draft is in the final phase of approval and provides for the annual development of an Action Plan designed to promote the organization of regular activities in this regard.

The campaign “16 Days of Activism against gender violence”

The Republic of Moldova strongly supports the scope of the international campaign “16 Days of Activism against gender violence”, organized annually in our country, and believes that such a strategy should be applied at all levels: regional, national and local, so that it reaches in the end the potential female victim. The campaign features a complex program involving press-conferences, round tables, public debates, conferences, TV and radio programs on human rights, exhibitions, gender-based violence and domestic violence.

In 2012, the 10th edition of the Campaign was organized under the slogan “From peace in the home to peace in the world” using innovative instruments, such as social theatre, the involvement of Olympic champions to promote the message of zero violence towards women etc.

In 2012 there was also launched the public service announcement “Athletes against violence — an innovative idea to involve Moldovan athletes in promoting the message of zero tolerance towards violence against women.

Additionally, the campaign “Sports against violence”, which attempts to use the platform offered by sports to involve men in advancing role models and to mobilize the society in condemning this grave human rights violation, started recently. In this context, the Orange Moldova Cup finalists promoted the slogan “Real men don’t beat women” during the final match (26 May 2013) by wearing T-shirts with the respective message during the festive part of the match, broadcast of a thematic public service announcement, as well as placement of 2 banners and announcement of the action at the beginning of the match and during the press conference dedicated to the event.

At the same time, on October 18 — the European Day against Human Trafficking — a meeting of the coordinating group of the Permanent Secretariat was held, for the purpose of presenting the EU Strategy on Eradication of Human Trafficking for 2012-2016, adopted by the European Commission on June 19. On October 19, the Odeon cinema screened the documentary film “New people, old sufferings” based on real testimonies of victims of human trafficking and domestic violence. The film gathered more than 300 participants and was followed by a discussion facilitated by the organizers on the subject of domestic violence, human trafficking, etc.

During the thematic meeting “Gender Equality and mass-media”, organized by the Ministry of Foreign Affairs and European Integration on December 17, 2012, it was decided to disseminate the manual developed by the Council of Europe “Women and journalists first” to the relevant public authorities, non-governmental organizations and media outlets for examination and implementation. The national authorities are currently consolidating the concept of an event targeted at individual journalists, media organizations, press services of public institutions, in order to equip all actors with more know-how and understanding of gender issues in their work and to encourage the media to project objective images of women and of the equal status and responsibilities of women and men in the private and public spheres. The event is planned to be organized in partnership with international organizations and relevant NGOs in the 2nd semester of 2013.

The Code of Ethics for Journalists was adopted in May 2011 by 84 mass-media institutions and associations, thus publicly assuming the respect of ethical and professional principles. The document was elaborated in the context of the Joint

Council of Europe-European Union Democracy Support Programme. The document is a useful tool that needs to be further promoted and applied stronger by mass-media (available at http://consiliuldepresa.md/fileadmin/fisiere/fisiere/Cod_deontologic_al_jurnalistului_din_Republica_final.pdf).

The project “Organization and facilitation of print and electronic media’s self-assessment in terms of gender dimension” is being implemented by the Association of Independent Press (API), at the initiative and with the support of UN-Women Program in Moldova “Economic Empowerment of Women”. The program selected ten national and local newspapers and seven online media outlets, including websites and information portals, social networks and blogs to be involved in the gender based self-assessment for nine months, from January to September 2013.

7. Since 2012, women have been enrolled in the Military Academy of the Armed Forces (8 so far) and it is planned to increase this number in the future. Additionally, it is to be noted that in comparison with the previous years, the number of women participating at military courses abroad (training, specialization) has increased.

The current regulatory framework on the Classification of military professions and functions for the National Army has been amended. As a result, professional barriers that prevented women from being appointed to men specific positions have been removed.

Violence against women

8. Law No. 45-XVI on preventing and combating domestic violence of 1 March 2007 sets out key provisions with respect to domestic violence and its forms, establishing an institutional framework with detailed responsibilities for the relevant authorities, provides for the creation of centres of assistance for the victims of violence and a mechanism for solving cases of violence by filing complaints, requesting protection orders, and isolating abusers. At the same time, the Joint Guidelines regarding the intervention of the social assistance, law enforcement and medical care bodies in the cases of domestic violence have been approved through ministerial orders of the heads of relevant institutions. These guidelines represent the implementing tool of the Law No. 45, integrating a joint, but at the same time clearly-defined response and intervention on domestic violence cases.

Given the lack of a centralized automated system for the record of aggressors, the internal affairs bodies officially collect the statistics on domestic violence.² The selected statistical indicators include the evidence of aggressors, based on the development of individual records, which ensure monitoring of the aggressor’s behaviour and of individual prevention measures conducted with them. Also, the Ministry of Internal Affairs has a data base of criminal cases, which stores information on people who have committed domestic crimes (see annex No. 2 on Statistical information on trends in domestic violence between 2008 — 3 months 2013).

Currently, the MLSPF in partnership with the World Bank is implementing the “Social Assistance Automated Information System” project. The Automated Information System will consist of two modules on social services and benefits, which will be put into operation on August 31, 2013. Five additional modules were

² Annex No. 1 Statistical information on domestic violence for the period 2008-3 months 2013 (attached).

identified and will be applied at a later stage, namely: protection of children's rights, prevention and combating of domestic violence, human trafficking, recording and protection of disabled people, social assistance to people living with HIV/AIDS, in order to create the integrated social information system for all levels of government in the field of social protection.

9. One of the main steps taken by the Government to ensure public information and awareness and prevent gender based domestic violence is the campaign "16 Days of Activism against gender violence". (See answer No. 6 for details).

With regard to informing the general public, in particular women, on available measures to protect victims and encourage women to report acts of violence, a public awareness campaign on the protection order was recently launched by a civil society organization in partnership with the Ministry of Interior. During the campaign, flyers will be distributed and posters will be placed in each Police inspectorate/unit/sector/station, which will facilitate the process of providing information on the measures of protection for the victims of domestic violence, on procedures for obtaining the protection order and its enforcement.

To ensure an individual approach to preventing and combating violence against the elderly, in January 2013 HelpAge International in Moldova in cooperation with the Gender Centre launched the project "Silence is not a solution: abuse of the elderly in the Republic of Moldova", implemented with the financial support of the European Commission, the European Instrument for Democracy and Human Rights. The main goal of this action is to reduce all forms of abuse and violence against older women and men. The final number of beneficiaries will amount to 195,759 people living in eight project sites, of which 24,997 (15,457 women and 9,540 men) are elderly people. Adult population (115,255) and children (55,507) will both benefit from the project by participating in activities conducted in the communities.

With regard to prosecution of perpetrators, the Law No. 167 of July 09, 2010, was designed to improve the mechanism of implementation of the Law No. 45, by introducing a new provision in the Criminal Code, article 201¹. According to this article, domestic violence, i.e. intentional act or omission, manifested physically or verbally, committed by one family member to another member of the family, which caused physical pain, resulting in slight bodily injury or damage to health, distress, or material or moral harm, is punished with community service work of 150 to 180 hours or imprisonment for up to 2 years.

The same action:

- (a) committed against two or more family members;
- (b) causing average physical injuries or damage to health shall be punished by community service work of 180 to 240 hours or by imprisonment for up to 5 years.

The same action which:

- (a) caused serious bodily injury or damage to health;
- (b) led to suicide or attempted suicide;
- (c) caused the death of the victim shall be punished by imprisonment for 5 to 15 years.

The sanctions provided for violation of the provisions of the protection order are stipulated by art. 318 of the Contravention Code. In cases of violation of the protection order, the police issue a warning or apply an administrative sanction as provided by this Code. In case of repeated violation of the protection order, the aggressor is liable under art. 320 of the Criminal Code, which provides for a punishment by application of a fine of 200 to 300 conventional units or by unpaid community service work of 150 to 200 hours or by imprisonment for up to 2 years.

According to the Law No. 45-XVI, art. 8, para. 2, letter c); local public authorities are responsible for the creation of centres and development of services for the victims of domestic violence.

The social infrastructure of physical, psychological and social assistance services provided to subjects of domestic violence within a series of rehabilitation centres, with the support of both Government financial resources and those initiated by non-governmental organizations, makes remedies more accessible and closer to the victim. This network functions according to the Framework Regulation of organization and operation of rehabilitation centres for victims of domestic violence approved by Government Decision No. 129 from 22 February 2010 and the minimum quality standards for social services provided to victims of domestic violence and approved by the Government Decision nr. 1200 from 23 December 2010.

In order to develop the infrastructure of social services addressed to the subjects of domestic violence, by the Council of the district Drochia, the public institution "Support services for the subjects of domestic violence" with two divisions was created (Decision No. 12/9 of 04.10.2011): The Maternal Centre "Ariadna" and the Centre for support and counseling of perpetrators of domestic violence (hereinafter "Centre for perpetrators"). In this context, besides the network of rehabilitation centres that makes remedies more accessible and closer to the victim, the Ministry of Labour, Social Protection and Family in cooperation with the UNFPA has developed a concept for the creation of rehabilitation services for perpetrators (approved by Order No. 109 of 10 august 2012 of the MLSPF), the Centre for perpetrators being the first centre of its kind inaugurated on the 1st of December 2012 in the country.

At the moment there are 8 centres that continue to benefit of funding from the state budget, with the purpose of ensuring territorial coverage and sustainability for programs of medium and long- term reintegration of victims of domestic violence, potential victims of human trafficking and human trafficking:

1. "Ariadna" Centre for victims of domestic violence from Drochia (is receiving financial resources from the state budget since 2011);
2. "Artemida" Centre for perpetrators from Drochia (is receiving financial resources from the state budget since 2011);
3. Maternal Centre from Căuşeni;
4. Centre for Assistance and Protection for Victims and Potential Victims of Human Trafficking from Căuşeni;
5. Centre of family crisis SOTIS from Bălţi (is receiving financial resources from the budget through Local Public Authorities of Bălţi since 2006);

6. Maternal Centre from Cahul (is receiving financial resources from the budget through Local Public Authorities of Cahul since 2006);
7. Maternal Centre from Hâncești (is receiving financial resources from the budget through Local Public Authorities of Hâncești since 2009);
8. Centre for Assistance and Protection for Victims and Potential Victims of Human Trafficking from Chișinău (subordinated to the MLSPF)

Support services for victims of domestic violence are also provided by NGO's, including Public Association "Refugiu — Casa Mărioarei" in Chisinau, Centre for Psycho-Social Support to Children "Amicul", Chișinău, Centre for Information and Counseling to Victims of Violence (Cahul); NGO La Strada: mediation service for sexually abused children/hotline for women victims of domestic violence- 0800 88 008.

The continuous training aimed at capacity building of multidisciplinary teams (MDTs) in the National Referral System during 2006-2011 also included a separate module dedicated to the topic of preventing and combating domestic violence. In 2012 a new stage of implementation of the National Referral System started through:

- monitoring visits by specialists from the Centres of assistance and protection and specialists from the MLSPF to MDT and vice versa, by organizing meetings with MDT coordinators, heads of divisions/departments of social assistance and family protection on monitoring individual cases;
- expanding the NRS at community level.

The following seminars on NRS expansion at community level and MDT capacity building were organized in 2012:

- February 21-23 — Telenești district (70 specialists);
- April 25-27 — Glodeni district (59 specialists);
- June 27-29 — Cahul district (about 29 participants);
- July 5-6 — Ialoveni district (about 27 people);
- July 24-26 — Edinet district (about 23 people);
- September 4-5 — Ciadîr-Lunga district (about 26 people);
- September 6-7 — Taraclia district (about 25 people);
- September 11-13 — Orhei district — 58 participants;
- September 27, October 9, October 23 — Criuleni district (78 participants);
- September 24-26 — Cîmislia district (74 participants);
- October 10-12 — Stefan-Voda district (63 participants);
- October 24-26 — Căușeni district (75 participants);

Under the project, supported by the U.S. Government and implemented by IOM, "Strengthening Multidisciplinary Approach in Achieving and Sustaining Life Free of Violence", during the period of October-November 2012, 3 Training of Trainers, attended by 75 health workers, were organized. 2000 copies of "Compilation of

regulations on prevention and combating of human trafficking and domestic violence” have been developed, printed and distributed.

Under the project, “Free, strong and protected — towards a better system of child protection in Moldova”, implemented by the National Centre for Child Abuse Prevention and the Centre for Information and Documentation on Children’s Rights with the support of OAK Foundation and UNICEF Moldova, about 100 professionals, including healthcare workers from Orhei and Leova received 64 hours of training to implement intersectoral cooperation mechanism for assistance and monitoring of child victims and potential victims of abuse, exploitation and trafficking.

To strengthen the capacity of specialists involved in the settlement of cases of domestic violence, the representatives of the MLSPF attended the following courses:

- Trainings on “Implementation of the Law on Preventing and Combating Domestic Violence” for judges, prosecutors, lawyers, representatives of public bodies, organized by the National Institute of Justice and the OSCE Mission to Moldova.
- Meeting of Experts on the implementation of legislation on domestic violence in Eastern Europe and Central Asia, organized by UN-Women (23-24 January 2012, Almaty, Kazakhstan).
- Regional seminar on promoting the Council of Europe Convention on preventing and combating violence against women and domestic violence (July 9-10, 2012 in Batumi, Georgia).

By Government Decision No. 72 of 07.02.2012 the Regulation of the Interministerial Coordinating Council on prevention and combating of domestic violence was approved. The Council was established in accordance with the provisions of the Law No. 45-XVI to ensure coordination of actions of the line ministries and other central public authorities with competence in this area. It is composed of representatives of the central government, civil society and other stakeholders. During 2012-2013 the Council had 10 meetings, during which they discussed a number of important topics in the field of preventing and combating domestic violence and identified priorities and gaps in the field. Once the work of the Council, which operated as an informal group in 2009-2011, was regulated, the importance of this entity increased, providing it with the capacity to make specific proposals for the solution of problems and gaps in the legal and regulatory framework within its area of activity.

10. Draft law to amend the law on domestic violence

According to article 15 of the Law No. 45-XVI, the Court shall issue a protection order within 24 hours of receiving such request and shall be applied for a period of up to 3 months. It can be withdrawn after the hazard that generated these measures has disappeared or may be extended if a repeated request is submitted or if the conditions set in the protection order are not observed.

In September 2012 there was created an interministerial working group that focuses upon the amendment of relevant legislation for improving the implementation mechanism of Law No. 45 and its harmonization with European standards (including the Council of Europe Convention on preventing and combating violence against women — CAHVIO). The amendments will be formulated with the

participation of the civil society and expertise of international partners. Accordingly, a first version of the draft law was already presented in May and will be finalized during 2013. The new draft law provides for the introduction of a new mechanism of intervention- the issuance of urgent protection order. At the same time, it provides for exclusion from the current legislation of provisions related to mediation and conciliation, as inadmissible procedures in the settlement of cases of domestic violence, according to international standards.

11. The national legal framework gives the definition of sexual harassment, in line with the provisions of the Istanbul Convention.³ According to the Law No. 5, the employer shall cooperate with employees and trade union representatives for establishing an internal order to prevent and exclude cases of gender based discrimination at work. The employer shall take measures to prevent the sexual harassment of women and men at work, as well as ensure the prosecution of such cases by submitting complaints against discrimination with the competent body.

The review of petitions from natural and legal persons on cases of gender-based discrimination is assigned by law to gender units under the central and local public authorities. Additionally, Law No. 121 of May 25, 2012 considers harassment in the workplace as discriminatory action against which the victim can request the Council's protection for prevention and elimination of discrimination and ensuring of equality, as well as the right to file an action in Court and ask for prohibition of further infringement of the rights, compensation of material and moral damage that was caused and recovery of costs of trial.

The Criminal Code provides for criminal liability for sexual harassment under art. 173 CC for sexual harassment, manifested by physical, verbal or nonverbal behaviour, which violates human dignity or creates an unpleasant, hostile, degrading or offensive environment in order to induce a person into sexual relations or other unwanted sexual actions committed by threat, coercion or extortion.

Sexual violence

According to the Law No. 45-XVI, sexual violence is any sexual violence or any unlawful sexual conduct within the family and other interpersonal relationships, such as marital rape, prohibition of use of contraception, sexual harassment, any unwanted, imposed sexual conduct; obligation to practice prostitution; any illegal sexual conduct in relations with a minor family member, including fondling, kissing and other touching of sexual nature, as well as other similar actions.

Acts of sexual violence, including committed in the family, are recognized as presenting a significant social danger. Therefore, these actions are covered by a number of provisions of the Criminal Code.⁴ Rape is criminalized in art. 171 CC — sexual intercourse through physical or psychical constraint of a person or taking advantage of the person's incapacity to protect herself or to express her will. Art. 172 CC establishes liability for sexual indulgence in perverse forms (other than

³ Law No. 121 of 25.05.2012 on equality : harassment — any undesired behaviour resulting in an intimidating, hostile, degrading, humiliating or offending environment, aimed or leading to damage to the dignity of a person based on criteria provided for by this law; Law No. 5 of 09.02.2006 on ensuring equal opportunities between women and men: sexual harassment — any form of physical, verbal or nonverbal behaviour of sexual nature that violates human dignity or creates an unpleasant, hostile, degrading, humiliating or insulting environment.

⁴ Criminal Code of the Republic of Moldova. Special part. Chapter IV.

rape) committed by physical or psychological coercion or by taking advantage of a person's inability to defend herself or to express her will. The Criminal Code also criminalizes sexual harassment (art. 173 CC) for intercourse other than rape, acts of vaginal, anal or oral penetration and others committed on a person under the age of 16 (art. 174 CC); perverse actions in respect of any person under the age of 16 years (art. 175 CC), including indecent touching, obscene or cynical discussions on sexual relations with the victim, the victim's determination to participate or assist in pornographic performances, for human trafficking and child trafficking for sexual exploitation (art. 165, 206 CC); determining the child to actions of fornication, pornography through the use of violence or threat of its application (art. 208-2081CC), etc. Under art. 2082 CC, the criminal law criminalizes enjoyment, against any material benefits from sexual services provided by a person about which it was known with certainty that she/he was under the age of 18.

The changes foreseen in the new draft law introduce as aggravating circumstances of the rape and sexual or violent actions committed against a family member, thus introducing amendments proposed in art. 1331 of the Criminal Code to extend the list of subjects of domestic violence in order to ensure compliance with the Istanbul Convention by expanding the definition of family member by completing it with cases of violence between: "... former spouses, persons who are or were in cohabiting relationships").

Forms of violence according to the NBS study⁵ — see annex No. 1.

Trafficking and Exploitation of Prostitution

12. To develop and strengthen the transnational cooperation and the referral mechanism in preventing and combating trafficking in human beings between the Republic of Moldova and countries of destination, the following measures were taken:

With the Russian Federation, the Republic of Moldova cooperates under the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, signed at Minsk (Belarus) on 22.01.1993 and ratified by the Republic of Moldova by Parliament Decision No. 402-XIII of 16.03.1995 and the Protocol to the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters of 28.03.1997, ratified by the Republic of Moldova by the Law No. 164-XV of 04.04.2003;

Cooperation with Turkey is conducted based on the Agreement between the Republic of Moldova and Turkey on legal assistance in civil, commercial and criminal matters of 22.05.1996 signed at Ankara and the Protocol between the Government of the Republic of Moldova and the Government of Turkey on cooperation in combating trafficking in human beings under the Agreement on combating illicit drug trafficking, international terrorism and other organized crimes of 08.02.2002, signed in Ankara;

Cooperation with Cyprus is based on:

- The European Convention on Mutual Assistance in Criminal Matters, signed at Strasbourg on April 20, 1959, ratified by the Parliament Decision No. 1332-XIII of 26.09.97;

⁵ http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violenta_fam.pdf.

- Second Protocol to the European Convention on Mutual Assistance in Criminal Matters, adopted at Strasbourg, ratified by Law No. 312 of 26.12.2006;
- United Nations Convention against Transnational Organized Crime, ratified by Law No. 15 of 17.02.2005;
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, New York, November 15, 2000, ratified by Law No. 17 of 17.02.2005;
- Protocol against the Smuggling of Migrants by Land, Sea and Air, New York, November 15, 2000 ratified by Law No. 17 of 17.02.2005.

With respect to the United Arab Emirates and other countries of destination where RM does not have a diplomatic mission, certain steps were taken to identify suitable non-governmental organizations/international organizations that could protect the interests of RM citizens, THB victims, in accordance with the National Plan on prevention and combating trafficking in human beings for 2012-2013.

Also, Republic of Moldova cooperates with the countries of destination for trafficking in human beings through the Convention of the Southeast European Law Enforcement Centre, ratified by Law No. 69 of 07.04.2011 and through the Interpol.

In order to enhance international cooperation and strengthen the transnational referral mechanism the International Conference “Good Practices in Implementing National Referral Mechanisms/Systems for Protection and Assistance of Victims of Human Trafficking” took place in Chisinau between in June 2011. The purpose of the event was to provide a platform for anti-trafficking actors in the participating countries to share experiences and approaches to combating human trafficking and assistance to victims of modern slavery. The conference was attended by representatives of public authorities and civil society of 10 countries (both countries of origin and destination for trafficking in human beings), who discussed the successes and challenges in establishing cooperation networks between public authorities and civil society, as part of the development and implementation of national referral mechanisms/systems in each country.

Actions to promote the signing of bilateral agreements and cooperation in assistance to and repatriation of victims of trafficking, unaccompanied children and migrants in need continue to be undertaken.

13. The National Referral Strategy (NRS) for the protection and assistance of victims and potential victims of human trafficking for the period 2009-2016 and the Action Plan 2009-2011 approved by Parliament Decision No. 257 of 05.12.2008 and efforts to expand the system for victims of domestic violence marks another commitment to ensure the safety and protection of women and the basic human rights.

The connection between the NRS and multidisciplinary teams ensures a comprehensive approach to each case, depending on the characteristics and specific needs of each beneficiary. To improve communication and coordination between the MLSPF and MDT's in the country, the National Coordination Unit was established with the support of the International Organization for Migration, Mission to Moldova.

On the possible liability of the victims of human trafficking, it should be noted that, according to para. 4 of art. 165 of the Criminal Code of the RM, the victim of human trafficking is exempted from liability for the crimes committed in this procedural capacity. Accordingly, victims are not made criminally liable for immigration, prostitution and other crimes committed under duress.

14. In 2012, the draft law on amending the Contravention Code was approved by Government Decision in order to establish punishment for purchase of sexual services. According to the draft law, purchase, directly or through intermediaries, of sexual services is punishable by a fine of 100 to 300 conventional units (6,000 lei), or community service work of up to 60 hours. The draft law was discussed in the Parliament and rejected.

Participation in Political and Public life and Decision-making

15. To ensure the fair participation in political and public life, as well as in decision-making, the Draft law to ensure harmonization of the national legislation with the Law No. 5-XVI and with the international standards proposed specific amendments. (See answer No. 2 for more details).

Employment

16. Equal wages for the same work

The data analysis for overall economy (agriculture, industry, construction and services) reveals that women earn on average 12.2% less than men (women's average wage in 2011 was 87.8% of the average wage for men).⁶

The “feminized” economic activities are:

- health and social work (80.7% of employees);
- education (75.4% of employees);
- hotels and restaurants (71.1% of employees);
- financial activities (67% of employees);
- Recreational, cultural and sporting activities (59.4% of employees);
- Women account for more than half of all doctors — 61.3%, there are 412.1 female and 309.6 male physicians per 100,000 inhabitants;
- Women account for 94.4% of the secondary health workers.

Considering the feminization of education and social work, areas with relatively low wages, the average wage of women is lower than men's average wages.

At the same time, the Labour Code of the Republic of Moldova, Article 128, paragraph 2, provides that “in establishing and paying the wages no discrimination based on sex, age, disability, social origin, family status, ethnicity, race or nationality, political or religious beliefs, trade union membership or activity should be admitted”.

In order to reduce occupational segregation, the Action Plan of the National Programme on Ensuring Gender Equality in the Republic of Moldova for 2010-2015

⁶ NBS statistics.

(NPEGE), includes a series of activities designed to reduce feminization or masculinization of certain areas:

- Promoting “non-traditional” professions for women and men in the labour market in order to reduce the gender-based occupational segregation;
- Encouraging women’s participation in the labour market by reducing gender discrimination, unemployment and increasing employment among women;
- Eliminating all forms of gender-based discrimination in the labour market.

In order to regulate the enrolment to professional education in accordance with the Law on amending and supplementing certain legal acts No. 178 of 11.07.2012, amendments were made to art. 40 of the Law on Education No. 547-XIII of July 21, 1995, including by supplementing this article with paragraph (11), which provides that the Government approves the plan (state order) of training of specialists financed from the state budget and contract-based education, by trades, specialties and general areas of study in secondary vocational, secondary professional, university and post-university public and private education institutions.

Concerning the actions taken to eliminate discrimination against women in the training of human resources, it should be noted that each year, under the law mentioned above, the Government approves plans for enrolment in training institutions to ensure the access of young people, including women, to quality professional education, as a right guaranteed by the Constitution, providing the standards on respect for the gender issue in the process of enrolment to education institutions.

For example, according to the Government Decision No. 404 of 13 June 2012 “On enrolment plans to secondary vocational, professional and higher education in 2012”, section 2, the Ministry of Education, Ministry of Agriculture and Food Industry, Ministry of Health, Ministry of Culture, other public authorities having higher and secondary vocational institutions under their subordination, shall be responsible for ensuring the matriculation of pupils and students to studies financed from the state budget and the quotas for matriculation to contract-based studies, approved including:

- by promoting equal opportunities for women and men, as well as non-discriminatory conditions for people with disabilities in matriculation at all levels of professional education;
- Encouraging girls and boys to enrol into education in areas which are less traditional in terms of gender.

Also, according to the draft Government Decision “On enrolment plans in 2013 to secondary vocational education and higher education institutions in 2013”, examined at the Government meeting of May 22, the line ministries are required to promote equal opportunities in the enrolment process.

At the same time, in 2013, the regional videoconference organized by the International Telecommunication Union in partnership with the Ministry of Communications and Information Technology was held on the occasion of the International Women’s Day in Information and Communications Technology Area — “Girls in ICT”. The International Women’s Day dedicated to ICT is an initiative of

the ITU in order to create a global environment that encourages women to choose careers in information and communications technology development.

17. In order to increase access to job vacancies and employment services for women in rural areas, as well as women in migrant families, women with disabilities and Roma women, the National Employment Agency has developed electronic resources which can be accessed both by citizens in the country and abroad:

- The job and CVs portal: www.angajat.md, which was launched in January 2012, allows companies to place information on vacancies and job seekers place their CV. The portal allows viewing the vacant positions and automatically matching the supply with the demand. In 2012 the portal was accessed 80,522 times by 49,748 people.
- The website of the National Employment Agency: www.anofm.md places information on employment services and information on social protection in cases of unemployment, legislative and normative acts in the field of employment, strategies, studies, plans, links and other useful information for people looking for a job. In 2012, the website of the National Employment Agency was accessed 81,218 times by 61,850 unique users.
- The National Employment Agency, via the Labour Market Call Centre provides quick information on the labour market and information related to legal migration for work and risks of illegal migration, etc., free of charge. In 2012 the Call Centre received 6703 calls, of which 11 calls from abroad and sent 69 replies via Skype and 63 replies by e-mail.
- The labour market information centre, which is also managed by the National Employment Agency, offers a wide range of information about: vacancies and conditions of employment, addresses and contact details of the employers; institutions existing on the labour market, which can be addressed by people in order to exercise their right to work, the general situation in the labour market, labour market trends, professions and trades, services provided and programs organized by regional agencies; access of people registered with local employment agencies to social protection measures, obligations and rights of the people, techniques and methods of searching for a job (job interview, preparing the CV) legal migration for work.

In order to enhance the integration of the unemployed, including women, on the labour market, the employment legislation is undergoing the process of its improvement. A draft law aims to revise the active measures on the labour market, while also providing for introduction of new measures, aimed at enhancing the activity of the unemployed on the labour market. At the same time, the project will also focus on vulnerable groups in the labour market; some categories of women being included in the category of vulnerable persons.

18. Considering the negative consequences of the long-term maternity leave, the Ministry of Labour, Social Protection and Family has developed twice draft laws to exclude the provision of the Labour Code which provides for maternity leave from 3 to 6 years. In both cases, the draft laws received the negative opinion of some public authorities, the National Confederation of Trade Unions, the National Confederation of Employers, and other representatives of the civil society, who interpret this action as directed against motherhood.

However, considering the provisions of the Recommendation No. R(96) 5 of the Committee of Ministers to member states on Reconciling work and family and the results of social studies conducted in the member states of the European Union focused on the equal sharing of gender roles in public and private life, amendment of the Labour Code was proposed, so as to include paternal leave as an alternative in the context of excluding gender based discrimination in employment and on the labour market.

In early 2012 national authorities launched a wide-ranging reform of child protection, which will end with drafting and approval of the Strategy and National Action Plan on Child and Family Protection for 2013-2010 as a policy document aimed at the development and improvement of the system of protection of families with children at risk and children in need.

One of the general objectives of the Strategy refers to reconciling family and work to ensure the harmonious growth and development of the child. This will be achieved by performing the following steps:

- stimulation of integration of women with children in professional activity;
- promotion and support for the quality involvement of both parents in raising and educating children;
- increasing of the rate of reintegration of women in labour and professional activity;
- ensuring of flexible working arrangements for parents with children of preschool age;
- development of affordable childcare services with state support and through encouragement of the private sector, etc.

Health

19. In the context of improving the reproductive health of the population and ensuring the possibilities of the citizens of the Republic of Moldova to exercise their sexual and reproductive function in safe conditions, by Decision of the Government No. 913 of August 26, 2005, the National Strategy for Reproductive Health for 2005-2015 was approved. It identifies the following areas of reproductive health relevant to the Republic of Moldova:

1. Family planning
2. Risk-free motherhood
3. Sexual and reproductive health of adolescents and young people
4. Reproductive tract infections
5. Abortion and abortion services
6. Prevention and management of infertility
7. Prevention and management of domestic violence and sexual abuse
8. Prevention of trafficking in human beings
9. Early detection and management of breast and genital cancer

10. Sexual health of the elderly

11. Sexual and reproductive health of men.

The results expected from the implementation of this strategy are:

- Support for couples and individuals in achieving the goals of reproduction;
- Prevention of unwanted pregnancies and pregnancies at high risk;
- Ensuring legal and safe abortions;
- Reduction of maternal and perinatal morbidity and mortality;
- Prevention of sexually transmitted infections and HIV/AIDS;
- Improving sexual and reproductive health of adolescents and youth;
- Active participation of men in family planning and reproductive health protection;
- Effective prevention and management of infertility;
- Protection against violence and other abusive practices related to sexuality and reproduction;
- Provision of high quality, accessible, acceptable and affordable reproductive health services to all who want to receive such services;
- Improving the quality of advice, information, education, communication on matters of sexuality and reproduction.

To achieve the basic objectives, the health-care system in Moldova has initiated and developed a number of concepts and services such as:

- Family friendly maternity concept.
- The concept of modernization of Perinatology in Moldova.
- The concept of regionalization of emergency paediatric services and intensive care.
- Republican diagnostic and monitoring service for children.
- Specialized services for transporting premature infants.
- The mechanism of cross-sectoral collaboration in the health and social area to prevent and reduce infant mortality and mortality of children aged up to 5 years at home.
- The regulatory framework on health services in schools.
- The national concept of Youth Friendly Health Services and expansion of the Youth Friendly Health Services.
- The new concept of confidential analysis of each individual case of maternal and perinatal death, as well as of each case of maternal mortality proximity.

During this period a number of quality aspects were developed and implemented, such as:

- European standards and criteria for registration of birth and newborns weighing 500 gr. and at 22 weeks gestation in the official state statistics (order

No. 455/137/131 of 10.12.2007 of the Ministry of Health, Ministry of Information Development, National Bureau of Statistics.

- Quality standards for youth-friendly health services in the Republic of Moldova (2009).
- Methodology on performing voluntary interruption of pregnancy in safe conditions (2010).
- Standards for safe abortion (2011).
- Protocols and algorithms.

In 2010, with support from the World Health Organization, the following were performed:

- Midterm review of the implementation of the National Reproductive Health Strategy 2005-2015, outlining the results and establishing future activities to improve reproductive health in Moldova. In this context, a new Action Plan for Strategy implementation on 2010-2015 was developed.
- Review of the existing legal framework on reproductive health and definition of activities to change the existing legal framework in Moldova, in accordance with European standards.

In order to promote a healthy lifestyle, a safe and secure conduct, extend the access to health services (voluntary counseling and testing, early detection, treatment, care and support), the National Program for Prevention and Control of HIV/AIDS and STIs for 2011-2015 was developed and approved by Government Decision No. 1143 of 16.12.2010.

20. Rural women and other Disadvantaged Groups of Women

Rural women

The programme “Women’s economic empowerment through increasing employability in the Republic of Moldova” (2010-2013) jointly implemented by MLSPF and Ministry of Economy in partnership with UN-Women and with the financial support of the Government of Sweden targets women in rural and suburban areas of the Republic of Moldova to be informed, empowered and able to better benefit of their social and economic rights. The initiatives at local level were initially piloted in 4 regions since 2010 (Sângerei, Nisporeni, Telenești, Cantemir), the process being later replicated in other 10 district centres. (See annex No. 3 on beneficiaries of services provided by Joint Information and Services Offices).

The innovative approach is ensured by Joint Information and Services Bureau’s (JISBs) that bring together the service providers from both public and private sectors as well as civil society to offer services in a coordinated manner in areas of employment, social protection, establishment and financing of small and medium enterprises. This is designed to be a strategic mechanism for economic empowerment of women at local level. Up to 28 regions of the country will be covered with activities until the end of the planned period.

Women with disabilities

As a United Nations member-state that has ratified the UN Convention on the Rights of People with Disabilities (CRPD) in 2010, our country attaches particular importance to achieving better standards towards the inclusion, ensuring equal rights and quality of life of persons with disabilities. This priority is enunciated in relevant national programmatic documents (Activity Program of the Government for 2011-2014, the National Human Rights Action Plan for 2011-2014, the Strategy for Social Inclusion of people with disabilities for 2010-2013 etc.) in order to enforce, inter alia, the provisions of the above-mentioned Convention.

The National Strategy of Social Inclusion of Persons with Disabilities (2010-2013) consists of basic provisions preventing, diminishing and excluding the risks liable to generate marginalization of people with disabilities and their families. It also includes an Action Plan to guide timely and targeted implementation. A new Law on Social Inclusion of persons with disabilities is expected to enter into force shortly, after being adopted on 30 March 2012. Meanwhile, resources have been also allocated for the assessment of Law nr. 821, of 24 December 1991, which has been regulating policies in the field of disability for approximately 20 years. To this end, the Government has launched a full-fledged reform that reflects a new vision of treatment of persons with disabilities, as set out under the Convention.

Being a small country with limited resources, but strong desire to respond to current challenges and to ensure justice, democracy and well-being for all its citizens, the authorities apply a multidimensional approach to actions undertaken in the field of disability. A particular example that has proven significant results is the cooperation between the Ministry of Labour, Social Protection and Family and Keystone Human Services International Moldova Association in implementing the “Community for All Moldova Program” during 2009-2012.

For additional information on the implementation of actions for persons with disabilities, including women, the Initial Report on the implementation of CRPD-submitted in accordance with art. 35 of the Convention is attached.

Roma women — see response No. 1

Annex 1

“Violence against Women in Family”⁷. According to this study, the total prevalence rate of violence by husband/partner (psychological, physical or sexual) at the age of 15 years is 63 percent, and the prevalence of violence by the husband/partner in the last 12 months is about 27%.

The most vulnerable are rural women, women with low education level, unemployed women or those engaged in agricultural self-employment activities. The lifetime prevalence rate of cumulative experience of violence (psychological, physical and sexual) is 12.3%. The highest rates of prevalence of multiple forms of violence during the lifetime were reported by rural women, elderly women and separated or divorced women.

According to the same study, women from rural areas are subjected to a higher risk of occurrence of all forms of violence both in their lifetime and in the last 12 months. This can be conditioned by a number of factors, including the economic dependence of women from rural areas on their husbands/partners, lack of sufficient support mechanisms, including family and community networks and of shelter centres, psychological counseling, legal services⁴⁴ and a stronger adherence to traditional gender roles. All these factors place women in a subordinate position to the husband, who in turn use this to exert power and control, including by use of violence.

An argument for higher rates of prevalence of violence among rural women is also the lower economic status and, respectively, a higher dependence on spouse/partner as a result of the recent economic crisis in Moldova, which seems to have affected the rural communities more, resulting in higher rates of unemployment and financial difficulties.⁸

Sexual violence

According to the study, about 19% of women have been at least once victims of sexual violence from the husband/partner during their life, and about 4% in the last 12 months. As with physical violence, rural women reported more cases of sexual violence in their lifetime (19.2%) than urban women (17.8%). The likelihood of occurrence of sexual violence increases with age, the highest prevalence rates of sexual violence being recorded in women aged 35 to 59 years. The prevalence of psychological violence committed by spouse/partner Approximately 60 percent of women reported psychological abuse during their lifetime, and a quarter of surveyed women said they had suffered such violence in the past 12 months. As with total violence, psychological violence is more common among women in rural areas. But there are differences between the prevalence of psychological violence in their lifetime and in the last 12 months between age groups. The highest rates of violence in their lifetime were recorded for people over 45 years and for prevalence of violence during the last 12 months; the highest rates were reported by people aged between 15-34 years. These findings can be explained by the fact that, as the woman gets older, it is less likely that she has had a partner in the last 12 months.

⁷ http://www.statistica.md/public/files/publicatii_electronice/Violenta/Raport_violenta_fam.pdf.

⁸ Domestic Violence against Women. NBS, 2011.

Psychological violence

In order to maintain power and control over their wives/partners, men most often resort to insults, intimidation and terror, exercising psychological pressure against women. The survey reveals that various forms of psychological violence are individual features related to subjective characteristics of the partner, the relationship dynamics and, not least, the perception of women about what is an insult, intimidation, humiliation or verbal threat.

The victims of psychological violence often confirm that such conduct by their husbands/partners is accepted by society, deeply rooted from generation to generation, serving as a means of control over women.

Another type of psychological violence experienced by some women is social control by the spouse/partner. This violence is most often expressed by the husband's/partner's conduct of control aimed to socially isolate the woman. Thus, according to the survey almost every second woman reported cases of control by the husband/partner during their lifetime, and every third woman reported this type of violence in the last 12 months.

Economic violence

Every tenth woman said that at least once in life she had suffered from economic violence, and in the last 12 months the prevalence of such violence is 4%. There are no significant differences between women in rural and urban areas, similar prevalence rates being recorded for both lifetime and for the last 12 months.

The most vulnerable women who have been subjected to economic violence, according to the survey, are the unemployed women and women employed on payroll. While it can be explained for women who are unemployed, as they are entirely dependent on spouses/partners, then for the employed women the likelihood of economic violence is influenced by factors such as income gap, occupational status of husbands/partners, social status etc. All these give the woman an unequal status despite her economic independence.

Every third divorced/separated woman has been exposed to economic violence throughout her life. This confirms that the divorce/separation is a factor contributing to economic violence or the persistence of economic violence can be the deciding factor in the decision to divorce/separate themselves.

Sexual Violence

According to the survey, about 19% of women said they had been subjected to sexual violence at least once in their lifetime and 4% in the last 12 months.

As with physical violence, the prevalence of sexual violence both in lifetime and in the last 12 months is higher in rural areas. The most numerous cases of sexual violence were reported by women aged between 35 and 59 years. This prevalence is lower among younger women and women. By the woman's marital status it is visible that divorced or separated women are the most often abused by husband/partner in their lifetime compared to married women and widows. Perhaps this is because they are more open in reporting violent incidents by their husbands/partners. Each fifth woman with secondary and specialized secondary education has been affected by sexual violence, while the least affected were women with higher

education. This shows that a higher level of education implies a higher level of information regarding the prevention of sexual violence.

The women victims of sexual violence most often said they had been forced to have sex against their will, some were forced to have sexual relations with degrading and humiliating elements, and others were in a position to have sex by fear or constraint by her husband or partner. However, these findings must be considered with caution, taking into account the reliability of the data, for two reasons: the level of frankness of women in the disclosure of such experiences, as well as their subjective perception of what constitutes an act of sexual violence. According to disclosures of women who reportedly have been subjected to various forms of sexual abuse, these episodes were repeated several times. This confirms once again that such conduct is deeply rooted and is a consequence of individual and social norms of aggressive men and, to some extent, justify such violence.

In addressing the issue of sexual violence, it becomes imperative to understand the role of factors related not only to the socioeconomic status of women victims and aggressors, but also related to the broader sociocultural context that contributes to the persistence of sexual violence, including traditional gender roles, prevalent forms of masculinity, fear and shame to speak about such experiences among women, etc. Thus, addressing sexual violence and its impact on women's health requires some delicate actions, but consistent at all levels: individual, social and institutional.

Annex 2

Statistical information on domestic violence for the period 2008-3 months 2013

Basic indicators			2008	2009	2010	2011	2012	3 months 2013
Complaints examined by employees of the sector officers service	Total		28 236	30 142	30 592	21 320	22 109	4 948
	On domestic violence issues		2 992	2 862	2 765	2 269	1 950	481
Register II							6 569	2 050
Including self-apprehension by operative officers							417	168
Issued protocols of offences	Total		248 553	151 690	94 471	82 238	114 741	25 467
	art. 78 (light intentional damage) Code of Offences	Total	21 404	18 993	19 382	16 975	19 082	3 784
		In the family	1 476	1 712	2 135	2 539	3 228	678
Total domestic offences			63	46	123	491	816	293
Serious crimes against life and health registered by internal affairs bodies	Homicide (art. 145 Criminal Code)	Total	185	189	211	196	193	52
		In the family	30	17	31	22	16	3
	Serious bodily injury (art. 151 Criminal Code)	Total	358	354	394	373	301	64
		In the family	33	29	29	11	11	2
	Domestic violence (art. 2011)	Total			63	458	789	281
		Serious			5	34	40	24
		Suicide					5	1
		Against members						31
		Average			11	75	96	33
		Light			47	349	648	192
Protection of victims of domestic violence	Monitoring of protection orders					23	408	130
	– based on the action of the SO						289	93
	– based on the action of the prosecutor						63	15
	– based on the action of the CIO						4	1
	– based on the action of the soc. assist.						3	1
	– based on the victim's complaint						48	20
	Supervised victims							
	– women						224	86
	– children						5	2
	– women and children						165	34
	– men						14	8
	Violated protection orders							
	Total sanctioned						89	17
	– including contravention						79	15
	– including criminal						10	2
	Lawsuits				7	231	397	112
	– repeated						10	3

<i>Basic indicators</i>		<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>3 months 2013</i>
	– rejected					26	19
	Joint interventions within multidisciplinary teams			53	207	147	43
	Domestic violence cases referred to other authorities					145	9
	Cases referred to guardianship authorities (in cases of children victims of domestic violence)					13	3
Persons monitored as family brawlers		4 681	4 745	4 569	4 859	4 822	4 520
– men						4 447	4 267
– women						375	253
– monitored						1 887	422
– deleted from the database						1 891	581
Victims	Total					703	
	– women					673	244
	– of them children					14	
	– men					143	49
	– children					10	
Popularization	Courses					71	2
	Media					50	22
	Lessons in learning institutions					2 434	548
	Meetings with citizens					4 617	784
	Meetings with young students						223

Annex 3

As of 01.01.2013 the Joint Information and Services Offices provided services to

<i>Service provider</i>	<i>Total beneficiaries</i>	<i>%</i>	<i>F</i>	<i>%</i>	<i>M</i>	<i>%</i>	<i>Rural</i>	<i>%</i>	<i>Urb</i>	<i>%</i>
Divisions/sections of Social Assistance and Family Protection	1 584	29%	1 137	72%	447	28%	1 394	88%	190	12%
Regional NSIC offices	545	10%	330	61%	215	39%	453		92	17%
Agriculture and Food Departments	393	7%	134	34%	259	66%	323		70	18%
Rural Extension Services /National Rural Development Agency (ACSA)	445	8%	186	42%	259	58%	372		73	16%
Regional employment offices	839	15%	595	71%	244	29%	650		189	23%
Economy Unit	430	8%	204	47%	226	53%	325		105	24%
Regional offices of the Labour Inspection	528	10%	251	48%	277	52%	359		169	32%
Land Relations and Cadastre Service	310	6%	185	60%	125	40%	274		36	12%
Trade and Industry Chamber	241	4%	125	52%	116	48%	200		41	17%
Legal counsellor	36	1%	32	89%	4	11%	33		3	8%
Interbank Guarantee Society "Garantinvest"	4	0%	3	75%	1	25%	3		1	25%
Resource and Investment Centre	32	1%	24	75%	8	25%	26		0	0%
Tax Inspectorate	35	1%	6	17%	2	6%	33		0	0%
Total	5 422	100%	3 235	60%	2 187	40%	4 445		977	18