



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the combined second and third periodic reports of the Republic of Moldova*

A. Purpose and general obligations (arts. 1–4)

1. Please provide information on:

(a) Progress achieved and mechanisms to address challenges in implementing the State Party's general obligations under the Convention and the Committee's previous concluding observations and recommendations;

(b) The mechanisms used to apply the definition of disability in Act No. 60/2012 on the social inclusion of persons with disabilities, the standards and professionals involved in the diagnosis and classification process and the mechanisms used to measure and identify the role and impact of the physical and attitudinal barriers on persons with disabilities;

(c) Measures taken to ensure that the State Party's districts, municipalities, autonomous regions and Transnistria are compliant with the Convention, including coordination mechanisms for such purpose;

(d) Mechanisms to mainstream disability into all policies and programmes of the State Party and to ensure the participation of persons with disabilities, through their representative organizations, in the design and monitoring of the programme in the field of human rights for the period 2024–2027 and the programme in the field of social inclusion of persons with disabilities for the period 2024–2028.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

2. Please provide the Committee with updated information on:

(a) The implementation and results of the Act on Ensuring Equality No. 121/2012 and its 2023 amendments, including statistics and concrete examples on how it has eliminated or reduced discriminatory practices;

(b) Mechanisms and procedures in place to enforce sanctions and remedies for the denial of reasonable accommodation;

(c) The role and performance of the Equality Council, the number of claims received about discrimination on the basis of disability, including intersecting and multiple forms of discrimination, the number of cases adjudicated, the remedies provided to victims and the rates of implementation of recommendations, as well as the steps taken to consider providing the Council with the authority to submit complaints to the Constitutional Court, to

* Adopted by the pre-sessional working group at its twentieth session (24–28 March 2025).



be informed about discrimination cases considered by judges and to submit *amicus curiae* briefs on such cases;

(d) Policies in place for the implementation of the duty to accommodate and accountability mechanisms for cases of non-compliance.

Women with disabilities (art. 6)

3. Please provide information on measures taken:

(a) To review and amend Act No. 45 of 1 March 2007 on preventing and combating violence against women and domestic violence in order to include provisions ensuring robust protection for women and girls with disabilities from domestic violence;

(b) To collect disaggregated data about women and girls with disabilities who are survivors of domestic violence in accordance with article 15 (2) of Act No. 45 of 1 March 2007;

(c) To prevent and investigate gender-based violence against women and girls with disabilities, in both family and institutional settings and in urban and rural areas, and to ensure that women's shelters and services for victim-survivors of gender-based violence are disability-inclusive;

(d) To mainstream gender and disability into all of the State Party's policies and programmes and to address intersecting and multiple forms of discrimination against women and girls with disabilities;

(e) To increase the participation and representation of women with disabilities in decision-making positions in all areas of political and public life, private enterprises and small and medium-sized businesses.

Children with disabilities (art. 7)

4. Please provide information on measures taken:

(a) To implement Act No. 370 of 2023 regarding the rights of the child, in particular the provisions set forth in article 13, on the rights of children with disabilities;

(b) To address the requirements of children with disabilities, parents of children with disabilities and intersectoral collaboration mechanisms in the social, healthcare and educational domains to ensure access to social entitlements and services, including education, health and habitation and rehabilitation for children with disabilities;

(c) To ensure respect for the right of children with disabilities to family life, including measures to provide support for children with disabilities in foster families and to ensure access to early intervention and other inclusive services;

(d) To protect children with disabilities from early marriage and to abolish the exception set forth in article 14 (2) of the Family Code, which allows for the granting of authorization for the marriage of children aged between 16 and 18 years. Please also provide the data available on child marriage authorized under that provision.

Awareness-raising (art. 8)

5. Please provide information on:

(a) Activities to educate persons with disabilities, their representative organizations and society in general about the use and importance of the Optional Protocol to the Convention on the Rights of Persons with Disabilities, which the State Party ratified in 2022;

(b) The participation of persons with disabilities, through their representative organizations, in the development, implementation and monitoring of awareness-raising strategies and campaigns addressing stigma and discrimination against them, as well as progress in their implementation and indicators for success;

(c) The provision of financial and technical support for organizations of persons with disabilities to implement general and thematic awareness-raising and advocacy campaigns about the Convention and disability priorities as identified by them.

Accessibility (art. 9)

6. Please provide the Committee with updated information on:

(a) The implementation and results of Act No. 60/2012 on the social inclusion of persons with disabilities and how its definitions of universal design and reasonable accommodation are aligned with the Convention;

(b) The legal and institutional framework to ensure compliance with reasonable accommodation and accessibility across all jurisdictions and branches of government, in public services, in public information and in the private sector, including accountability mechanisms for non-compliance, as well as disaggregated data on complaints and sanctions;

(c) The implementation of the Technical Questionnaire for Assessing the Accessibility of Infrastructure for Persons with Disabilities (Order of the Ministry of Infrastructure and Regional Development No. 64/2022) and how it aligns with the Convention, including disaggregated data on current compliance with accessibility in public and private facilities;

(d) The implementation of the recommendations of the Equality Council on accessibility, including data on outstanding issues and authorities that have failed to comply them;

(e) The legal and institutional framework in the State Party to ensure accessibility in procurement and in access to information;

(f) The measures taken to enhance accessibility in public transportation, as well as data disaggregated by category of transportation and accessibility type.

Situations of risk and humanitarian emergencies (art. 11)

7. Please provide the Committee with updated information on:

(a) Actions implemented to ensure that all information related to international and/or temporary protection, the refugee status determination procedure and the principle of non-refoulement is accessible for persons with all types of disabilities, including at border crossing points;

(b) Foreign persons with disabilities, including Ukrainian nationals, who have requested and obtained international and/or temporary protection, providing also data disaggregated by type of protection received, gender, age, nationality and disability, as well as information on measures to ensure that persons with disabilities who have received protection can access the social entitlements attached to temporary protection status;

(c) Domestic procedures for preventing, identifying and determining statelessness and how they mainstream disability and the results of the policy of the Ministry of Labour and Social Protection to assist displaced persons in finding employment, providing also statistics on displaced and statelessness persons with disabilities, disaggregated by gender, age, nationality and disability;

(d) Measures to ensure that persons with disabilities engage in the development, implementation and monitoring of policies and action plans to address situations of risk and humanitarian emergencies, that shelters and similar facilities are accessible for persons with all types of disabilities and that emergency-related materials provide guidance and measures for the protection and safety of persons with disabilities;

(e) Existing policies on ensuring access to comprehensive legal aid, housing, health services and education for persons with disabilities in need of international and/or temporary protection, statelessness persons with disabilities and displaced persons with disabilities.

Equal recognition before the law (art. 12)

8. Please provide the Committee with updated information on:

(a) How the 2017 amendments to the Civil Code (No. 1107/2002), Code of Civil Procedure (No. 225/2003), Family Code (No. 1316/2000), Execution Code (No. 443/2004) and Act on Mental Health (No. 1402/1997) align with the Convention regarding legal capacity and supported decision-making, and provide data disaggregated by the age and sex of persons with disabilities who have had their legal capacity restored as result of such amendments;

(b) The assessment of the “contractual” and “extrajudicial” measures and protection measures set forth in the State Party’s Civil Code, including the “assistance contract”, the “future protection mandate” and the “trusted person” mechanisms, in the light of the principles and articles of the Convention;

(c) Outreach to ensure that persons with disabilities who have been deprived of legal capacity, including those who have been institutionalized and those in public hospitals and psychiatric institutions, as well as those in residential, private care and long-term care institutions, have access to legal aid and assistance to benefit from legal amendments restoring their legal capacity;

(d) The mechanisms available across jurisdictions in the State Party to ensure that all persons with disabilities, including persons with intellectual and/or psychosocial disabilities, can exercise their legal capacity on the basis of individualized supported decision-making in all areas of life;

(e) Measures to discontinue all de facto and de jure declarations of guardianship concerning persons with disabilities, review cases of guardianship and restore full legal capacity to persons with disabilities.

Access to justice (art. 13)

9. Please provide information on measures taken in the State Party’s districts, municipalities and autonomous regions and in Transnistria:

(a) To provide procedural and age-appropriate accommodation for persons with disabilities in legal proceedings, including in relation to the provision of sign language interpretation in courts, as well as accessibility in judicial and prosecutorial facilities and on justice-related official websites;

(b) To implement the plan for the construction of new buildings and/or renovation of existing buildings of the court system, approved by Parliament Decision No. 21/2017, specifying the facilities of the justice system that fully comply with its provisions;

(c) To implement the quality standards on the activity of lawyers issued by the National Legal Aid Council, providing disaggregated statistics on how many persons with disabilities have had access to legal aid as result of them.

Liberty and security of person (art. 14)

10. Please provide information on:

(a) Amendments to the State Party’s domestic legal framework, including the Act on Mental Health, to prevent persons with disabilities from being deprived of liberty unlawfully, arbitrarily and/or on the basis of impairment, as well as measures to prevent and revoke cases of indefinite detention in outpatient community treatment or mental health facilities;

(b) Persons with disabilities deprived of liberty in public facilities, including prisons, the Centre for Temporary Detention of Foreigners, public hospitals and psychiatric institutions, as well as in residential, private care and long-term care institutions, providing also statistics disaggregated by sex, age and nationality;

(c) Steps taken to ensure that all places of detention are disability-inclusive;

(d) Existing supported decision-making mechanisms to ensure that persons with disabilities are not coerced into hospitalization or institutionalization, and accountability mechanisms to investigate such cases;

(e) The performance of the Community Mental Health Centre, including disaggregated data on how many “trustees” it has appointed since its creation, and in how many cases the “trustee” mechanism has led to the hospitalization and institutionalization of persons with disabilities;

(f) Persons with disabilities deprived of liberty on the basis of “mental disorders” and “coercive medical measures” under the State Party’s Penal Code, as well as cases of coerced treatment, hospitalization and institutionalization of persons with disabilities by means of the “trusted representative”, “trusted person”, “authorized or supported person” mechanisms and permanent or temporary guardianship, providing also statistics disaggregated by sex, age, disability and nationality;

(g) Measures to ensure procedural guarantees for persons with disabilities to stand trial and to ensure that persons with intellectual and/or psychosocial disabilities accused of an offence have a fair trial and due process on an equal basis with others.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

11. Please provide information on:

(a) How the National Mechanism for the Prevention of Torture is inclusive and accessible and if its mandate includes the authority to visit facilities from the mental health system where persons with disabilities are deprived of liberty;

(b) The number of visits conducted by the National Mechanism for the Prevention of Torture to places where persons with disabilities are deprived of liberty, its main findings and recommendations, and mechanisms to ensure compliance with its recommendations;

(c) How the legal and institutional framework to prevent, report and investigate cases of torture, inhuman or degrading treatment mainstreams disability and how reporting mechanisms are accessible for all disabilities;

(d) Steps taken to abolish the use of restraints, both physical and chemical, and of isolation and other non-consensual practices on persons with intellectual and/or psychosocial disabilities, in particular those who are in psychiatric hospitals and other institutions.

Freedom from exploitation, violence and abuse (art. 16)

12. Please provide information on:

(a) Government programmes to prevent gender-based violence against women and girls with disabilities, ensure that shelters are accessible and provide women, including young women with disabilities, with tools that enable them to leave abusive relationships, including within the family;

(b) Measures taken to ensure the protection of persons with disabilities, including women, children and older persons with disabilities, from exploitation, violence and abuse, including all forms of domestic and institutional violence;

(c) The establishment of protocols for the early detection of violence, in particular in institutional settings, for the provision of procedural accommodations for gathering testimony from victims and for the prosecution of those responsible for violent offences and procedures to provide redress for persons with disabilities victims of violence.

Protecting the integrity of the person (art. 17)

13. Please indicate measures taken:

(a) To provide information on informed consent and medical intervention procedures in accessible formats for persons with disabilities;

(b) To collect data about persons with disabilities who have been subjected to forced sterilization, in particular women and girls with disabilities in residential care centres;

(c) To prevent involuntary abortion for women with disabilities and provide comprehensive access to sexual and reproductive education for persons with disabilities, in particular for women and girls with disabilities.

Liberty of movement and nationality (art. 18)

14. Please provide information about measures taken:

(a) To ensure that persons with disabilities from minorities, in particular Roma persons with disabilities, are fully protected against discrimination and have equal access to public and social services;

(b) To facilitate access to services, including healthcare and rehabilitation services, for persons with disabilities who are migrants, asylum-seekers or refugees.

Living independently and being included in the community (art. 19)

15. Please provide information on:

(a) Plans, if any, to review and amend Act No. 60/2012 on the social inclusion of persons with disabilities to adopt clear legal provisions allowing the enforcement of article 19 of the Convention;

(b) Steps taken to complete the State Party's deinstitutionalization programme and the time frame thereof, as well as policies in place to eliminate all spaces and settings that imply institutionalization, perpetuate the segregation of persons with disabilities and hinder their independent living in the community, such as small group homes;

(c) Inclusive community services, including foster care services, and users with disabilities, providing also data disaggregated by gender, disability, age and geographical distribution.

Personal mobility (art. 20)

16. Please provide information on:

(a) Plans, if any, to amend article 49 of Act No. 60/2012 on the social inclusion of persons with disabilities to expand the transportation compensation for all persons with disabilities and not only for "persons with severe disabilities and children with disabilities";

(b) Measures in place to implement article 51 of Act No. 60/2012 on the social inclusion of persons with disabilities regarding technical aid for persons with disabilities "free of charge or with partial payment" and the mechanisms used to identify those who are eligible for full exemption and partial payment;

(c) Steps taken to improve the accessibility of public transportation, including between and within municipalities and districts.

Freedom of expression and opinion, and access to information (art. 21)

17. Please provide information on:

(a) Standards adopted to ensure that websites are accessible for persons with disabilities and the operative mechanisms to enforce them;

(b) The number of sign interpreters, disaggregated by sector, institution in which they provide interpretation and geographical distribution;

(c) The availability of information in easy-to-read format for persons with intellectual and/or psychosocial disabilities, as well as the methods used to communicate with and ensure access to information for deafblind persons.

Respect for privacy (art. 22)

18. Please provide information on measures taken:

(a) To protect the personal and medical data of persons with disabilities in the procedures conducted by the National Council for the Determination of Disability and Capacity for Work, as well as information on the procedure to determine and “classify” disabilities;

(b) To protect the privacy and personal data of persons with disabilities in the implementation of the “contractual” and “extrajudicial” measures and protection measures set forth in the State Party’s Civil Code.

Respect for home and the family (art. 23)

19. Please provide information on:

(a) The steps taken to amend the Family Code No. 1316 of 26 October 2000 to guarantee the right of persons with disabilities to marriage and parenthood;

(b) The accessibility, availability and affordability of maternity, sexual health and family planning services for persons with disabilities.

Education (art. 24)

20. Please provide information on:

(a) Children with disabilities enrolled in mainstream schools, providing also data disaggregated by gender, disability and geographical distribution;

(b) Steps taken to increase the enrolment of children with disabilities, in particular children with intellectual and/or psychosocial disabilities, in mainstream public schools;

(c) Procedures to identify the individual requirements for students with disabilities at school and in classrooms, and mechanisms adopted to secure those requirements;

(d) Plans, if any, to shift all special education settings and special schools for blind and deaf children to inclusive settings;

(e) Deafblind students enrolled in school, and the numbers thereof, including existing accommodations policies and the number of teachers trained to communicate and interact with them;

(f) Policies on accessibility in universities, including access to information and curriculum.

Health (art. 25)

21. Please provide information on:

(a) Health insurance for persons with disabilities and the scope of coverage, including rehabilitation services and psychological and neurological treatment and therapy;

(b) Steps taken to make public hospitals, health centres and health information accessible for persons with disabilities, including in rural areas;

(c) Access to health services, including sexual and reproductive health, for persons with disabilities, including Roma persons with disabilities.

Habilitation and rehabilitation (art. 26)

22. Please provide information on:

(a) Available rehabilitation services in rural areas for persons with disabilities and steps taken to enhance access to those services for women and girls with disabilities;

(b) Procedures to evaluate habilitation and rehabilitation programmes and services to ensure that they allow persons with disabilities to achieve and maintain maximum independence and full inclusion and participation in all aspects of life.

Work and employment (art. 27)

23. Please provide information on:

(a) Plans to review and amend article 4.2 of Act No. 60/2012 on the social inclusion of persons with disabilities, which gives the National Council for Disability and Work Ability Assessment the authority to identify on a medical basis “the capacity to work” of persons with disabilities and a recommendation on the type of work the person may perform;

(b) Steps taken to deploy multidisciplinary and non-medical mechanisms to assess the individual requirements of jobseekers and employers with disabilities, including measures to ensure reasonable accommodation in the workplace;

(c) Training for labour inspectors to scrutinize compliance with reasonable accommodation in the workplace and to document any violations, as well as statistics on cases of denial of reasonable accommodation, investigations opened into these cases and outcomes;

(d) The mechanisms in place to enforce the employment quota stipulated in article 4 (4) of Act No. 60/2012 on the social inclusion of persons with disabilities.

Adequate standard of living and social protection (art. 28)

24. Please inform the Committee about:

(a) Measures adopted to implement articles 52 and 53 of Act No. 60/2012 on the social inclusion of persons with disabilities regarding social protection and social assistance, including information on the establishment of multidisciplinary teams and the tools used to assess eligibility for and access to social entitlements;

(b) The procedure to determine the social allowance for persons with disabilities, and how it takes into consideration individual needs;

(c) Plans to expand social protection benefits, including the social State allowance, disability exemptions and payments for all persons with disabilities based on their individual needs and requirements regardless of their “degree of disability”;

(d) Measures taken to address poverty among persons with disabilities and to ensure that persons with disabilities, in particular those in rural areas and Roma persons with disabilities, have full access to social services.

Participation in political and public life (art. 29)

25. Please inform the Committee about:

(a) Reasonable accommodation and accessibility measures in and geographical distribution of accessible polling stations and polling booths for persons with disabilities, providing disaggregated data thereon;

(b) Steps taken to promote the participation of persons with disabilities in political parties, in particular women with disabilities and persons with disabilities from minority groups;

(c) Measures to enhance the participation of persons with disabilities in national and local elections as voters and candidates, providing disaggregated data on candidates with disabilities in the past five national and local elections, both presidential and parliamentary;

(d) Financial, institutional and technical support provided for organizations of persons with disabilities for their effective engagement in decision-making processes.

Participation in cultural life, recreation, leisure and sport (art. 30)

26. Please provide information on measures taken:

(a) To improve the accessibility of sports facilities, museums, cultural and natural heritage sites and any other place relevant to the cultural life of persons with disabilities;

- (b) To implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled;
- (c) To promote the creation of culture and art among persons with disabilities.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

27. Please provide updated information on measures taken:

- (a) To systematize the collection and analysis of data on the rights of persons with disabilities, including the collection of information disaggregated by sex, age, ethnicity, type of impairment and other relevant information for the development of public policies;
- (b) To make the public thematic census, assessments and surveys inclusive through the incorporation of the Washington Group short set of questions on functioning.

International cooperation (art. 32)

28. Please provide information on measures taken by the State Party to ensure that persons with disabilities, through their representative organizations, are actively involved in the development of its international development programmes, and that they are inclusive and accessible to all persons with disabilities, as well as on measures to ensure their involvement in the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals at the national level.

National implementation and monitoring (art. 33)

29. Please provide information on:

- (a) The funding and resourcing of the Office of the People's Advocate to conduct its role as the independent supervisory mechanism, in accordance with article 33 (2) of the Convention;
 - (b) The establishment of disability focal points in counties and municipalities, as well as coordination and cooperation mechanisms, and the budget allocated to the implementation of the Convention across all jurisdictions and branches of government, including in Transnistria;
 - (c) Measures taken to ensure the full and effective participation of persons with disabilities, through their representative organizations, in the implementation and monitoring of the Convention.
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