



Chişinău, 9 January 2012

**Dear Commissioner,**

I would like to express the gratitude of Moldovan Government for your visits to the Republic of Moldova in April 2009 and October 2011 and for the continuous attention paid to my country during your mandate as the Council of Europe Commissioner for Human Rights. This helped us assess the achievements and challenges on our human rights track, as well as establish further tasks in this challenging endeavor. In this regard, let me thank you for your findings and observations related to human rights issues, and to point out the following comments.

The Moldovan Government takes note of the Report and further actions to be taken in order to improve the human rights situation in the Republic of Moldova. The general recommendations were carefully examined and they will be taken into account during the amendment process of the National Human Rights Action Plan for 2011-2014 and/or other relevant normative acts. For 2012 is expected to establish the Monitoring Commission for the implementation of the National Human Rights Action Plan under the Deputy Prime-minister Office. This mechanism will be used also for the improvement of observance and implementation of the concluding observations and recommendations addressed to the Republic of Moldova from UN, Council of Europe, EU and OSCE human rights bodies.

On the Observations regarding April 2009 events we agree that a comprehensive inquiry should be continued, while implementing legal norms will ensure their effectiveness. In this regard, the recently adopted Strategy for Justice Sector Reform for 2011 - 2016 will assist the development of a justice sector which is of high quality, fair, with zero tolerance to corruption that will contribute to the sustainable development of the country. The overall objective of the Strategy is to build an accessible, efficient, independent, transparent, professional justice sector, with high public accountability and consistent with European standards, to ensure the rule of law and protection of human rights.

According to the Strategy pillar on human rights, a working group on amending the *Ombudsman Law* was established in order to revise and to strengthen also the National Preventive Mechanism. Alongside with national and international counterparts, Mr. Manfred Nowak, ex-UN Special Rapporteur on torture has been invited to participate as Honorary Chairperson of the Working Group on the amendments to the Ombudsman law and NPM. We expect that by mid-2012 the new draft law will be adopted.

Another important element resides in the *reform of the Ministry of Internal Affairs (MIA)*. In accordance with the concept of MIA reform and the Action Plan, the reform process is divided into three stages: i) Development of the legal framework (2011); ii) Creation of the institutional and functional framework in order to regulate the activity of the subdivisions and iii) Capacity building of subdivisions. The draft Law on Police and the Law on the carabinieri were developed with the assistance of CoE experts.

Moreover, MIA has initiated a system of assessment of changes in police activity, introducing new evaluation criteria, focused on public opinion, results of sociological surveys, respect of the legal framework and fundamental human rights.

During the last period of time with the support of the development partners was initiated the equipment of all police stations and temporary detention facilities with video cameras and video surveillance systems for monitoring compliance of the detention regime and for fighting the torture phenomena and ill treatments.

The principles of non-discrimination, universality and equality of rights are essential and represent the backbone of the Moldovan human rights protection system. In order to strengthen existing rules and create a real and viable mechanism for implementing these provisions, *the draft Law on preventing and combating discrimination* was drafted. It was designed as a comprehensive legal act that includes, among other, an indicative list of discriminatory criteria and establishes the Council for preventing and combating discrimination.

As the consultations revealed certain sensitivities within the society, the draft was withdrawn from the Parliament for further consideration. We have embarked on a path of broad consultations aimed at, among other, ensuring that this law is endorsed not only by the government, but also by the entire Moldovan society.

After the ratification in 2010 of the UN Convention on the Rights of Persons with Disabilities the Government is implementing the *National Strategy for Social Inclusion*, supplemented by additional regulatory norms. In December 2011 the Law on social inclusion of the persons with disabilities was approved by the Government. The law is ensuring the development and approval of methodology for determining degrees of disabilities in accordance with WHO standards; adjustment of national legislative-normative framework to European and international standards; reorganization of structures and institutions responsible for the coordination of the system of social inclusion of persons with disabilities.

Recently, the network for social services was supplemented with a new specialized service entitled "Outreach Team" that is offering at beneficiary's home social assistance, support and counseling for eventual social inclusion.

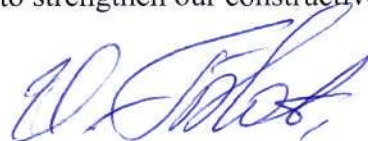
In order to ensure the political rights of persons with disabilities, including the right to vote, the Central Electoral Commission has decided in 2009 that all polling stations should be set up on the ground floor in order to ensure direct access of persons with disabilities.

Another recent development is the strengthening of the *Action Plan to support Roma population for 2011-2015*, which confirms the commitment to promote and implement social inclusion of Roma in the active socio-cultural life of the country. The Government is intending to conduct a comprehensive costing exercise in the beginning of 2012 in order to secure necessary budgetary funds during the process of amending the Mid-Term Expenditure Framework.

Last but not least, we agree with the fact that education and awareness-raising campaigns are of paramount significance for the promotion of diversity. To this end, the Government is committed to further integrate them in our society in order to secure our natural place in European society.

Looking forward to strengthen our constructive partnership, I remain

Sincerely,



**VLADIMIR FILAT**

**MR. THOMMAS HAMMARBERG,  
COUNCIL OF EUROPE COMMISSIONER  
FOR HUMAN RIGHTS**