



**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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Summary record of the 478th meeting

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Chairperson: Ms. González

later: Ms. Schöpp-Schilling (Vice-Chairperson)

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The meeting was called to order at 11.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of Moldova (CEDAW/C/MDA/1)

1. *At the invitation of the Chairperson, the delegation of Moldova took a place at the Committee table.*

2. **Ms. Apostol** (Moldova), introducing the initial report of Moldova (CEDAW/C/MDA/1), said that, in recent years her country had experienced considerable economic, political and social changes in moving towards the establishment of a democratic society. Those changes had had many positive effects, particularly with respect to ensuring equal rights for women. Although the legislation in force recognized the principle of equality between men and women in all areas of activity, there were no adequate laws in place to ensure the establishment of mechanisms to follow up and monitor changes and improvements in the status of women. New codes, including in the areas of labour and the family, designed specifically to address those shortcomings, had already been adopted by the Parliament in first reading.

3. In that connection, the club of women parliamentarians, along with State and non-governmental organizations, contributed to efforts to bring those drafts into line with the provisions of the Convention. Unfortunately, however, the unstable political and economic situation in her country had hindered the timely adoption of measures provided for by the Beijing Platform for Action. In order to move the process forward, the Government adopted, through Decree No. 39, a priority plan of action designed to improve the status of women and their role in society. Its goals included the development of an institutional coordinating mechanism for monitoring the status of women in society, protecting women's health and preventing violence against women.

4. Women's non-governmental organizations increasingly cooperated with State entities in the efforts to draft and implement programmes to promote women's rights, improve their living conditions and promote their involvement in society. There were currently 38 women's non-governmental organizations at the national level, and 83 at the local level. Moldova had received help from several international

organizations, including United Nations agencies, in its efforts to promote equality of opportunities between men and women. In March 1997, the Department of Social Policies and Equal Opportunities had been created within the Ministry of Labour, Social Protection and Family, whose main task was to draft and promote family policies and improve the status of women.

5. In 1999, a consultative commission had been established within the office of the President to deal with the specific needs of women and families. Its purpose was to keep the President informed about the problems of women in society at large and to coordinate efforts to address them. The same year, a committee on women's issues was set up within the Government to draft strategic and organizational provisions for putting into effect State policies on the advancement of women. Gender focal points had been designated within ministry departments, public entities, the Council of the General Federation of Trade Unions and the Council of the National Confederation of Employers to monitor and coordinate the application of the principle of equal opportunities. Local commissions on women's issues had also been established at the district and municipal levels.

6. Although some progress had been made in that area, full gender equality had not yet been achieved. Unfortunately, the holistic approach to gender equality was affected by the difficulties of building a modern market economy in Moldova. The goals of increasing production and promoting economic reforms had been achieved only partially. The few glimmers of hope such as the rise in the consumer price indices as well as increases in monthly average worker salaries had been offset by high unemployment and widespread poverty, which had hampered entrepreneurship and led to massive emigration, particularly of women, to other parts of the world. That, in turn, had dramatically increased incidents of trafficking in human beings. To combat that scourge, the Government had set up a permanent working group composed of representatives from various ministries, members of Parliament and non-governmental organizations to carry out an awareness-raising campaign. It had also enlisted the help of international law enforcement agencies, such as Interpol, to monitor the placement of foreign workers.

7. The Government had also begun to conduct special surprise raids to identify pimps and prostitutes. Two new articles concerning forced prostitution and

procurement had been added to the Penal Code. Currently, a bill was being drafted on the fight against trafficking in human beings and the exploitation of prostitutes. What was important in that regard was the involvement of and partnership with non-governmental organizations. A series of activities had been organized in 1999 to combat that scourge, including a seminar on the phenomenon of trafficking in human beings within the framework of national and international legislation, organized by the Moldova office of the United Nations Development Programme in collaboration with the Centre for Human Rights of Moldova and the Moldova National Council of Women. Another seminar on trafficking in human beings and forced prostitution had been organized by the Ministry of Labour and Social Protection and the Family with the assistance of the Council of Europe. Reality had demonstrated that social policies designed to combat human trafficking networks needed to be coordinated nationally and internationally.

8. As far as politics was concerned, although by law women and men could participate equally in political life, genuine equality had not been achieved. While women actively participated in politics at many levels, they were often not promoted to decision-making positions and, therefore, did not have much influence in shaping the policies or laws of the parties in general, and of the State in particular. Unfortunately, the amendment to article 7 of the act on political parties and other social and political organizations designed to ensure equality had not been underpinned by other policies to ensure its enforcement.

9. At the local level, however, policies were in place to promote women's issues and equality. Some progress had also been made with respect to promoting women to senior positions within the Government: a Deputy Prime Minister, a minister, five deputy ministers, two directors of departments and one deputy director were women. There were also five women in Moldova's diplomatic missions and a woman serving as a prefect.

10. As far as access to education was concerned, during the 1998-1999 school year, women had accounted for 55 per cent of students enrolled in higher education institutions and 58 per cent of those at the high school level. The Ministry of Education and Science had introduced curricula to fight stereotypes at all educational levels. Women's roles depended, to a large extent, on the country's economic situation.

Serious efforts were being made to improve Moldova's unstable economic environment. Economic rights were guaranteed by various policies. For example, article 140 of the Penal Code covered criminal liability for refusal to hire women or the dismissal of pregnant or nursing women. No discrimination was allowed in the setting of wages, which depended on the financial prospects of the employer rather than on the gender of workers.

11. The profound changes in the work environment during the period of transition to a market economy, the restructuring of enterprises and the impact of such restructuring on demand for new skills and qualifications had had a major impact on Moldova's labour market, leading to a steady decline in hiring and increased unemployment. Women had been seriously affected in that regard. Legislation designed to protect the unemployed, especially women, did not contain any discriminatory restrictions; on the contrary, it provided certain additional social services for people who lost their jobs.

12. In order to meet the changing needs of the labour market, in 1999 the State employment service in cooperation with more than 60 educational institutions, had provided training in 75 different specialities to the unemployed, with women accounting for 66.3 per cent of those enrolled. A Government order had also been issued to encourage job creation, in particular for the most vulnerable of the unemployed, including women and young people. Nevertheless, three quarters of unskilled jobs were filled by women, and women's salaries were only 70 to 80 per cent those of men, although women's educational levels were similar to those of men. Owing to traditional attitudes with regard to domestic duties, women also worked 4 to 8 hours a day at home.

13. The situation was even worse in rural areas, where the difficult social situation was exacerbated by a lack of information and support on the part of the local authorities. The burden of child-rearing was an additional obstacle to entrepreneurship on the part of women. That situation was slowly improving, and in 1999 five per cent of businesses, mostly small-scale or micro-businesses, were headed by women.

14. Unfortunately, many so-called "progressive" measures had in fact confirmed the traditional division of labour between men and women. The special rights granted women tended to be used to justify maintaining

women's traditional role in society and were often used as excuses for not hiring women. The Government therefore intended to modify the Labour Code to grant fathers the same parental rights as mothers and had prepared a draft law on the establishment of a labour inspection system which would ensure equality between men and women in the workplace and complement the efforts of various non-governmental organizations working to defend women's civil and economic rights, including the right to operate businesses.

15. Although all citizens in principle had equal access to medical services, including at least a minimum level of care for pregnant women and children, the difficult economic climate made even minimal medical care difficult to provide. With the move towards a market economy, medical care for women of childbearing age and pregnant women had become even more haphazard, especially in rural areas, where women, including pregnant women, continued to work in unhealthy environments. Women in general, and pregnant and nursing women in particular, suffered from malnutrition, and increasing numbers of pregnant women were anaemic, with the result that 400 per 1,000 newborn children were born suffering from some sort of illness. The Government had therefore developed programmes to provide perinatal care, study medical genetics and improve children's diets. Perinatal centres would be opened in each district as well in order to improve medical care for pregnant women and newborn children.

16. Efforts were under way to improve basic medical care in rural areas, including family planning, since there were no family planning offices in those areas. Rural doctors received special training in family planning so that women in rural areas would also have access to such information. A draft bill on reproductive health and family planning guaranteeing women's right to informed, safe and confidential choice in that area was currently being studied by the Government.

17. Women's psychological and physical health was often affected by domestic violence which, although penalized under the provisions of the Constitution, the Penal Code and the Code of Penal Procedure, was increasing, exacerbated by socio-economic problems as well as alcoholism, psychological disorders, stress, and generally low levels of culture and education. Unfortunately, it was difficult to obtain a true picture of the situation since only the most serious cases

tended to be brought before the authorities, with the less serious cases considered to be simple family disputes. In addition, the procedure to be followed by a victim wishing to file a complaint was a complicated one. Bills relating to the Penal Code, the Code of Penal Procedure and the Code on Administrative Offences currently being discussed by Parliament criminalized domestic violence and provided more severe punishment for such cases. A new chapter had also been added to the Code of Penal Procedure which would establish new rules for the defence in cases of domestic violence.

18. Family benefits were an important part of the social protection system aimed at reducing poverty and eliminating marginalization. Allowances were provided for simply having children and for children up to the age of 16, single mothers, families with several children, who also received food assistance, for minors who received no support from their parents and for adoptive parents and guardians. Unfortunately, the sums involved could only be described as symbolic when compared with the real needs of the population. A draft strategy for the protection of the family and the child which would reform both the legislative framework and the institutional infrastructure in that area was currently being developed.

19. The situation of women in rural areas, where conditions were aggravated by lack of information or support from the local authorities, was especially troubling. In that context, a draft strategy for agricultural policy for 2000-2010 was being developed which would ensure that their physical needs were met, guarantee their reproductive health and the right to education and social assistance and promote communication and sociocultural and spiritual solidarity amongst women.

20. The changing nature of relations within society as well as within the family required legislative reforms which took into account new realities and international norms. A new Code on the Family had therefore been developed on the basis of the Code on Marriage and the Family and other laws in that area. That Code provided for the creation of a new institution, a marriage contract dealing with the couple's property which would provide a legal framework for relations between the spouses and other members of the family.

21. Although existing legislation guaranteed women equal rights with men in virtually all areas, women

were often not aware of their rights or, because they had lower incomes, were not able to take full advantage of those rights. In addition discrimination was not expressly forbidden and penalized. Since the current legal framework did not guarantee full protection for the rights of women, the Government realized that it must incorporate international norms into domestic legislation and adopt a law guaranteeing equality of opportunity and treatment. The Republic of Moldova was sincere in its desire to take on the difficult task of improving the situation of women, within the framework of national human rights legislation. As further proof of its commitment to women's rights, the Government intended to ratify the Optional Protocol to the Convention in the near future.

22. *Ms. Schöpp-Schilling (Vice-Chairperson) took the Chair.*

23. **Ms. Corti** thanked the delegation for its frank and detailed report. While noting that encouraging progress had been made, she was somewhat concerned that many measures seemed to be "in the development stage" and stressed the urgent need for the Government to implement concrete actions to give women their rightful place in society. Women, despite their domestic duties and relatively low wages, were an extraordinary resource and, if fully empowered, could contribute greatly to overcoming the obstacles of poverty and the poor economic climate.

24. In addition to creating a legal framework for the protection of women's rights, steps must be taken to change attitudes in what was still a very patriarchal society. Given that women's, especially young women's, educational levels were generally good, efforts must continue to provide women with the opportunity to educate themselves in order to participate fully in society, contribute to the economic well-being of the country and achieve the full enjoyment of their fundamental human rights.

25. The reasons for women's low level of political participation should be analysed in greater depth. It was her experience that, when women were under-represented in decision-making positions, it was difficult for the process of their empowerment to move forward. A constitutional reform must include a definition of discrimination, which could then be developed through legislation. Some form of an equal opportunity act would be very important in putting that definition into practice. Finally, it appeared to her that

there was no clear strategy and plan of action for a Government policy towards women, and she hoped that the next report would show progress in that area.

26. **Ms. Khan** said that, during her recent visit to Moldova, she had noted that, despite the difficult economic conditions, there was strong political will to improve the status of women and a sense of urgency and commitment to that task. The Constitution prohibited discrimination and protected women's human rights, but there was a wide gap between de jure and de facto enjoyment of those rights.

27. A guarantee of non-discrimination was lacking, as was a legal definition of discrimination, even though article 2 of the Convention obligated States parties to guarantee equality in the public, private and domestic spheres. The report frankly acknowledged widespread discrimination against women in employment and politics and a growing trend towards violence. The mechanism for implementing existing laws was also unclear. Political instability had been mentioned as a factor affecting the implementation of the Convention, but frequent changes of government should not affect the way that existing laws were enforced.

28. She was concerned that the broad mandate of the Ministry of Labour, Social Protection and the Family prevented it from paying due attention to the specific needs of women. There was a need for a more focused national mechanism to deal with the specific concerns of women, which would be adequately staffed and funded. Gender mainstreaming and strengthened coordination would help to streamline the national machinery for the advancement of women. Poverty was another area of concern, with 80 per cent of the population living below the poverty line. She would like to know if there were any targeted programmes for poverty alleviation and what the status of the draft poverty-alleviation law was.

29. **Ms. Acar** said that she had been impressed during her visit to Moldova by the level of commitment by the Government and non-governmental organizations to improve the status of women. She had been dismayed, however, to see the well-educated, highly skilled and committed women that she had met in Moldova so burdened by their double responsibilities at work and at home. That unjust situation merited attention from the international community, the Government and civil society.

30. The sine qua non for change was a change in mentality, where women would be seen not just as mothers and in their domestic role but as individuals; not as victims of circumstances but as active agents of their own destinies. The Government must become aware of the fact that discrimination was both direct and indirect in order to address the root causes rather than just the symptoms. Poor economic conditions should not be allowed to affect women more severely than men, and a new mentality would provide the impetus to review legislation, enact new laws and amend existing ones where needed.

31. She enquired about the relationship between non-governmental organizations and the State and how much cooperation there had been among such groups in promoting the implementation of the Convention. Lastly, the reporting State should indicate the extent to which non-governmental organizations had participated in the preparation of the report.

32. **The Chairperson**, speaking in her personal capacity, said that, as the initial report of Moldova had been submitted late, the second and third periodic reports should be combined, and drew attention to the Committee's guidelines on reporting requirements. She was pleased to hear that the process of ratifying the Optional Protocol to the Convention had begun, and suggested that Moldova should also take the opportunity to ratify the amendment to article 20, paragraph 1 of the Convention.

33. She was very concerned at the high unemployment rate for women, which called for special measures to deal with that situation. More detail was needed on the National Plan of Action, including specific projects, targets and time frames for implementation. Since the Plan had been developed in 1998, she would be interested to hear of any results achieved and its impact thus far. The next report should include more information on the situation of elderly women, who often had no income or access to services. That problem was further compounded by the fact that elderly women far outnumbered elderly men.

34. **Ms. Manalo**, with reference to article 2 of the Convention, said that the initial report recognized the need for modifying the women's statute, which contained features which did not recognize women as persons who were entitled to the enjoyment of human rights. Since the report did not appear to outline a holistic or integrated strategy for carrying out the

necessary legislative reform, she wondered what plans the Government had made to that end and also wished to know how the provisions of the Convention were being implemented in juxtaposition with laws which were clearly detrimental to the interests of Moldovan women. Had time frames been established for the realization of legislative reform? She reiterated the point made by Ms. Acar on the need for a change in mentality as the prevailing attitude of the public would determine the success of that reform. In that context, she asked whether there was a mechanism in place to encourage consultation with civil society.

35. **Ms. Goonesekere** said that the report conveyed a sense of the deep economic and social hardships encountered in the transition to a market economy. She lauded the efforts of the Government of Moldova in confronting the challenges and commended Moldova for ratifying the Optional Protocol to the Convention.

36. With reference to the constitutional provisions on equality and family values, she asked for a clarification of an apparent contradiction in paragraph 39 of the initial report, which suggested that women required the consent of their husbands while addressing the court when issues of common interests, such as ownership, were involved. Did husbands require the consent of their spouses in such cases? Similarly, given the increase in the rate of illegitimacy, she asked how the constitutional rights of women and children were protected, and what was the legal status of the members of the family unit. She was interested in knowing what remedies were available to women before legislative bodies in order to enforce their constitutional rights.

37. She noted that, in spite of the provisions of the Constitution and other normative acts, the burden on women had doubled during the period of economic transition. She invited the delegation to comment on the expectations placed on women which, in her opinion, reinforced sexual stereotyping of their role in society. She asked what activities the Government had undertaken to encourage men to bear a more equitable share of the burden and responsibilities.

38. **Ms. Cartwright** endorsed the views expressed by the previous speakers and stressed the symbolic importance of constitutional provisions ensuring protection against discrimination and providing mechanisms for women to enforce their rights.

39. **Ms. Myakayaka-Manzini** commented on the special temporary measures to accelerate equality between women and men, under article 4 of the Convention, stressing the need for greater integration of women into the educational, economic and political life of Moldova. She was curious to know whether the Government's plan included policies to redress the low representation of women in the Parliament and managerial positions.

The meeting rose at 1 p.m.