



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of the Republic of Moldova*

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

1. Please provide information on how the definition of disability in Law No. 60 of 2012 on the social inclusion of persons with disabilities is given effect in terms of support measures for persons with disabilities. What steps are being taken to revise the disability assessment and certificate?
2. Please provide information on measures taken to adopt and mainstream the human rights model of disability in appropriate legislative, administrative and other frameworks in all areas of the State, in line with the Convention. In what way are organizations of persons with disabilities and human rights organizations involved and meaningfully consulted in relation to the aforementioned measures?
3. Please provide information on how the concepts of reasonable accommodation and universal design are given effect in the legislation and effectively implemented in practice.

B. Specific rights

Equality and non-discrimination (art. 5)

4. Please provide information about the effectiveness of legislation on equality and non-discrimination, including the number of legal proceedings against discrimination of persons with disabilities and of decisions upholding the prohibition of discrimination against persons with disabilities. How does the law protect against multiple and intersectional discrimination on the basis of age, gender, disability and ethnicity?
5. Please report on the provisions, evidence and outcome of the implementation of Law No. 121 of 2012 on ensuring equality that respond to the needs of persons with disabilities.

Women with disabilities (art. 6)

6. Please provide information on measures adopted by the State party to promote the rights of women and girls with disabilities, and to mainstream disability into general gender equality policies and programmes.

* Adopted by the pre-sessional working group at its fifth session (21-24 March 2016).



7. Please report on measures taken to ensure accessibility and reasonable accommodation of mainstream services for women with disabilities subjected to violence.

8. Please provide information on the effectiveness of the monitoring by the Coordinating Group under the Ministry of Labour, Social Protection and Family, of compliance of policies and programmes for persons with disabilities with the principle of gender equality and women's protection.

Children with disabilities (art. 7)

9. Please provide information on the measures taken by the State party to prevent the institutionalization of children with disabilities. Please indicate measures taken and their effectiveness to limit the use of residential placement and promote family-based alternative care and community-based care options for children with disabilities deprived of a family environment.

Awareness-raising (art. 8)

10. Please provide information on the implementation of systematic awareness-raising campaigns portraying persons with disabilities as active and dignified members of society and on efforts to raise the awareness of persons with disabilities on the rights enshrined in the Convention.

Accessibility (art. 9)

11. Please provide information on how the guarantees of accessibility provided by Law No. 121 on ensuring equality and Law No. 60 on the social inclusion of persons with disabilities have been translated into the overall national legislative framework, incorporated into the relevant codes on town planning, construction, transportation and public services, as well as in information and communication technologies.

Equal recognition before the law (art. 12)

12. What is the State party's legislative timeline for abolishing guardianship of persons with disabilities, and replacing it with the provision of support for persons with disabilities to exercise their legal capacity?

Access to justice (art. 13)

13. Please indicate whether the State party has organized any training programmes for those working in the system of justice — police, prosecutors, judges, lawyers — on their competencies and understanding of the rights of persons with intellectual and/or psychosocial disabilities in line with the Convention.

Liberty and security of the person (art. 14)

14. Please provide information on the conditions in which persons with disabilities are institutionalized, particularly the conditions of persons with psychosocial disabilities in psychiatric institutions, and what role the national preventive mechanism has in preventing forced placement in psychiatric institutions. When will a deinstitutionalization strategy be adopted and implemented?

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

15. Please report on what safeguards are in place to ensure that persons with disabilities give their free and informed consent for medical experimentation and medical treatment within psychiatric establishments.

16. Please provide information on what measures are planned for abolishing the inhuman living conditions of, and harmful practices against, residents with psychosocial disabilities, especially women in psychoneurological residential institutions and psychiatric hospitals.

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

17. Please provide information on the number of cases of forced abortion, the number of complaints brought by women and girls with disabilities subjected to sexual abuse and the number of complaints that have been upheld, including investigations into gender-based violence at the neuropsychiatric residential institutions in Balti and Cocieri.

Protecting the integrity of the person (art. 17)

18. What steps are being taken to repeal legislative and regulatory provisions which permit non-consensual treatment on the basis of disability, such as forced sterilization, contraception and termination of pregnancy on the grounds of psychosocial or intellectual impairment?

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

19. Please provide information on what legal, policy and practical measures are being taken and planned to discontinue institutionalization, to abolish psychoneurological residential institutions and other residential institutions and to support the development of community-based services, in line with the rights enshrined in the Convention. Please provide relevant statistics on the number of persons with disabilities living in institutions compared to those receiving community-based services.

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

20. Please report on steps taken to legally recognize Moldovan Sign Language and to invest in professional training of sign language interpreters for increased availability and provision within public services.

Respect for home and the family (art. 23)

21. Please provide information on comprehensive measures that have been implemented to support families with children with disabilities in order to prevent the institutionalization of such children.

Education (art. 24)

22. Please report on the effectiveness of the implementation and outcomes of the 2011-2015 Consolidated Strategy for Education Development regarding children with disabilities, and on the extension of the Strategy.

Health (art. 25)

23. Please provide information about specific measures to ensure access to health services, including transportation of persons with disabilities in rural areas, safeguards on informed consent, and also the training of medical staff on human rights.

Habilitation and rehabilitation (art. 26)

24. Please explain to what extent habilitation and rehabilitation programmes are compliant with the human rights model of disability.

Work and employment (art. 27)

25. Please report on measures implemented or planned to establish a legal framework for affirmative action measures regarding employment and sustainable work for persons with disabilities in the open labour market.

26. How many persons have been included in-- the open labour market from segregated specialized workshops in the past five years? Do specialized workshops uphold the minimum wage and ensure that employees benefit from labour rights and protection on an equal basis with workers employed in the open labour market?

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

27. Please provide information on measures implemented to ensure a decent level of social insurance and benefits and the quality of social services, including by establishing disability-inclusive social protection floors, and to refrain from budget cuts and restore allocation of resources. What measures are being designed to ensure access by persons with disabilities to public housing programmes?

C. Specific obligations**Statistics and data collection (art. 31)**

28. Please report on measures envisaged to develop a system of collection and analysis of disaggregated data in line with the Convention, including disaggregated data on disability as called for in the Sustainable Development Goals.

International cooperation (art. 32)

29. Please provide information on measures taken to ensure that disability rights as recognized in the Convention are mainstreamed in national plans to implement and monitor the 2030 Agenda on Sustainable Development and the Sustainable Development Goals. Please report on measures adopted to ensure that organizations of persons with disabilities are meaningfully involved in the process.

National implementation and monitoring (art. 33)

30. Please provide information on the progress made in consultation with civil society to establish or designate an officially recognized independent mechanism to monitor the implementation of the Convention.
