

[JANUARY 31 – FEBRUARY 11, 2022]

**SUBMISSION PREPARED BY THE PLATFORM FOR GENDER EQUALITY
MOLDOVAN NGOS AND INDIVIDUALS UNITED TO PROMOTE
GENDER EQUALITY IN MOLDOVA**

Prepared for the Universal Periodic Review of the Republic of Moldova, 40th session



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GENDER EQUALITY IN THE REPUBLIC OF MOLDOVA: KEY ISSUES OF CONCERN

1. This report has been produced by the Gender Equality Platform. The document was prepared for submission to the United Nations Office of the High Commissioner for Human Rights in the course of preparation of the Universal Periodic Review on the implementation of international obligations by the Republic of Moldova in the UN Human Rights Council.
2. The Platform for Gender Equality is an informal coalition of 25 of civil society organizations¹ united to promote gender equality as a fundamental human right and a fundamental principle of social justice in Moldova². The platform was established in July 2015 with the support of the East Europe Foundation in Moldova and it has managed to become a recognizable name in the field of equality and gender in the country through advocacy and awareness raising activities.

EXECUTIVE SUMMARY

3. The report covers the following **issues that affect women and men disproportionately**: (i) women's significant under-representation in decision-making bodies has stayed constant over a decade; (ii) violence against women in election remains to be present and unpunished; (iii) women continue to have a lower employment rate than men and are paid less than men for the same categories of work; (iv) the only institution that is dealing with gender-based discrimination is the Moldovan Council for Preventing and Eliminating Discrimination and Ensuring Equality, yet it does not have the legal power to apply sanctions;
4. **Key recommendations** for the Moldovan Government are: (i) adopt the draft law no. 301 of the Parliament of the Republic of Moldova for the modification and completion of some legislative acts regarding the regulation of the crimes of reasoning of the prejudices, in accordance with the international standards. (ii) ratify the Istanbul Convention and amend the national legislation on combating domestic violence and sexual violence, ensuring emergency orders to comply with international standards; (iii) adopt measures conducive to substantive gender equality in the labour market, including: childcare services for children aged 0-3, 14 days paternal leave, reform of the pension system, ensure equal pay for equal work; (iv) design and develop a set of complimentary, evidence-based policies and tools to maximize the potential of women's entrepreneurship; (v) strengthen the legal and institutional framework to effectively prevent and combat discrimination against women.

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I. PARTICIPATION AND EQUAL REPRESENTATION

5. In the Republic of Moldova, the representation of women in the Parliament and in governmental positions at national and local level was from the beginning at a low level, including until the time of writing this report. Until 2016, the highest share of women had the XVIII legislature (Parliament 2009-2010) was 24.8 percent or 25 women deputies out of 101, while the lowest share of 3.7 percent was in the XII legislature, between 1990-1994. In 2021, the Republic of Moldova registered a moderately higher share of 25.7% or 26 women deputies, according to the results of the 2019 parliamentary elections.

1.1 Representation quota

6. Starting with late fall 2019. The Republic of Moldova has in place a full double quota system. Thus, the lists of candidates must be drawn up in compliance with the following two conditions: (i) the minimum representation quota of 40% for both sexes. (ii) positioning of candidates on the lists according to the formula: at least four candidates for every ten places. Failure to comply with the conditions established in the provisions listed above entails the refusal of the electoral body to register the lists of candidates.

1.2 Institutional mechanism

7. According to the amendments introduced by the Law no. 71, the institutional mechanism for promoting gender equality should be an innovative one. Gender coordinating groups must be established at the level of ministries and other central administrative authorities with competencies to ensure a complex understanding of equality between women and men in policies and programs in all fields and at all levels of decision making and implementation. In addition, gender units at the level of local public administration must be created with competencies to ensure the integration of the principle of equality between women and men in policies, programmes, normative acts and financial investments at local level and to monitor the implementation of programs, organization of information campaigns, research and other activities on equality between women and men carried out locally.
8. When it comes to implementation the situation is different. If at the level of central public administration, the gender coordinating groups were set up, at the level of districts and the local public administrations, the mechanism does not work and the aforementioned legal provisions continue to be ignored or unknown. Tasks related to strengthening and consolidating the capacity of civil servants regarding the attributions of the gender units as part of the institutional mechanism were left mainly to the external development partners and civil society organizations. Unfortunately, 3 years after the institutional mechanism for promoting gender equality at the local level entered into force, these provisions are unknown, nor are any real actions undertaken to catalyze them. Only the Policy Department for ensuring equality between women and men within the Ministry of Health, Labor and Social Protection is currently functional. However, it has limited resources to ensure the adequate development and implementation of gender equality policies.
9. From a legal perspective, the Government Committee for Equality between Women and Men (hereafter The Committee) has a basic role in introducing a gender perspective in national policies and programs as well as making technical assistance more efficient. The Committee, as a national institutional mechanism, was meant to ensure gender equality, to solve a whole range of gender issues in society, and to improve the real situation of women in society and their social status. But political instability, frequent change of governments, lack of human and financial resources, as well as failure to

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comply with previous government commitments have conditioned the lack of continuity in the implementation of gender policies, have led to often formal and declarative activity, to the frequent change of structures and personnel, and as a result The Committee has not met since 2017. At the moment the national machinery is not functional.

1.3. Coordination mechanism on Women Peace and Security Agenda implementation

- 10.** Based on international commitment (UNSCR 1325, General Recommendation Nr.30 on women in conflict prevention, conflict and post-conflict situations), the Government, with significant contribution of CSOs, adopted the National Programme on Resolution 1325 on Women, Peace and Security for 2018-2021 and its Action Plan. As a result, sectoral action plans were approved and many actions were implemented that contributed to increasing women's participation in the defence and security sector. Only in the police and border police sectors, the number of women increased from 13% to 18,8%. Therefore, the coordination mechanism, which actively involves the Platform and other CSOs, was established.
- 11.** Unfortunately, due to political instability, the mentioned mechanism was affected. Thus, the Government's responsibility is to ensure an efficient coordination mechanism at the Government - State Chancellery level. The efficient Coordination mechanism can contribute to the protection of women's human rights at all times and to the advancement of gender equality.

1.4. Electoral law

- 12.** On 31 July 2019, the Parliament of Moldova has voted a bill that amended the electoral law. First, the mixed electoral system was annulled and the proportional electoral system for party lists reinstated. Among the provisions introduced was also the change of procedures for drawing up the lists of candidates. The provisions regarding the application of the double quota system, which includes the 40% representation quota and list positioning provisions, were also approved. Thus, the lists of candidates for the parliamentary and local elections are to be drawn up by respecting the minimum quota of 40% for both sexes, while the positioning of the candidates on the lists is made according to the formula: at least 4 candidates of each sex for every 10 places. Despite the provisions of the legislation in force, for the general local elections on October 20, 2019, the lists of candidates were drawn up with the minimum representation quota of 40% for both sexes, but with at least 3 candidates of each sex for every 10 places, as a derogation. Failure to comply with the conditions set out in the provisions listed above entailed the refusal to register the candidates' lists by the electoral body¹.
- 13.** In the snap parliamentary elections of 2021, according to the Central Election Commission (CEC) the total share of women was 46.5%, of which 42.7% among the top 10 on the lists, thanks to the implementation of the double gender quota: the 40% share of women and the placement of women was ensured. which means at least 4 women for every 10 men, according to the analysis of the Development Partnership

¹ "Still Underrepresented" - A gender analysis of candidates for the 2019 local elections, Authors: Alina Andronache, Covrig Natalia, Buzu Alexei, Cantarji Vasile, see the link: <https://bit.ly/2TZmyqz>

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Center (CPD)². As a result of the scrutiny, the legislature will have for the next 4 years 40 women MPs, which equals to 39,60% of the gender quota.³

Recommendations to the Government of Moldova:

14. To amend the legal framework in order to ensure women's fair representation at the leadership level of the Government as per the legal provisions in force, i.e. the 40% gender quota;
15. To amend the legal framework in order to ensure at least one Vice-President of the legislature to be a woman (in case if the President of the Parliament is a woman), and at least 2 Vice-Presidents of the legislature are women (in case the President of the Parliament is a Man);
16. To amend the legal framework in order to ensure that the number of men and women chairpersons of the parliamentary committees is equal;
17. To amend the legal framework in order to ensure accessibility for electoral and political offices for people with special needs
18. To amend the legal framework in order to introduce electoral legislative affirmative measures for women from vulnerable groups, especially as ethnic groups and women with special needs;
19. To collect systematically sex- and age-disaggregated data at the national level to support decision-making (ex-ante), policy implementation at different stages, monitoring and evaluation (ex-post).

II. SEXISM AND HARASSMENT IN THE PUBLIC SPACE

20. Sexism as a phenomenon is widespread in all spheres of the Moldovan society due to the stereotypes and prejudices regarding, in particular, gender roles attributed to women and men. Only sexist advertising in the public space is actually regulated and there are general provisions in the law that prohibit the discrimination on the basis of gender. Both are legally and procedurally resolved by complaints to the Council for Preventing and Eliminating Discrimination and Ensuring Equality, but which usually result in the reconciliation of the parties, or only contraventional sanctions, if the decision of the Council for Preventing and Eliminating Discrimination and Ensuring Equality is maintained by the court. Thus, neither sexism, nor incitement to discrimination and hate speech, in the electoral periods, are criminally regulated. What is more, these cases of violence do not constitute an aggravation on the basis of gender. The legislation lacks overall legal provisions in several spheres and important aspects of public life such as:

² <https://progen.md/a-crescut-numarul-femeilor-candidate-pentru-mandatul-de-deputat-in-parlament-analiza-cpd/>
https://a.cec.md/ro/cec-prezinta-profilul-candidatilor-la-functia-de-deputat-in-2781_99828.html

³ https://diez.md/2021/07/12/grafic-in-2021-in-parlament-vor-fi-cele-mai-multe-femei-din-istoria-moldovei-lista-deputatelor-care-ne-vor-reprezenta-in-legislativ/?fbclid=IwAR0vkOurxBMQIM0nna_RKckp5EL0nDj0ahC5PqfV--XJXBd1VFlhugjY4QI

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street harassment, stalking, sexism and violence against women in elections, harassment of women rights defenders.

II.1. Sexual harassment, street harassment, stalking, stalking in the online environment

21. In the Republic of Moldova, the persons who commit acts of persecution are liable to the contravention liability according to art. 78/2 of the Contravention Code, and according to the jurisprudential orientation of the Republic of Moldova, that the deeds of the aggressor fall under the incidence of art. 78/2 of the Contravention Code, it is necessary for the persecution to result from a repeated conduct of the aggressor, being manifested by unwanted pursuit and contact by various means, including new electronic technologies and situations in the public space.
22. Or, this means that acts of street harassment, including sexual harassment, but also in the online space do not fall under the law of domestic violence, nor the act of persecution, because these acts can be unique, exclusively moral, but extremely significant, as the victims testify.⁴
23. According to the national online portal of courts, during the years 2019-2020 in the Republic of Moldova, the Courts examined a total number of 71 contravention cases initiated under art.78/2 of the Contravention Code, acts of persecution. Of the 71 cases, 69 contravention cases were initiated against men and only 2 cases against women.
24. Article 34 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) obliges signatory states to criminalize acts of stalking if the repeated pre-meditated conduct causes fear for safety. According to the Convention, it is mandatory to criminalize forms of violence against women in which physical violence is not involved, these include psychological violence, acts of persecution and sexual harassment. Therefore, it is necessary to complete the national legislation in order to have gradual and proportional punishments for isolated or repeated serious deeds, with the possibility of applying the aggravation on the basis of gender.
25. An extensive study is needed on the scale of the phenomenon and the need to criminalize acts of sexism and violence in the public space, as well as the regulation of the online space in Moldova.⁵

II.2. Harassment of women's right defenders

26. Intimidation and violation of women's rights activists and defenders in recent years has worsened for two reasons, namely, the national political situation, each government intensifying and diversifying the phenomenon and methods applied, but also as part of

⁴<https://diez.md/2021/04/15/longread-am-fost-nevoita-sa-fug-mai-multi-tineri-si-tinere-ne-au-povestit-prin-ce-forme-de-hartuire-in-strada-au-trecut/>

⁵<https://anticoruptie.md/ro/blog/albu-viorelia/reglementarea-legala-a-actelor-de-persecutie-in-r-moldova-ce-actiuni-poate-intreprinde-victima?fbclid=IwAR0Ud6zc-Srx1tj517vgfTaobqr-DTfEuwTx3fBhjrYkgjXFBAil4Zmsdso>

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the movement against women's rights, feminists, LGBTIQ + gender ideology, often taking over the screen and pretext of the world narrative against the signing and ratification of the Istanbul Convention.

27. Thus, several groups of civic activists, journalists and women's rights advocates suffered when public opinion was critical of the government and the ruling parties. When the independent investigations reached the private interests of certain public figures, it aroused disapproval, culminating in the filing, interception and opening of criminal cases for a group of activists and investigative journalists, protesting against the government.⁶
28. Intimidation and violation of women's rights activists and defenders in recent years has worsened for two reasons, namely, the national political situation, each government intensifying and diversifying the phenomenon and methods applied, but also as part of the movement against women's rights, feminists, LGBTIQ + gender ideology, often taking over the screen and pretext of the world narrative against the signing and ratification of the Istanbul Convention.
29. Thus, several groups of civic activists, journalists and women's rights advocates suffered when they were critical of the government and ruling parties, when cases and investigations were conducted to harm the private interests of certain individuals. The rightist position to defend and promote a cause and women, aroused disapproval, culminating in the filing, interception and opening of criminal cases of a group of activities and journalists critical and protesting against government, by the special director of the Ministry of Home Affairs. The special direction has been abolished in the meantime and ongoing investigations with open files against these illegal and illegitimate persecution actions, but without a clear finality so far⁷.
30. In general, when activists and journalists are subject to threats, including physical integrity and life, law enforcement does not take measures of investigation and protection. Especially since some activists work voluntarily in NGOs, without a status like that of journalists, which would give them the necessary legal protection. However, regarding disclosures and freedom of expression, the recently enacted law in 2018 on whistleblowers offer a state-protected appearance against possible abusive actions by prosecutors, although not all activists would meet the requirements of the procedures described for obtaining protection. limited employment.
31. Another example, is an entire black PR campaign carried out by one of the former governing parties, in the form of attacking dozens of civil society organizations, their work, especially regarding organizations which monitor elections and promote women's rights, LGBTIQ + and gender equality, widely promoting and distributing those narratives in the guise of political-electoral technique, scary, manipulative and false news. These cases are further described as an obstacle to women's access to public

⁶ https://www.ipn.md/ro/chiril-motpan-prezinta-o-lista-cu-activisti-si-jurnalisti-7967_1069781.html
<https://www.rise.md/articol/ministerul-interceptarilor/>

⁷ https://www.ipn.md/ro/chiril-motpan-prezinta-o-lista-cu-activisti-si-jurnalisti-7967_1069781.html
<https://www.rise.md/articol/ministerul-interceptarilor/>

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office and participation in the public life, starting in 2016, being described in the latest election monitoring reports⁸.

II.3. Violence against women in elections

32. According to a mapping of violence against women in elections carried out as part of this effort, 52% of the 409 women respondents said that they were confronted with violence during the elections. The mapping concerned candidates at several parliamentary and local elections, including the February 2019 parliamentary elections. Out of the total number of respondents running for office, 31% ran for a MP position, 52% - for the local / district / municipal councilor position, and 18% ran for mayor position. The most widespread forms of violence against candidates in elections were found to be verbal and psychological violence. Thus, 49% of the candidates were subjected to verbal violence, 42% - psychological violence, 4% - economic violence, and 3% of the candidates - physical violence. Only the candidates for the position of MP mentioned economic violence.
33. With regard to electoral activists, according to the survey data, 43% of them were subjected to aggression, hate speech and violence during the same elections. It was found that the lower an electoral activist is in the political hierarchy, the more often she was subjected to direct violence. Most women participants had multiple experiences in elections and in different roles, including member of the electoral staff, observer, and assistant of a candidate.⁵
34. A particular form of violence is **the use of sexist language** when referring to women that participate in the electoral process, which has the combined effects of discriminating and harming them, as well as affecting their dignity. These effects go on to influence the public perception of women in positions of power and also her entourage. As sexism has been increasing in the public space, it remains the focus of many international mechanisms and organizations, being considered a form of promoting hatred and intolerance⁶
35. It has been found that the rate of hate speech and incitement to hate during elections doubled in 2019 to four cases per day, compared to two in 2018. While the authors of hate speech are both women and men, most often, i.e. in 79% of cases, hate speech is used by men. The object of hate speech is women in the majority of the cases (Promo-LEX).

⁸ <http://livenews.md/bogdan-tirdea-lansat-o-carte-despre-reteaua-de-ong-uri-finantate-din-exterior-cu-o-imixtiune-puternica-treburile-interne-ale-tarii/>
<https://primul.md/bogdan-tirdea-reteaua-lui-soros-a-infiintat-propriul-partid-pentru-m-sandu-pas-scopul-este-de-a-transforma-tara-intr-o-colony>
<https://egalitadedegen.md/biblioteca/participarea-femeilor-in-politica/>

Recommendations to the Government of Moldova:

36. To urgently adopt the draft law no. 301 of the Parliament of the Republic of Moldova for the modification and completion of some legislative acts regarding the regulation of the crimes of reasoning of the prejudices, in accordance with the international standards.
37. The government will develop a complex strategy for preventing and combating hateful discourse used by people. The strategy should include the creation of a mechanism for monitoring hate speech, and cooperation through authorization may indicate the law and other relevant institutions (for example, CPPEDAE), to facilitate the criminal prosecution of hate speech and to improve the mechanism for sanctioning the function.
38. The sexist, violence against women in elections and hate speech sideslips require a specially elaborated legislation with dissuasive sanctions, especially regarding the conduct of electoral debates, but also their wider regulation in the public space.
39. Revision of the regulations regarding the organization of public and televised electoral debates, of contestants' declarations and press-releases during the electoral period, including the filtering and sanctioning of the candidates lacking integrity and defying the CEC regulations, televisions and the legislation in force.
40. The proportion of women's participation in televised electoral debates, being very low, should be regulated.
41. To adopt and enforce codes of conduct or guidelines for non-discriminatory and non-sexist language in the office of the presidency, the parliament, central and local public administration.
42. To strengthen the competencies of the Council for Preventing and Eliminating Discrimination and Ensuring Equality with tasks related to the prevention and combating of discrimination, denigration or harassment online and on social media;
43. To integrate a component on addressing violence against women in elections within systems of early warning on electoral violence, as well as monitoring violence in elections.
44. Regulating the online environment and introducing sanctions in order to prohibit the proliferation of sexism, violence, incitement to discrimination and hate speech, fake news, that appear in media sources, vlogs, blogs, influencer posts, in particular during the electoral period.
45. Establishment of an entity and a mechanism for monitoring, supervision and sanctioning the proliferation of sexism, violence, incitement to discrimination and hate speech, false news in the online environment.
46. Reviewing the terms and procedures for filing complaints in courts, in particular, regarding electoral violations. Possibility for third parties to submit them, such as CSOs.
47. To ensure the universal use of the feminine forms for functions and professions, in Romanian (the official language), as well as in Russian (the language for inter-ethnic communication).
48. To conduct an extensive study on the scale of the phenomenon of the sexism and violence in the public space and the need to criminalize acts of persecution, as well as the regulation of online space in Moldova.

III. EMPLOYMENT AND LABOUR MARKET

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49. In terms of employment and labor market, among the sources of inequality between men and women would be the following: women have a lower employment rate than men by 5 percentage points; often women are paid less than men for the same categories of work and for the same qualifications - the share of earnings monthly average of women compared to that of men is below 80% even in the manufacture of textiles, clothing, activities of post and courier, publishing activities (43%), financial intermediation, management and consulting activities, in travel agencies and services booking and tourist assistance, in social insurance, etc. The share of women in the number of civil servants of public central authorities with economic profile is only 6%, 4 women are three times less likely than men to lead an enterprise or organization.
50. Employment provides women with access to economic and financial resources, but also to personal development opportunities. These are in turn determined by the form of women's participation in the labor market, the type of work, the income obtained from employment, the level of social protection, the work they perform, the occupational group, the work regime and others. According to an analytical note from the National Bureau of Stats, in Moldova most of the unpaid work is performed by women: about 66% of the total time allocated to work is unpaid work (4.9 hours a day). Men allocate almost twice as much during these activities (2.8 hours per day). Such differences are evident in other states, however, compared to Moldova, to a lesser extent: in OECD countries, women spend an average of 2.5 hours a day on unpaid work, while men spend 1.7 hours a day.
51. Women's participation in the labor market contributes to the increase of personal income, the common income of the family, to the reduction of women's poverty and to the well-being of women. In order to ensure equal opportunities in the labor market, in particular the equitable remuneration of women and men, there are proposed certain recommendations that Moldova could implement.
52. In conclusion, all government actions must aim to promote the human and economic potential of women, to promote the portrait and positive image of women trained in economics and business, in order to combat the stereotypes that still persist in society, and that comes down to the fact that the main role of women is childcare, housekeeping and unpaid family work.

Recommendations to the Government of Moldova:

53. Introduce into the national legal framework of the definitions of equal work and work of equal value;
54. Elimination of discriminatory provisions out of legislation;
55. Introduction of a clear mandate for equality institutions in prevention of discrimination in the field of remuneration.
56. Launch measures to modernize and improve protection of pregnant women and mothers at work to help women to return to the labor market after birth, but also provide them with counseling on combining work and family life;
57. Create actions to encourage women and girls to be more interested in sectors with the highest economic added value and in which women are under-represented, especially in industry, ICT, and services scientific and technical sectors, actions to help them enter them;

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58. Create actions to encourage female entrepreneurs both in rural areas, as well as in the district centers, through measures and programs of support; counseling and training of women who want to become entrepreneurs;
59. Create actions and programs aimed at facilitating access to various sources of financing, including: financing in the form of loans for new and developing companies, financing in the form of government grants for new and developing companies, venture capital, training programs with components of preferential loans and facilities for companies created by young and innovative women;
60. Promote actions to combat the persistence of stereotypes, through awareness campaigns and women's image campaigns in the media;
61. Promote actions that contribute to a greater representation of women in the top positions of public institutions with economic profile, at national and local level, both in the economic sphere and in universities and higher education;

IV. INSTITUTIONAL FRAMEWORK FOR GENDER EQUALITY

62. In recent years, an important legal and regulatory framework for women's rights protection and promotion was developed. Though a legal and regulatory framework⁹ is in place, there are some challenges with its implementation related to the lack of financial resources, staff turnover, low intersectoral cooperation and persistent gender stereotypes at both - professionals from the system and the whole society, insufficient specialized services for the different categories of vulnerable population etc.
63. Through the reform of the central public administration in 2017, the institutional mechanism for promoting gender equality has suffered. Only the Policy Department for ensuring equality between women and men within the Ministry of Health, Labor and Social Protection is functional, but it has limited resources to cope with the development and implementation of gender equality policies. The governmental commission has not been convened since 2017. If at the level of central public

⁹ Among the following laws and Regulations in place are the following:

1. Law No 241-XVI of 20 October 2005 on Preventing and Combating Trafficking in Human Beings;
1. Law No 5-XVI of February 2006 on Gender;
2. Law No 45-XVI of 1 March 2007 on Preventing and Combating Domestic Violence;
3. National Referral System Strategy for the protection of and assistance to victims and potential victims of human trafficking;
4. National Program on Ensuring of Gender Equality 2010–2015;
5. Strategy on Ensuring Equality between Women and Men in the Republic of Moldova for 2017–2021 and the Action Plan for its implementation;
6. National Strategy on Preventing and Combating Violence Against Women and Domestic Violence for 2018–2023 and the 2018–2020 Action Plan for its implementation;
7. National Strategy for Preventing and Combating Trafficking in Human Beings for 2018–2023 and the 2018–2020 Action Plan on its implementation;
8. National Program on Implementation the UNSC Resolution 1325 on WPS for 2018–2021 and the National Action Plan regarding the implementation of the Program;
9. National Human Rights Action Plan for 2018–2022.

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administration the gender coordinating groups were set up, at the level of districts and the local public administrations ,the mechanism does not work.

Recommendations to the Government of Moldova:

64. Formation of the Committee on Equal Opportunities within the Parliament. The tasks of the commission will include: (i) mandatory endorsement of all relevant legislative acts from the perspective of the impact on gender equality; (ii) annual hearing of all central authorities regarding the progress in the implementation of the state policy in the field, (iii) prevention and combating of sexism in the parliamentary activity;
65. Establishment the position of Adviser on gender equality to the Presidency;
66. Systematic sex- and age-disaggregated data collection at the national level to support decision-making (ex-ante), policy implementation at different stages, monitoring and evaluation (ex-post);
67. Obligation to the civil servants that operate with the state budget to introduce gender-sensitive budgeting in all programs at the central and local administration levels;
68. Establish mechanisms to monitor gender-responsive budgeting in all sectors (CEDAW).

V. HUMAN RIGHTS OF WOMEN

69. Multiple, less visible groups of women face a lot of discrimination and stigma in Moldova. These include LGBTIQ women, sex workers, drug users, women with HIV positive status, refugees, undocumented migrants, stateless women, women with disabilities, women from ethnic minorities, single mothers. These less visible groups face a particularly high risk of exclusion, stigmatization and discrimination, which often prevents them from lifting themselves out of poverty and impedes their access to public services.

5.1. Violence against women

70. Almost all specialized services for victims of gender-based violence are provided by NGOs. These are often lacking sustainability because of limited funds for direct services and dependence on international donors. In addition, such services are not supported by the state, because of lacking mechanisms and unfriendly legal framework. The medical documentation of cases is insufficient. Medical doctors do not record correctly the multiple health consequences of violence and do not collect the data needed for reporting and assistance. The forensic examination of many cases is inefficient and renders superficial reports focused mainly on visible signs of violence.

5.2. Women and health

71. Women continue to face discrimination and difficulties in accessing health information and healthcare. This concerns especially women in rural areas, women with special

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needs, displaced women and women from conflicting areas, and women from ethnic minorities. Levels of awareness on healthy lifestyles, reproductive health and family planning among teenagers and young women, especially those living in rural and remote areas, is very low. Adolescent pregnancy rates are on the rise as a result.

72. Women in detention do not have access even a very limited one, to personal hygiene products, especially since in some years these needs have not been budgeted. Also, the nutrition of pregnant and lactating women, with young children in detention, needs to be revised from the gender-sensitive budgeting perspective and medically according to the international norms in force. The conditions regarding the presence of young children with detained mothers have been improved in some places, such as the arrangement of playgrounds, but the conditions for the presence of children still do not correspond to international standards.
73. Although some measures have been taken regarding obstetric-perinatal violence, such as the adoption of a set of mandatory ethical rules for medical workers and a slightly positive change in attitude, we believe that the multitude of problems and dysfunctions of the medical system reported by women who have aborted and mothers lauze has not yet been addressed and resolved.¹⁰

5.3. Women and armed conflict

74. A specific, less visible group of women are women from Transnistria – an Eastern region that violently broke away from Moldova in 1992, but whose independence is not internationally recognized. Constitutional rights and protections in this region are overall limited. Women in Transnistria are facing a particularly high risk, as there are no laws on gender equality or gender-based violence.

Recommendations to the Government of Moldova:

75. Ratificate the Council of Europe Convention on Prevention and Combating of Violence against Women and Domestic Violence (Istanbul Convention);
76. In order to ensure the fundamental human rights of all women living on the territory of the Republic of Moldova, State needs to have a human rights based approach that will include also an intersectionality approach, this way to have a broad response for all human rights violations;
77. Ensuring access to health services and hygienic basic needs of women from detention facilities.
78. Secure sustainable state support and services for victims, for their protection, rehabilitation, enabling, empowerment and for access to justice;
79. Secure the appropriate and efficient legal investigation of cases of gender-based violence;

¹⁰<https://deschide.md/ro/stiri/social/24528/Un-grup-de-femei-au-semnalat-Guvernului-mai-multe-abuzuri-%C3%AEn-sistemul-medical-prenatal.htm>

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- 80.** Ensure state support to caregivers and to NGOs that provide services to victims of gender-based violence.
- 81.** Eliminate the discrimination, ill treatment, and violence toward women from the health care system, especially in perinatal/obstetrics services;
- 82.** Ensure women's involvement in the conflict resolution activities.

Annexes

a. FOLLOW UP UPR RECOMMENDATIONS 2ND CYCLE

1. In the previous UPR, the legal framework lacked affirmative measures for ensuring gender equality in the public and political life in Moldova, both through public funding and gender quota. Women were in a disadvantaged position related to their access to campaign funds.
2. However, after the last review, the Republic of Moldova made some progress in this regard, in particular on the adoption of the Law no. 71 in 2016, which set a minimum quota of 40% representation of women candidates on the electoral lists of political parties through amendment of the Electoral Code; and introduced a 14-day paternity leave through amendment of the Labor Code, lastly, prohibited the use of sexist language by amending the Law on the press, the Law on Advertising and the Audiovisual Code.
3. In 2019, the Law on Political Parties was amended by changing the formula for allocating money from the state budget to the political parties who have more women in the winning seats, in both parliamentary and local elections. Thus, parties who participate in elections, started to receive 7.5% of the total amount of public money designed for political parties in a year, in proportion to the women actually elected in the parliamentary elections and other 7.5% of the total amount of public money designed for all political parties in a year - in proportion to the women actually elected in the local elections;
4. Also the use of state budget allocations for each political party was conditioned, so that 20% of the amount of the annual allocations from the state budget for a party, be used for the purpose of promoting and encouraging women's participation in political and electoral processes. In the case of political parties in which there are women and youth wings, these funds should be managed by the organizations concerned.
5. One of the main barriers to women's participation in politics is violence, especially in elections. Along with women's increased political activity in Moldova, the Platform finds that this phenomenon is constantly on the rise. Throughout 2019, discrimination of women in elections remained a systemic issue, with an institutionalized and party-related character, especially with regard to independent candidates and those from marginalized groups. In 2019, serious cases of sexual harassment of women candidates were reported in the national and local electoral campaigns. Sexism and intimidation were also directed at the media, i.e. moderators and journalists.
6. During the second UPR review in 2016, the majority of recommendations related to gender equality were accepted by the Republic of Moldova and was indicated as a commitment to strengthening its response. The following progress has been observed with regard to those recommendations:

<u>Recommendation</u>	<u>Progress 2016-2021</u>
<p>Strengthen the provisions of the Criminal Code on gender-based violence (Recommendations 121.16,121.101, 121.102);</p>	<p>No progress has been made, the recommendation remains to be implemented. All the possible acts of gender-based violence have to be included in the Criminal Code.</p>
<p>Enhance measures for the prevention, punishment and eradication of all forms of violence against women, including measures to promote their rights and to eliminate patriarchal and discriminatory stereotypes (Recommendation 121.85);</p>	<p>No progress has been made, the recommendation remains to be implemented. No measures were enhanced to promote women rights and to eliminate patriarchal and discriminatory stereotypes</p>
<p>Continue efforts to combat discrimination and promote the right to education and the rights of women (Recommendation 121.46);</p>	<p>No progress has been made, the recommendation remains to be implemented.</p>
<p>Take measures to ensure the effective implementation and enforcement of existing legislation, with a view to reducing structural disadvantages that hamper the effective realization of substantive gender equality (Recommendations 121.47, 121.48, 121.49, 121.50, 121.51, 121.52, 121.53, 121.55);</p>	<p>Partially implemented Regular monitoring of the implementation of the Action Plan for the implementation of the Strategy for ensuring equality between women and men in the Republic of Moldova for the years 2018–2022; Promoting the role of women in ensuring peace and security following the implementation of UN Security Council Resolution 1325; Assessment of progress, on a regular basis, in the areas of gender equality / women's rights based on reports submitted by the Republic of Moldova to relevant UN committees / relevant monitoring institutions</p>
<p>Strengthen ongoing efforts related to all forms of discrimination against women and girls, including by effectively implementing and enforcing existing legislation in order to address stereotypes (Recommendation 121.54);</p>	<p>No progress has been made, the recommendation remains to be implemented.</p>

<p>Elaborate campaigns and trainings which promote the economic and political empowerment of women, as well as educational programs that combat stereotypes and gender discrimination from an early age (Recommendation 121.56);</p>	<p>No progress has been made, the recommendation remains to be implemented. The state is acting in isolated cases, seldomly supporting CSOs' campaigns</p>
<p>Encourage young women to choose non-traditional fields of study and professions (Recommendation 121.57);</p>	<p>No progress has been made, the recommendation remains to be implemented. The state is acting in isolated cases, seldomly supporting CSOs' campaigns</p>
<p>Eliminate all forms of sex and gender-based discrimination throughout the educational system (Recommendation 121.58, 121.59);</p>	<p>No progress has been made, the recommendation remains to be implemented. Educational system in Moldova remains very sexist and a traditional field.</p>
<p>Strengthen women's representation in the Parliament and Government (Recommendation 121.145);</p>	<p>Partially implemented, was adopted the Law no. 71 in 2016, which sets a minimum quota of 40% representation of women candidates on the electoral lists of political parties through amendment of the Electoral Code. no quota for GOV</p>
<p>Take further measures to advance the participation of women in decision-making bodies (Recommendation 121.146);</p>	<p>Implemented, Electoral Code was amended with provisions that ensure the placement of quota on the lists. Failure to comply with the conditions established in the provisions listed above entails the refusal of the electoral body to register the lists of candidates.</p>

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b. MEMBERS OF THE PLATFORM FOR GENDER EQUALITY:

1. Association Against Violence in the Family “Casa Marioarei”
2. Association Modern Woman
3. Mildava
4. Moldsolidaritate
5. Forum of Women's Organizations of the Republic of Moldova
6. Gender-Center
7. Crime Prevention Foundation
8. Promo-Lex
9. Woman for the Future
10. Honor and Rights of the Contemporary Woman
11. Association of Women Entrepreneurs of Moldova
12. Center for Partnership for Development
13. Center for the Rights of People with Disabilities
14. Rehabilitation Center for Torture Victims “Memoria”
15. Resource Center for Human Rights
16. Women’s Political Club 50/50
17. Group of Feminist Initiatives in Moldova
18. Woman for the Contemporary Society
19. AFINA
20. Human Rights Association LEX XXI
21. Pro-Cimișlia
22. Interaction
23. Keystone Moldova
24. Amnesty International Moldova
25. East European Foundation