



人权理事会  
普遍定期审议工作组  
第四十届会议  
2022年1月24日至2月4日

根据人权理事会第16/21号决议附件第5段提交的国家报告\*

摩尔多瓦共和国

\* 本文件印发前未经正式编辑。



## 一. 方法和协商

1. 本报告根据人权理事会第 5/1 号决议和 A/HRC/DEC/17/119 号文件所载准备普遍定期审议资料的一般准则所述要求编写，重点介绍自上次审议以来摩尔多瓦共和国在人权立法和政策方面的发展情况，包括在落实以往普遍定期审议周期内收到的建议方面取得的进展。

2. 本报告由国务院(人权事务常设秘书处)起草，相关国家主管当局和机构为起草报告作出了贡献。<sup>1</sup> 除开展部门间协商外，还就报告草稿与国家人权机构和民间社会组织进行了广泛协商。在完成报告最终版本时，认真评估了收到的评论意见。国家人权理事会随后批准了报告。

## 二. 第二轮审议后的人权发展情况

### A. 保护人权的法律和体制框架

3. 第 89/2018 号议会决定通过了《**2018-2022 年国家人权行动计划**》(《行动计划》)。《行动计划》是基于摩尔多瓦共和国在第二轮普遍定期审议中接受的建议，以及从联合国、欧洲委员会、欧安组织和其他国际机制的其他人权监测机构收到的建议。在编制《行动计划》时还考虑到了《2030 年议程》中设定的可持续发展目标。《行动计划》旨在支持公共当局采用以人权为中心的办法重塑中央和地方各级的政策制定过程，包括为此适当考虑少数群体和弱势群体在充分实现其基本权利方面遇到的障碍。<sup>2</sup>

4. 政府设立了**国家人权理事会**、<sup>3</sup> 人权事务常设秘书处、国家人权理事会的地方机构以及中央和地方两级的人权协调员，目的是确保建立高效的机制，用于制定和评估人权政策文件、高效执行摩尔多瓦共和国加入的国际人权条约以及监测遵守承诺的情况。

5. 关于 2018-2020 年行动计划执行情况<sup>4</sup> 的年度报告已编制完成并开展协商工作，还在国务院网站国家人权理事会专用板块<sup>5</sup> 发布了这些报告。

6. 在地方一级设立了 33 个市级和区级人权委员会，负责确保落实地方计划和方案，以便适用关于人权保护的国家政策文件，并监测地方一级的人权状况。

7. 与此同时，任命了 27 名中央一级的人权协调员和 21 名地方一级的人权协调员，分别担任各主管当局内的协调人。

### B. 国家人权机构

8. 为加强公益维护人制度，《摩尔多瓦共和国宪法》于 2017 年增加第(三)章，题为“公益维护人”，确保为监察员的独立性提供宪法保护，使其不受政治影响。<sup>6</sup>

9. 2018年5月，国家人权机构全球联盟授予公益维护人办公室“A”级认证，确认摩尔多瓦监察员的任务和活动符合《巴黎原则》。

10. 为进一步加强公益维护人的作用，启动了修订《公益维护人(监察员)法》的进程。<sup>7</sup> 在编写法律草案时考虑了人权高专办的评论意见、通过法律实现民主欧洲委员会(威尼斯委员会)的意见、欧洲委员会人权和法治总局的意见以及国家人权机构全球联盟认证小组委员会的建议。正在就该法律草案进行正式协商，此后将提交政府和议会批准。

11. 为帮助经济行为主体抵制滥用职权现象，特别是主管当局和公共机构滥用职权，以及消除监管框架中的漏洞，政府批准了设立企业家权利公益维护人职位的法律草案。<sup>8</sup> 议会正在审议该法律草案。

12. 为加强防止和消除歧视与确保平等理事会的工作，对监管该理事会活动的法律<sup>9</sup> 和相关监管框架提出了修正案。这些改动重点澄清理事会的权限；扩大非歧视标准；改进对平等、非歧视和多样性方面数据的收集工作；监测、评估结果并提交年度报告；以及加强相关体制框架。此外，还建议授予理事会在宪法法院发言的权利。这一权限将有助于理事会在确保非歧视标准方面发挥积极作用。<sup>10</sup> 将对该法律草案采取移交程序，随后由政府和议会批准该草案。

### C. 遵守国际人权文书

13. 摩尔多瓦共和国是大多数核心国际人权条约的缔约国，这些条约为保护人的尊严与充分实现基本权利和自由设定了最高标准。在本报告所述期内，本国加入或签署了若干国际文书：

- 加入了《国际刑事法院特权和豁免协定》。<sup>11</sup> 为促进与法院的合作，2019年启动制定了一项法律草案，旨在修订《刑事诉讼法》和《刑事事项国际法律援助法》。<sup>12</sup> 目前，政府正在审议批准该文件。
- 2018年9月27日，签署了《联合国残疾人权利公约任择议定书》。将于2021年起草批准《任择议定书》的法律草案。
- 批准了《欧洲委员会网络犯罪公约附加议定书》，<sup>13</sup> 内容涉及将通过计算机系统实施的种族主义和仇外性质行为定为刑事犯罪。
- 签署了《欧洲人权公约第16号议定书》。<sup>14</sup>
- 2021年10月14日，批准了《欧洲委员会预防和打击暴力侵害妇女行为及家庭暴力公约》。<sup>15</sup>
- 使摩尔多瓦共和国的立法与《欧洲委员会预防和打击暴力侵害妇女行为及家庭暴力公约》的规定保持一致。<sup>16</sup>
- 在本报告所述期间，摩尔多瓦共和国于2016年批准的《欧洲委员会关于获取官方文件的公约》于2020年12月生效，从而进一步促进人们行

使寻求和分享信息的自由，这对确保透明度、善治、表达自由和参与性民主至关重要。

### 三. 第二轮普遍定期审议后的建议落实情况

14. 在第二轮普遍定期审议后，摩尔多瓦共和国收到了 **209 项建议**，接受了其中 194 项，注意到 15 项。在接受的 194 项建议中，138 项已完全落实，45 项部分落实，11 项尚未付诸实施。

#### 与特别程序、民间社会和人权维护者的合作(121.43、121.134、121.132、121.135、121.133、121.136)

15. 摩尔多瓦共和国根据 2010 年发出的长期邀请，继续与联合国人权理事会特别程序<sup>17</sup> 等国际人权机制开展合作。

16. 摩尔多瓦共和国继续与人权高专办密切合作，在本报告所述期间，商定延长人权高专办在摩尔多瓦共和国的存在。同时，在 2018 和 2019 年，政府向人权高专办的预算提供了自愿捐款。

17. 摩尔多瓦共和国作为观察员积极参加联合国人权理事会的工作，并在 2019 年参加了 2020-2022 年任期的选举。虽然摩尔多瓦共和国没有获得成员资格，但它作出了一些自愿承诺，并重申与国际机制开展合作的立场。

18. 摩尔多瓦当局支持国际人权监测机制不受限制地进入德涅斯特河左岸地区。<sup>18</sup>

19. 2016 至 2020 年期间，摩尔多瓦共和国就其加入的所有国际人权条约提交了定期报告。<sup>19</sup>

20. 摩尔多瓦共和国批准了《2018-2020 年民间社会发展战略》，<sup>20</sup> 旨在建立共同监管框架，并简化发展民间社会和促进社会凝聚力的工作。

21. 为使监管框架与结社自由方面的国际标准保持一致，通过了一部关于非营利组织的新法。<sup>21</sup> 新法简化了非营利组织的注册程序，为保护结社自由提供了更多保障。

22. 为确保民间社会参与，国家人权理事会中有五名成员是非营利组织的代表，他们是有协商投票权的成员。

23. 公共当局确保与非营利组织在各平台上开展合作，在政策的制定、实施和评估、社会服务的签约、财政支持工具方面进行协商并获得专业知识。此外，根据国家立法，<sup>22</sup> 通过法律规章应基于透明、公开和可及性原则，这使得让民间社会参与制定监管法令具有强制性。与此同时，改进了非营利组织的百分比指定机制，<sup>23</sup> 以消除执行工作中的一些模糊之处。

## **表达自由和获取信息(121.166、121.64、121.30、121.31、121.139、121.142、121.141、121.143、121.144、121.140、121.138、122.28)**

24. 出于确保表达自由的需要，通过了《摩尔多瓦共和国视听媒体服务法》。<sup>24</sup> 该法规定了对表达自由和媒体自由、获取信息、保护记者的保障，这些保障符合欧洲标准。

25. 为确保媒体所有权的透明度<sup>25</sup> 并改善公民获得视听领域涉及公共利益的信息的机会，广播委员会在其网站的透明度栏目中发布视听媒体服务提供方的所有声明。<sup>26</sup>

26. 议会通过了关于批准《摩尔多瓦共和国信息安全概念》的第 299/2017 号法和关于批准《摩尔多瓦共和国信息安全概念落实措施方案》的第 256/2018 号决定。

27. 《竞争法》<sup>27</sup> 新增第 251 条“评估媒体的经济集中度”，旨在防止和打击反竞争做法和市场中的经济集中现象。

28. 议会对《获取信息法》作出事后影响评估，<sup>28</sup> 并制定了一套法规修正案，内容涉及关乎公共利益的信息。

29. 2019 年，公共管理学院在“公务员职业融合”培训课程中推出一个面向初级公务员的新单元——决策中的透明度和信息获取，并开发了面向中央和地方公共当局公务员的电子课程“获取信息”，旨在就下列义务提供培训：确保人们不受限制地充分获取涉及公共利益的信息。<sup>29</sup>

## **平等和不歧视/少数民族和移民(121.69、121.70、121.71、122.21、122.22、122.20、121.17、121.72、121.45、121.153、121.62、121.60、121.61、121.73、122.17、122.18、122.24、122.25、121.65、121.67、121.167、121.163、121.15、121.169、121.172、121.168、121.44、121.170、121.66、121.171、121.164、121.165、122.31)**

30. 确保平等是摩尔多瓦共和国的国家人权优先事项之一，为实现平等，需要在制定政策时采用基于人权的方法，为所有人创造享受基本权利的平等机会，包括为此采取特别措施确保平等及打击一切形式的歧视。

31. 国家承诺对偏见和仇恨展现“零容忍”态度，议会正在审查的关于修正一些立法法令的法律草案体现了这一点。<sup>30</sup> 该草案规定，在《刑法典》中纳入若干罪行“出于偏见原因”的加重情节。同时，草案建议《刑法典》第 346 条采用新措辞“出于偏见煽动暴力行为”，并引入一个新条款来定义“出于偏见原因”这一概念。

32. 在登记关于与偏见有关行动的申诉时，控制犯罪登记、记录保存和通知审查的检察官必须特别注意基于族裔、宗教或任何其他标准的歧视或暴力的通知接收和登记程序。

33. 在教育领域，个人发展和社会教育这两个科目被列入必修科目清单，这两个科目直接或间接涉及了解文化多样性、多元主义、宽容、和谐关系、成见以及以自信、不冲突和非暴力方式沟通等主题。

34. 《视听媒体服务法》<sup>31</sup> 包含与遵守基本权利和自由有关的规定，禁止可能传播、煽动、促进种族仇恨、仇外心理、反犹太主义或基于性别、种族、国籍、宗教、残疾或性取向的不容忍或歧视所引发的其他形式仇恨、或为这些行为提供借口的视听节目。广播委员会批准了<sup>32</sup> 关于视听内容的条例，其中的规定涉及基于不容忍和歧视的仇恨言论和任何形式的仇恨、对人和人的尊严的攻击、以及赞扬过去和现有极权主义政权、这些政权所犯罪行和侵权行为的实施者以及诋毁其受害者的视听内容。

35. 为谴责反犹太主义，采取了下列措施：

- 专门介绍大屠杀历史的中心博物馆于 2018 年 1 月 27 日在民族院开放，博物馆展示历史行为和书籍、专著、照片和纪录片。
- 1 月 27 日作为全国大屠杀纪念日被列入官方纪念日名单。<sup>33</sup>
- 政府批准了旨在落实《摩尔多瓦共和国议会宣言》的《2017-2019 年行动计划》，<sup>34</sup> 宣言中表示接受埃利·威塞尔主持的大屠杀问题国际委员会发表的最后报告。
- 摩尔多瓦共和国政府建造了摩尔多瓦共和国犹太历史博物馆。<sup>35</sup> 建造博物馆的主要目的是凸显犹太社区在不同历史时期对摩尔多瓦社会发展所作的贡献、保存对大屠杀的记忆并打击反犹太主义和不容忍现象。在同一背景下制定了一项行动计划，旨在对基希讷乌犹太公墓进行修复、复原、保护、资本化和宣传，并建造专门纪念在摩尔多瓦共和国境内生活和工作的犹太人的历史建筑群。
- 政府批准了国际大屠杀纪念联盟通过对反犹太主义的工作定义。<sup>36</sup>
- 政府批准了《2021-2024 年行动计划》，目的是促进纪念大屠杀和弘扬宽容文化，从而打击种族主义、反犹太主义、仇外心理和其他形式的不容忍。<sup>37</sup>

36. 关于非歧视信息的可及性，平等委员会在“人人可及”项目<sup>38</sup> 下，将关于确保平等的第 121/2012 号法律转换为易读/易懂的格式，使残疾人和公众更容易了解该法律框架。此外，在同一项目下将《上诉人指南》翻译成四种少数民族语言（加告兹语、保加利亚语、乌克兰语和罗姆语）。<sup>39</sup>

37. 公益维护人办公室、族裔间关系局和平等委员会签署了一份谅解备忘录，旨在加强合作并携手努力，确保实现少数民族的权利。<sup>40</sup>

38. 巩固族裔间关系战略<sup>41</sup> 的执行工作侧重于四个优先领域：参与公共生活；将语言作为融合手段；文化间对话和公民对摩尔多瓦共和国的归属感；大众媒体。<sup>42</sup>

39. 旨在确保平等的法律<sup>43</sup> 的执行工作推动各领域取得了一些进展,并对少数民族的处境产生了影响。研究表明,民众的容忍程度略有提高。<sup>44</sup>

40. **2016-2020 年支持摩尔多瓦共和国境内罗姆人的行动计划**已付诸实施。<sup>45</sup> 调整了关于组织社区调解员活动的框架条例,<sup>46</sup> 目的是加强调解员的地位,并确保其工作由国家预算供资。

41. 《摩尔多瓦共和国宪法》和其他法律保障摩尔多瓦共和国的外国公民享有与摩尔多瓦共和国公民相同的权利和自由,外国公民也享有摩尔多瓦共和国加入的国际条约所规定的权利,同时面临一些限制,<sup>47</sup> 主要是在政治权利方面。

42. 此外, **2016-2020 年实施国家移民和庇护战略行动计划**<sup>48</sup> 已经付诸实施。

43. 已修正国家法律框架,<sup>49</sup> 以便落实欧盟与摩尔多瓦共和国签订的《联系国协定》中作出的承诺。因此,简化了某些类别人员进入双方领土和临时居留的程序,包括改善商业环境及开发服务和提供方,这大大有助于加强基于互利条件的优惠贸易关系。

44. 修订和简化了借调外国人的登记程序,并消除了为工作目的获得暂住权的一些障碍。<sup>50</sup>

#### **国家司法系统(121.119、121.120、121.121、121.122、121.124、121.125、121.126、121.118、121.123、121.127)**

45. 《2011-2016 年司法部门改革战略》<sup>51</sup> (《改革战略》)是首项针对整个部门的综合政策,是建立现代司法系统的重要步骤。<sup>52</sup>

46. 鉴于《改革战略》的执行期在法律上于 2017 年底结束,<sup>53</sup> 为确保促进司法部门改革进程的连续性,将机构政策纳入了概念文件《战略方向和行动》。2018 年,依照“中级司法部门改革”这份优先事项清单继续开展改革活动,改革重点是采取战略干预措施以加强司法机构的独立性、完善对法官的问责机制以及确保司法工作的透明度和质量。

47. 根据《改革战略》开展了为期 6 年的司法部门改革,我们在改革结束时发现,许多计划开展的行动已达到预期效果,许多改革尽管存在延迟,但都已付诸实施。<sup>54</sup>

48. 2020 年 11 月 25 日,议会通过了一份新的政策文件《**2021-2024 年确保司法部门廉正独立的战略**》,<sup>55</sup> 战略尚未生效。这份文件是对《改革战略》所述活动的自然延续,但重点从改革概念转向更加实操的方法,旨在加强司法部门的潜力。改革进程的主要目标是确保社会信任司法行为。

49. 根据欧洲联盟法律和相关国际惯例,本国对《民法典》和相关框架加以现代化,<sup>56</sup> 并消除了法律标准之间的矛盾和监管工作的重复。

50. 2018 年通过的修正案<sup>57</sup> 设法简化了《民事诉讼法》,目的是精简民事司法程序:缩短审判时间,限制参与者可要求暂停审判的理由,并对损失低于经济体 10

倍平均工资(约 50 000 摩尔多瓦列伊)的某些类别案件采取新的简化司法程序(仅通过书面意见执行), 仅在必要时进行听证。

51. 截至 2018 年 7 月, 在开放司法方案(美国国际开发署)的支持下, 在全国所有法院推行了**综合案件管理系统**的改进版本, 并重新配置了电子文件信息子系统。<sup>58</sup> 还为所有法院提供了技术设备, 新的信息技术解决方案将有助于避免多次前往法院提交和收取文件以及开展与组织听证会有关的其他活动, 因此各方将只需要在审理案件时在法官面前现身。

52. 为规范远程会议的使用, 批准了关于在试点法院和监狱机构使用远程会议应用程序进行庭审的条例。<sup>59</sup>

53. 2018 年, 通过了立法修正案以简化对法官的问责机制。<sup>60</sup>

54. 起草了修订《摩尔多瓦共和国宪法》(《宪法》第 116、121、122 条)的法律草案, 目的是**限制法官的豁免权**、使法官任命标准化、取消法官的最初 5 年任期以及改变最高司法行政官委员会的构成。<sup>61</sup>

55. 在司法部门推动开展了多项行动, 这将为**打击腐败**的努力作出直接贡献。“廉政一揽子计划”<sup>62</sup> 建立了一个法律框架, 可用于精简国家廉政署的工作, 确保其机构和业务独立性, 并改革现行的收入、财产、个人利益和利益冲突申报机制。此外, 还对反腐败法律框架加以统一, 并成立了**犯罪资产追回局**。旨在防止和打击洗钱和资助恐怖主义行为的法律已获通过。<sup>63</sup>

### **反对酷刑、虐待和确保适当的拘留条件(121.28、121.29、121.74、121.68、121.75、121.77、121.79、121.78、121.80、121.76、122.26、121.81、121.82、121.84)**

56. 若干国家和部门的政策文件都体现了国家对**改善拘留条件**的承诺。<sup>64</sup>

57. 分配给维护和大修监狱机构和警方临时拘留所的资金额逐渐增加。已翻修 **15 个临时拘留所**,<sup>65</sup> 并采取其他行动以改善警方羁押的在押人员条件。已完成下列两个监狱机构的重建工作: 位于 Leova 镇的第 3 监狱和位于基希讷乌市 Goian 村的第 10 监狱。此外, 正在巴尔蒂拘留所进行施工, 基希讷乌监狱的项目文件和估价已准备就绪, 将于 2021 年开始施工。目前正在对**全国所有 18 所监狱**进行维修。

58. 在拘留设施内提供医疗服务仍然构成挑战。首要目标是设立一个单位来负责管理为被拘留者提供的卫生服务, 这也是《**2016-2020 年监狱系统发展战略**》<sup>66</sup> 的关键内容之一。目前, 正在最终敲定一个最佳模式, 其中包括在司法部下设立一个分部。<sup>67</sup> 同时, 2019 年已启动对监狱管理系统内医疗服务的认证过程。<sup>68</sup>

59. 已开始制定一项法律草案, 以期建立**渐进式判决执行系统**,<sup>69</sup> 新系统将取代目前由不同类型监狱构成的系统, 代之以各种狱中判决执行制度, 其施加的限制、适用的安全措施、可开展的活动、行动自由和其他措施各不相同。



60. 2018 年修订了《刑法典》，<sup>70</sup> 目的是加强打击酷刑和虐待的立法框架，特别是对虐待行为作出有威慑作用的处罚，同时排除了将罚款当作对不人道和有辱人格待遇罪行的替代处罚的可能性。

61. 立法者在通过对《刑法典》、《刑事诉讼法》、《执行法》和《违法法》的修正案<sup>71</sup> 时也追求同样的目标，修正案的内容包括采取下列措施以减少监狱人口：加强法院在个性化处罚方面的作用；取消对累犯和轻罪累犯的数学加刑方式；简化(启动)提前释放机制；引入新机制，使法院能够个性化地执行判决，并有可能宣布部分处罚在狱中执行、部分在狱外执行的判决。这些修正案还作出一项创新，即根据欧洲人权法院关于在不人道和有辱人格条件下关押被拘留者和被定罪者的标准，建立了预防和补偿机制。<sup>72</sup> 这些修正案的实施消除了造成监狱过度拥挤的程序性障碍。<sup>73</sup>

62. 此外，2018 年对《刑事诉讼法》作出的其他修正<sup>74</sup> 扩大了监狱系统中有权查明在拘留场所、押送期间所犯罪行或与执行定罪判决有关的罪行的人员范围。

63. 为杜绝对审前拘留的滥用，修订了《刑事诉讼法》。<sup>75</sup>

64. 2017-2020 年减少虐待、侵犯和歧视警方在押人员行动计划<sup>76</sup> 付诸实施，为此开展了各项行动以消除警务活动中的一切形式虐待、侵犯和歧视。

65. 在 2017 至 2020 年期间，本国依照《伊斯坦布尔规程》中的标准和欧洲人权法院的判例法，全力以赴确保对检察官和法官开展大量关于预防和打击酷刑的培训。<sup>77</sup>

66. 防止酷刑理事会<sup>78</sup> 作为国家防止酷刑机制，保护人们免受酷刑和其他残忍、不人道或有辱人格的待遇或处罚。<sup>79</sup> 除了开展预防和监督访问的职责外，理事会成员还参与培训承担《禁止酷刑公约任择议定书》任务的各机构雇员，并与当局开展持续对话，以促进对被拘留者人权和基本自由的尊重。

### **防止和打击人口贩运和家庭暴力(121.109、121.110、121.111、121.112、121.114、121.115、121.128、121.113、121.116、121.108、121.88、121.90、121.91、121.93、121.94、121.95、121.98、121.99、121.117)**

67. 防止和打击人口贩运仍是摩尔多瓦共和国的一个优先事项。在 2016 至 2020 年期间，加强了政策、监管和体制框架以及打击人口贩运专家的能力，所有活动都基于 4P 范式：预防、保护、惩罚和伙伴关系。本国批准了《2018-2023 年防止和打击人口贩运国家战略》<sup>80</sup> 和执行该战略的《2018-2020 年行动计划》，<sup>81</sup> 目的是建立防止和打击人口贩运的可持续国家体系。

68. 全国打击人口贩运委员会确保协调各项防止和打击人口贩运的活动，并与公共当局、国际和非政府组织、其他机构和民间社会代表开展合作。在 2017 至 2020 年期间，委员会召开了 7 次会议。

69. 《刑法典》修正案<sup>82</sup> 获得通过,内容包括将新形式的人口贩运定为刑事犯罪,同时完成了关于防止和打击人口贩运的法律,<sup>83</sup> 其中完善了对受害者和转介系统的定义。<sup>84</sup>

70. 2018 和 2020 年<sup>85</sup> 分别修订了关于遣返人口贩运的儿童和成人受害者、困难人员和孤身儿童的条例,以改进对人口贩运受害者和困难人员的遣返机制,<sup>86</sup> 为此,修正案中明确规定查明困难人员的过程和遣返文档的内容,促进对有出生证明的孤身儿童(在国外确认身份)的登记过程,并为地方公共行政当局规划必要资金,以便其在遣返程序后接管受益人。

71. 已通过促进**犯罪受害者恢复**的法律,<sup>87</sup> 使受害者(包括人口贩运的受害者)有权获得国家提供的下列支助服务:信息咨询、心理咨询、国家保障的法律援助和经济补偿。

72. 制定了**2021-2025 年建立和发展旨在保护和援助犯罪受害者的国家转介机制的方案草稿和 2021-2023 年实施行动计划**,旨在进一步消除贩运和其他犯罪受害者在实现权利方面的障碍,提高该领域跨部门合作的效率,并使国家转介系统适应社会和公共政策的变化。

73. 采用了新的方法来监管**私营就业机构**的活动。为此制定了新的许可条件,用作对打算招聘劳动力的经济行为主体发放许可证的筛选标准。此外,建立了监测和控制机制,使国家劳动监察局承担监控私营机构劳动中介领域的责任。

74. 为赋予人口贩运受害者获得有条件法律援助(无论其收入如何)的权利,修订了关于国家保障的法律援助的法律。<sup>88</sup>

75. 在 2017 至 2020 年期间,培训了超过 4 250 名执法专家(社会助理、律师、劳动检察员和其他专家)。

76. 已试点并推行**打击人口贩运和相关犯罪领域的法官专业化**。<sup>89</sup>

77. 为援助和保护人口贩运受害者,地区多学科小组的专家在 7 个**专门中心**(由国家预算供资)提供广泛服务,旨在防止、减少人口贩运后果并帮助受害者恢复。<sup>90</sup> 在 2016 至 2020 年期间,各个提供专门社会服务的中心(由国家预算供资)向**378 名人口贩运受害者**(294 名成人和 84 名未成年人)提供了援助。2020 年,建立了针对人口贩运男性受害者的专门服务机构。

78. 防止人口贩运的一个有效工具是开展宣传活动,旨在使公众了解安全移民、合法工作、国内外可提供的保护和援助服务以及人口贩运的风险和后果。<sup>91</sup>

79. 在国际合作方面,2018、2019 和 2020 年分别与罗马尼亚、法国、以及法国和罗马尼亚的主管当局成立了**联合调查小组**,负责处理涉及人口贩运和相关罪行的刑事案件。

80. 修订了《刑法典》、《违规法》和其他立法法令,旨在改进对**家庭暴力行为**的预防和处罚机制。<sup>92</sup>

81. 编写了两份报告，分析国家立法与《伊斯坦布尔公约》和《国际刑事法院规约》(《罗马规约》)的兼容性。在这两份报告的基础上编写了三部法律草案，并通过了两部法律，部分确保了国家立法与相关国际规定的一致性。<sup>93</sup>

82. 摩尔多瓦于 2017 年 2 月 6 日签署《伊斯坦布尔公约》，这标志着政府承诺启动程序，以批准该条约并使国家立法与条约保持一致。

83. 已通过该领域的首份公共政策文件——《2018-2023 年防止和打击暴力侵害妇女行为和家庭暴力国家战略》和《2018-2020 年行动计划》。<sup>94</sup> 该战略基于 4P 方法：预防、保护、调查/起诉和综合政策。

84. 在 2016 至 2020 年期间，防止和打击家庭暴力部际协调委员会举行了 21 次会议，以确保各部委、在防止和打击家庭暴力领域具有职权的其他中央行政当局和非政府组织之间开展合作与协调。

85. 除立法工作外，还努力简化了公共秩序、医疗和社会援助领域应对家庭暴力案件的实用机制，由此批准了关于警方干预解决家庭暴力案件的方法指示、<sup>95</sup> 关于地区社会援助机构干预家庭暴力案件的指示<sup>96</sup> 以及关于医疗机构干预家庭暴力案件的指示。<sup>97</sup>

86. 在 2017 至 2020 年期间，<sup>98</sup> 通过援助和保护中心这一全国性平台向 550 名家庭暴力受害者(成人)和 163 名儿童提供了援助。在农村地区开设了两个新的中心(分别设在新阿内尼和加告兹自治领土单位)。

87. 2019 年 12 月 9 日，推出了网站 <http://antiviolența.gov.md/ru/>，该网站提供了一个专门用于防止和打击暴力侵害妇女行为和家庭暴力的信息平台，以便人们更好地了解家庭暴力案件的解决机制以及面向家庭暴力受害者的社会服务基础设施。

88. 自 2017 年 12 月以来，本国一直在资助面向家庭暴力和暴力侵害妇女行为受害者的免费电话援助服务。<sup>99</sup>

89. 执法机构确保家庭暴力受害者获得保护，并监督依法适用的保护措施的执行工作。<sup>100</sup>

90. 暴力侵害妇女行为和家庭暴力专题已被纳入国家司法研究所为检察官和法官提供的培训计划。<sup>101</sup>

91. 为提高认识，本国每年组织联合国消除性别暴力 16 天运动。作为国家运动的一部分，已开展 10 200 次提高认识和信息宣传活动，为 500 000 名公民提供信息，并分发了约 310 000 份传单。

## **经济和社会权利(121.151、121.148、121.149、121.150、121.152、121.147、122.29、121.83、122.19)**

92. 为了提高摩尔多瓦人民的生活质量，政府批准了《国家发展战略——“摩尔多瓦 2030 年”》，<sup>102</sup> 并提交议会审议通过。这是制定部门战略以及当前和未来

政策干预措施的参考文件，目的是改变摩尔多瓦共和国公共政策的视角，将关注焦点放到人民的问题、利益和愿望上。<sup>103</sup>

93. 为了改善经济环境，进而促进经济发展，政府对具有机构和程序控制权限的机构进行了改革，并通过了一系列关于国家控制创业活动的条例。<sup>104</sup> 实施了许可文件管理和发放自动化信息系统。<sup>105</sup>

94. 为了刺激返回的移民在本国创业，政府实施了 2018-2020 年吸引汇款促进经济方案“PARE 1+1”，<sup>106</sup> 目的是在摩尔多瓦共和国的可持续经济发展中调动移民工人及其亲属的人力和经济资源。对法律法规进行了调整，规定了社会企业家精神、社会企业和融入型社会企业的概念和定义，并对可以获得社会企业或融入型社会企业地位的主体作出规定。批准了新项目——“年轻人的新开始：家庭可持续商业”，<sup>107</sup> 目的是协助启动和发展可持续企业，使年轻人融入经济循环。为了促进各区域中小企业的发展，并在创业发展、创新管理和技术转让项目方面发起区域支持服务，扩大了摩尔多瓦企业孵化器网络。<sup>108</sup> 为快速应对 2020 年大流行病危机造成的局面，推出了 5 个新工具，专门用于提高中小企业竞争力和加强区域基础设施，例如：中小企业绿色发展方案(1 000 万摩尔多瓦列伊)；对具有高增长和国际化潜力的企业的支持方案(1 500 万摩尔多瓦列伊)；多功能产业平台创建试点方案(5 000 万摩尔多瓦列伊)；中小企业数字化工具(1 000 万摩尔多瓦列伊)；企业孵化器网络发展支持工具(220 万摩尔多瓦列伊)。<sup>109</sup> 2020 年，通过中小企业融资方案创造和维持了 4 549 个就业岗位。

95. 采取了一系列措施减少贫困，促进弱势群体融入社会。发展了多功能社会服务网络，改善了弱势群体获得基于需求的相关服务的机会。通过实施“第一个家”计划和几个旨在为弱势家庭社会住房提供融资的项目，努力简化获得住房的途径。

96. 国际<sup>110</sup> 和国家<sup>111</sup> 贫困指标均呈下降趋势。

97. 批准了一项条例，规定由国家农业农村发展基金提供补贴，以改善农村地区的生活和劳动条件。<sup>112</sup>

98. 已采取措施使国家监管框架与欧盟关于人类消费用水质量的指令保持一致。通过了《饮用水质量法》，<sup>113</sup> 为摩尔多瓦共和国保护、控制和高效利用饮用水以及改善与水有关的风险管理创建了立法框架。<sup>114</sup> 执行了《2016-2025 年摩尔多瓦共和国实施水和卫生议定书国家方案》。<sup>115</sup> 落实了《小型饮用水供水系统卫生条例》的规定。<sup>116</sup>

99. 批准了《2017-2021 年国家就业战略》<sup>117</sup> 及其实施行动汇总，总体目标是在可持续和包容性发展的条件下，在经济竞争力、充足技能和资质的基础上提高正规就业水平。

100. 通过了《促进就业和失业保险法》<sup>118</sup> 和《关于获得就业措施的政府决定》，<sup>119</sup> 目的是预防和减少失业及其社会影响，降低失业风险，确保劳动力的高就业率和适应能力，为此消除基于种族、国籍、族裔血统、语言、宗教、信仰、

性别、年龄、残疾、见解、政治派别、财富、社会出身或任何其他标准的一切形式歧视，确保体面工作的权利。

101. 在**冠状病毒病(COVID-19)**疫情的背景下，采取了以下**社会保护措施**：

- 向因疫情失去工作的人发放了失业补助。<sup>120</sup>
- 对远程工作的条件加以规范。
- 采取措施支持养老金领取者和残疾人。<sup>121</sup>
- 支持处境不利的家庭。<sup>122</sup>
- 在执行医疗活动期间感染冠状病毒病死亡的赚取收入者的遗属(未亡配偶、子女或父母其中一人(视情况而定))可申领每月津贴。<sup>123</sup>

102. 实施了《**2016-2020 年全国健康促进方案**》。<sup>124</sup> 根据该方案开展的主要行动与加强卫生专家的能力有关。<sup>125</sup>

103. 为了向民众提供必要的高质量药品，采取了以下行动：

- 批准了《**药物安全性监测活动执行条例**》。<sup>126</sup>
- 修订了报销药品监管框架。<sup>127</sup>
- 新的药品法草案已由世界卫生组织审查，即将定稿并提交征求专家意见，并提交政府批准。

104. 摩尔多瓦共和国 2019 年登记出生率为每千人 12.0 名活产，是过去 5 年来的最低水平。<sup>128</sup>

105. 《**2018-2022 年国家性和生殖健康与权利方案**》获得批准。<sup>129</sup> 这是关于获得安全性和生殖保健服务方面的国家干预措施以及尊重人权(包括性和生殖权利和性别平等)的重要政策文件。该战略文件针对所有群体，特别关注包括残疾人在内的弱势群体。在过去 4 年中，青少年的性和生殖健康指标呈现积极趋势。<sup>130</sup>

106. 近年来，青少年和青年健康指标取得了一定进展。在这方面，性和生殖健康的一些积极趋势值得一提。<sup>131</sup> 同时，15 至 24 岁的年轻人中艾滋病毒感染率增加，15 至 17 岁性行为活跃的青少年使用保护措施的情况减少，这些趋势令人担忧，需要进一步努力应对。<sup>132</sup>

107. 继续实施**国家疫苗接种计划**。目标年龄段 1 岁儿童的疫苗接种率约为 90%，而目标接种率为 95%，造成这种情况的原因是，父母出于宗教、哲学原因、对疫苗缺乏信任或受到反疫苗趋势的影响而拒绝接种疫苗。

108. 为降低传染病发病率，批准并实施了《**2016-2020 年全国艾滋病毒/艾滋病和性传播感染预防控制方案**》、<sup>133</sup> 《**2017-2021 年全国乙型、丙型和丁型病毒性肝炎控制方案**》、<sup>134</sup> 《**2016-2020 年全国结核病控制方案**》。<sup>135</sup>

109. 《2017-2021 年全国糖尿病预防控制方案》及其实施行动计划已经获得批准并付诸实施。<sup>136</sup>

110. 在实施各项保健方案后，摩尔多瓦共和国民众的出生时预期寿命从 2014 年的 69.3 岁延长至 2019 年的 70.9 岁，其中女性延长至 75.1 岁、男性延长至 66.8 岁。

111. 在摩尔多瓦共和国，目前在各区中心以及基希讷乌市和巴尔蒂市设有 40 个社区精神卫生中心，<sup>137</sup> 由强制性医疗保险基金资助。

112. 在此次疫情中，摩尔多瓦共和国采取了以下措施应对 COVID-19 感染：<sup>138</sup>

- 2020 年 2 月，国家公共卫生特别委员会召集会议并投入运作，负责执行 COVID-19 预防和管理应对措施。
- 特别情况和突发公共卫生事件委员会<sup>139</sup> 每天召开一次会议，分析每天的流行病学情况，介绍最新的数据和问题，并找出适当的解决办法。
- 与世卫组织合作，制定《新型冠状病毒感染国家准备和应对计划》。<sup>140</sup> 在对全球流行病学事件进行评估后，制定了该计划的第二版。<sup>141</sup>
- 2 月 26 日，国家公共卫生风险宣传小组成立。该小组成员包括来自所有主要公共机构、世卫组织和其他联合国机构的传播官员。
- 批准和定期更新《COVID-19 感染临床治疗规程》：前后推出 4 个版本的《国家“新型冠状病毒感染”临时临床规程》和《“冠状病毒感染引起的严重并发症处理”实用指南》，在此基础上开展紧急、初级和医院医疗援助的医疗卫生活动，包括提供药物和在重症监护病房进行治疗。
- 在完全由强制性医保资金来源供资的公共医疗机构内，对疑似或确诊 COVID-19 感染者进行测试、调查并为其提供咨询和治疗，因此，摩尔多瓦共和国所有公民无论是否投保，都可以免费获得这些服务。
- 分期扩大了门诊就诊病种(轻度和中度病症、轻度肺炎)，从 2020 年 12 月起对 COVID-19 患者(中度病症和轻度肺炎)推出由强制性医保基金补偿的居家治疗。
- 为激励直接参与抗击 COVID-19 的医护人员，向完成“为 COVID-19 患者提供医疗援助”专业绩效指标的人员发放了工资奖金。<sup>142</sup>
- 在政府的倡议下，启动了欧洲委员会开发银行项目，为卫生系统拨款 4 000 万欧元，用于为医院配备制氧机、计算机断层扫描仪、医疗废物管理系统、大容量消毒设备，并为国家、市级、区级医院的重症监护病房重新配置通风系统，以此加强卫生系统应对 COVID-19 大流行的能力。
- 批准了《COVID-19 免疫接种计划》。<sup>143</sup>

**妇女权利和性别平等(121.56、121.40、121.47、121.48、121.49、121.50、121.53、121.54、121.52、121.46、121.58、121.59、121.57、121.51、121.145、121.146)**

113. 为确保**尊重妇女权利和性别平等**，摩尔多瓦共和国通过了《2017-2021 年确保男女平等战略》<sup>144</sup> 和相关领域的其他政策文件。<sup>145</sup> 该战略规定了 10 个干预领域：**妇女参与决策、劳动力市场和性别工资差异、社会保护和家庭政策、卫生、教育、气候变化、体制机制、社会陈规定型观念和非暴力沟通、安全和国防部门的性别平等、对性别问题有敏感认识的预算编制。**<sup>146</sup>

114. 同时，按照国际标准完善了促进男女平等、预防和打击家庭暴力和人口贩运的监管框架。<sup>147</sup> 此外还开发了对性别问题有敏感认识的统计数据系统，并采取行动监测政策执行情况。

115. 批准了《**2018-2021 年执行联合国安全理事会关于妇女与和平与安全的第 1325 号决议国家方案执行行动计划**》，<sup>148</sup> 以期确保尊重妇女权利，加强妇女在安全领域的作用，消除陈规定型观念和暴力侵害妇女行为，让妇女参与预防和解决冲突进程以及冲突后重建，将性别观点纳入和平行动主流，扩大妇女的作用和贡献，特别是在军事观察员、民警、人权和人道主义工作人员中的作用和贡献。

116. 根据这一计划，确立了在警察就业和晋升过程中尊重性别平等原则并增加女性警员数量的目标。在这方面，随着《2017-2020 年欧盟警察改革预算支助》的推出，批准了增加女性警员比例和作用的行动计划，规定到 2020 年女性警员比例至少达到 20%。<sup>149</sup> 2020 年，内政部和国防部批准了《预防、打击和报告基于性别的歧视、骚扰和性骚扰案件条例》。

117. 编制了《摩尔多瓦共和国政党性别比例监测报告》，<sup>150</sup> 并进行了“性别指标：**妇女和男子如何参与政治和决策进程**”研究。<sup>151</sup>

118. 每年都在国家一级，特别是在媒体的参与下，组织提高认识和促进性别平等的活动。<sup>152</sup>

119. 为**代表性不足群体的妇女(包括残疾妇女、罗姆妇女)**开展了方案、培训、指导和**能力建设课程**。在女议员平台的主持下，围绕“预防和消除家庭和校园暴力：以多学科办法处理这一现象”，举办了 9 次区域论坛。实施了《全国活跃女性辅导方案“给她以激励”》以及《首次担任市长的女性能力增强方案》，通过该方案，受益者接受了性别平等、妇女担任管理职务、对性别问题有敏感认识的预算编制、沟通以及防止性别主义和性别歧视语言的培训。2018 年，组织了“以候选人身份参加竞选！作变革的推动者！”全国性活动，2019 年地方选举的候选人参加了这一活动。

120. 编制了“和谐家庭关系”选修课程，并对教师进行了培训。<sup>153</sup> 校长咨询课(一至十二年级)包括一个“道德行为文化”模块，该模块涉及性别角色和陈规定型观念。

121. “商界妇女”试点方案<sup>154</sup> 的实施期延长至 2022 年，目的是通过减少性别不平等、发展和壮大企业、改变创新观念、增加获得现代资源、服务和技术的机会，促进提高农村地区的经济和社会技能。

122. 为了创造有利于妇女参政的条件，2018 年通过了关于使用国家预算资助政党的新立法修正案，作出了资源分配符合既定性别配额等规定。<sup>155</sup>

123. 2019 年，对选举法进行了修改，规定在编制地方选举候选人名单时，男女两性配额均不得少于 40%；在确定候选人在名单上的位置时，按照每十位中每个性别至少 4 名候选人的公式进行。

124. 2019 年 2 月至 6 月，实施了“罗姆妇女从政”计划，38 名罗姆妇女接受了培训、辅导和指导。该项目旨在增加罗姆妇女参与当地决策过程的人数。

125. 2019 年，针对 50 名各类残疾妇女实施了公民和政治赋权计划，帮助将参加 2019 年地方选举的候选人做好准备。

#### 儿童权利(121.41、121.103、121.107、121.104、121.106、121.105、122.27)

126. 通过落实《2014-2020 年儿童保护战略》和《2016-2020 年行动计划》的目标，努力改革儿童保育系统，制定发展替代家庭型服务的监管和体制框架，确保在家庭环境中抚养和教育儿童的必要条件，防止儿童与家庭分离，规范和增加向暂时失去父母照顾的儿童和被安置在替代家庭型服务机构的失去父母照顾的儿童提供的福利，根据儿童的特殊需要调整这些福利，并向家庭型孤儿院的专业父母助理/父母教育者提供经济激励，以确保一个家庭中的多个儿童、3 岁以下儿童和残疾儿童得到安置。

127. 增加了以下津贴金额：向被安置在监护机构、专业父母助理和家庭型孤儿院的儿童提供的一次性安置津贴，<sup>156</sup> 向有子女的家庭提供的津贴。<sup>157</sup> 最低限度一揽子社会服务<sup>158</sup> 包括对有子女家庭的支持和对残疾人的个人援助。

128. 政府已做出努力，在社区一级逐步雇用儿童保护专家，并为犯罪事件的儿童受害者/证人建立区域综合援助中心网络，以便简化儿童保护流程，使其免受性犯罪、儿童贩运或家庭暴力、危害生命和/或危害健康罪行的侵害。<sup>159</sup>

129. 2019 年，对《2014-2020 年儿童保护战略》和《2016-2020 年行动计划》执行情况进行了中期评估。<sup>160</sup>

130. 摩尔多瓦执行了<sup>161</sup> 以下指示并对其效率进行了评估：<sup>162</sup> 关于确定、评估、移交、援助和监测暴力、忽视、剥削和贩运行为儿童受害者和潜在受害者部门间合作机制的指示；<sup>163</sup> 关于儿童福利风险初级预防部门间合作机制的指示。<sup>164</sup>

131. 在全学年开展行动，监测、预防和打击教育机构中的暴力侵害儿童现象。这一专题已列入初中和高中学生“社会教育”必修课和一至十二年级“个人发展”课。作为课程改革的一部分，对这两个学科进行了重新定义。



132. 实施了《2017-2020 年促进儿童和青少年网络安全行动计划》。<sup>165</sup> 结合 COVID-19 疫情下的实际情况，开发了一套方法工具，用于在检疫隔离条件下组织远程教育，并保障中小学学生远程教育过程中的在线安全和安保。

133. 继续开展在机构外安置儿童的进程。<sup>166</sup>

134. 制定了儿童早期干预服务，<sup>167</sup> 目的是预防和尽量减少对幼儿发展和健康的负面影响。

135. 随着《2011-2020 年摩尔多瓦共和国全纳教育发展方案》的实施，932 个全纳教育资源中心在各教育机构投入运营。此外，在 9 个机构启动了职业培训全纳教育试点计划，重建了 10 个英才中心，以确保有特殊需要的学生获得职业培训的条件和机会。

136. 这次疫情对摩尔多瓦的教育系统造成了严重影响。<sup>168</sup> 尽管政府已采取一些措施，为教师和学生提供计算设备，但确保充分接受教育仍然是一项挑战。<sup>169</sup>

#### 残疾人权利(121.159、121.154、121.158、121.160、121.162、121.161、122.30、121.155、121.155、121.156、121.157)

137. 为了根据《联合国残疾人权利公约》的规定调整目前的监管法令，对立法<sup>170</sup> 和 49 项监管法令<sup>171</sup> 进行了修改。

138. 2018 年，对《摩尔多瓦共和国宪法》第 50 和 51 条进行了修改，将“残障人”一词改为“残疾人”。

139. 批准了《2017-2022 年全国残疾人融入社会方案》及其实施行动计划。<sup>172</sup> 该方案为残疾人融入社会提供了跨部门办法，并确保残疾人的基本权利在社会生活的所有领域都得到平等尊重。<sup>173</sup>

140. 政府批准了《2018-2026 年智力和社会心理残疾人机构外安置国家方案》，使这些人能够在国家社会援助局管理的住宿机构外生活。<sup>174</sup>

141. 在残疾程度判定制度改革和残疾服务从医疗模式向社会模式转型的背景下，国家继续对该制度进行调整，建立了由医疗、社会和教育专家组成的多学科小组，负责判定残疾程度，执行医疗和社会标准。政府批准了<sup>175</sup> 《摩尔多瓦共和国残疾判定制度改革的概念》及其实施行动计划，其主要目标之一是调整残疾判定标准，使之符合包括《残疾人权利公约》在内的国际标准。<sup>176</sup>

142. 对残疾人社会援助服务进行了规范并使之多样化，批准了：

- 《残疾人免费电话援助服务组织和运营条例及最低质量标准》。<sup>177</sup>
- 《“残疾人日间中心”社会服务组织和运营框架条例及最低质量标准》。<sup>178</sup>
- 《“残疾人日间中心”社会服务组织和运营框架条例及最低质量标准》。<sup>179</sup>

- 为了向重度残疾儿童和成年人提供援助和护理，帮助他们在自己的家中和社区过上更加独立的生活，对“社会援助”、<sup>180</sup> “Respiro”、<sup>181</sup> “成人家庭安置”<sup>182</sup> 这几项社会服务进行了规管。
- 为了确保残疾人独立生活的权利，在残疾人融入社会的背景下，制定并批准了若干类型社会服务组织和运营条例及最低质量标准。<sup>183</sup>

143. 卫生、劳动和社会保障部每年制定并实施纪念国际残疾人日(12月3日)专门行动计划，地方公共当局、国际机构和民间社会参与其中。活动的重点是促进残疾人享受权利、融入社会和提高技能。活动包括展出和销售残疾人制作的物品、举办残疾人摄影展、记者招待会、圆桌会议、体育比赛等。<sup>184</sup>

144. 为了支持地方公共当局创建和发展社会服务，并确保一些紧急社会服务的功能，对立法进行了修订，<sup>185</sup> 内容涉及国家社会援助局利用人口支助基金资源为最低限度一揽子社会服务提供资金等。与此同时，通过人口支助基金为一些社会支付和服务提供资金，为此从国家预算向地方预算转移资金。

145. 已采取措施增强残疾人和少数民族获得教育、卫生服务和适当生活水准的能力。<sup>186</sup>

146. 为确保残疾人无障碍使用社会基础设施，电子通信提供商有义务在城市和农村地区确保残疾的最终用户能够在与其他最终用户同等的条件下选择适合其需求的优质服务并从中受益。<sup>187</sup>

147. 2020年，修改并批准了《国家育龄弱势群体保险条例》。<sup>188</sup> 条例涵盖12个<sup>189</sup>可以享受免费避孕服务的群体，其中包括残疾人。一些初级医疗机构配备了适合运动障碍人士使用的妇科椅。不过，需要做出更多努力，为所有医疗机构配备设备，提高医务人员为残疾人提供生殖健康咨询和计划生育服务的能力，并向残疾人及其家人宣传他们的性权利和生殖权利。

### 摩尔多瓦共和国德涅斯特河左岸区域尊重人权问题(121.173、121.174、121.175)

148. 德涅斯特河左岸区域人权状况的特点仍然是控制该区域的实体有系统地实施严重侵犯权利行为，其中涉及人身自由和安全权、表达自由权、结社权、自由行动权、不被无故逮捕的权利、健康权、受教育权、免受酷刑的权利。

149. 2018年6月15日，人权工作组的活动在中断5年多后重启。2018至2020年期间，该工作组召开了6次会议，议程中列入了德涅斯特河两岸居民的紧迫问题。然而，蒂拉斯波尔的代表拒绝讨论一些引人注目的案件并寻求解决办法，也拒绝确保摩尔多瓦公务员、人权维护者和公益维护人办公室的代表接触在该地区权利受到侵犯的人。

150. 在监测人权的过程中，宪政当局与民间社会组织保持长期对话，<sup>190</sup> 公开讨论德涅斯特河左岸问题的各个方面。

151. 为了加强关于人权问题的对话，向蒂拉斯波尔的政治代表提出了在非政府人权组织、记者和相关国际组织一级建立互动平台的建议，目的是突出与侵犯基本权利和自由有关的最敏感问题，并寻求符合国际标准的解决办法。德涅斯特河左岸方面没有对此作出任何反应。

152. 在这次疫情期间，蒂拉斯波尔实施了种种践踏权利的行动，如：非法和单独拘禁、绑架、审查、严格限制自由行动权，致使人权状况恶化。<sup>191</sup> 已提请谈判进程中的调解人和观察员，特别是欧安组织驻摩尔多瓦特派团注意这些侵犯权利的行为。同时，摩尔多瓦共和国在欧安组织常设理事会、联合国人权理事会各届会议和欧洲委员会部长理事会会议上系统地讨论了这一问题。

153. 鉴于宪政当局无法有效控制该区域局势或无法进入这些地方行使其法定权力，每一起侵犯基本权利的案件都向德涅斯特河左岸解决方案谈判进程的调解人和观察员、欧安组织驻摩尔多瓦特派团、欧洲委员会驻基希讷乌办事处作了报告，并呼吁进行干预，以制止非法行为，恢复/确保保护受到侵犯的权利，并阻止德涅斯特河左岸机构的代表进行恐吓和挑衅。公益维护人办公室的地方代表处还特别向来自德涅斯特河左岸地区和本德市的人们提供必要的咨询和援助。<sup>192</sup>

154. 同时，摩尔多瓦共和国支持国际人权机制进入该区域。在本报告所述期间，摩尔多瓦共和国协助/批准了少数群体问题特别报告员、人权维护者处境特别报告员的访问、联合国德涅斯特河左岸区域问题专家托马斯·哈马尔贝格先生的后续访问以及欧洲委员会人权事务专员的访问(2017年10月 Nils Muižnieks 的访问，2020年3月 Dunja Mijatović 的访问)。

#### 四. 下一阶段的挑战和优先事项

155. 推动修订《摩尔多瓦共和国宪法》(《宪法》第 116、121、122 条)的法律草案，以限制法官的豁免权，简化法官的任命程序，取消法官最初的 5 年任期，并改变最高司法行政官委员会的组成。

156. 有效实施《2018-2022 年人权行动计划》；制定和实施 2022 年后新政策文件。

157. 批准与人权有关的国际条约：

- 《联合国残疾人权利公约任择议定书》；
- 《欧洲人权公约第 16 号议定书》；
- 《联合国儿童权利公约关于设定来文程序的任择议定书》；
- 《经济、社会、文化权利国际公约任择议定书》；
- 国际刑事法院《坎帕拉修正案》。

158. 国家人权理事会正常运作，监测和评估人权政策文件的执行情况，以及国际人权保护机制提出的承诺/建议的执行情况。

159. 通过推动相关的立法修订工作等，加强**监察员和平等委员会**的作用。
160. 调整国家法律框架，使之符合关于仇恨犯罪的国际标准。
161. 公共当局和人权促进者代表无法进入**德涅斯特河左岸区域**，无法履行职责并向**侵犯人权行为的受害者提供必要的援助**，无法执行国家立法的规定，德涅斯特河左岸冲突得不到解决，宪政当局对该地区的局势缺乏有效控制，这些仍然是重大挑战，也是国家进一步干预以确保尊重人权的一些关键优先事项。
162. 执行 **2021-2024 年确保司法部门廉正独立新战略**。
163. 进一步改善**拘留条件**，包括为此提高医疗、社会心理和精神卫生服务的质量等，并对虐待投诉进行有效调查。加强努力执行非监禁措施，特别是在疫情期间被拘留者狱中感染风险较大的情况下。
164. 根据欧洲人权法院的标准，改进**预防和赔偿机制**，防止被拘留者和罪犯受到不人道和有辱人格的待遇，并对受到这种待遇者进行赔偿。
165. 加强国家**突发公共卫生事件预防、准备和应对系统**，为所有人提供平等获得优质医疗服务的机会。
166. 加强努力，消除对少数民族、处境不利群体和弱势群体的一切形式歧视。执行《2021-2025 年大屠杀纪念行动计划》，弘扬宽容文化，从而打击反犹太主义、仇外心理、种族主义和其他形式的**不容忍行为**。
167. 继续采取措施执行欧洲人权法院的判决。
168. 确保所有儿童**平等、安全地接受教育**，特别是在因疫情而实行远程教育的过程中。
169. 批准《**2021-2025 年儿童保护方案**》。
170. 确保**犯罪行为儿童受害者/证人综合援助和保护系统**正常运作，确保遵守听证的特殊条件。
171. 有效落实《2017-2027 年摩尔多瓦共和国加强族裔间关系战略》，通过新的《2021-2024 年行动计划》。
172. 加强措施支持**罗姆人**，包括为此通过新的 2021-2025 年政策文件；确保罗姆人融入社会、经济和教育体系，并确保他们拥有诉诸司法的机会及获得有效补救。
173. 根据国际标准和评价机制提出的建议，继续采取措施，包括批准下一阶段的政策文件，防止和打击**人口贩运和性别暴力**。
174. 加紧努力，确保为**人权维护者和民间社会**创造有利环境。
175. 将人权保护机制提出的国际建议纳入国家框架。
176. 确保《2030 年可持续发展议程》在国家一级得到落实。

注

- <sup>1</sup> Ministry of Health, Labour and Social Protection; Ministry of Agriculture, Regional Development and Environment; Ministry of Economy and Infrastructure; Ministry of Finance; Ministry of Education, Culture and Research; Ministry of Justice; Ministry of Internal Affairs; Ministry of Foreign Affairs and European Integration; Ministry of Defence; Interethnic Relations Agency; Superior Council of Magistracy; General Prosecutor's Office; National Anticorruption Centre; Union of Lawyers; Superior Council of Prosecutors; National Council for State Guaranteed Legal Aid; National Institute of Justice; Broadcasting Council; National Centre for Personal Data Protection; National Bureau of Statistics; National Agency for Public Health; Office of Reintegration Policies.
- <sup>2</sup> The NHRAP includes the following priority areas of intervention: (i) harmonizing the regulatory framework with international human rights standards; (ii) ensuring access to justice and strengthening national human rights institutions; (iii) transparency, access to information and freedom of expression; (iv) protection against discrimination and promotion of equality; (v) preventing and combating domestic violence and ensuring gender equality; (vi) increasing access to quality education for all children and young people at all levels of education, in line with international standards; (vii) ensuring universal access to quality, safe and accessible medical services for all; (viii) continuously increasing employment levels by providing employment opportunities for all; (ix) ensuring conditions for the protection, upbringing and education of children in the family environment; (x) improving the legal and policy framework for the protection of the rights of persons with disabilities; (xi) ensuring the integration of persons belonging to national minorities in all areas of activity of the State and combating discrimination against persons belonging to minority groups; (xii) ensuring respect for human rights in localities on the left bank of the Nistru River.
- <sup>3</sup> Decision no. 65/2019. The powers of the Council include: coordinating and implementing a uniform state policy in the field of human rights; overseeing the process of drafting, implementing and evaluating human rights policy documents; examining and approving half-yearly reports on the implementation of the NHRAP; facilitating interaction with international human rights protection mechanisms; coordinating the implementation of international recommendations in the field of human rights, including those addressed to the Republic of Moldova in the framework of the universal periodic review of human rights; assessing the degree of respect for human rights and approving initial and periodic national reports on the implementation of international treaties to which the Republic of Moldova is a party; creating, if necessary, specialized commissions and groups of experts and supervising their activity; etc.
- <sup>4</sup> The NHRAP implementation is coordinated at two levels: inter-sectoral strategic coordination carried out by the NHRC as a coordinating advisory body, composed of representatives of the Parliament, Government, central public administration authorities, law enforcement agencies, human rights institutions, civil society; and technical coordination carried out by the Permanent Secretariat for Human Rights.
- <sup>5</sup> <https://cancelaria.gov.md/node/5160>.
- <sup>6</sup> The changes have established the authority that shall appoint the People's Advocate, his mission, immunities and guarantees, aspects regarding the independence and incompatibilities of the position of People's Advocate, as well as the conditions that need to be met by potential candidates for the position of People's Advocate.
- <sup>7</sup> Law no. 52/2014.
- <sup>8</sup> By Government Decision no. 797/2020, the draft law for amending Law no. 52/2014 on the People's Advocate was approved. Its purpose is to ensure the observance of the rights and legitimate interests of entrepreneurs by public authorities, by organizations and enterprises, regardless of form of ownership or legal form of organization, by non-profit organizations and by responsible officials at all levels.
- <sup>9</sup> Law no. 298/2012.
- <sup>10</sup> The Equality Council [Council for Preventing and Eliminating Discrimination and Ensuring Equality] obtained membership of EQUINET [European Network of Equality Bodies] in 2017.
- <sup>11</sup> Law no. 13/2017.
- <sup>12</sup> Law no. 371/2006.
- <sup>13</sup> Law no. 302/2016.

- 14 Signed by the Republic of Moldova on 3 March 2017.
- 15 Signed by the Republic of Moldova on 6 February 2017.
- 16 Law no. 113/2020 on amending some regulatory acts.
- 17 Thus, during the reporting period, the Republic of Moldova was visited by the UN Special Rapporteur on minority issues (20-29 June 2016) and the UN Special Rapporteur on the situation of human rights defenders (25-29 June 2018). During the visits, the Rapporteurs appreciated the openness and the high level of cooperation from the Moldovan authorities. The reports prepared by the Special Rapporteurs following the visits and related recommendations were disseminated to responsible public authorities for consideration and implementation. Progress in their implementation is being monitored through an integrated tool for monitoring international recommendations managed by the Permanent Secretariat for Human Rights. At the end of 2019, the visit to the Republic of Moldova of the UN Special Rapporteur on trafficking in persons, especially women and children, was agreed, but the visit was cancelled due to the pandemic.
- 18 In addition to the visits of the two Special Rapporteurs to Tiraspol, in 2018, the UN Expert Thomas Hammarberg made a follow-up visit to his report of 2013 regarding the human rights situation in the Transnistrian region.
- 19 [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=MDA&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=MDA&Lang=EN)
- October 2016 – The 3<sup>rd</sup> Periodic Report on the implementation of the International Covenant on Civil and Political Rights, 118<sup>th</sup> session of the Human Rights Committee.
  - March 2017 – The initial report of the Republic of Moldova on the implementation of the Convention on the Rights of Persons with Disabilities, 17<sup>th</sup> session of CRPD.
  - April 2017 – 10<sup>th</sup>-11<sup>th</sup> Combined Periodic Report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, 92<sup>nd</sup> session of CERD.
  - September 2017 – The 3<sup>rd</sup> Periodic Report on the implementation of the International Covenant on Economic, Social and Cultural Rights, 62<sup>nd</sup> session of CESCR.
  - September 2017 – The 4<sup>th</sup>-5<sup>th</sup> Combined Periodic Report on the implementation of the Convention on the Rights of the Child, 76<sup>th</sup> session of CRC.
  - November 2017 – The 3<sup>rd</sup> Periodic Report on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 62<sup>nd</sup> session of CAT.
  - May 2019 – The 5<sup>th</sup> Periodic Report on the implementation of the Framework Convention for the Protection of National Minorities.
  - February 2020 – The 6<sup>th</sup> Periodic Report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, 75<sup>th</sup> session of CEDAW.
  - June 2020 – The 12<sup>th</sup>-14<sup>th</sup> Combined Periodic Report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination was submitted to the Committee on the Elimination of Racial Discrimination (CERD) and is to be presented according to the schedule set by the Committee.
  - December 2020 – The 2<sup>nd</sup>-3<sup>rd</sup> Combined Periodic Report on the implementation of the Convention on the Rights of Persons with Disabilities was submitted to the Committee on the Rights on Persons with Disabilities (CRPD) and is to be presented according to the schedule set by the Committee.
- 20 Law no. 51/2018.
- 21 Law no. 86/2020. The law also contains provisions that eliminate restrictions for certain categories of persons to constitute or participate as founders, members or leaders of non-profit organizations.
- 22 Law no. 100/2017 on regulatory acts, Government Decision no. 610/2018 on the Government Regulation, Law no. 239/2008 on transparency in decision making, Government Decision no. 967/2016 on the mechanism of public consultation with civil society in the decision-making process.
- 23 On 18 July 2014, the Parliament adopted the so-called Law on 2%. The law allows individuals to give annually 2% of their income tax to domestic non-governmental organizations acting in the public interest and to religious

organizations. At the initiative of civil society organizations, the Parliament amended this law on 21 July 2016 in order to provide equal conditions of access to and use of money, as well as reporting, to all beneficiaries of the Law on 2%, and to improve the mechanism of percentage designation. On 2 November 2016, the Government approved the Regulation on the percentage designation mechanism, which is also the instrument for application of the Law on 2%. By Law no. 308/2018, the Parliament transferred all responsibilities under the Law on 2% from the Ministry of Justice to the Public Services Agency. On 18 January 2019, the Government made some amendments to the Regulation on the percentage designation mechanism. According to the report of the Legal Resources Centre of Moldova regarding the implementation of the 2% mechanism in the Republic of Moldova in 2020, in the third year of percentage designation, 731 non-profit organizations (634 associations, foundations and private institutions and 97 religious denominations and their parts) were registered in the list of the 2% beneficiaries. The number of organizations participating in the 2% mechanism increased by 23% compared to 2018.

- <sup>24</sup> Law no. 174/2018.
- <sup>25</sup> In accordance with Article 21 of the Code of Audio-visual Media Services.
- <sup>26</sup> Also, the reports on the supervision of the local audio-visual space in 2018-2020 are published on the website of the Broadcasting Council, <http://www.audiovizual.md/reports/8>
- <sup>27</sup> Law no. 262/2018.
- <sup>28</sup> The ex-post assessment report is published on the website of the Parliament in the section “Parliamentary control” “Legislative impact and analysis of the effectiveness of laws.” Following the assessment, the Parliamentary Commission asked the Government to prepare and promote, as a matter of priority; (i) a draft law for substantial amendment of Law no. 982/2000 on access to information or a draft law on free access to information of public interest, and (ii) a draft law on amending the related legal framework.
- <sup>29</sup> In 2019 – 52 novice civil servants from central and local public authorities, in 2020 – 248 novice civil servants and 49 civil servants in managerial/executive positions.
- <sup>30</sup> In 2019, the draft law was subject to adjustment procedures following multiple consultations with national and foreign experts, including the OSCE/ODIHR Opinion of 26 April 2019 and the proposals received from civil society.
- <sup>31</sup> Approved by Law no. 174/2018.
- <sup>32</sup> Broadcasting Council Decision no. 61/219 of 30 December 2019.
- <sup>33</sup> Parliament Decision no. 210/2015.
- <sup>34</sup> Government Decision no. 13/2017.
- <sup>35</sup> Government Decision no. 1019/2018.
- <sup>36</sup> Government Decision no. 18/2019.
- <sup>37</sup> Government Decision no. 980/2020.
- <sup>38</sup> The project was funded by the Ministry of Foreign Affairs of Denmark and implemented by UNDP.
- <sup>39</sup> The Guide explains the Council’s responsibilities, forms of discrimination, protected criteria and the procedure for examining complaints of discrimination by the Council. At the same time, in order to be accessible to visually impaired people, the Petitioner’s Guide was transcribed to Braille and the sound version of it was developed in Romanian and Russian, all available on the Council’s official website [www.egalitate.md](http://www.egalitate.md).
- <sup>40</sup> In order to continue constructive cooperation, on 20 September 2019 these three institutions signed the Joint Declaration on the conduct and coverage of the electoral campaign without discrimination and hate speech, “reaffirming the devotion to respect for human rights and ensuring equality for 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 belief, sex, age, disability, opinion, political affiliation or any other similar criteria.” In the context of the electoral campaign in October 2019, the signatory institutions appealed to politicians, electoral candidates, journalists, opinion leaders, etc. to respect democratic values, promote the principle of equality and non-discrimination, avoid hate speech and respect human dignity. On 28 September 2019, the Broadcasting Council, as the regulatory authority in the field of audio-visual communication, adhered to this Declaration, too.

- <sup>41</sup> Approved by Government Decision no. 1464/2016. The strategy is a policy document that determines the national mechanisms for strengthening interethnic concord, developing civic identity towards the State of the Republic of Moldova, ensuring the necessary conditions for non-native speaking citizens, including adults, to study and use the state language, promoting national minority languages, ensuring the access of persons belonging to national minorities to information and media in their languages, promoting diversity in society and participation of national minorities in public life and facilitating intercultural dialogue. The implementation of the Strategy is based on action plans approved by the Government, in three stages.
- <sup>42</sup> Approved by Government Decision no. 1019/2017. The action plan has been aligned with the provisions of the Strategy and included several measures, specific actions and joint projects to achieve the basic objectives of the Strategy. These included: operational research focused on analysing the current situation in this area, identifying pressing issues and risks, examining the situation in the field of representation and participation of ethnic groups in the public service. Sufficient attention has been paid to developing the competence and raising awareness of non-governmental organizations, journalists, civil servants and other social groups, by organizing workshops, seminars and consultations. The Plan also provided for the continuous organization of traditional national-cultural events, such as festivals, round tables, conferences, etc. and other activities focused on intercultural dialogue, intercultural education and interaction.
- According to the Action Plan, a series of activities was carried out in various fields, financially supported by international bodies and the budget of the responsible institutions. From the state budget, according to Government Decision no. 1019/2017, were allocated 2,570,795 MDL; external assistance amounted to 2,101,822 MDL.
- <sup>43</sup> Law no. 121/2012.
- <sup>44</sup> In 2018, three years later, the Equality Council, with the support of development partners, assessed the perceptions and attitudes of the population towards equality. The comparison with 2015 showed a decrease in the social distance index of certain minority groups in the Republic of Moldova. However, the lowest level of acceptance remains for LGBT people, people living with HIV/AIDS, Roma, former detainees. Study on perceptions and attitudes towards equality in the Republic of Moldova, 2018, <http://egalitate.md/wp-content/uploads/2016/04/Studiu-privind-percep--iile.pdf>
- <sup>45</sup> Government Decision no. 734/2016. The main objectives outlined in the Action Plan for 2016-2020 provided for: creation of an inclusive and efficient education system based on the principles of fairness, non-discrimination and respect for diversity, which will contribute to the integration of the Roma population in society; significant increase of employment of the Roma people and increase their economic well-being; improving the health of the Roma population and ensuring non-discriminatory access to medical services; ensuring decent living conditions for Roma people and increasing their quality of life; improving Roma participation and reducing discrimination. Report on the implementation of the Plan: <http://www.ari.gov.md/ro/content/raportul-privind-implementarea-planului-de-ac%C5%A3iuni-pentru-sus%C5%A3inerea-popula%C5%A3iei-de-etnie>
- <sup>46</sup> Government Decision no. 945/2018. Government Decision no. 952/2020. Expenditures for the maintenance of the social service “Community Mediator” are made through transfers for special purposes from the state budget to local budgets. In 2018, for the maintenance of the social service “Community Mediator,” out of the approved amount of 2,239.6 thousand MDL for 47 units, actual expenses amounted to 1,147.7 thousand MDL. In 2019, for the maintenance of the social service “Community Mediator,” out of the approved amount of 2,485.1 thousand MDL for 47 units, actual expenses amounted to 1,690.8 thousand MDL. For 2020, funds approved for this purpose in the state budget amounted to 3,440.5 thousand MDL for 54 units, of which actual expenses amounted to 2,141.9 thousand MDL. Community mediators have an important task in consolidating the Roma community by ensuring balance in cooperation between public institutions and the community, facilitating communication and collaboration between them.
- <sup>47</sup> Restrictions for migrants: the right to elect and to be elected to legislative, executive and other eligible bodies, to participate in universal suffrage; to be appointed to positions or involved in activities for which the citizenship of the Republic of Moldova is required; to be members of parties or other socio-political organizations; to organize or attend meetings that are detrimental to public order or national security; to organize or finance political parties, other similar groups and to be members of them; to fulfil military service in the armed forces of the Republic of Moldova; to be employed without having a work permit.
- <sup>48</sup> Approved by Government Decision no. 736/2016.



- <sup>49</sup> Law no. 23/2017.
- <sup>50</sup> Law no. 165/2017.
- <sup>51</sup> Adopted by Law no. 231/2011.
- <sup>52</sup> The implementation of the Justice Sector Reform Strategy for 2011-2016 has contributed to the creation of a new regulatory basis for most institutions and professions in the justice sector. Most of these provisions were put into practice, while others continue to be gradually implemented today to produce the results expected by the JSRS.
- <sup>53</sup> As a result of the evaluation mission concerning the implementation of the JSRS, a team of Council of Europe experts (country visit conducted between 19 and 22 September 2017) presented a report to the Ministry of Justice, and their recommendations were taken into consideration in the elaboration of the new strategic document, adopted in November 2020.
- <sup>54</sup> Progress reports on the implementation of the Justice Sector Reform Strategy for 2011-2016 JSRS are available online: <http://justice.gov.md/tabview.php?l=en&idc=489>. The most important achievements were legislative and institutional reforms: strengthening the administrative capacity of the judiciary (Superior Council of Magistracy and its specialized bodies); reorganizing the judiciary by optimizing the map of courts, the number of first level judges – staged and gradual process, until 31 December 2027, according to the provisions of Law no. 76/2016 and Parliament Decision no. 21/2017 on approval of the plan for the construction of new buildings and/or renovation of existing buildings, necessary for the proper functioning of the court system; creating new mechanisms for selection, performance assessment and disciplinary liability of judges; strengthening the role and status of the Judicial Inspection; reform of the National Institute of Justice; strengthening the state-guaranteed legal aid system, broadening the spectrum of assistance and the range of subjects; reviewing the procedures for enforcing judgments; rethinking and strengthening the standards of organization and functioning of the professions related to the justice sector: notaries, lawyers, bailiffs, judicial experts, mediators, authorized administrators, translators/interpreters; reform of the prosecutor's office, of its administration bodies, of the status of prosecutors, and creation, strengthening of specialized prosecutor's offices; creating the legislative framework for the rehabilitation of victims of crime and strengthening the child-friendly justice system; establishing new mechanisms to prevent corruption and ensure integrity in the justice sector; reviewing the codes of ethics of actors in the justice sector and creating mechanisms for investigating/reacting to ethical violations; launching the process of modernization and strengthening of the legal and institutional framework of the penitentiary system and the probation system; etc.
- <sup>55</sup> Research on society's trust in justice, performed during the implementation of the JSRS, showed some development. According to the data provided by the Public Opinion Barometer in 2011, the degree of citizens' trust in justice was 18%, and in 2019, following reforms in the sector, 26% on the population said they trusted the judiciary. At the end of the implementation of the new stage of reform, a new stage of improvement or "fine-tuning" of the already adopted regulatory framework will take shape, with strengthening of the institutional and professional capacity of the reformed institutions, aligning of the justice reform processes with the recommendations and standards of relevant international instruments and with the commitments of the Republic of Moldova before development partners.
- <sup>56</sup> Law no. 133/2018. It was the first full revision of the Civil Code since its adoption in 2002 and was the result of more than four years of consistent effort, involving a significant number of experts, practitioners and academics.
- <sup>57</sup> Law no. 18 of 15 February 2018 on amending and supplementing some legislative acts. The law ensured the implementation of the recommendations of the Venice Commission (no. 755) of 2014. In addition, those changes detailed the procedure for preparing cases for examination (first instance and appeal), tightened the rules for presenting evidence and summoning participants, and introduced the possibility of submitting procedural documents in electronic format (e-file system).
- <sup>58</sup> It currently enables the creation and administration of an electronic file by submitting applications to court online, with the parties' access to the file, electronic coordination of the court hearing agenda by the participants in the trial, presentation of evidence and distribution of materials in electronic format, introduction of electronic citation mechanism, etc.
- <sup>59</sup> Order of the Minister of Justice no. 550 of 10 October 2018 and Superior Council of Magistracy Decision no. 387/20 of 2 October 2018.
- <sup>60</sup> By reviewing the process of examining disciplinary violations, they strengthened the role of the inspector-judge,

excluded vague interpretations of the facts that constitute disciplinary violations of judges and clarified the issues related to the activity of the Disciplinary Board. Other amendments, adopted by Law no. 137/2018, were intended to increase the efficiency and independence of the judiciary; strengthen the role of the Superior Council of Magistracy (SCM); promote a merit-based and transparent system for selection and career of judges; standardize access to the position of judge by amending the legal provisions concerning the criteria for selection, evaluation and promotion of judges; ensure the competitiveness of procedures for the promotion and transfer of judges; ensure the functional autonomy of the Judicial Inspection from the SCM and strengthen the role of the SCM, particularly by limiting membership to a single term. In addition, the right to vote of the Prosecutor General, the President of the Supreme Court of Justice and the Minister of Justice in matters relating to the career of judges (appointment, promotion, disciplinary sanction and removal of judges) was limited, and an effective system for challenging SCM decisions was established (full jurisdiction of first instance, compulsory public hearings and motivated judgments).

- <sup>61</sup> That draft law was also sent to the Venice Commission for examination, and two opinions were adopted, one at the 122<sup>nd</sup> plenary session on 20 March 2020 and an additional opinion on 24 June 2020 (CDL-AD(2020)001 and no. 983/2020 CDLAD(2020)007).
- <sup>62</sup> Law no. 132/2016 on the National Integrity Authority; Law no. 133/2016 on the declaration of wealth and personal interests; Law no. 134/2016 on amending and supplementing some legislative acts; Law on integrity no. 82 of 25.05.2017; Law no. 48/2017 on the Criminal Assets Recovery Agency.
- <sup>63</sup> Law no. 308/2017.
- <sup>64</sup> The Government Action Plan for 2016-2018, the National Strategy for Public Order and Security to 2017-2020 and the Action Plan on its implementation; Action Plan for reducing ill-treatment, abuse and discrimination against persons in police custody for 2017-2020; Policy matrix for the implementation of budget support for police reform in 2017-2020.
- <sup>65</sup> 15 TDFs in the following localities: Cimișlia, Telenești, Călărași, Sîngerei, Ungheni, Briceni, Edineți, Basarabasca, Rezina, Căușeni, Ștefan Vodă, Hîncești, Cantemir, Cahul, Orhei.
- <sup>66</sup> Approved by Government Decision no. 1462/2016.
- <sup>67</sup> In order to streamline the evaluation and accreditation procedures, 1.5 million MDL were allocated in the state budget for 2019, intended for the repair of medical wards in penitentiary institutions.
- <sup>68</sup> All aspects relevant to the right of persons in state custody (material conditions of detention, discipline, detention regime, medical care, informal hierarchy, etc.) were reflected in the reports of the Government of the Republic of Moldova, prepared from 2017 until now, which can be accessed on the web page of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) <https://www.coe.int/en/web/cpt/republic-of-moldova>
- <sup>69</sup> Progressive sentence enforcement regimes are, on the whole, a system that ensures the individualization of security measures and their adjustment and adjustment of the daily regime of the detainee to the degree of risk they present and the progress shown in changing criminal behaviour.
- <sup>70</sup> Law no. 157/2018 on amending the Criminal Code of the Republic of Moldova no. 985/2002.
- <sup>71</sup> Law no. 163/2017 on amending and supplementing some legislative acts.
- <sup>72</sup> On 1 January 2019, Law no. 163/2017 and Law no. 272/2018 entered into force, having introduced into domestic law a preventive and compensatory remedy for ECHR violations with reference to inhuman and degrading conditions of detention.
- <sup>73</sup> So far, 552 people have been conditionally released prematurely based on Article 91 of the Criminal Code (an increase of 59.7%); likewise, 275 people were released by applying Article 92 of the Criminal Code, “Replacing the unenforced part of the sentence with a milder one” (an increase of 95.54%). The total number of the penitentiary population decreased by 585 people. Thus, 7,029 people were detained in penitentiary institutions at the beginning of 2019, compared to 7,614 people detained in the same period of 2018.
- <sup>74</sup> Law no. 245/2018 on amending some legislative acts.
- <sup>75</sup> Law no. 179/2018.

- <sup>76</sup> Government Decision no. 748/2017.
- <sup>77</sup> In the period of 2017-2020, 8 training activities were carried out for the prevention of torture and ill-treatment, with 315 people (prosecutors, judges) being trained. In the segment of initial training, during the reporting period, the electronic course “Prohibition of ill-treatment in the context of law enforcement, security and other coercive contexts,” with a duration of 30 hours of training for each audience promotion, was introduced in the initial training plans for candidates for the positions of judge and prosecutor. In the segment of continuing training, during the reporting period, 9 relevant training activities were carried out, the beneficiaries of which were 221 actors of the justice system.
- <sup>78</sup> Established on 24 October 2016 in accordance with Law no. 52/2014 on the People’s Advocate (Ombudsman). The CPT has 7 members: 2 full members (the People’s Advocate and the People’s Advocate for the Rights of the Child) and 5 members elected through public competition for a term of 5 years, delegated by the civil society.
- <sup>79</sup> The Council may carry out unannounced preventive and monitoring visits to places where detainees are or may be, in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (UN OP CAT). Between 2016 and 2020, the CPT carried out over 100 visits, namely: 42 to places of detention under the Ministry of Internal Affairs, 29 to penitentiaries, 15 to psychiatric institutions, 24 to other institutions. During the same period, 80 reports were issued, with over 800 recommendations. The CPT reports can be seen here: <http://ombudsman.md/consiliul-pentru-prevenirea-torturii/rapoarte/>
- <sup>80</sup> Government Decision no. 461/2018.
- <sup>81</sup> Initiated a new Action Plan for 2021-2022, which is in the process of consultations.
- <sup>82</sup> Law no. 157/2018.
- <sup>83</sup> Law no. 241/2005.
- <sup>84</sup> “Presumed victim of trafficking in human beings”, “National Referral System for the protection and assistance to victims and presumed victims of trafficking in human beings”.
- <sup>85</sup> Government Decision no. 850 /2016; Government Decision no. 255/2017; Government Decision no. 875/2018; Government Decision no. 133/2020.
- <sup>86</sup> During 2018, 28 adult persons from the Russian Federation, Ukraine, Romania, Spain, Lithuania, Italy, and United Arab Emirates were repatriated. During 2019, 2 adults in difficulty were repatriated. During 2020, 10 adults from France, Italy and Portugal were repatriated (from the funds of the state budget).
- <sup>87</sup> Law no. 137/2016.
- <sup>88</sup> Law no. 1/2020.
- <sup>89</sup> On 27.10.2020, by Decision no. 309/26, the Superior Council of Magistracy supplemented Decision no. 34/3 of 24.01.2020 on the specialization of judges in the field of combating THB and related crimes, by which it recommended the presidents of courts to appoint judges specialized in the field of combating THB and related crimes for a term of 5 years, with the possibility to extend this term.
- <sup>90</sup> The necessary assistance was also offered by NGOs and development partners with competence in this field.
- <sup>91</sup> The World Day against Trafficking in Persons (30 July) is marked annually, since 2014, by the anti-trafficking community of the Republic of Moldova. The national campaign Anti-Trafficking Week, in the context of the European Anti-Trafficking Day, has been marked annually on 18 October since 2011, bringing together the entire anti-trafficking community of Moldova in order to inform and raise awareness about the risks and consequences of THB by addressing issues related to national legal and institutional mechanisms in the field of combating THB, effective protection of the rights of THB victims, including access to justice and the role of NGOs in this field. During 2017-2020, about 900 thousand people were informed within national campaigns and through information and counselling platforms. The platform [www.antitrafic.gov.md](http://www.antitrafic.gov.md), launched in 2013, contains hotlines for adults and children both in the country and abroad. The information portal [www.siguronline.md](http://www.siguronline.md) is, inter alia, a national focus point for reporting harmful content and crimes related to online abuse and sexual exploitation of children. The national hotline La Strada 0800 77777 is another tool for accessing assistance and protection for THB victims and for encouraging referrals to law enforcement bodies, including by providing legal aid to TBH victims. The Child Phone 116111 (working nonstop) can be appealed by children who need psycho-emotional counselling, children who want information about their rights

and how they can be exercised and defended, by the parents or caregivers of children (for counselling, information and consultancy), as well as by people who want to report cases in which a child needs help. The Anti-Trafficking Green Line (+373) 69999021, was established on 8 December 2017 within the General Prosecutor's Office. Other tools are the hotline of the Centre for Combating Trafficking in Persons 022 254 998, specialists in this field, etc. More details on [www.antitrafic.gov.md](http://www.antitrafic.gov.md)

- <sup>92</sup> Law no. 196/2016 on amending and supplementing some legislative acts.
- <sup>93</sup> Law no. 113/2020 contains new provisions that consecutively amend three framework laws (Law no. 45/2007 on preventing and combating domestic violence, Law no. 198/2007 on state-guaranteed legal aid, Law no. 8/2008 on probation).
- <sup>94</sup> Government Decision no. 281/2018. The Strategy was reviewed at mid-term <https://moldova.unwomen.org/ro/biblioteca-digitala/publicatii/2020/09/raport-de-evalua-re-gbv>. The Action Plan for the implementation of the Strategy for 2021-2023 has been developed and is in the process of consultation.
- <sup>95</sup> General Police Inspectorate Order no. 360/2018.
- <sup>96</sup> Ministry of Health, Labour and Social Protection Order no. 903/2019.
- <sup>97</sup> Ministry of Health, Labour and Social Protection Order no. 1167/2019.
- <sup>98</sup> 2017 = 202 adults and 72 minors; 2018 = 147 adults and 41 minors; 2019 = 112 adults and 32 minors; 89 adults and 18 minors.
- <sup>99</sup> The helpline for women and girls increases the awareness of the population about the phenomenon of domestic violence and provides psycho-emotional counselling, in the context of ensuring protection for the victims of domestic violence and violence against women. This service provides counselling to callers, 24 hours a day, 7 days a week, for prevention of domestic violence, as well as the services available for subjects of domestic violence.
- <sup>100</sup> In 2019, the police issued 4,250 emergency restraining orders regarding domestic aggressors, 373 more than in 2018 (increase of 9.62%), and 4,939 in 2020 (increase of 13.95% compared to 2019).
- <sup>101</sup> During 2017, in the segment of continuing training, the NIJ carried out 10 training activities in this field, with 264 beneficiaries being trained. During 2018, in the segment of continuing training, the NIJ carried out 13 training activities in this field, with 289 beneficiaries being trained. During 2019, in the segment of continuing training, the NIJ carried out 7 training activities in this field, with 207 beneficiaries being trained. In the segment of initial training, during the reporting period, candidates for the position of judge and prosecutor benefited from training on the topic of violence against women and domestic violence. During 2020, in the segment of continuing training, the NIJ carried out 7 training activities in this field, with 208 beneficiaries being trained.
- <sup>102</sup> Approved by Government Decision no. 1083/2018.
- <sup>103</sup> This document aims to contribute to the strategic distribution of budgetary and institutional resources, depending on the objectives set for the four basic pillars: 1. Sustainable and inclusive economy; 2. Robust human and social capital; 3. Honest and efficient institutions; and 4. Healthy environment. To develop these areas, by 2030, the Government has set 10 (ten) sustainable development goals (SDGs) at the national level, including the ones of ensuring quality education, ensuring effective governance, increasing people's access to infrastructure and improving labour conditions. Each of the 10 (ten) objectives was based on the analysis of the current situation, of the basic factors of people's vulnerability, with the strategic vision being formulated and priority actions outlined. The document focuses, inter alia, on the elimination of poverty in all relevant dimensions, not strictly in monetary terms, but also in terms of equal and indisputable access to quality services and goods. The NDS "Moldova 2030" involves taking greater responsibility to stop environmental degradation and uncontrolled consumption of natural resources, taking into consideration the needs of future generations, involves building a peaceful, supportive and cohesive society, composed of educated people with critical thinking and free of obscurantism, a society in which any conflicts are solved through dialogue, arguments and strict observance of rights.
- <sup>104</sup> Government Decision no. 379/2018 on the state control of entrepreneurial activity based on risk analysis; Government Decision no. 380/2018 on the approval of the Framework Regulation on the organization and functioning of the Council for the settlement of disputes within control bodies; Government Decision no. 464/2018 on the approval of the Regulation on keeping the State Register of Controls.

- <sup>105</sup> Includes 92 permissive acts.
- <sup>106</sup> Government Decision no. 972/2010.
- <sup>107</sup> Government Decision no. 973/2018.
- <sup>108</sup> In order to facilitate the development of SMEs in regions, creation of regional services for support in entrepreneurial development, management of innovation and technology transfer projects, the Network of Business Incubators of Moldova has been working since 2013. As of 30 June 2018, the 11 business incubators hosted 199 companies, including 99 start-ups, 110 managed by young people and 93 companies managed by women. Overall, 902 jobs have been created, including 462 for women and 376 for young people. This network of business incubators generates common turnover of about 99 million MDL.
- <sup>109</sup> The tool for the digitization of SMEs is intended to encourage the digitization of business models, introduction of smart solutions to stimulate productivity and increase the connectivity for rapid adaptation to new economic conditions. As a result, 466 entrepreneurs were trained in the program. Later, in the first call for grants, 180 businesses were approved for financing, in the total amount of 11.36 million MDL, which is expected to maintain over 1,953 jobs. In the SMEs Greening Program, 107 requests for assistance in business greening were received, with the intention to implement investment projects in the total amount of 52.9 million MDL. Training was provided to 80 SMEs. The support program for businesses with potential of growth and internationalization was launched on 28.10.2020, and it will provide methodological assistance and financial support in the form of grants for about 220 SMEs for investment in business development. Within the program, 71 funding applications were received. 50 million MDL were allocated for the implementation of the pilot program for the creation of Multifunctional Industrial Platforms, providing for the creation of 16 multifunctional platforms in regions with a low level of industrialization, such as industrial parks or free economic zones, and their development will take place in several stages. The support instrument for the development of the Business Incubator Network (BIN) is intended to develop the capacities of BIN representatives to assist and support the growth of SMEs competitiveness in the rural environment, including by supporting SMEs in preventing business failure and overcoming socio-economic crises.
- <sup>110</sup> According to the World Bank, the percentage of the population with an income below 5.50 USD per day (adjusted to the purchasing power parity) decreased from 29% in 2010 to 13.3% in 2018.
- <sup>111</sup> According to the National Bureau of Statistics, the rate of absolute poverty, estimated in the population with habitual residence, showed a relative decrease, from 29.5% in 2014 to 23.0% in 2018.
- <sup>112</sup> Government Decision no. 476/2019.
- <sup>113</sup> Law no. 182/2019.
- <sup>114</sup> The monitoring of the population's access to safely managed drinking water supply and sanitation systems is ensured by the National Agency for Public Health. Thus, the population's access to improved drinking water systems in 2019 was 98% for the urban population (in 2018 – 97.2%) and 47% for the rural population (in 2018 – 45%). In 2019, 47% of the population had sustainable access to collective sewerage systems (45.8% in 2018 and 45.5% in 2017), of which 76.3% urban and 13% rural.
- <sup>115</sup> Government Decision no. 1063/2016. Regarding the population's access to improved water and sanitation systems, works are carried out annually for the rehabilitation, modernization and expansion of public water supply systems. According to the National Bureau of Statistics, in 2019, the level of functionality of public sewerage systems was 100% in Chisinau, 94.3% in the Centre region and 88.9% in the South; lower levels were registered in the North region (86.1%) and ATU Gagauzia (62.5%). The total length of public sewerage networks was 2.9 thousand km, or about 109.8 km more than in 2017. During the last 3 years, there has been an increase in the number of population connected to water supply services with about 242.4 thousand consumers. The highest share of localities with access to water supply systems was registered in Chisinau municipality (85.7%) and ATU Gagauzia (78.1%), and localities in the North region have the lowest access rate (35.3%). About 51% of Moldovan villages do not have access to drinking water supply from the public system. In addition, about 2,154.2 thousand people from the country's population benefited from the public water supply service, of which 1,268.0 thousand from urban areas and 886.2 thousand from rural areas. Thus, at the national level, the rate of the population's connection to the public water supply service constituted 81.8% of the total population. Over the last 4 years, the population's access to the public water supply service has increased by about 259.0 thousand people (or 13.6 p.p.).

- In 2018-2020, no cases of particularly dangerous water-borne infectious diseases, such as cholera or typhoid fever, were detected in the Republic of Moldova.

<sup>116</sup> Approved by Government Decision no. 1466/2016 and the Ministry of Health, Labour and Social Protection order no. 350 of 05.05.17 for its implementation. In addition, during 2020, the Electronic Register of Water Sources was created (for artesian wells and public wells).

<sup>117</sup> Government Decision no. 1473/ 2016.

<sup>118</sup> Law no. 105/2018.

<sup>119</sup> Government Decision no. 1276/ 2018.

<sup>120</sup> The unemployment allowance was granted to 14,206 beneficiaries (uninsured unemployed) among persons registered as unemployed in territorial employment departments, including those returned from abroad, who do not fall under the provisions of Law no. 105/2018 on the promotion of employment and unemployment insurance. The unemployment allowance was set at 2,775 MDL per month. The total expenses incurred for the payment of the benefit amount to 37.2 million MDL. The beneficiaries of the unemployment allowance of less than 2,775 MDL granted under the Law on the promotion of employment and unemployment insurance received the difference between the calculated unemployment allowance and 2,775 MDL. This difference was paid to 3,104 beneficiaries. The total expenses for this difference payment amounted to 3.7 million MDL.

During the state of emergency, the holders of the entrepreneurial patent issued under the Law on the entrepreneurial patent and the individuals who carry out activities under chapters 102 and 103 of Title II of the Fiscal Code were granted a one-time unemployment aid in the amount of 2,775 MDL, provided that in March 2020 they did not earn insured income. The National Chamber of Social Insurance granted one-time unemployment aid of 2,775 MDL to 10,658 beneficiaries among the holders of the entrepreneurial patent. The total expenses incurred for the payment of the one-time unemployment aid for this category made 29.6 million MDL.

<sup>121</sup> - In April, May and June, the state-owned company Post of Moldova, through its subdivisions, delivered pensions and social allowances for the elderly and persons with disabilities to their homes, in order to protect people from at-risk groups in the current epidemiological situation.

- During the state of emergency, the terms for granting all social benefits were suspended, and were to start after this period. So, it was provided that social insurance benefits, including the pension, be granted from the date when such a right was obtained, even if the application and other necessary documents were submitted after the state of emergency.

- The National Council for Determining Disability and Work Capacity has ex officio extended the term for assigning degrees of disability until 15 May for persons, whose degree of disability expired or expires during the state of emergency. Respectively, the National Chamber of Social Insurance paid pensions and social allowances for persons with disabilities during this period.

- In order to increase citizens' access to the realization of the right to a pension, Article 31 of the Law on the public pension system has been amended, stipulating that the right to a pension can be requested under a power of attorney. This measure aimed, among other things, to support people abroad who cannot return to the country to realize their right to a pension because of the situation created by the COVID-19 pandemic.

- The Law on the Population Support Fund has been amended in the part concerning its financing sources, so the revenues and expenditures of the Population Support Fund were increased by 71,000.0 thousand MDL. This increase provided financing for the Social Service "Personal Assistance" (for about 2,600 additional personal assistants). In 2020, 91,262.5 thousand MDL were approved for transfers with special destination from the state budget to the local budgets of the second level in order to finance the Social Service "Personal Assistance".

<sup>122</sup> Starting with 1 April 2020, the minimum guaranteed monthly income (MGMI) was increased from 1,107 MDL (the amount of MGMI after indexation from 1 April 2020) to 1,300 MDL (+193 MDL), and the amount of the MGMI for each child from 50% (553.5 MDL) to 75% (975 MDL). The measure to increase child protection shall also apply after the cessation of the state of emergency.

The changes made during the state of emergency led to a significant increase in the number of families that received social aid. This April and May, at least one social aid payment was granted to 75,700 families (+27,753) – the

average size of the payment was 1,121 MDL (+298.31), compared to this March – 47,947 families and 822.69 MDL.

Out of the 75,700 families who received social aid, about 20,000 are families with children (about 42,100 children), compared to 15,700 families this March (34,900 children).

Transfers for the payment of social aid were 77.6 million MDL in April 2020 and 76.3 million MDL in May, or 38.2 million MDL and 36.9 million MDL more than in March (39.4 million MDL).

- <sup>123</sup> As of 1 November 2020, 33 applications were submitted claiming compensation for the descendants of medical staff who died as a result of medical activity in the fight against COVID-19. The average size of the estimated allowance is 8,244.77 MDL.
- <sup>124</sup> Approved by Government Decision no. 1000/2016.
- <sup>125</sup> The main actions carried out within this program are related to the strengthening of health promotion capacities among specialists in different fields in. In 2018-2019, there were about 19,300 trainings, where over 623 thousand people were informed and trained. In 2020, about 460 thousand people were trained online, mainly regarding the reduction of the risk of transmission and prevention of the COVID-19 infection.
- <sup>126</sup> The Ministry of Health, Labour and Social Protection Order no. 358 of 12.05.2017 to transpose Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001.
- <sup>127</sup> The Ministry of Health, Labour and Social Protection Decree no. 323/A of 3 July 2018.
- <sup>128</sup> The share of premature live births was 5.6% compared to 5.4% in the previous year. The number of children who died under the age of one was 278 in 2019, which is 38 children less than in 2018. The infant mortality rate is 8.7 deaths under the age of one per 1,000 live births. The mortality rate of children aged 0-5 in 2019 was 10.2 deaths per 1,000 live births, less than in the previous year (10.9 deaths per 1,000 live births).
- <sup>129</sup> Government Decision no. 681/2018.
- <sup>130</sup> The abortion rate among young women aged 15-19 decreased from 10.6/1,000 in 2017 to 9.2/1,000 in 2019. Morbidity from sexually transmitted infections (syphilis and gonorrhoea) has also decreased by about 30% in the last 5 years. The proportion of 15-year-olds who indicated that they started having sex decreased from 18% in 2014 to 13.3% in 2018, and among 15-year-old sexually active adolescents the use of birth control pills increased from 6% in 2014 to 10% in 2018.
- <sup>131</sup> According to the National Bureau of Statistics, the general mortality rate among adolescents in the period of 2014-2019 did not change, making 0.6 deaths per 1,000 adolescent population; the fertility rate for adolescents aged 15-19 has decreased 1.4 times in the last 5 years – from 41.4 live births per 1,000 women of that age to 28.6 live births per 1,000 women in 2019. The absolute number of births to mothers under 20 has decreased twice in the last 4-5 years, and their proportion in the total number of births has decreased from 9.3% in 2014 to 6.0% in 2019. At the same time, the number of births to mothers under 20 is still twice higher than the European average and about 5 times higher in rural areas than in urban areas. The abortion rate for adolescents aged 15-19 has decreased by about 22% in the last 5 years – from 11.8 to 1,000 women in 2014 to 9.2 per 1,000 women in 2019. The absolute number of abortions in minors under 18 years of age decreased almost twice in the last 3 years – from 243 in 2016 to 141 in 2018 (National Agency for Public Health). Morbidity from sexually transmitted infections (syphilis and gonorrhoea) also decreased by about 30% between 2012 and 2017, but remains high. The proportion of 15-year-olds who indicated that they started having sex decreased from 18% in 2014 to 13.3% in 2018, and among 15-year-old sexually active adolescents the use of birth control pills increased from 6% in 2014 to 10% in 2018 (HBSC, Moldova).
- <sup>132</sup> Decreased from 74% in 2014 to 62% in 2018 (HBSC, Moldova).
- <sup>133</sup> Government Decision no. 1164/2016.
- <sup>134</sup> Government Decision no. 342/2017.
- <sup>135</sup> Government Decision no. 1160/2016. Draft National Program for the Prevention and Control of HIV/AIDS and STIs and draft National Tuberculosis Response Program for 2021-2025 have been prepared.

- <sup>136</sup> Government Decision no. 1030/2017.
- <sup>137</sup> Provides people with mental health problems with medical counselling for assessment, prevention and early detection, psychosocial rehabilitation for social, professional and family inclusion, support and mediation.
- <sup>138</sup> Report on COVID-19 response measures: <https://msmps.gov.md/wp-content/uploads/2020/12/Raport-COVID.pdf>
- <sup>139</sup> Ministry of Health, Labour and Social Protection (Focal Point).
- <sup>140</sup> Approved by the Extraordinary National Commission for Public Health Decision no. 7 of 13.03.2020.
- <sup>141</sup> Approved by the Extraordinary National Commission for Public Health Decision no. 30 of 11.09.2020.
- <sup>142</sup> For the payment of the bonus to the pre-hospital and hospital emergency medical staff directly involved in the realization of “Providing medical care to patients with COVID-19” based on the definition of contact/suspect/probable/confirmed case, funds were allocated from the Compulsory Health Insurance Fund in the amount of 327.5 million MDL.
- <sup>143</sup> According to the document, in the first stage workers of medical institutions will be immunized, regardless of type of ownership and legal form of organization, in the second stage – adults over 60 years, people with comorbidities, employees of public order, defence and state security structures, workers of the penitentiary and education systems and social services staff. In the third stage, the general population will be vaccinated regardless of age. The Republic of Moldova will benefit from the anti-COVID-19 vaccine through the COVAX platform, which will cover 20% of the population, as well as through procurements and donations that will be received, thus providing the vaccine for another 50% of the population. At the same time, Romania announced its intention to grant the Republic of Moldova 200 thousand doses of anti-Covid vaccine free of charge.
- <sup>144</sup> Government Decision no. 259/2016.
- <sup>145</sup> The National Strategy for Preventing and Combating Violence against Women and Domestic Violence for 2018-2023, the National Strategy for Preventing and Combating Trafficking in Human Beings for 2018-2023, as well as sectoral strategies (health, employment, security and defence, etc.).
- <sup>146</sup> The implementation of the Strategy is monitored annually via reports on the implementation of the Action Plan related to the policy document. [http://mmpsf.gov.md/sites/default/files/raport\\_snaefb\\_2018.doc\\_1.pdf](http://mmpsf.gov.md/sites/default/files/raport_snaefb_2018.doc_1.pdf)
- <sup>147</sup> Law no. 71/2016, Law no. 196/2016 and Law no. 32/2018 (Key changes: 1. Introduction of 14 calendar days of paid paternity leave; 2. Prohibition of sexist language and sexist images in advertising; 3. Strengthening of the institutional mechanism in the field of ensuring equality between women and men at central and local level; 4. Introduction of the quota of representation of women in the electoral process.
- <sup>148</sup> Government Decision no. 259/2018.
- <sup>149</sup> Currently, around 2,664 women are employed in the law enforcement structures of the Ministry of Internal Affairs, representing 18% of the total number of employees. Of these, about 200 hold management positions.
- <sup>150</sup> <https://egalitadedegen.md/mdocs-posts/raportul-de-monitorizare-a-praport-de-monitorizare-a-respectarii-cotei-de-gen-de-catre-partidele-politice-din-republica-moldova/>
- <sup>151</sup> <https://moldova.unwomen.org/ro/biblioteca-digitala/publicatii/2018/04/barometrul-de-gen>
- <sup>152</sup> In 2015-2016, the Independent Press Association carried out a program to support media outlets in ensuring gender equality. In 2018, during the training “Click for gender equality,” a collaboration agreement was signed between the Independent Press Association and development partners in order to promote gender equality, combat gender stereotypes and promote non-violent communication in the audio-visual media of the Republic of Moldova. In 2017, an external expert monitored for a month 37 media outlets that went through the process of self-monitoring and signed commitments to respect the principles of gender equality in the media. The “Media for gender balance!” campaign was carried out, which aimed to promote positive models of involving women and men and combating gender stereotypes through the media. A video was prepared to promote the amendments approved by Law no. 71 on equal representation of women and men in decision-making processes, [https://www.youtube.com/watch?v=pIRd2kMTrBY&list=PLW8tTWcbumlc\\_BiH2kuObnNi-AYMkgIOF&index=8](https://www.youtube.com/watch?v=pIRd2kMTrBY&list=PLW8tTWcbumlc_BiH2kuObnNi-AYMkgIOF&index=8)



- <sup>153</sup> The Ministry of Education, Culture and Research introduced this subject into the curriculum starting with the academic year 2016-2017 as an optional subject for lyceums.
- <sup>154</sup> Approved by Government Decision no. 1064/2016 and amended by Government Decision no. 478/2019.
- <sup>155</sup> a) 40% to political parties in proportion to their performance in parliamentary elections; b) 40% to political parties in proportion to their performance in the general local elections; c) 10% proportionally to political parties that will respect the quota of at least 40% of female candidates out of the total number of candidates nominated in all single member electoral districts in the parliamentary elections. This increase will be established from the amount allocated to the respective party for the budget year; d) 5% to political parties in proportion to the number of women actually elected to the position of Member of Parliament in single member electoral districts; e) 5% to political parties in proportion to the young people actually elected in the general parliamentary and local elections.
- <sup>156</sup> From 3,513 MDL in 2019 to 3,688.7 MDL in 2020. The monthly allowance for the three services has been unified to 1,400 MDL and increased by 30% in the case of placement of children with disabilities, while the one-time placement allowance can be increased by 100% for children up to one-year-old and 50% for children aged 1-3. During this period, the payment of the daily allowance was established and increased for children who have the status of a child temporarily left without parental care or child left without parental care placed in community placement services (11-18 years).
- <sup>157</sup> The one-time childbirth allowance was increased by 47% in accordance with the monetary value of the minimum basket of goods required for the birth of a child (from 5,645 MDL in 2018 to 8,299 MDL in 2020). The monthly allowance for the care of a child up to 3 years, in case of insured persons, in 2019 exceeded the subsistence minimum for children of up to 1 year of age by 2.4 times and at the same time covered the subsistence minimum for children aged 1-6 years in proportion of 109.7%. The allowance for twin children or for several children born from a single pregnancy has been established. The monthly allowance for childcare for uninsured persons has been extended from 1.5 to 2 years, and in the case of twins and several children from one pregnancy up to 3 years.
- <sup>158</sup> Approved by Government Decision no. 800/2018. As part of secondary family support, families with children can benefit from a monthly financial aid of 700 MDL (up to 6 months) or a one-time aid of up to 4,000 MDL granted for each child.
- <sup>159</sup> For this purpose, the Framework Regulation on the Organization and Operation of the Regional Centre for Integrated Assistance to Child Victims/Witnesses of Crime and the Minimum Quality Standards were approved by Government Decision no. 708/2019, and the location of the service for the northern region was found in Balti, two other locations being Chisinau and Cahul.
- <sup>160</sup> Since the respective documents expired in 2020, the process of developing the Child Protection Program for 2021-2025 has been initiated.
- <sup>161</sup> Annually, an important number of cases of children at risk (2,351 children in 2017; 3,070 children in 2018; and 5,184 children in 2019), found in the records of the guardianship authorities, are solved and the children stay in the family. At the same time, every year, in the group of children at risk, some children are separated from their parents (192 children in 2017, 620 children in 2018 and 523 children in 2019).
- <sup>162</sup> [http://ombudsman.md/wp-content/uploads/2020/12/2724\\_Raport-tematic2.pdf?fbclid=IwAR0SNHwwjPJJZlphfMAuVxFrEJb0C2y0Gt0zCpvz6Pp4PjFz472MuKntOD0](http://ombudsman.md/wp-content/uploads/2020/12/2724_Raport-tematic2.pdf?fbclid=IwAR0SNHwwjPJJZlphfMAuVxFrEJb0C2y0Gt0zCpvz6Pp4PjFz472MuKntOD0)
- <sup>163</sup> Government Decision no. 270/2014. According to the Instructions, these specialists are obliged to register notifications regarding suspected cases of violence, neglect, exploitation, child trafficking and/or to take note of them in situations where they have identified such cases, applying sectoral procedures, and to immediately inform the local guardianship authority, and within 24 hours to send them the notification form of the suspected case of violence, neglect, exploitation, child trafficking. The notification form is filled with the data available at the time of identification of the suspect case, in particular, based on the information obtained from the source of the report, and the missing information is collected by the case manager during the initial assessment of the case. Likewise, if relevant, the territorial police inspectorate/prosecutor's office, the emergency medical assistance service, the state labour inspectorate are additionally informed.
- <sup>164</sup> Government Decision no. 143/2018.

- <sup>165</sup> Government Decision no. 212/2017.
- <sup>166</sup> Their number in residential institutions and special education institutions decreased by 26%, from 1,023 in 2018 to 747 in 2020, of which in residential placement by 2.8 times, from 438 to 156 children.
- <sup>167</sup> In 2020 it was provided in Chisinau and Balti, where the Early Childhood Intervention Section was created within the Centre for Temporary Placement and Rehabilitation for Children, offering services to families from the northern districts of the country, in Criuleni, Floresti and Ialoveni, and the number of trained specialists reached 685 (family doctors, nurses and social workers).
- <sup>168</sup> In the first school semester (September-December 2020), about 12% of students enrolled in general education encountered problems in implementing the model selected by the institution, either due to lack of computing devices (7%) or lack of internet connection (5%). At the same time, in April-May 2020 and February-March 2021, with the development of online education at the national level in emergency conditions, about 27% of students in general education, or 87,000 students, remained outside the education system, either because of lack of computing devices (17%), or due to lack of internet connection (10%). Since the beginning of the school year 2020, in order to limit the risk of infection, the authorities have developed a series of regulatory acts that allowed general education institutions to include distance education in their teaching model. At the same time, they established the role of teachers in engaging students without access to technology or internet in education during the pandemic.
- <sup>169</sup> Thus, in September 2020, resources were mobilized for the purchase of about 20 thousand computing devices, 23% being provided by the local public authorities, educational institutions and the Government, and 77% by partners. With 52,770 students currently having difficulties due to the lack of computing devices, these devices cover only 38% of the need among students. Meanwhile, in the first school semester 2020/2021, only 2,500 laptops were distributed. As for the provision with internet connection, in the first school semester 2020/2021, the Government ensured high quality internet for all schools. In order to ensure the sustainability and the record keeping of the distributed computing devices, the Government initiated the creation of the Digital Media Library with computing devices that can be used by any student or teacher who encounters technical problems in the study process.
- <sup>170</sup> Law no. 201/2016.
- <sup>171</sup> Government Decision no. 592/2017.
- <sup>172</sup> Government Decision no. 723/2017.
- <sup>173</sup> The annual report on monitoring the implementation of the Action Plan for 2020 is available at <https://msmps.gov.md/wp-content/uploads/2021/03/Raport-privind-implementarea-%C3%AEn-anul-2020-a-Programului-na%C8%9Bional-de-incluziune-social%C4%83-a-persoanelor-cu-dizabilit%C4%83%C8%9Bi-Final.pdf>
- <sup>174</sup> Government Decision no. 893/2018.
- <sup>175</sup> Directive of the Prime Minister of the Republic of Moldova, no. 43 of 4 May 2017.
- <sup>176</sup> In the context of the implementation of the Concept, Government Decision no. 357/2018 on the determination of disability has been approved, according to which, one of the main responsibilities of the National Centre for Determining Disability and Capacity at Work (CNDDCM) is to develop criteria for determining the degree of disability in children and adults, according to relevant international standards.
- <sup>177</sup> Government Decision no. 198/2019.
- <sup>178</sup> Government Decision no. 569/2019.
- <sup>179</sup> Government Decision no. 569/2019.
- <sup>180</sup> Government Decision no. 314/2012 on approval of the Framework Regulation on the organization and operation of the social service *Personal Assistance* and of Minimum Quality Standards.
- <sup>181</sup> Government Decision no. 413/2012.
- <sup>182</sup> Government Decision no. 75/2014.
- <sup>183</sup> In 2020, the following types of social services operated in Moldova: - 28 Sheltered Housing services for 121

beneficiaries, including 12 Sheltered Housings created by the residential institutions managed by the National Social Assistance Agency (NSAA) for 63 beneficiaries; - 15 Community House services for 106 beneficiaries, including 3 Community Houses created by the residential institution managed by NSAA for 18 beneficiaries; - 24 Mobile Team services, for about 680 beneficiaries; - 8 day centres, for about 400 beneficiaries; - 6,058 personal assistants, including 2,657 employees from the funds allocated from the minimum package of social services, who serve 6,113 persons with severe disabilities, and about 2,100 persons still need this service (compared to 2019, the number of personal assistants increased by 2,468 units, from 3,590 to 6,058); - 4 Respiro services, for 160 beneficiaries/year; - 47 family assistants, who have 47 beneficiaries in placement.

- <sup>184</sup> During the reporting period, several events were organized, jointly with civil society (Keystone Moldova, AOPD, etc.), communication campaigns to promote the social inclusion of persons with disabilities and their rights, combat discrimination against them, promote their skills, including: - A media campaign to promote the living of deinstitutionalized persons with disabilities in community, with 5 videos produced and distributed: a. "I have a family" ([https://www.youtube.com/watch?v=GNO-HZt\\_Tw4](https://www.youtube.com/watch?v=GNO-HZt_Tw4)); b. "I can work" (<https://www.youtube.com/watch?v=muZIq8cbUg8>); c. "I am learning to be independent" (<http://youtu.be/Qql2zdtW8QI>); d. "I want all the boys from the institution to live in a family" (<http://youtu.be/D1YQR2ReySQ>); e. "I want a better life for my children" (<http://youtu.be/HGZhKkKrkx8>); - An anti-stigma media campaign implemented together with non-profit organizations Voinicel, Somato and Woman and Child Protection and Support (<http://youtu.be/HttO8t3z1b8>; <http://youtu.be/myh2fn3NDL8>; <http://youtu.be/f6LJEMkhBm0>); - A media campaign organized together with the parents of children with disabilities, My child is like your child. The parents of children with disabilities have prepared 10 personal stories about cases of discrimination, which were broadcast on Radio Noroc and were posted on postcards and distributed nationwide; - The media campaign Show that You Care, implemented in partnership with Radio Noroc and TV Moldova 1, focused on promoting the rights of persons with disabilities and encouraging people to combat discrimination against persons with disabilities; - A communication campaign focused on deinstitutionalization and promotion of living in community, with 10 video spots produced together with deinstitutionalized persons with disabilities ([http://www.youtube.com/watch?v=q2aTlp8LNR4&index=1&list=PLPQuptrkWEMMzdJ5qpTaPwCBBOvGUU\\_F\\_](http://www.youtube.com/watch?v=q2aTlp8LNR4&index=1&list=PLPQuptrkWEMMzdJ5qpTaPwCBBOvGUU_F_)), which were broadcast on TV Moldova 1, Jurnal TV, Publika, YouTube, social media for several weeks. In 2016-2017, the media campaign I Support Inclusion was organized in order to prevent and combat discrimination against persons with disabilities. The media campaign had 4 basic components: 1) the inclusion of persons with disabilities in the working life with the message "I can work"; 2) combating stereotypes with the message "I am a person, I am not your opinion"; 3) the inclusion of children with special education needs in kindergartens with the message "Let's play together"; 4) persons with disabilities living in community with the message "We are the same". The campaign actions included photo reports, videos, success stories, interviews. During 2017-2019, the Moldovan Alliance of Persons with Disabilities in collaboration with the Ministry of Health, Labour and Social Protection and the Youth Media Centre promoted the image of persons with disabilities based on rights and human dignity, organizing the photo exhibition called Inspiring People at the national and local level: Edinet, Balti, Comrat: - <https://gagauzinfo.md/top2/43820-lyudi-kotorye-vdohnovlyayut-v-komrate-otkrylas-fotovystavka-uspeshnyh-lyudey-s-ogranichennymi-vozmozhnostyami.html>

<sup>185</sup> Law no. 288/2017.

<sup>186</sup> Based on the Joint Order of the Ministry of Health, Labour and Social Protection and the National Medical Insurance Company no. 492/139A of 22 April 2013, insured persons, including those with disabilities, benefit from medicines from the list of those fully or partially compensated from the compulsory health insurance funds to reduce the financial burden and permanent supportive treatment for priority chronic diseases.

<sup>187</sup> Decision no. 58/2018 of the Board of Directors of the National Regulatory Agency for Electronic Communications and Information Technology, on the establishment of requirements and measures for users with disabilities to have equivalent access to publicly accessible electronic communication services.

<sup>188</sup> Ministry of Health, Labour and Social Protection Order no. 555 of 16.06.2020.

<sup>189</sup> 1) adolescents and young people up to 24 years old; 2) women in the obstetric risk group; 3) women in the somatic risk group (suffering from chronic diseases at risk for pregnancy and childbirth); 4) women who have had an abortion on request during the last year; 5) HIV positive people and those in groups at high risk of HIV infection; 6)

victims/survivors of sexual abuse, for emergency contraception; 7) victims/survivors of trafficking in human beings; 8) survivors of exceptional situations, humanitarian crisis or public health emergencies, persons with refugee status, beneficiaries of humanitarian protection in the Republic of Moldova, asylum seekers, stateless persons, migrants; 9) persons with disabilities, including persons with disabilities within residential institutions; 10) persons with mental health problems, in the records of a psychiatrist or of the family doctor; 11) users of drugs and other psychotropic substances, who are in the records of a specialist in narcology; 12) people with low incomes or without incomes.

- <sup>190</sup> Promo-LEX Association, ADEPT Association for Participatory Democracy, IDIS “Viitorul”, Institute of Public Policies, Institute for Strategic Initiatives, “Expert Group” Independent Analytical Centre.
- <sup>191</sup> Detention and sanctioning of persons for alleged illegal crossing of the administrative line, abduction of persons for alleged treason, declaration of persona non-grata for Moldovan citizens domiciled in the region, excessive convictions for alleged acts of terrorism, censorship of free speech.
- <sup>192</sup> During the reporting period, in particular, systematic support and assistance was provided on several individual and high profile cases, such as Horjan, Halabudenco, Lipovcenco, Doaga, Belova, Rjavitin, Lomaca, Glijin, Amarfii, etc. At the same time, over 1,500 petitions were examined and resolved, advice was provided to over 6,000 applicants, over 500 inter-institutional meetings were held to address various issues related to the difficulties encountered in protecting human rights in the Transnistrian region.
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