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EUROPEAN SOCIAL CHARTER

Comments submitted by
the People's Advocate Office of Moldova
concerning the 19th National Report on the implementation of
the European Social Charter

submitted by
THE GOVERNMENT OF THE REPUBLIC OF MOLDOVA
Articles 2, 3, 4, 5, 6, and 20

Comments registered by the Secretariat
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Unofficial translation

ALTERNATIVE REPORT
submitted by the People's Advocate Office of Moldova to the European Committee of
Social Rights (ECSR) on the basis of the European Social Charter

This report has been prepared by the People's Advocate Office (Ombudsman) of the Republic of Moldova, in its capacity as a National Human Rights Institution accredited with "A" status.



About the People's Advocate Office of Moldova

1. The People's Advocate Office of Moldova (PAO) (Ombudsman Institution) is the National Institution for the Protection of Human Rights, which also has a constitutional mandate. The PAO has an autonomous status from other public authorities and institutions, regardless of their type and structure. The institution operates on the basis of constitutional provisions and special laws regulating its mandate, organization and functioning.
2. The People's Advocate Office operates in accordance with the Principles Relating to the Status of National Institutions (the Paris Principles) which set out the powers, responsibilities, composition and guarantees of National Human Rights Institutions. In 2023, the institution was recredited with “A”¹ status, which reconfirmed the NHRI's compliance with all the standards and requirements set out in the Paris Principles.
3. In its work, the Ombudsman is guided by the provisions of the Constitution of the Republic of Moldova, Law No. 52/2014 on the People's Advocate (Ombudsman)², as well as international treaties to which the Republic of Moldova is a party. In addition, in the exercise of its mandate, the Office of the People's Advocate shall draw up an annual report on respect for human rights and freedoms in the Republic of Moldova. At the same time, the Ombudsman is entitled to draw up special and thematic reports, which it submits to public authorities, alternative reports which it sends to international and regional organizations in the field. The alternative reports describe the level of implementation of international and regional conventions to which the Republic of Moldova is a party. In addition, they contain recommendations to improve the process of implementation of the provisions of the conventions, so that the highest standards in the field are duly respected.

¹ Report and Recommendations of the Session of the Sub-Committee on Accreditation (SCA) Online, 25-29 September 2023 Geneva, 23-27 October 2023 <https://ganhri.org/wp-content/uploads/2023/11/SCA-Report-Second-Session-2023-EN.pdf>

² Law nr. 52/2014 on People's Advocate (Ombudsman)
https://www.legis.md/cautare/getResults?doc_id=141519&lang=ro#



Introduction

4. The People's Advocate Office presents its shadow report to the European Committee of Social Rights (ECSR) on the implementation of the provisions of the European Social Charter by the Republic of Moldova.
5. The report shall include the findings and problems identified by the institution as a result of the monitoring activities on the observance of social rights, reflecting the aspects analysed in the 19th National Report on the implementation of the European Social Charter, prepared by the Government of the Republic of Moldova for the 2024 reporting cycle, with reference to the application of Articles 2, 3, 4, 5, 6 and 20 of the Charter.
6. The People's Advocate emphasizes that this report does not include data or information on the observance of social rights in the region left bank of the Dniester (Transnistrian region), as the Office does not have access to conduct monitoring activities in this territory. However, the Varnița Representation of the Office of the People's Advocate continues its efforts to collect information and find out the real situation in this region. At the same time, the People's Advocate expresses its deep concern about the situation in the Transnistrian region, where the lack of access to social institutions and the absence of independent monitoring call into question the respect for the rights guaranteed by the European Social Charter.

Information on specific articles of the European Social Charter (revised)

7. In the Republic of Moldova, the enjoyment of social rights is ensured by a comprehensive legal framework, which complies with the standards of the European Social Charter (revised) and promotes equal access to social services, working conditions and social protection.
8. The ratification of the European Social Charter (revised) led to the amendment of the Labor Code No.154/2003³, Law No. 5/2006 on Equal Opportunities for Women and Men and other essential regulations for the consolidation of social rights.
9. The national standards in the field of protection of these rights are found both in the constitutional provisions of the Republic of Moldova and in a

³ https://www.legis.md/cautare/getResults?doc_id=148674&lang=ro



significant number of laws and normative acts that provide for the respect of social rights, develop the social protection system.

10. Article 43 of the Constitution of the Republic of Moldova, in line with the European Social Charter (revised), imposes an obligation on the state to ensure social protection through measures including occupational safety and hygiene, special arrangements for women and young people, minimum wages, weekly rest, paid leave and difficult working conditions.
11. In the report on the respect for human rights and freedoms in the Republic of Moldova for the 2024 year, the Ombudsman emphasized that through Law No. 185/2024, the Republic of Moldova has extended the commitments of the European Social Charter (revised), ratifying essential provisions on social rights. Thus, workers will benefit from increased wages for overtime (Art. 4.2) and young people will have access to vocational training during work (Art. 7.6). At the same time, the state guarantees the right to continuing education and retraining (Art. 10.1-5) and supports the integration of persons with disabilities in social life (Art. 15.3), thus strengthening the protection of social rights and aligning with European standards. The Ombudsman has supported this initiative and has also recommended the ratification of the Additional Protocol on the collective complaints procedure, which would allow for the challenge of the improper application of the provisions of the Charter. Moreover, the Ombudsman proposed the ratification of other articles for which there are no major obstacles, including provisions on labor protection, migrant workers' rights and equal opportunities (Art. 3(4), 14(1), 14(2), 18(1), 19(1)-(6), 19(9), 22, 27(1), 27(3)), as recommended by the European Committee of Social Rights⁴.

Information on Articles 4 and 20 of the European Social Charter (revised)

12. The Republic of Moldova has made significant progress in harmonizing labour legislation through the ratification of the European Social Charter (revised), thus strengthening the guarantee of the fundamental right to work. However, in the report on the respect for human rights and freedoms in the Republic of Moldova for the year 2024, the Ombudsman noted that Article 4 of the European Social Charter (revised) has been only partially ratified,

⁴ [raport-anual-privind-respectarea-drepturilor-si-libertatilor-omului-in-anul-2024.pdf](#)



emphasizing the need to continue efforts to fully align with European social protection standards.

13. Partial ratification is also reflected in persistent labor market inequalities. In 2023, the gender pay gap in the Republic of Moldova has widened, with men's wages 15.6% higher than women's, which amplifies the risk of female poverty. This negative trend demonstrates worsening inequalities in the labor market. Calculations for the year 2023 reveal that the value of the average annual losses that women suffered due to the wage gap amounted to 29 502 lei (equivalent to €1 496), which means that a woman received an annual wage income 29 502 lei (equivalent to €1 496) less than men for the same year. This average annual loss per woman amplifies the risk of poverty among women. The pay gap reveals deep inequalities in the labor market, caused by both indirect and direct factors. Indirect factors include the fact that women are predominantly employed in lower paid sectors, occupy lower hierarchical positions than men, often have to opt for reduced working hours or take breaks from work more frequently and for longer periods, due to the caring responsibilities assumed by over 90% of women. At the same time, the pay gap can also be explained by direct factors, such as differences in wage bargaining, discriminatory practices by employers through comparatively lower pay for the same work, reduced opportunities for promotion and unfair job performance appraisals.⁵
14. This reality is confirmed by statistical data showing the extent of the problem at the social level. According to data from the National Bureau of Statistics⁶, 55.7% of inactive women aged between 25 and 54 do not participate in economic activities because of family responsibilities, while only 2.5% of men in the same age group are in this situation. This gender gap of over 50% reflects the profoundly unequal distribution of caring responsibilities between the genders and highlights how systemic barriers limit women's access to the labor market by maintaining the gender pay gap.
15. However, there is also an increase in the female employment rate. In the first quarter of 2024, the female employment rate reached 40.8%, the highest in six years, up from 34.3% in 2019⁷, reflecting a quantitative improvement in female employment. However, the quantitative increase has not been

⁵ https://progen.md/wp-content/uploads/2025/02/CPD_Pay-gap-2025.pdf

⁶ https://statistica.gov.md/ro/portretul-statistic-al-femeilor-si-barbatilor-in-republica-moldova-9617_61689.html

⁷ <https://social.gov.md/comunicare/cea-mai-mare-rata-de-ocupare-a-fortei-de-munca-in-randul-femeilor-in-ultimii-6-ani/>



accompanied by a corresponding improvement in the quality of employment or a reduction in wage disparities, suggesting that structural problems persist.

16. While efforts to ensure gender equality have generated positive results at national level, the World Economic Forum's Gender Gap Report 2024⁸ highlights the progress made by the Republic of Moldova, which has climbed from 23rd place in 2020 to 13th place in 2024. However, despite these overall advances in international indices, significant discrepancies persist between sectors of activity, manifested by occupational segregation by gender. Women remain concentrated in areas such as education, health, social work and the arts, while men predominate in agriculture, construction, science, technology and engineering, highlighting the need for further measures to balance gender representation across all economic sectors.
17. Additionally, in the Report on observance for human rights and freedoms in the Republic of Moldova for the year 2024⁹, the Ombudsman noted that fair remuneration depends on inflation, state policies and available financial resources, the authorities have the responsibility to find effective solutions to guarantee a decent wage in accordance with fundamental rights. According to Article 3 of Law No. 1432/2000 on the procedure for setting and reviewing the minimum wage, the Government has decided that the minimum wage in the economy will be 5 500 lei (equivalent to €279) as of January 1, 2025¹⁰, which represents a 10% increase compared to 2024. Although this increase reflects a positive trend, the minimum wage remains insufficient to guarantee a decent living. The ratio between the minimum wage of 5 500 lei (equivalent to €279) and the average wage of 16 100 lei (equivalent to €816) is 34%, below the recommended EU threshold of 40%. In this regard, the Ombudsman points out that in 2024 the difference between the minimum wage and the average wage in the economy constituted 36%, which means that the current ratio of 34% reflects a decreasing situation. At the same time, the Ombudsman recalls the Government's commitment to transpose Directive (EU) 2022/2041 on adequate minimum wages in the European Union, which is planned to be implemented by September 2025¹¹. The provisions of the Directive suggest that the minimum wage in each country should be at least 50% of the average wage.

⁸ https://www3.weforum.org/docs/WEF_GGGR_2024.pdf

⁹ https://www.legis.md/cautare/getResults?doc_id=146270&lang=ro

¹⁰ https://www.legis.md/cautare/getResults?doc_id=146270&lang=ro

¹¹ National Action Plan for Republic of Moldova's Accession to the European Union 2024-2027
https://www.legis.md/cautare/getResults?doc_id=141820&lang=ro



18. The Ombudsman also noted in the *Ad hoc report on the cost-of-living crisis*¹², that the right to a fair remuneration is essential to ensure a dignified human existence. In the progressive realization of this right, the state has an obligation to guarantee a minimum wage that enables workers and their families to earn a decent living. Although we note a positive upward trend in the minimum wage its value remains insufficient or according to the NBS, average consumer prices in February 2024 compared to February 2023 (in the last 12 months) increased by 4.3% (informative: in February 2023 compared to February 2022 average consumer prices increased by 25.9%), including food products by 3.5%, non-food products by 5.6% and services rendered to the population by 3.1%¹³.
19. At the same time, according to the NBS¹⁴, in December 2024, compared to December 2023, average consumer prices increased by 7.0%, including: food 7.2%, non-food 4.5%, and services to the population 10.5%. Although the minimum wage has seen positive adjustments, its pace of increase remains below that of living costs, affecting the ability of the population to ensure a decent living.
20. As regards the indexation of pensions, the Ombudsman noted that in 2024 they were increased by 6%. This indexation increased the average old-age pension by 249 lei (equivalent to €13) to 3 926 lei (equivalent to €199), while the minimum pension for persons with full contributory service is 2 778 lei (equivalent to €141). Therefore, the Ombudsman draws attention to the fact that, in the context of the continuation of the policy of adjustment of social benefits, by Decision No. 155 of March 26, 2025 on indexation of social benefits pensions and other social benefits were increased by 10% as of April 1, 2025, a measure aimed at improving the financial situation of the beneficiaries. As a result, the minimum old-age pension in 2025 is 3 055.65 lei (equivalent to € 155).

¹² <https://rm.coe.int/mld-comments-ombudsman-office-on-ad-hoc-report-cost-of-living-2024/1680b08a76>

¹³ https://statistica.gov.md/ro/indicii-preturilor-de-consum-in-republica-moldova-in-luna-februarie-2024-9485_61013.html

¹⁴ https://statistica.gov.md/ro/indicii-preturilor-de-consum-in-republica-moldova-in-luna-9485_61590.html



21. The Ombudsman also notes that, according to the National Bureau of Statistics¹⁵, in 2024 the minimum subsistence minimum for pensioners for the age limit in the country is 2 475 lei (equivalent to 126 €). At the same time, the minimum subsistence minimum for pensioners differs depending on the area of residence. In 2024, the subsistence minimum for pensioners in large cities will be 2 822.2 lei (€143 equivalent), while for those in rural areas it will be 2 337.8 lei (€119 equivalent). Although the Government has adopted measures to successively index pensions, the Ombudsman notes that the minimum pensions are still at or below the subsistence minimum, demonstrating the need to develop more effective policies to guarantee a decent standard of living.
22. At the same time, the Human Rights Perceptions Study¹⁶, prepared by the Office of the Ombudsman in 2023, found a significant decline in citizens' confidence in the state's ability to provide social protection. The analysed data show a sharp decline in public confidence in the state's ability to ensure a decent living through wages and pensions. Both in the static analysis and in the 2016-2023 evolution, it can be observed that the majority of respondents consider wages and pensions insufficient for an adequate standard of living. In 2023, over 76.8% of citizens consider that the salaries offered do not provide a decent living. In the case of pensions, the level of dissatisfaction is even higher - almost 81.1% of respondents say that they provide an adequate living only "to a small extent" or "to a very small extent". This perception reflects a significant loss of confidence in the state, particularly in its role as guarantor of social security.
23. Also, there is a positive development in the perception of respondents from all income groups. For example, compared to the data from the surveys conducted in 2016 and 2018, the proportion of those who believe that the protection of the population is provided to a small or very small extent has decreased significantly. This trend suggests an increase in confidence in social protection mechanisms and a more favourable perception of the support provided by the authorities to different population groups.

¹⁵https://statbank.statistica.md/PxWeb/pxweb/ro/30%20Statistica%20sociala/30%20Statistica%20sociala_04%20NIV_NIV050/NIV050090.px/table/tableViewLayout2/?rxid=cd9139c8-a3e3-410a-b617-5a26ae1f6fae

¹⁶<https://ombudsman.md/studiu-perceptii-asupra-drepturilor-omului-in-republica-moldova-in-2023/>