



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Concluding comments of the Committee on the Elimination of Discrimination against Women: Republic of Moldova

1. The Committee considered the combined second and third periodic report of the Republic of Moldova (CEDAW/C/MDA/2-3) at its 749th and 750th meetings, on 16 August 2006 (see CEDAW/C/SR.749 and 750). The Committee's list of issues and questions is contained in CEDAW/C/MDA/Q/3, and the responses of the Republic of Moldova are contained in CEDAW/C/MDA/Q/3/Add.1.

Introduction

2. The Committee expresses its appreciation to the State party for its combined second and third periodic report, which followed the Committee's guidelines for the preparation of reports, while regretting that the State party provided insufficient statistical data disaggregated by sex. The Committee commends the State party for the written replies to the list of issues and questions raised by the pre-session working group.

3. The Committee expresses its appreciation to the State party for the constructive dialogue with its delegation, headed by the Chief of the Department for Social Protection in the Ministry of Health and Social Protection, and for the efforts made by the delegation to respond to the questions raised orally by the Committee.

4. The Committee commends the State party for acceding, in February 2006, to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

5. The Committee notes that the transition from a centrally planned to a free market economy resulted in significant economic and social difficulties, the effects of which have placed a heavy burden on women.

Positive aspects

6. The Committee commends the State party for the legislative reform undertaken in support of the goal of gender equality, in particular for the enactment



of the Law on Equal Opportunities for Men and Women and the Law on Preventing and Combating Trafficking in Human Beings; for the amendments to the Penal Code of 2002, the Labour Code of 2003 and the Civil Code of 2002; and for the ongoing debate on the draft law on preventing and combating domestic violence.

7. The Committee also commends the State party for adopting a range of national plans and programmes and establishing institutional monitoring mechanisms, which are relevant for the advancement of women and the promotion of their rights in various fields, including the national plan for promoting gender equality for the periods 2003-2005 and 2006-2009; the national plan for preventing and combating human trafficking, adopted in 2001 and amended in 2005; and the national system for protection and social assistance for victims of trafficking, launched in March 2006; the strategy for employment of the labour force; the national programme for assistance in reproductive health care and family planning, for the period 1999-2003; Governmental Decision No. 288 of March 2005 on the Millennium Development Goals (2005-2015); and the strategy for assistance to small and medium enterprise development for the period 2006-2008.

8. The Committee welcomes the State party's continued collaboration with women's non-governmental organizations in the elaboration of laws, plans and other activities aimed at eliminating discrimination against women and promoting gender equality.

Principal areas of concern and recommendations

9. **While recalling the State party's obligation to systematically and continuously implement all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls upon the State party to submit the present concluding comments to all relevant ministries and to parliament so as to ensure their full implementation.**

10. The Committee is concerned that the State party lacks a comprehensive approach to policies and programmes aimed at implementation of the Convention and achieving women's equality with men, and stresses the need to address both direct and indirect discrimination against women.

11. **The Committee recommends that the State party ensure a comprehensive approach to the implementation of the Convention encompassing all policies and programmes aimed at achieving formal and substantive equality between women and men. The Committee recommends that the use of the gender mainstreaming strategy be introduced in all public institutions, policies and programmes, supported by gender training and an adequate number of focal points at both national and local levels.**

12. The Committee is concerned that the frequent modification of institutional structures and staff of the national machinery for the advancement of women hinders its effectiveness in the promotion of gender equality and the advancement of women. It is also concerned that the national machinery for the advancement of women continues to suffer from a lack of authority and adequate human and

financial resources. The Committee is further concerned at the removal of gender focal points from the local administration.

13. The Committee recommends that the State party expeditiously strengthen the national machinery for the advancement of women by enhancing its visibility, decision-making power and human and financial resources so that it can effectively implement its mandate, become more effective at the national and local levels and enhance coordination among all relevant mechanisms and entities at the national and local levels. The Committee urges the State party to reinstate gender focal points in the local administration.

14. While welcoming the inclusion in the Law on Equal Opportunities for Men and Women of the concepts of gender mainstreaming, direct and indirect gender-based discrimination, affirmative action, gender equality and sexual harassment, as mentioned by the delegation, the Committee expresses concern that the Law lacks implementation mechanisms and does not provide for legal remedies in case of violations. It is also concerned that the State party has not allocated adequate financial resources for its implementation.

15. The Committee encourages the State party to ensure full implementation of the Law on Equal Opportunities for Men and Women, monitor results and ensure that sanctions are put in place in case of violations. It further recommends that the State party effectively implement temporary special measures in accordance with article 4, paragraph 1, of the Convention and with the Committee's general recommendation 25, in order to accelerate the realization of women's substantive equality with men in all areas, in particular with regard to women's participation in decision-making and access to employment and education.

16. The Committee is concerned that there is insufficient awareness of the Convention, its Optional Protocol and the procedures for their monitoring and use, and of women's human rights in general, including among the judiciary, law enforcement personnel and women themselves, as indicated by the absence of any court decisions that referred to the Convention.

17. The Committee urges the State party to introduce education and training programmes on the Convention and its Optional Protocol, in particular for parliamentarians, the judiciary, the legal professions, the police and other law enforcement personnel. It recommends that awareness-raising campaigns targeted at women be undertaken to enhance women's awareness of their human rights and to ensure that women can avail themselves of procedures and remedies for violations of their rights.

18. The Committee continues to be deeply concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and society in the Republic of Moldova, which adversely affect women's situation particularly in the labour market and in respect of their participation in political and public life.

19. The Committee urges the State party to disseminate information on the content of the Convention through its educational system by mainstreaming a gender perspective into textbooks and curricula at all levels and by ensuring gender training for teachers, with a view to changing existing stereotypical views and attitudes regarding women's and men's roles in the family and

society. It also recommends that awareness-raising campaigns be addressed to both women and men and that the media be encouraged to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres.

20. The Committee is concerned about the impact of economic restructuring on women and the increased feminization of poverty, particularly among vulnerable groups of women such as rural women, single women heads of households, women belonging to ethnic groups, in particular Roma women, disabled women and elderly women. It regrets that the Development Objectives of the Republic of Moldova, whose main objective in relation to the first of the eight Millennium Development Goals is the eradication of extreme poverty and starvation, failed to include any gender perspectives.

21. The Committee requests the State party to study the impact of economic restructuring on women and to ensure that all poverty alleviation strategies and programmes are multidimensional as well as gender-sensitive and targeted at particular groups of women according to their specific needs and the multiple discrimination they face, and to provide in its next periodic report information on the measures taken and results achieved in improving the economic situation of women, particularly those belonging to vulnerable groups such as rural women, single women heads of households, women belonging to ethnic groups, in particular Roma women, disabled women and elderly women.

22. The Committee continues to be concerned about the prevalence of violence, including domestic violence, against women in the Republic of Moldova. It is concerned about the lack of availability of updated sex-disaggregated data on all forms of violence against women. While noting with appreciation that a draft law on preventing and combating domestic violence has been elaborated, the Committee is worried that the draft may not address adequately prosecution and punishment of perpetrators. The Committee is also concerned that domestic violence, including marital rape, is still considered a private matter.

23. The Committee, reiterating its recommendation made on the occasion of the consideration of the State party's initial report,¹ urges the State party to give high priority to implementing comprehensive measures to address violence against women in the family and in society in accordance with its general recommendation 19. The Committee calls upon the State party to speedily adopt the draft law on preventing and combating domestic violence and to ensure that violence against women is prosecuted and punished with seriousness and speed. The Committee calls upon the State party to ensure that all women who are victims of domestic violence have access to immediate means of redress and protection, including protection orders, and access to a sufficient number of safe shelters and legal aid. It calls upon the State party to ensure that public officials, especially law enforcement personnel, the judiciary, health-care providers and social workers, are fully familiar with applicable legal provisions and are sensitized to all forms of violence against women and adequately respond to them. It urges the State party to conduct research on the prevalence, causes and consequences of all forms of violence against women,

¹ See *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 38 (A/55/38)*, paras. 67-117.

including domestic violence, to serve as the basis for comprehensive and targeted intervention, and to include the results of such research in its next periodic report.

24. While commending the efforts undertaken to combat trafficking, including through the adoption of the law and national plan on preventing and combating trafficking in human beings, the establishment of the National Committee for combating human trafficking and the revision of the Criminal Code, the Committee expresses concern about the increasing trend of illegal trafficking in young women and girls for sexual purposes in the Republic of Moldova, which remains mainly a country of origin. The Committee is further concerned about the lack of enforcement of the legislation and the insufficient measures to prosecute traffickers and provide protection and assistance for victims.

25. The Committee calls on the State party to intensify its efforts to combat the trafficking and sexual exploitation of women and girls by addressing the root causes, in particular women's economic insecurity. It recommends that the State party enhance measures aimed at improving the social and economic situation of women, in particular in rural areas, so as to eliminate their vulnerability to traffickers, and put in place services for the rehabilitation and reintegration of victims of trafficking. It urges the State party to ensure that the national plan is adequately funded, that the responsibility for its implementation does not rely heavily on non-governmental organizations, and that those who traffic and sexually exploit women and girls are prosecuted and punished to the full extent of the law. The Committee also encourages the State party to intensify international, regional and bilateral cooperation with countries of transit and destination for trafficked women and girls to further curb this phenomenon. It requests the State party to provide in its next report detailed information, including statistical data, on trends in trafficking and on court cases, prosecutions and victims assisted, as well as the results achieved in prevention.

26. While welcoming some recent progress, the Committee expresses concern about the fact that the number of women in decision-making positions in political and public life remains low, including in the parliament, the civil service and the judiciary. It is also concerned about the low representation of women in decision-making positions in the foreign service. The Committee is concerned that, despite its earlier recommendation, temporary special measures have not been used in this area.

27. The Committee encourages the State party to implement measures to increase the number of women in decision-making positions, in particular at the local level, in parliament, in political parties and in the judiciary and the civil service, including the foreign service. It recommends that the State party establish concrete goals and timetables to accelerate women's equal participation in public and political life at all levels. The State party should introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, on temporary special measures, and take into account the Committee's general recommendation 23, on women in political and public life. The Committee urges the State party to implement awareness-raising programmes to encourage women to participate in public life and create the social conditions for that participation, including through measures aimed at the reconciliation

of responsibilities in the private and public spheres. It calls upon the State party to highlight the importance to society as a whole of women's full and equal participation in leadership positions at all levels of decision-making for the development of the country.

28. The Committee expresses concern about the situation of women in the labour market, which is characterized, in spite of women's high level of education, by increasingly high female unemployment, the concentration of women in low-paid sectors of public employment such as health, social welfare and education, and the wage gap between women and men in both the public and private sectors. The Committee is concerned that the State party's labour legislation, which is overly protective, in particular of pregnant women, and restricts women's participation in a number of areas, may create obstacles to women's participation in the labour market, in particular in the private sector, and perpetuate gender-role stereotypes. The Committee is also concerned that important sectors viewed as traditionally male areas, such as defence and police, remain inaccessible to women.

29. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, inter alia, temporary special measures in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, on temporary special measures. The Committee urges the State party to intensify its efforts to ensure that all job generation and poverty alleviation programmes are gender-sensitive, and that women can fully benefit from all programmes to support entrepreneurship. It recommends that efforts be strengthened to eliminate occupational segregation, both horizontal and vertical, and to narrow and close the wage gap between women and men through, inter alia, additional wage increases in female-dominated sectors of public employment. The Committee recommends that the State party conduct regular reviews of its legislation in accordance with article 11, paragraph 3, of the Convention, with a view to reducing the number of barriers women face in the labour market. It calls upon the State party to monitor the impact of measures taken and results achieved, and to report thereon in the next periodic report.

30. The Committee expresses its concern about the health situation of women, especially women's reproductive health. While appreciating recent declines in the maternal mortality rate, it notes that this indicator is still high compared to other countries in the region, in particular for rural women. It is also concerned about the high abortion rates and the use of abortion as a means of fertility control, and especially about the situation of unsafe abortion, which increases the risk of maternal mortality. It is further concerned about the high percentage of women with anaemia and the increase in HIV/AIDS infection rates and in sexually transmitted diseases. The Committee expresses its concern about the increase of women's consumption of tobacco and narcotic drugs.

31. The Committee recommends that increased efforts be focused on improving women's reproductive health. In particular, it calls upon the Government to improve the availability, acceptability and use of modern means of birth control to eliminate the use of abortion as a method of family planning. It encourages the State party to provide sex education systematically in schools, including vocational training schools. The Committee urges the State party to undertake appropriate measures to ensure women's access to safe abortion, in

accordance with domestic legislation. It also urges the State party to target high-risk groups for strategies to prevent HIV/AIDS and the spread of sexually transmitted diseases. It encourages the State party to increase its cooperation with non-governmental organizations and international organizations in order to improve the general health situation of Moldovan women and girls. It requests that the State party provide in its next report detailed information on women's tobacco use and statistics on their alcohol, drug and other substance abuse.

32. The Committee remains concerned that the minimum legal age for marriage is 16 years for women and 18 years for men.

33. **The Committee urges the State party to raise the minimum age of marriage for women to 18 years, in line with article 16 of the Convention, the Committee's general recommendation 21 and the Convention on the Rights of the Child.**

34. The Committee regrets the limited availability of statistical data disaggregated by sex, ethnicity and age, and by urban and rural areas, which makes it more difficult to assess progress and trends over time in the actual situation of women and their enjoyment of their human rights in regard to all areas covered by the Convention. The Committee is concerned that the lack or limited availability of such detailed data may also constitute an impediment to the State party itself in designing and implementing targeted policies and programmes, and in monitoring their effectiveness in regard to the implementation of the Convention.

35. **The Committee calls upon the State party to enhance its data collection in all areas covered by the Convention so as to assess the actual situation of women, compared with that of men, and their enjoyment of their human rights, disaggregated by sex, ethnicity and age and by urban and rural areas as applicable, and to track trends over time. It also calls upon the State party to monitor, through measurable indicators, the impact of laws, policies and action plans and to evaluate progress achieved towards the realization of women's de facto equality. It encourages the State party to use these data and indicators in the formulation of laws, policies and programmes for the effective implementation of the Convention. The Committee requests the State party to include in its next report such statistical data and analysis.**

36. **The Committee urges the State party to utilize fully, in its implementation of its obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.**

37. **The Committee also emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.**

38. The Committee notes that States' adherence to the seven major international human rights instruments² enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of the Republic of Moldova to consider ratifying the treaty to which it is not yet a party, that is, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

39. The Committee requests the wide dissemination in the Republic of Moldova of the present concluding comments in order to make the people, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure the de jure and de facto equality of women, as well as the further steps that are required in that regard. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century" (resolution S-23/3, annex).

40. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its fourth periodic report, which is due in July 2007, and its fifth periodic report, due in July 2011, in a combined report in July 2011.

² The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.