January 2026

European Social Charter (revised)

European Committee of Social Rights

Conclusions 2025

MOLDOVA

This text may be subject to editorial revision.

The function of the European Committee of Social Rights is to rule on the conformity of the situation in States with the European Social Charter. In respect of national reports, it adopts "conclusions"; in respect of collective complaints, it adopts "decisions".

A presentation of this treaty as well as statements of interpretation formulated by the Committee appear in the General Introduction to the Conclusions.[1]

The European Social Charter (revised) was ratified by the Republic of Moldova on 08 November 2001. The time limit for submitting the 19th report on the application of this treaty to the Council of Europe was 31 December 2024 and the Republic of Moldova submitted it on 26 December 2024. On 9 July 2025, a letter was addressed to the Government requesting supplementary information regarding Articles 3§1, 3§2, 3§3, 6§1 and 6§2 of the Charter. The Government submitted its reply on 2 September 2025. On 9 July 2025, a letter was addressed to the Government requesting supplementary information regarding Articles 3§1, 3§2, 3§3, 6§1 and 6§2 of the Charter. The Government submitted its reply on 2 September 2025.

The present chapter on the Republic of Moldova concerns 10 situations and contains:

– 0 conclusion of conformity

– 10 conclusions of non-conformity: Articles 2§1, 3§1, 3§2, 3§3, 4§3, 5, 6§1, 6§2, 6§4, 20

The next report from the Republic of Moldova will be due on 31 December 2026.

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[1] *The conclusions as well as state reports can be consulted on the Council of Europe's Internet site (www.coe.int/socialcharter).*

Article 2 - Right to just conditions of work

Paragraph 1 - Reasonable working time

The Committee takes note of the information contained in the report submitted by the Republic of Moldova.

The Committee recalls that for the purposes of the present report, States were asked to reply to targeted questions for Article 2§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Measures to ensure reasonable working hours

In the targeted question, the Committee asked for information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including information on the exact number of weekly hours that persons in these occupations can work; as well as information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.

The report states that there are no occupations in the Republic of Moldova where weekly working hours may exceed 60 hours. The limit of overtime work is 240 hours per year; therefore, the regular weekly hours do not exceed 48.

The Committee notes that workers performing specific functions in certain sectors and in exceptional circumstances may be allowed to exceed 16 daily working hours limit or 60 weekly working hours limit during short periods. However, certain safeguards must exist (Conclusions 2025, Statement of Interpretation on Article 2§1 on maximum working time).

Working hours of maritime workers

In the targeted question, the Committee asked for information on the weekly working hours of maritime workers.

The report states that, following the partial transposition of the Council Directive 1999/63/EC of 21 June 1999 and Directive 1999/95/EC of the European Parliament and of the Council of 13 December 1999, the Government Decision No. 342/2024 introduced measures to regulate the working conditions of such workers. For maritime workers older than 18, the standard working time is eight hours per day with two rest days per week and adequate breaks during working hours. A minimum of 12 hours of rest within any 24-hour period must be guaranteed.

The Committee notes that, in order to be in conformity with the Charter, maritime workers may be permitted to work a maximum of 14 hours in any individual 24-hour period and 72 hours in any individual seven-day period. The maximum reference period allowed is one year. Adequate rest periods have to be provided. Records of maritime workers' working hours shall be maintained by employers to allow supervision by the competent authorities of the working time limits (Conclusions 2025, Statement of Interpretation on Article 2§1 on working time of maritime workers).

Law and practice regarding on-call periods

In the targeted question, the Committee asked for information on how inactive on-call periods are treated in terms of work or rest time on law and practice.

In reply, the report states that the domestic legislation regulates the procedure for work at home and remote work. The report provides no information on on-call periods.

In response to a request for additional information, the report states that, as provided in the National Collective Agreement No. 2/2024, periods during which a worker is awaiting

instructions regarding the start of work shall be deemed as working time. Work on-call is carried out in essential sectors, including public health (police), public order and emergency response services (fire brigades, rescue teams and ambulance services). Periods of inactivity while awaiting instructions outside the workplace may be compensated in accordance with collective agreements or the internal regulations of the respective institutions, depending on the sector of activity. For example, in the medical sector, compensation is provided for periods of home-based duty. Generally, there is no specific legal provision regarding work on a passive on-call basis, particularly outside the employer's premises. Periods when workers are at the disposal of the employer, are to be regarded as working time. Nevertheless, the implementation of this principle is inconsistent and remains subject to the discretion of the employer and the terms agreed with workers through negotiation.

The Committee notes that, with regard to inactive parts of on-call period during which no work is carried out and where the worker stays at home or is otherwise away from the employer's premises, under no circumstances should such periods be regarded as rest periods in their entirety. However, there are two situations that need to be addressed. Firstly, the situation involves a worker who is on-call away from the employer's premises (at home or at another designated place by the employer) and who is under an obligation to be immediately available or available at very short notice and on a recurring basis to the employer, and where there are serious consequences in cases of the failure to respond. Such on-call periods, including where no actual work is performed (inactive on-call), must be classified as working time in their entirety and remunerated accordingly in order to be in conformity with the Charter. Secondly, the situation involves a worker who is away from the employer's premises (at home or at another place designated by the employer) and who has a certain degree of freedom to manage their free time and is allowed time to respond to work tasks (i.e. they do not have to report for work immediately or at a very short notice or on a recurring basis). In these circumstances, the inactive on-call periods amount neither to full-fledged working time nor to genuine rest periods. In such cases the situation may be considered as being in conformity with the Charter if the worker receives a reasonable compensation. The Committee will assess the reasonableness of the nature and level of such compensation on a case-by-case basis and will take into account circumstances such as the nature of the worker's duties, the degree of the restriction imposed on the worker and other relevant factors (Conclusions 2025, Statement of Interpretation on Article 2§1 on on-call periods).

The Committee notes that it is unclear whether inactive on-call periods are remunerated and how they are treated in terms of rest time. Furthermore, the practice seems to be inconsistent and depends on internal regulations. The Committee therefore considers that the situation in the Republic of Moldova is not in conformity with Article 2§1 of the Charter on the ground that inactive on-call periods during which no effective work is undertaken are considered as rest periods.

Conclusion

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 2§1 of the Charter on the ground that inactive on-call periods during which no effective work is undertaken are considered as rest periods.

Article 3 - Right to safe and healthy working conditions

Paragraph 1 - Safety and health regulations

The Committee takes note of the information contained in the report submitted by the Republic of Moldova.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 3§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

The Committee asked for information on the content and implementation of national policies on psychosocial or new and emerging risks, including in relation to: (i) the gig or platform economy; (ii) telework; (iii) jobs requiring intense attention or high performance; (iv) jobs related to stress or traumatic situations at work; (v) jobs affected by climate change risks.

General policies concerning psychosocial or new and emerging risks

The Committee recalls that new technology, organisational constraints and psychological demands favour the development of psychosocial factors of risk, leading to work-related stress, aggression, violence and harassment. With regard to Article 3§1 of the Charter, the Committee takes account of stress, aggression, violence and harassment at work when examining whether policies are regularly evaluated or reviewed in the light of emerging risks. The States parties have a duty to carry out activities in terms of research, knowledge and communication relating to psychosocial risks (Statement of Interpretation on Article 3§1 of the Charter, Conclusions 2013 and 2017).

The report notes that the state policy on occupational safety and health in the Republic of Moldova is governed by Law No. 186/2008 on Safety and Health at Work (dated 10 July 2008). The policy is developed in consultation with employers and trade unions, taking into account the development of international regulations in this area and technological progress. The policy shall include, *inter alia*, regular training, qualification and motivation of workers in any capacity, so as to ensure adequate levels of safety and health at work. The report notes that the Law on Occupational Safety and Health requires employers to implement certain measures, such as adopting and applying internal occupational safety and health regulations in the absence of relevant national or sectoral legislation, assessing occupational risks, including with regard to risk-sensitive groups, implementing prevention measures, and providing information and training to workers.

The Committee recalls that in its previous conclusion (Conclusions 2021) it reiterated its request to the Republic of Moldova to provide information on psychosocial or other emerging and new risks (such as those linked to the platform economy or those linked to jobs that demand workers' ongoing and intense attention like operating heavy machinery, vehicles or even computers). The Committee deferred its conclusion pending receipt of this information.

The gig or platform economy

The report notes that the provisions of Law No. 186/2008 on Safety and Health at Work apply. However, it states that the concept is not defined by national legislation and that no information is currently available regarding the application of national policies on psychosocial risks or new and emerging risks in the gig and platform economy.

Therefore, the Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 3§1 on the ground that it has not been established that there are national policies on psychosocial or new and emerging risks in relation to the gig or platform economy.

Telework

The report notes that the employer has the obligation to ensure the occupational safety and health of workers working remotely, in accordance with Law No. 186/2008 on Safety and Health at Work and other relevant normative acts in the field of occupational safety and health. This includes the obligation to define and specify in the employment contract the occupational safety and health responsibilities of the employer and the worker; to conduct a risk assessment; to provide information and training to workers with regard to occupational risks and their prevention; to provide workers with non-hazardous work equipment and protective equipment; as well as to monitor areas with serious and specific occupational risks. The obligation also extends to employing only persons who, following a medical examination and, where appropriate, a psychological aptitude test, are deemed suitable for the work to be performed.

The Committee refers to its statement of interpretation concerning telework (see Conclusion under Article 3§3) which provides, *inter alia*, that States Parties must take measures to ensure that employers comply with their obligations to ensure safe and healthy working conditions for their teleworkers, including providing information and training to teleworkers on ergonomics, the prevention of psychosocial risks (e.g. isolation, stress, cyberbullying, work-life balance, including digital disconnect and electronic monitoring) and the reporting process.

Jobs requiring intense attention or high performance

The report notes that pursuant to the Labour Code of the Republic of Moldova (No. 154/2003, dated 28 March 2003), specific risks associated with the job must be clearly outlined and defined in the individual employment contract.

The report refers to Article 96 of the Labour Code, which provides that for certain categories of workers whose work requires greater intellectual and psycho-emotional effort, the duration of working time shall be determined by the Government and shall not exceed 35 hours per week.

The report further notes that, through Order No. 72/2 of 11 April 2024, the Ministry of Labour and Social Protection approved the Programme for the Improvement of Occupational Safety and Health in areas with high risks of injury and illness (construction, agriculture, manufacturing, transport and storage) for 2024-2028. The objective of this programme is to implement a range of measures and actions to enhance the culture of occupational safety and health with a view to achieving a decrease in the number of workplace injuries, including through the implementation of a number of EU documents.

The report also refers to Government Decision 541/2014 (dated 7 July 2014) which concerns work involving arduous, harmful and/or dangerous working conditions. Employment in this type of work is prohibited for persons under the age of 18, as is manual lifting and carrying of wights exceeding the maximum permitted load capacity. In addition, the Labour Code *inter alia* provides that, in case of instances of increased health risk (during a state of emergency, siege or war, or during a state of public health emergency) measures shall be provided to ensure remuneration for the work performed.

Jobs related to stress or traumatic situations at work

The report notes that the legislation of the Republic of Moldova does not explicitly define the concepts of psychosocial or psycho-emotional risks. However, the Labour Code makes express provisions for it by requiring employers to ensure dignity at work by promoting a positive psycho-emotional environment in workplace relations and prohibiting any verbal or non-verbal behaviour by employers or other workers that may harm a worker's moral and psychological integrity (Article 1). Furthermore, the Labour Code provides for dismissal in the event of any instances of physical or psychological violence committed by a teacher towards students (Article 86).

The report lists normative acts and policy documents related to “positions with special status”, such as those in the intelligence and security services and the police, as well as specific risks faced by persons engaged in these professions, including the risk of trauma in the workplace and psychosocial risks such as an excessive workload, conflicting demands and a lack of clarity of role, a lack of influence over how the work is carried out, and psychological and sexual harassment. Such persons are entitled to psychological assistance. The regulatory framework of the civil service further provides that risks, including excessive workload, ineffective communication and psychological harassment, are mitigated through the application of Government Decision No. 201/2009 (dated 11 March 2009).

In its response to a request for additional information, the Government notes that the Republic of Moldova ratified ILO Convention No. 190 on the Elimination of Violence and Harassment in the World of Work, which came into force in March 2025, and adopted Convention Law No. 194/2025 in order to align national legislation with it. The new law introduces definitions of violence and harassment in the workplace and explicitly prohibits such behaviour in all employment relationships. Moreover, in August 2025 the Labour Code was amended to require employers to prevent, investigate and sanction cases of violence and harassment, which are considered serious disciplinary breaches, including in digital environments or during business travel, through a mandatory internal procedure. Material and financial liability is introduced for both employers and workers, including the possibility of dismissal. Employers’ obligations are differentiated according to the size of the organisation.

Jobs affected by climate change risks

In response to the targeted question under Article 3§3, the report notes that the provisions of Law No. 186/2008 on Safety and Health at Work and Law No. 170/2007 of 19 July 2007 (Article 51, right to health protection and medical care) apply.

In response to a request for additional information the report provides a list of Government decisions pertaining to minimum occupational health and safety requirements that relate to risks caused by mechanical vibrations, exposure to noise - in particular hearing-related risks - and risks related to the presence of chemical agents in the workplace.

The response further refers to the National Mental Health Programme for 2023-2027, which aims to strengthen the mental health system and enhance psychosocial preparedness for emergencies and other disasters, including those caused by climate change (Strategic Objective 2.3). The associated Action Plan includes measures specifically related to workers affected by climate change. The National Health Strategy “Health 2030”, approved in 2023, recognises climate change as a detriment to public health and contains commitments aimed at addressing these risks. These include the development of occupational health across all public policies, and the development of intersectoral mechanisms to manage emerging risks, including psychosocial risks, and to protect vulnerable groups from disasters and economic changes.

The National Climate Change Adaptation Programme through to 2030, approved by the Government in 2023, requires ministries to adapt their mandates and human resource policies to the new climatic realities, and it supports the development of clinical protocols for climate-sensitive diseases and the establishment of information systems on health and the environment. Furthermore, the National Disaster Risk Reduction Strategy 2024-2030 aims to strengthen national capacities for the prevention of and response to natural disasters, such as floods, heat waves and drought. It identifies categories of workers exposed to risks, including those in agriculture, construction and emergency response. However, the Strategy does not make explicit reference to mental health protection or the prevention of occupational stress.

The Committee recalls its case law under Article 3 in relation to the protection against dangerous agents and substances (including asbestos and ionizing radiation), and air pollution (see Conclusions XIV-2 (1998), Statement of interpretation on Article 3). Further, the

Committee notes the United Nations General Assembly Resolution A/RES/76/300 (28 July 2022) “The human right to a clean, healthy and sustainable environment”.

The Committee notes that climate change has had an increasing impact on the safety and health of workers across all affected sectors, with a particular impact on workers from vulnerable groups such as migrant workers, women, older people, persons with disabilities, persons with pre-existing health conditions and youth. As noted by the United Nations Committee on Economic, Social and Cultural Rights, rapid environmental changes, caused by climate change, increase risks to working conditions and exacerbate existing ones (General comment No. 27 (2025) on economic, social and cultural rights and the environmental dimension of sustainable development, UN Doc E/C.12/GC/27, §51). Hazards related to climate change include, but are not limited to, excessive heat, ultraviolet radiation, extreme weather events (such as heatwaves), indoor and outdoor workplace pollution, vector-borne diseases and exposure to chemicals. These phenomena can have a serious effect on both the physical and mental health of workers. (Ensuring safety and health at work in a changing climate, Geneva: International Labour Office, 2024).

States should take measures to identify and assess climate change risks and adopt preventive and protective measures. These risks and impacts should be addressed through appropriate policies, regulations, and collective agreements. Particular attention should be paid to vulnerable workers, such as migrant workers, persons involved in informal work, young and older workers, women, persons with disabilities and persons with pre-existing health conditions. States must effectively monitor the application of standards addressing climate-related safety and health risks, including through appropriate supervisory mechanisms, and should undertake these efforts in close consultation with employers’ and workers’ organisations.

Risk assessment and prevention/protection plans should include measures aimed at mitigating the effects of climate change on the safety and physical and mental health of workers (for example, provision of personal protective equipment, appropriate clothing, sun protection, hydration, ventilation, as well as the introduction of reduced or flexible working hours and the provision of mental health support and other support services, where appropriate).

The Committee further stresses the importance of providing guidance and training to employers and workers, as well as implementing awareness-raising activities, collection of data and carrying out of research concerning the impact of climate change.

Conclusion

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 3§1 of the Charter on the ground that it has not been established that there are national policies on psychosocial or new and emerging risks concerning the gig and platform economy.

Article 3 - Right to safe and healthy working conditions

Paragraph 2 - Safety and health regulations

The Committee takes note of the information contained in the report submitted by the Republic of Moldova.

The Committee recalls that, for the purposes of the present report, States were asked to reply to targeted questions for Article 3§2 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion, the Committee held that the situation in the Republic of Moldova was not in conformity with Article 3§2 of the Charter on the ground that, among others, it had not been established that self-employed workers were protected by occupational health and safety regulations (Conclusions 2021). The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions, including the previous conclusion of non-conformity as part of the targeted questions.

The right to disconnect

In a targeted question, the Committee asked for information on the measures taken to ensure that employers put in place arrangements to limit or discourage work outside normal working hours, including the right to disconnect; and on how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured.

The report notes that the Republic of Moldova does not have any regulations on the right to disconnect. However, the Labour Code contains strict rules on working time, including overtime and rest periods, as well as a prohibition on victimisation, subject to supervision and control by the State Labour Inspectorate.

The Committee recalls that, consistent with States Parties' obligations under Article 3§2, in order to protect the physical and mental health of persons teleworking or working remotely and to ensure the right of every worker to a safe and healthy working environment, it is necessary to fully enable the right of workers to refuse to perform work outside their normal working hours (other than work considered to be overtime and fully recognised accordingly) or while on holiday or on other forms of leave (sometimes referred to as the "right to disconnect") (Statement of interpretation on Article 3§2, Conclusions 2021).

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 3§2 of the Charter on the ground that workers do not have the right to disconnect.

Personal scope of the regulations

In a targeted question, the Committee asked for information on the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations; and on whether temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration.

Self-employed workers

The Government indicates that legislation ensuring that self-employed workers are covered by occupational health and safety regulations was adopted in 2025 and will enter into force on 1 January 2026. However, the Committee recalls that its assessment concerns the situation at the time when its conclusions were adopted (i.e., December 2025)., while also noting that it will examine the legislation in question at the next opportunity. Meanwhile, the Committee reiterates its previous conclusion that the situation in the Republic of Moldova is not in conformity with Article 3§2 of the Charter on the ground that self-employed workers are not protected by occupational health and safety regulations.

Teleworkers

The report notes that remote workers and teleworkers are protected by occupational health and safety regulations, including provisions on risk assessments or the employers' obligations to provide suitable work equipment, appropriate training, and medical examinations, information and consultation, subject to conditions set out in the Law on Safety and Health at Work.

Domestic workers

The report notes that the Republic of Moldova does not have any specific legal provisions on domestic workers, but that work is underway on amendments to the Law on Safety and Health at Work that would ensure that domestic workers receive the same level of occupational safety and health protection as full-time workers. The Committee notes from other sources that data on the situation of domestic workers in the Republic of Moldova are scarce but that many are likely to perform undeclared work and may accordingly receive limited labour protection (Lozan, O., Timotin, A. (2024). *Access for domestic workers to labour and social protection – Republic of Moldova*. European Social Policy Analysis Network, Brussels: European Commission). The Committee therefore concludes that the situation in the Republic of Moldova is not in conformity with Article 3§2 of the Charter on the ground that domestic workers are not protected by occupational health and safety regulations.

Temporary workers

The report notes that temporary workers and workers on fixed-term contracts enjoy the same standard of protection under occupational health and safety regulations as workers on permanent contracts.

Conclusion

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 3§2 of the Charter on the grounds that:

- workers do not have the right to disconnect;
- self-employed workers are not covered by occupational health and safety regulations;
- domestic workers are not covered by occupational health and safety regulations.

Article 3 - Right to safe and healthy working conditions

Paragraph 3 - Enforcement of safety and health regulations

The Committee takes note of the information contained in the report submitted by the Republic of Moldova.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 3§3 of the Revised Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion (Conclusions 2021), the Committee concluded that the situation in the Republic of Moldova was not in conformity with Article 3§3 of the Charter on the grounds that it had not been established that:

- accidents at work and occupational diseases were monitored effectively;
- the activities of the Labour Inspectorate were effective in practice.

In a targeted question, the Committee asked for information on measures taken to ensure the supervision of the implementation of health and safety regulations concerning vulnerable categories of workers such as: (i) domestic workers; (ii) digital platform workers; (iii) teleworkers; (iv) posted workers; (v) workers employed through subcontracting; (vi) the self-employed; (vii) workers exposed to environmental-related risks such as climate change and pollution.

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Domestic workers

The report notes that the provisions of Law No. 186/2008 on Occupational Safety and Health apply. However, it states that the concept of domestic worker is not defined by national legislation.

In response to a request for additional information, the report states that domestic workers are covered by the general occupational health and safety regulations. However, it also states that the effective access of labour inspectors to private households is restricted by the principle of the inviolability of the home. Moreover, the absence of formal employment contracts limits the scope for enforcement.

The Committee notes from other sources that there is a lack of statistics on the situation of domestic workers as well as a lack of awareness of their rights. With regard to the reporting of work-related accidents and occupational diseases, the same sources indicate that numerous pieces of evidence suggest the under-reporting of occupational accidents in the Republic of Moldova, especially non-fatal or less serious accidents (Lozan, O., Timotin, A. (2024). *Access for domestic workers to labour and social protection – Republic of Moldova.* European Social Policy Analysis Network, Brussels: European Commission). The Committee considers that the situation in the Republic of Moldova is not in conformity with Article 3§3 of the Charter on the ground that insufficient measures have been taken to ensure the supervision of the implementation of health and safety regulations concerning domestic workers.

Digital platform workers

The report notes that the provisions of Law No. 186/2008 on Occupational Safety and Health apply. However, it states that the concept of digital platform worker is not defined by national legislation. The report adds that no information is currently available as regards the application of national policies on psychosocial risks or new and emerging risks in the gig or platform economy (see report on Article 3§1 of the Charter).

In response to a request for additional information, the report indicates that no specific regulation is currently applicable to this category. Therefore, the general provisions of Law No. 186/2008 on Occupational Health and Safety apply.

The report adds that the National Programme for the Republic of Moldova's Accession to the European Union for 2025–2029, approved by Government Decision No. 306/2025, provides for the transposition of Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions in platform work, to be completed by the end of 2026. However, the Committee recalls that its assessment concerns the situation at the time of the adoption of its conclusions (i.e. December 2025). It considers, therefore, that the situation in the Republic of Moldova is not in conformity with Article 3§3 of the Charter on the ground that measures have not been taken to ensure the supervision of the implementation of health and safety regulations concerning digital platform workers.

Teleworkers

The report provides information on occupational health and safety policies and regulations, with a particular focus on employers' responsibilities regarding workers performing telework (see report on Articles 3§1 and 3§2 of the Charter).

The report states that the employer organises the occupational safety and health of workers working remotely in accordance with the provisions of the Law on Occupational Safety and Health No. 186/2008, as well as other normative acts in the field of occupational safety and health. (see Article 292 of Labour Code: Organisation of occupational safety and health for teleworkers). The Committee notes that the monitoring of the implementation of the occupational health and safety regulations, including with regard to teleworkers, is carried out by the State Labour Inspectorate.

The Committee notes that, under Article 3 of the Charter, teleworkers, who regularly work outside of the employer's premises by using information and communications technology, enjoy equal rights and the same level of protection in terms of health and safety as workers working at the employer's premises.

States Parties must take measures to ensure that employers comply with their obligations to ensure safe and healthy working conditions for their teleworkers, such as: (i) assessing the risks associated with the teleworker's work environment; (ii) providing or ensuring access to ergonomically appropriate equipment and protective equipment; (iii) providing information and training to teleworkers on ergonomics, safe use of equipment, physical risks (e.g. musculoskeletal disorders, eye strain) and prevention of psychosocial risks (e.g. isolation, stress, cyberbullying, work-life balance, including digital disconnect, and electronic monitoring); (iv) maintaining clear documentation and records; (v) providing appropriate support through human resources or health and safety officers/services; and (vi) ensuring that teleworkers can effectively report occupational accidents or health and safety issues encountered during teleworking. States Parties must also take measures to ensure that teleworkers comply with the guidelines and regulations on health and safety and co-operate with employers and labour inspectorate or other enforcement bodies in this sense.

The labour inspectorate or other enforcement bodies must be entitled to effectively monitor and ensure compliance with health and safety obligations by employers and teleworkers. This requires to: (i) conduct regular and systematic supervision, including remote audits; (ii) review employers' risk assessments and training documentation; (iii) verify the appropriateness and effectiveness of preventive measures taken by employers; (iv) have adequate resources, legal authority, and clearly defined powers to issue corrective instructions and impose proportionate and dissuasive sanctions in cases of non-compliance.

Posted workers

The report indicates that the notion of posted workers is outlined in Article 71 of the Labour Code, and the provisions of Law No. 186/2008 on Occupational Safety and Health apply. The Committee notes that the monitoring of the implementation of occupational health and safety regulations, including those concerning posted workers, is conducted by the State Labour Inspectorate.

Workers employed through subcontracting

The report notes that the provisions of Law No. 186/2008 on Occupational Safety and Health apply. The Committee notes that the monitoring of the implementation of occupational health and safety regulations, including with regard to workers employed through subcontracting, is conducted by the State Labour Inspectorate.

Self-employed workers

In response to a request for additional information, the report indicates that amendments to the Law on Occupational Health and Safety, which provide protection for self-employed workers, were adopted in 2025 and will enter into force on 1 January 2026. However, the Committee recalls that its assessment concerns the situation at the time of the adoption of its conclusions (i.e. December 2025). It concludes therefore that the situation in the Republic of Moldova is not in conformity with Article 3§3 of the Charter on the ground that measures have not been taken to ensure the supervision of the implementation of health and safety regulations concerning self-employed workers.

Workers exposed to environment-related risks such as climate change and pollution

The report notes that the provisions of Law No. 186/2008 on Occupational Safety and Health apply.

In response to a request for additional information, the report specifies that this category encompasses workers in high-risk sectors such as agriculture, construction, waste management, and sanitation. These sectors are known to expose workers to extreme climate conditions, pollution, and other hazards. The report further indicates that the State Labour Inspectorate conducts annual thematic inspections to ensure compliance with minimum occupational safety and health requirements under adverse climatic conditions, in accordance with its Annual Activity Plan. Furthermore, the authorities collaborate with the National Environmental Agency and the National Public Health Agency to monitor air quality and environmental factors in industrial and urban areas. They also work together to develop sector-specific guidelines for the prevention of occupational diseases associated with pollution and climate change. The development of a National Guideline for the Protection of Workers against Climate-Related Risks is planned, in partnership with the ILO and the European Commission.

The Committee recalls that States must effectively monitor the application of standards addressing climate-related safety and health risks, including through appropriate supervisory mechanisms, and should undertake these efforts in close consultation with employers' and workers' organisations.

Risk assessment and prevention/protection plans should include measures aimed at mitigating the effects of climate change on the safety and physical and mental health of workers (for example, provision of personal protective equipment, appropriate clothing, sun protection, hydration, ventilation, as well as the introduction of reduced or flexible working hours and the provision of mental health support and other support services, where appropriate). The Committee further stresses the importance of providing guidance and training to employers and workers, as well as implementing awareness-raising activities, collection of data and carrying out of research concerning the impact of climate change.

Conclusion

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 3§3 of the Charter on the grounds that:

- insufficient measures have been taken to ensure the supervision of the implementation of health and safety regulations concerning domestic workers;
- measures have not been taken to ensure the supervision of the implementation of health and safety regulations concerning digital platform workers;
- measures have not been taken to ensure the supervision of the implementation of health and safety regulations concerning self-employed workers.

Article 4 - Right to a fair remuneration

Paragraph 3 - Non-discrimination between women and men with respect to remuneration

The Committee takes note of the information contained in the report submitted by Moldova.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 4§3 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

The notion of equal work and work of equal value

In its targeted question the Committee asked the report to indicate whether the notion of equal work and work of equal value is defined in domestic law or case law.

The Committee recalls that under Article 4§3 in order to establish whether work performed is equal or of equal value, factors such as the nature of tasks, skills, educational and training requirements must be taken into account. Pay structures shall be such as to enable the assessment of whether workers are in a comparable situation with regard to the value of work. The value of work, that is the worth of a job for the purposes of determining remuneration should be assessed on the basis of objective gender-neutral criteria, including educational, professional and training requirements, skills, effort, responsibility and working conditions, irrespective of differences in working patterns. These criteria should be defined and applied in an objective, gender-neutral manner, excluding any direct or indirect gender discrimination.

The Committee considers that the notion of equal work or work of equal value has a qualitative dimension and may not always be satisfactorily defined, thus undermining legal certainty. The concept of “work of equal value” lies at the heart of the fundamental right to equal pay for women and men, as it permits a broad scope of comparison, going beyond “equal”, “the same” or “similar” work. It also encompasses work that may be of a different nature, but is, nevertheless, of equal value.

States should therefore seek to clarify this notion in domestic law as necessary, either through legislation or case law (Conclusions XV-2, Article 4§3, Poland). No definition of work of equal value in legislation and the absence of case law would indicate that measures need to be taken to give full legislative expression and effect to the principle of equal remuneration, by setting the parameters for a broad definition of equal value.

The Committee notes from the report and the Direct Request (CEACR, 2025) concerning Convention No.100 that amendments to the Labour Code (154/2003) and the Wages Act No. 847/2002 were made by Law No. 107/2022. Article 5(f1) of the Labour Code was inserted and lays down the principle of equal pay for equal work or work of equal value. The Labour Code No 154 of 28 March 2003 was amended to include definitions of equal work and work of equal value. Article 1 of the Labour Code defines equal work as work performed in the same job roles, based on the same educational, professional and training requirements, competencies (skills), effort, responsibility, activity carried out, the nature of the tasks involved, and working conditions. As regards work of equal value, it is defined as work performed in different roles or positions but deemed of equal value based on the same educational, vocational and training requirements, competencies (skills), effort, responsibility, work performed, nature of tasks and working conditions. As regards work of equal value, it is defined as work performed in different roles or positions but deemed of equal value based on the same educational, vocational and training requirements, competencies (skills), effort, responsibility, work performed, nature of tasks and working conditions.

The Committee notes from the ILO Report on the gender pay gap in Moldova: recent trends and policy implications (2024) that the legislation also establishes the principles that need to

be followed to determine the work of equal value. Specifically, the employers need to consider the degree of responsibility, level of qualification and experience, effort and the nature of the tasks involved and working conditions. The legislation also explicitly mentions that the evaluation and classification system of functions for determining remuneration levels must exclude discrimination based on gender and ensure that workers performing equal work and work of equal value do not have unjustified remuneration differences. If the evaluation conducted using these principles reveals the presence of a pay gap exceeding 5% that cannot be explained by “objective and gender-neutral factors”, the employer must remedy the situation. Law No. 107/2022 introduced the worker's right to request information on the levels of remuneration broken down by gender for categories of workers performing work of equal ‘value’ and describes the employer's obligation to periodically inform workers and/or their representatives of the gender pay gap by category of workers and by function. Additional norms aim at promoting pay transparency within the enterprise, which is also a means to reduce the gender pay gap.

The Committee observes that the principle of equal work or work of equal value is provided for in the Labour Code.

Job classification and remuneration systems

In its targeted question the Committee asked the report to provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.

The Committee considers that pay transparency is instrumental in the effective application of the principle of equal pay for work of equal value. Transparency contributes to identifying gender bias and discrimination and it facilitates the taking of corrective action by workers and employers and their organisations as well as by the relevant authorities. In this respect, job classification and evaluation systems should be promoted and where they are used, they must rely on criteria that are gender-neutral and do not result in indirect discrimination. Moreover, such systems must consider the features of the posts in question rather than the personal characteristics of the workers (UWE v. Belgium, complaint No. 124/2016, decision on the merits of 5 December 2019). Where gender-neutral job evaluation and classification systems are used, they are effective in establishing a transparent pay system and are instrumental in ensuring that direct or indirect discrimination on the grounds of gender is excluded. They detect indirect pay discrimination related to the undervaluation of jobs typically done by women. They do so by measuring and comparing jobs the content of which is different but of equal value and so support the principle of equal pay.

The Committee considers that States Parties should take the necessary measures to ensure that analytical tools or methodologies are made available and are easily accessible to support and guide the assessment and comparison of the value of work and establish gender neutral job evaluation and classification systems.

According to the report Law on Pay Transparency No 107/2022 transposes Directive 2006/54/EC regarding of the principle of equal opportunities and equal treatment between men and women in matters of employment and occupation.

The report also refers to the legislative initiatives in the pipeline, such as the Government’s Decision aiming at developing transparent criteria and methodologies for the assessment and grading the roles in line with the principle of pay equity and transposition and implementation of EU legislation concerning equal pay for equal work and work of equal value. The report also refers to the Draft Order of the Ministry of Labour and Social Protection on the approval of the system for evaluation and classification of positions for setting the salary levels to ensure the principle of equal pay for equal work and work of equal value.

The Committee observes that apart from the legislative initiatives, no information is provided about the existence of job classification and remuneration systems either in public or in private

sector. Therefore, it considers that it has not been established that job classification and remuneration systems exist in public or private sectors.

Measures to bring about measurable progress in reducing the gender pay gap

In its targeted question the Committee asked the report to provide information on existing measures to bring about measurable progress in reducing the gender pay gap within a reasonable time.

The Committee considers that States are under an obligation to analyse the causes of the gender pay gap with a view to designing effective policies aimed at reducing it. The Committee recalls its previous holding that the collection of data with a view to adopting adequate measures is essential to promote equal opportunities. Indeed, it has held that where it is known that a certain category of persons is, or might be, discriminated against, it is the duty of the national authorities to collect data to assess the extent of the problem *(*European Roma Rights Centre v. Greece, Complaint No. 15/2003, decision on the merits of 8 December 2004, §27). The gathering and analysis of such data (with due safeguards for privacy and to avoid abuse) is indispensable to the formulation of rational policy (European Roma Rights Centre v. Italy,Complaint No. 27/2004, decision on the merits of 7 December 2005, §23).

The Committee considers that in order to ensure and promote equal pay, the collection of high-quality pay statistics broken down by gender as well as statistics on the number and type of pay discrimination cases is crucial. The collection of such data increases pay transparency at aggregate levels and ultimately uncovers the cases of unequal pay and therefore the gender pay gap. The gender pay gap is one of the most widely accepted indicators of the differences in pay that persist for men and women doing jobs that are either equal or of equal value. In addition, to the overall pay gap (unadjusted and adjusted, the Committee will also, where appropriate, have regard to more specific data on the gender pay gap by sectors, by occupations, by age, by educational level, etc (University Women of Europe (UWE) v. Finland, Complaint No. 129/2016, decision on the merits of 5 December 2019, §206).

The Committee has held that where the States have not demonstrated a measurable progress in reducing the gender pay gap, the situation amounted to a violation of the Charter (University Women of Europe (UWE) v. Finland, Complaint No. 129/2016, decision on the merits of 5 December 2019).

The Committee notes from comments provided by the People’s Advocate Office of Moldova that in 2023, the gender pay gap widened, with men's wages 15.6% higher than women's, which increases the risk of female poverty. Women earned 29 502 lei (€1 496) less than men in 2023.The pay gap reveals deep inequalities in the labour 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.

According to the report, in 2022 the employment rate of men reached 58.8% compared to 53% for women. The gender pay gap/wage disparity was 13.6% in 2021, 15.5% in 2022 and 15.6% in 2023 (estimation based on average gross monthly earnings).

The Committee notes from the Country Gender Profile EU4GENDEREQUALITY (December 2023) that according to the 2023 Gender Equality Index in Moldova the main reasons for inequality in salaries are not easy to track. They include the perception that women will eventually abandon their careers in order to raise their children or will spend less time on paid work in order to spend more time with their families.

Another reason for the gender pay gap is that women are more disadvantaged by sexism and gender stereotypes than men. Stereotypes may prevent women from pursuing certain professions, such as careers in IT and construction. Gender-based stereotypes in Moldovan society tend to downplay women's professional abilities and hold that, since men are "heads of households" and "breadwinners", they should be paid more, even for the same jobs.

The Committee considers that States are under an obligation to analyse the causes of the gender pay gap with a view to designing effective policies aimed at reducing it (University Women of Europe (UWE) v. Ireland, Complaint No. 132/2016, decision on the merits of 5 December 2019, § 186). The Committee recalls its previous holding that the collection of data with a view to adopting adequate measures is essential to promote equal opportunities. Indeed, it has held that where it is known that a certain category of persons is, or might be, discriminated against, it is the duty of the national authorities to collect data to assess the extent of the problem *(*European Roma Rights Centre v. Greece, Complaint No. 15/2003, decision on the merits of 8 December 2004, §27). The gathering and analysis of such data (with due safeguards for privacy and to avoid abuse) is indispensable to the formulation of rational policy (European Roma Rights Centre v. Italy,Complaint No. 27/2004, decision on the merits of 7 December 2005, §23).

The Committee observes that the gender pay gap statistics provided in the report reflect monthly wages. It notes that this indicator is not comparable with the Eurostat gender pay gap indicator which reflects hourly wages. Nevertheless, the Committee observes that during the reference period there has been no improvement in the gender pay gap indicator, which demonstrates that no measurable progress has been made in reducing it. The Committee concludes therefore that the situation is not in conformity with the Charter on this point

Conclusion

The Committee concludes that the situation in Moldova is not in conformity with Article 4§3 of the Charter on the grounds that:

- it has not been established that job classification and remuneration systems exist in public or private sectors;
- no measurable progress has been demonstrated in reducing the gender pay gap.

Article 5 - Right to organise

The Committee takes note of the information contained in the report submitted by the Republic of Moldova, as well as the comments submitted by the People's Advocate Office of Moldova and the Equality Council from the Republic of Moldova .

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 5 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

Positive freedom of association of workers

In its targeted question a), the Committee asked for information on measures that have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy).

In reply, the report points to measures taken to promote and strengthen the positive freedom of association of workers across all areas of unions. According to the report, the Labour Code prohibits both direct and indirect discrimination against workers on the grounds of trade union membership or activity and ensures that the trade unions are free from the control of public authorities. The legislation ensures that trade unions benefit from constitutional protection, including judicial protection, against discriminatory actions intended to restrict the freedom of association in trade unions and their activities carried out in accordance with the trade union constitution. It requires the employer to create conditions for the activity of worker representatives and establishes sanctions for obstructing workers' exercise of their right to form and join trade unions to defend their professional, economic and social interests.

The report also refers to the Confederation of Trade Unions of the Republic of Moldova which considers that the sanctions provided in legislation to protect workers against discriminatory anti-union interventions are not substantial enough to effectively discourage such actions.

The Committee notes that the report does not provide information on any specific measure taken to strengthen the positive freedom of association in low unionisation rate areas such as the gig economy, platform work, domestic work or concerning self-employed persons.

The Committee notes from outside sources (European Training Foundation and Friedrich Ebert Stiftung, January 2023) that while the number of platform workers has been rising, there have not been any public discussions addressing the issue of the employment status of platform workers in Moldova. Current labour legislation does not utilise a concept like employment in the platform economy. Thus, there are no specific measures designed exclusively to support platform workers. The regulatory framework in the area of labour and self-employment in the country is not well-suited to accommodating or promoting platform work. The labour laws currently in force are mainly built on the traditional understanding of a full-time worker, and the civil laws on self-employment do not consider the flexibility needed in platform work activities. As a consequence, informality in platform work is widespread.

The Committee notes that although the report states that workers in the collaborative economy, including those operating on digital platforms, face no legal impediments to joining trade unions, it does not point to any specific measures taken in order strengthen the positive freedom of association of workers in the gig economy. The Committee concludes, in the absence of a specific answer to its targeted question, that no measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors.

Legal criteria for determining the recognition of employers' organisations for the purposes of social dialogue and collective bargaining

In reply to the Committee's request for information concerning the legal criteria for determining the recognition of employers' organisations for the purposes of social dialogue and collective bargaining (targeted question b)), the report states that according to the Labour Code, the employer has the right to establish and join employers' organisations for the representation and defence of their interests. An employer, according to the Law on Employers' Organisations, is a legal or a natural person who manages and invests capital in any form and engages paid employment for the purpose of earning profit under competitive conditions.

According to the report, the employers' organisations, which are non-profit and non-governmental organisations, assist their members in their capacity as employers and protect their rights and interests in relation with public authorities, with trade unions and non-governmental organisations. They engage in social dialogue within tripartite structures, participate, in partnership with social dialogue stakeholders, in the drafting of legislation and contribute to the development and implementation of strategies for the development of the national economy and strategies in the areas of wage, labour protection, vocational education and healthcare.

Legal criteria for determining the recognition and representativeness of trade unions in social dialogue and collective bargaining

In a targeted question, the Committee requested information on the legal criteria for determining the recognition and representativeness of trade unions in social dialogue and collective bargaining. It particularly requested information on the status and prerogatives of minority trade unions, and the existence of alternative representation structures at company level, such as elected worker representatives (targeted question c)).

According to the report, citizens of the Republic of Moldova and foreign citizens and stateless persons residing legally on the territory are entitled to create and join trade unions without prior authorisation. In addition, persons who are not employed or who have lost their job, as well as those who are legally engaged in an individual activity may voluntarily associate or join trade unions or remain members of the trade unions from their previous workplace.

According to the report, under the Trade Union Law, the basis of trade unions is their primary trade union organisation, which is constituted of at least three founding members. Under Article 15 of the Trade Union Law, trade unions have the right to collective bargaining with their employers and associations, with public administration authorities and to conclude collective labour agreements. The report further states that pursuant to Article 27(4) of the Labour Code, where several trade union organisations exist at the same level (national, sectoral, territorial, or enterprise level), a single representative body shall be established to conduct collective bargaining and conclude collective agreements. This body is constituted on the principle of proportional representation, based on the number of members of each trade union organisation. In the absence of an agreement on the establishment of this single representative body, the right to conduct negotiations lies with the trade union with the largest number of members.

Minority trade unions, although not representative, may participate in consultations and benefit from legal protection against discrimination. They enjoy representation rights, including the possibility to participate in collective bargaining at enterprise or sectoral level, in accordance with the Labour Code.

With regard to specifically alternative representation structures at company level, the report indicates that under the social partnership, the trade union bodies at the national, territorial, branch and unit levels are composed of workers' representatives. These union bodies are empowered to defend the interests of workers during collective bargaining, the implementation collective bargaining agreements and conflict resolution. The report indicates that worker

representatives are elected during the general assembly of workers. Workers who are not trade union members have the right to empower the trade union body to represent their interests in employment relations. In units where there are no trade unions, workers' interests may be represented by elected representatives

The right of the police and armed forces to organise

In a targeted question, the Committee requested information on whether and to what extent members of the police and armed forces are guaranteed the right to organise (targeted question d)).

The Committee recalls that in its 2022 Conclusions (Article 5, Republic of Moldova), the Committee concluded that it had not been established that the right of the police to organise was guaranteed in violation of Article 5 of the Charter. Moreover, in the same conclusions, in the absence of a response to its request for information on the right of members of the armed forces to organise, the Committee reiterated its request and considered that if the requested information is not provided in the next report, there would be nothing to establish that the situation is in conformity with the Charter.

In reply, the report states that the right to organise, establish, and affiliate with trade unions is guaranteed to members of the police and armed forces. However, the military personnel in active service (reservists conscripted or mobilised within military units) are prohibited from engaging in trade union activities within their military units.

The Committee notes that, according to Article 4 of the Law on Trade Unions, this law applies in military units and internal affairs bodies, taking into account the particularities established by the legislative acts determining their status.

The Committee also notes that the only limitation provided in the Labour Code, which, in its Article 369, states that workers of bodies responsible for ensuring public order, law and order and state security, judges, workers of military units, organisations or institutions of the Armed Force cannot participate in strikes. The Committee will examine this issue under Article 6§4 of the Charter.

Conclusion

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 5 on the grounds that no measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors.

Article 6 - Right to bargain collectively

Paragraph 1 - Joint consultation

The Committee takes note of the information contained in the report submitted by the Republic of Moldova.

The Committee recalls that for the purposes of the present report, States were asked to reply to the targeted questions for Article 6§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

Measures to promote joint consultation

In a targeted question, the Committee asked as to what measures are taken by the Government to promote joint consultation.

The report states that the Government has implemented several measures to promote joint consultation between social partners (trade unions and employers), particularly in the context of tripartite social dialogue and collective bargaining. These measures include amending the legislative framework to improve the consultation mechanisms between social partners by transferring the secretariat of the National Commission for Consultation and Collective Bargaining (NCCCB) from the State Chancellery to the Ministry of Labour and Social Protection, the relevant branch ministry, with the aim of strengthening the legislation in the field of social dialogue.

The expected outcomes of the NCCCB meetings on 5 May 2023 and 26 January 2024 were to debate the reactivation of collective bargaining and consultation committees at branch level, strengthen social dialogue at sectoral level, respond to the NCCCB's call to resume social dialogue and reactivate the Sectoral Committees for consultation and collective bargaining, and establish regional collective bargaining committees to reinvigorate social dialogue within various authorities. Furthermore, the government has published reports and the outcomes of negotiations on official platforms to ensure stakeholders have access to relevant information, thus enhancing transparency and the accessibility of information.

According to other sources consulted by the Committee, recent reforms have improved coordination between national and local dialogue platforms, and regular monthly meetings of the NCCB demonstrate Moldova's commitment to social partnership (Enhancing social dialogue for the implementation of social just and decent work policies across the Eastern Partnership countries, EaP Working Group 5 Policy paper, March 2025). Improving social dialogue was also one of the main objectives of the activities carried out under the ILO's Decent Work Programme for Moldova 2021-2024. While the amendments aim to encourage social dialogue at all levels by facilitating trade unionisation and the creation of employers' associations, the capacity of the social partners remains weak (EC Commission Staff Working Document, Republic of Moldova 2024 Report, 30 October 2024).

The Committee concludes that, while further strengthening the capacities of social partners still appears to be needed, Moldova has introduced a number of important measures to promote social dialogue at various levels.

Issues of mutual interest that have been the subject of joint consultations and agreements adopted

In a targeted question, the Committee asked as to what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

According to the report, the NCCCB regularly holds meetings that play a crucial role in shaping and implementing public policies in the Republic of Moldova, notably to address new economic, social, and political realities; and to develop normative acts to support the effective implementation of public policies. Six sectoral collective bargaining committees have been established to strengthen social dialogue at regional level and revitalise it within various authorities.

The following areas of mutual interest have been the subject of joint consultations over the past five years:

Approval of a 25% increase of the minimum wage from January 1, 2024, and addressing the subject of further increasing the minimum wage from January 1, 2025.

At the national level, four collective agreements have been concluded regarding the models of the working time recording table, individual employment contracts, annual leave scheduling and the development and promotion of social partnership.

In addition, 18 collective agreements have been concluded at the sectoral level, including the public sector (education and science, health, ministries of finance, labour and justice) and 2,592 at the unit level. The report also refers to the ratification of Convention No. 190 on violence and harassment in the world of work.

Joint consultation on the digital transition and the green transition

In a targeted question, the Committee asked if there has been any joint consultation on matters related to (i) the digital transition, or (ii) the green transition.

The report states that there were no joint consultations related to digital or green transition aspects.

Conclusion

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 6§1 of the Charter on the ground that no joint consultations have been held on issues relating to the digital and the green transition.

Article 6 - Right to bargain collectively

Paragraph 2 - Negotiation procedures

The Committee takes note of the information contained in the report submitted by the Republic of Moldova.

The Committee recalls that, for the purposes of the present report, States were asked to reply to targeted questions for Article 6§2 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The Committee deferred its previous conclusion on the situation in the Republic of Moldova pending receipt of information on measures taken to promote collective bargaining (Conclusions 2022). The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Coordination of collective bargaining

In a targeted question, the Committee asked for information on how collective bargaining was coordinated between and across different bargaining levels. Specifically, the question sought details on factors such as *erga omnes* clauses and other mechanisms for the extension of collective agreements, as well as to the favourability principle and the extent to which local or workplace agreements could derogate from legislation or collective agreements concluded at a higher level.

Regarding *erga omnes* clauses and other extension mechanisms, the report does not provide the requested information. In response to a request for additional information, the Government states that the Labour Code allows the applicability of a collective agreement may be extended subject to express consent of all parties concerned. The Government also refers to a collective labour agreement concluded in 2022 between the Ministry of Health, the National Health Insurance Company, and the “Health” Trade Union Federation, which has general applicability across the sector, covering all units within the healthcare system, regardless of whether they participated in the negotiations. The Committee notes that the examples provided by the Government do not correspond to the general understanding of extension mechanisms as acts of public policy connected with the establishment and promotion of multi-employer bargaining within a sector, occupation or territory (Hayter, S., Visser, J. (Eds.). (2018). *Collective agreements: Extending labour protection*. Geneva: International Labour Organization).

Regarding the favourability principle, the report states that in cases where workers are simultaneously covered by multiple collective agreements, the provisions most favourable to the workers take precedence. The Committee further notes that the wage established through the collective agreements at the sectoral level must be at least equal or exceed the prescribed minimum wage.

The Committee notes that that the favourability principle establishes a hierarchy between different legal norms and between collective agreements at different levels. Accordingly, it is generally understood to mean that collective agreements may not weaken the protections afforded under the law and that lower-level collective bargaining may only improve the terms agreed in higher-level collective agreements. The purpose of the favourability principle is to ensure a minimum floor of rights for workers.

The Committee considers the favourability principle a key aspect of a well-functioning collective bargaining system within the meaning of Article 6§2 of the Charter, alongside other features present in the legislation and practice of States Parties, such as the use of *erga omnes* clauses and extension mechanisms. These features are typically found in comprehensive sectoral bargaining systems with high coverage, usually associated with stronger labour protections.

At the same time, the Committee notes that some States Parties provide for the possibility of deviations from higher-level collective agreements through what may be termed opt-out, hardship, or derogation clauses. The Committee applies strict scrutiny to such clauses, based on the requirements set out in Article G of the Charter. As a matter of principle, the Committee considers that their use should be narrowly defined, voluntarily agreed, and that core rights must be always protected. In any event, derogations must not become a vehicle for systematically weakening labour protections.

Promotion of collective bargaining

In a targeted question, the Committee asked for information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e. g. decentralisation of collective bargaining). The Committee also asked for information on the measures taken or planned to address those obstacles, their timeline, and the outcomes expected or achieved in terms of those measures.

The report lists several obstacles hindering collective bargaining, such as lack of representativeness and restricted bargaining mandates, limited tripartism especially at the sectoral level, low trust among social partners and towards governmental institutions, unstable economic conditions, and legal gaps. The report refers to a range of planned measures to promote collective bargaining, including capacity building, awareness-raising, promoting formal employment through trade union engagement, improving the regulatory framework, strengthening the sanctions against violations of trade union rights, improving the functioning of the National Commission for Consultation and Collective Bargaining. Additionally, specialised staff will be recruited and trained to support social dialogue or reactivating the sectoral consultation committees.

The Committee notes, based on other sources, that social partners are not consistently consulted on policy decisions that directly affect workers and employers and there is a lack of capacity amongst the constituents to engage in well-informed and strategic social dialogue (International Labour Organization. (2025*). Decent Work Country Programme 2025–2027: Republic of Moldova*. ILO). Moreover, some of the main challenges to collective bargaining include a concentration of union members in large state-owned enterprises, the limited level of collective bargaining at the district level, and the low representation of employers' organizations in some sectors and of trade unions in private enterprises.

The Committee considers that the report lacks adequate information on the operation of collective bargaining in practice, which would enable an assessment of the situation in the Republic of Moldova with regard to Article 6§2. This concerns*, inter alia*, the extent and subject matter of bargaining taking place at different levels as evidenced by the number of collective agreements concluded and in force; the number of workers covered by such agreements; the manner in which different bargaining levels are articulated with each other; or the measures taken for promoting collective bargaining. The Committee recalls that it has previously raised within the scope of its reporting procedure the issue of the Government's failure to provide sufficient information in respect of Article 6§2 (Conclusions 2018, 2022). The Committee therefore considers that the situation in the Republic of Moldova is not in conformity with Article 6§2 of the Charter on the ground that it has not been established that the promotion of collective bargaining is sufficient.

Self-employed workers

In a targeted question, the Committee asked for information on the measures taken or planned to guarantee the right of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, to bargain collectively.

The report provides information that appears to be contradictory. On the one hand, the report notes that the national legislation does not contain specific provisions for self-employed workers. On the other hand, the report notes that self-employed workers have a right under

domestic law to form a trade union. The Committee understands this to imply that trade unions would then have a right to bargain collectively on their behalf.

The Committee recalls that rapid and fundamental changes in the world of work have led to a proliferation of contractual arrangements designed to avoid the formation of employment relationships and to shift risk onto the labour provider. As a result, an increasing number of workers who are de facto dependent on one or more labour engagers fall outside the traditional definition of a worker (*Irish Congress of Trade Unions (ICTU) v. Ireland*, Complaint No. 123/2016, decision on the merits of 12 September 2018, §37). In establishing the type of collective bargaining protected by the Charter, it is not sufficient to rely solely on distinctions between workers and the self-employed; the decisive criterion is whether an imbalance of power exists between providers and engagers of labour. Where providers of labour have no substantial influence on the content of contractual conditions, they must be given the possibility of improving that imbalance through collective bargaining (*ICTU v. Ireland*, §38).

The Committee concludes that the situation in the Republic of Moldova is not in conformity with Article 6§2 of the Charter on the grounds that it has not been established that the right to collective bargaining in respect of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, has been sufficiently promoted.

Conclusion

The Committee concludes that the situation in Moldova is not in conformity with Article 6§2 of the Charter on the ground that it has not been established that:

- the promotion of collective bargaining is sufficient;
- the right to collective bargaining in respect of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, has been sufficiently promoted.

Article 6 - Right to bargain collectively

Paragraph 4 - Collective action

The Committee takes note of the information contained in the report submitted by Moldova.

The Committee recalls that for the purposes of the present report, States Parties were asked to reply to targeted questions for Article 6§4 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion (Conclusions 2022), the Committee held that the situation in the Republic of Moldova was not in conformity with Article 6§4 of the Charter on the ground that the restrictions on the right to strike for public officials and workers in the sectors of the public administration, state security, national defence and customs authorities go beyond the limits set by Article G of the Charter, that all the workers in electricity and water supply services, telecommunication and air traffic control are denied the right to strike and that the obligation imposed on workers on strike to protect enterprise installations and equipment goes beyond the limits set by Article G of the Charter. The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions, including the previous conclusion of non-conformity related to the targeted questions.

Prohibition of the right to strike

In its targeted questions, the Committee asked States Parties to indicate the sectors where the right to strike is prohibited as well as to provide details on relevant rules and their application in practice, including relevant case law.

The report states that Government Decision No. 656/2004 lists those sectors and services in which workers are not allowed to participate in strikes. Pursuant to Decision No. 656/2004, the following persons are prohibited from striking (i) workers holding public management positions in the central public administration (ministries, other central authorities), the Parliament Secretariat, the State Chancery and the Office of the President of the Republic of Moldova, (ii) on-call personnel in any medical and pharmaceutical institutions without regard to the type of ownership and legal form, as well as in the National Public Health Agency, (iii) workers in the telecommunication sector whose work is related to the maintenance of electronic communications infrastructure and services, (iv) workers of energy and water utilities sector, (v) workers in air traffic control, (vi) civil servants of the Ministry of Internal Affairs having a special status in the subdivisions of the Ministry, administrative authorities and subordinated institutions, (vii) judges, intelligence and security officers, (viii) civil servants with special status in the National Anti-Corruption Centre, (ix) military personnel and (x) all workers of the armed forces, (xi) civil servants with special status in Customs Service and National Prison Administration, (xii) prosecutors and (xiii) protection officers in the State Protection and Guard Service. Government’s Decision No. 656/2004 is based on article 369 of the Labour Code and, in accordance with article 369(3) of the Labour Code, became effective after conducting a consultation with employer’s associations as well as trade unions.

The Committee notes, that according to article 369(1) of the Labour Code, "A strike is prohibited during natural disasters, outbreaks of epidemics, pandemics, as well as during a state of emergency, siege or war". In other terms, instead of imposing minimum service obligations in order to face emergencies, the Labour Code prohibits all strikes during such emergencies.

The Committee recalls that restricting strikes in specific sectors essential to the community may be deemed to serve a legitimate purpose where such strikes would pose a threat to the rights and freedoms of others or to the public interest, national security and/or public health (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114; Conclusions I (1969), Statement of Interpretation on Article 6§4). Even in essential sectors, however, particularly when they are extensively defined, such as “*energy*”,

"*health*" or "*law enforcement*", a comprehensive ban on strikes is not deemed proportionate, to the extent that such comprehensive ban does not distinguish between the different functions exercised within each sector (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114).

Simply prohibiting workers of these sectors from striking, without distinguishing between their particular functions, cannot be considered proportionate to the aim of protecting the rights and freedoms of others or for the protection of public interest, national security, public health, or morals, and thus necessary in a democratic society (Conclusions XVII-1 (2006), Czech Republic). The imposition of an absolute prohibition of strikes to categories of public servants, such as police officers, prison officers, firefighters or civil security personnel, is incompatible with Article 6§4, since such an absolute prohibition is by definition disproportionate where an identification of the essential services that should be provided would be a less restrictive alternative (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114; see also Conclusions XVII-1 (2006), Czech Republic). While restrictions to the right to strike of certain categories of civil servants, whose duties and functions, given their nature or level of responsibility, directly affect the rights and freedoms of others, the public interest, national security or public health, may serve a legitimate purpose in the meaning of Article G (Confederation of Independent Trade Unions in Bulgaria (CITUB), Confederation of Labour "*Podkrepa*" and European Trade Union Confederation (CES) v. Bulgaria, Complaint No. 32/2005, decision on the merits of 16 October 2006, §45), a denial of the right to strike to public servants as a whole cannot be regarded as compatible with the Charter (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, §113, citing Conclusions I (1969), Statement of Interpretation on Article 6§4). Allowing public officials only to declare symbolic strikes is not sufficient (Confederation of Independent Trade Unions in Bulgaria (CITUB), Confederation of Labour "*Podkrepa*" and European Trade Union Confederation (CES) v. Bulgaria, Complaint No. 32/2005, decision on the merits of 16 October 2006, §§44-46).

The Committee recalls that in its previous conclusions it found that the situation in the Republic of Moldova was not in conformity with Article 6§4 on the grounds that (i) the right to strike was denied to all workers in electricity and water utilities services, telecommunication and air traffic control and that (ii) restrictions on the right to strike for public officials and workers in whole sectors of the public administration, state security, national defence and customs authorities exceeded the limits set by Article G of the Charter (Conclusions 2018 and Conclusions 2022).

There has been no change to this situation therefore, the Committee considers that the situation is not in conformity with Article 6§4 of the Charter on the grounds that the absolute prohibition on the right to strike for the energy and water utilities sectors and air traffic control, and the restrictions on the right to strike for public officials and workers in whole sectors of the public administration, state security, national defence, customs authorities, telecommunication and prison administration go beyond the limits set by Article G of the Charter. The Committee also notes that strikes are prohibited for on-call personnel in any medical and pharmaceutical institution as well as persons working in the National Public Health Agency. The Committee consider that the situation is not in conformity in this respect.

As regards police officers, an absolute prohibition on the right to strike can be considered to be in conformity with Article 6§4 only if there are compelling reasons justifying it in the specific national context in question (European Confederation of Police (EuroCOP) v. Ireland, Complaint No. 83/2012, decision on the admissibility and merits of 2 December 2013, §211). Where restrictions to the right to strike of police officers are so far reaching as to render the right to strike ineffective, such restrictions go beyond those permitted by Article G of the Charter. This includes situations where police officers may exercise the right to strike, but only provided certain tasks and activities continue to be performed during the strike period, defined extensively so as to render the exercise of the right to strike ineffective (Conclusions 2022, North Macedonia).

No justification is provided for the prohibition on the right to strike for the police. Therefore the Committee concludes that the situation is not in conformity with the Charter in the respect.

The right to strike of members of the armed forces may be subject to restrictions under the conditions of Article G of the Charter, if the restriction is established by law, and is necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security, public health or morals. This includes a requirement that the restriction is proportionate to the aim pursued. The margin of appreciation accorded to States in terms of the right to strike of the armed forces is greater than that afforded to States Parties in respect of the police (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, § 114-116).

Having regard to the special nature of the tasks carried out by members of the armed forces, the fact that they operate under a system of military discipline, and the potential that any industrial action disrupting operations could threaten national security, the Committee considers that the imposition of an absolute prohibition on the right to strike may be justified under Article G, provided the members of the armed forces are have other means through which they can effectively negotiate the terms and conditions of employment, including remuneration (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, §117; Confederazione Generale Italiana del Lavoro (CGIL) v. Italy, Complaint No. 140/2016, decision on the merits of 22 January 2019, §152; European Organisation of Military Associations (EUROMIL) v. Portugal, Complaint No. 199/2021, decision on the merits of 11 September 2024, §100).

The Committee concludes that the situation in the Republic in Moldova is not in conformity with the Charter on members of the armed forces do not have the right to strike and it has not been established that are other means by which members of the armed forces can effectively negotiate the terms and conditions of employment, including remuneration.

Restrictions on the right to strike and a minimum service requirement

In its targeted questions, the Committee asked the States to indicate those sectors where there are restrictions on the right to strike and where there is a requirement of a minimum service to be upheld, as well as to provide details on relevant rules and their application in practice, including relevant case law.

the report states that there is no information available regarding the specific sectors for which there is a requirement to maintain a minimum service.

Prohibition of the strike by seeking injunctive or other relief

The Committee has asked States Parties to indicate whether it is possible to prohibit a strike by obtaining an injunction or other form of relief from the courts or another competent authority (such as an administrative or arbitration body) and if the answer is affirmative, to provide information on the scope and number of decisions in the past 12 months.

The report does not provide any information to these questions. The Committee notes, however, the conditions under which article 368 of the Labour Code defines the role of courts in industrial disputes, allowing courts to suspend strikes that "could endanger the life and health of people" or that are otherwise considered illegal.

Conclusion

The Committee concludes that the situation in Moldova is not in conformity with Article 6§4 of the Charter even taking into account the possibility of subjecting the right to collective action to restrictions under Article G, on the grounds that:

- workers in energy supply, water supply, telecommunication and air traffic control sectors are denied the right to strike;

- on-call personnel in any medical and pharmaceutical institution as well as persons working in the National Public Health Agency;
- police are denied the right to strike;
- intelligence and security officers, civil servants with special status in the National Anti-Corruption Centre, civil servants with special status in Customs Service and National Prison Administration, protection officers in the State Protection and Guard Service are denied the right to strike;
- members of the armed forces are denied the right to strike and it has not been established that are other means by which members of the armed forces can effectively negotiate the terms and conditions of employment, including remuneration.

Article 20 - Right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex

The Committee takes note of the information contained in the report submitted by the Republic of Moldova and the comments submitted by the Equality Council from Moldova and the People's Advocate Office of Moldova.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 20 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

The Committee recalls that the right to equal pay without discrimination on the grounds of sex is also guaranteed by Article 4§3 and the issue is therefore also examined under this provision for States Parties which have accepted Article 4§3 only.

Women's participation in the labour market and measures to tackle gender segregation

In its targeted question the Committee asked the report to provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical) as well as information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women's participation in a wider range of jobs and occupations.

Under Article 20 States Parties should actively promote equal opportunities for women in employment, by taking targeted measures to close the gender gap in labour market participation and employment. They must take practical steps to promote equal opportunities by removing *de facto* inequalities that affect women's and men's chances. The elimination of potentially discriminatory provisions must therefore be accompanied by action to promote quality employment for women.

States must take measures that address structural barriers and promote substantive equality in the labour market. Moreover, the States should demonstrate a measurable progress in reducing the gender gap in employment.

In its assessment of national situations, the Committee examines the evolution of female employment rates as well as the gender employment gap and considers whether there has been a measurable progress in reducing this gap. The Committee notes, that according to Eurostat in 2025 the female employment rate in the EU 27 stood at 71.3%, up from 70% in 2023, compared to 81% and 80.3% for males, respectively, revealing a gender employment gap of around 10%.

As regards the measures taken to promote greater participation of women in the labour market and to reduce gender segregation the report refers to various measures taken by the Government. The report outlines various measures undertaken by the Government to promote greater participation of women in the labour market and reduce gender segregation, highlighting the role of the National Agency for Employment through the implementation of Law No 105/2018 on the promotion of employment and unemployment insurance. These measures include: (a) providing information services on the labour market, including labour supply and demand, access to employment services, and required qualifications; (b) offering career guidance services that cover labour market specifics, professional profiles, and personal career counselling; (c) delivering vocational training for the unemployed through courses for qualification, re-qualification, upgrading, and specialisation, as well as on-the-job training, certification of non-formal and informal learning, and vocational internships for those lacking professional experience; (d) organising subsidised employment for vulnerable groups,

such as young orphans, persons with disabilities, and victims of trafficking or domestic violence; and (e) enhancing labour mobility by supporting unemployed individuals who secure employment in locations different from their residence.

The Committee observes that the significant legislative and policy measures were adopted by the Republic of Moldova to promote gender equality, work-life balance, and support for families. These include amendments to the Labour Code, the introduction of alternative childcare options, enhanced parental leave benefits, and the ratification of ILO Convention No. 190. However, while these changes represent important steps forward, their actual impact on reducing gender inequality in the labour market and improving the participation of women remains unclear due to the absence of concrete data and measurable outcomes.

The Committee notes from the comments submitted by the People's Advocate' s Office of Moldova that according to the National Bureau of Statistics, 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. The 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 labour market by maintaining the gender pay gap.

Furthermore, the comments submitted by the People's Advocate' s Office of Moldova, refer to existing significant discrepancies that 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.

The Committee notes from the comments submitted by the Equality Council from Moldova, that despite the legislative initiatives taken, several systemic barriers remain. Discriminatory laws restrict women's access to leadership roles, for example, regulations on appointing heads of medical institutions exclude those at retirement age, disadvantaging women because their statutory retirement age is lower until 2028.

Furthermore, the comments submitted by the Equality Council from Moldova refer that statistical data confirm persistent gender segregation in Moldova. Family care responsibilities remain the main barrier for women aged 25–54. In 2023, 80% of personal assistants caring for persons with severe disabilities were women. Women's participation in public service is high. Across sectors, women dominate health and education (over 80%), but remain underrepresented in ICT (38.7%) and real estate (38.6%). No detailed data exist on women's leadership in these male-dominated fields.

The Committee considers that in the absence of statistical data concerning the evolution of the female employment rate and gender employment gap, it has not been established that there has been a measurable progress in reducing it. Therefore, the situation is not in conformity with the Charter.

Effective parity in decision-making positions in the public and private sectors

In its targeted question, the Committee asked the national report to provide information on measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors; the implementation of those measures; progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public and private sectors.

Article 20 of the Revised European Social Charter guarantees the right to equal opportunities in career advancement and representation in decision-making positions across both public and private sectors. To comply with Article 20, States Parties are expected to adopt targeted measures aimed at achieving gender parity in decision-making roles. These measures may

include legislative quotas or parity laws mandating balanced representation in public bodies, electoral lists or public administration.

The Committee underlines that the effectiveness of measures taken to promote parity in decision-making positions depends on their actual impact in closing the gender gap in leadership roles. While training programmes for public administration executives and private sector stakeholders are valuable tools for raising awareness, their success depends on whether they lead to tangible changes in recruitment, promotion, and workplace policies. States must demonstrate measurable progress in achieving gender equality by providing statistical data on the proportion of women in decision-making positions.

In its assessment of national situations, the Committee examines the percentage of women in decision-making positions in parliaments and ministries and considers whether a measurable progress has been made in increasing their share. The Committee notes from EIGE that 32.5% of the members of Parliaments were women in the EU27 in 2023 and 32.8% in 2025.

The Committee observes that the Republic of Moldova has taken steps to promote effective parity in the representation of women and men in decision making positions in both the public and the private sector. The report refers to Article 68 (3) of the Electoral Code No 325/2022 that provides for a quota of 40 % of both genders in the candidates' lists for parliamentary and local elections. If the candidate lists do not meet this requirement, the participant risks being excluded from the electoral race. As a result, the number of women in decision-making positions is expected to increase in Parliament from 24.8% (2020) to 40% (2024); and in local public administration (LPA) from 22% (2019) to 24.02% (2023).

The Committee notes that various capacity-building programs, including mentoring, leadership training, public speaking, and personal development, have been implemented to empower women candidates politically. These initiatives are complemented by data collection and analysis on women's participation in both appointed and elected positions, aimed at monitoring progress and guiding future efforts. Additionally, measures to prevent, investigate, prosecute, and punish violence against women, including hate speech and sexist remarks in politics, both online and offline, are being reinforced.

Women's representation in management boards of publicly listed companies and public institutions

In its targeted question the Committee asked the national report to provide statistical data on the proportion of women on management boards of the largest publicly listed companies and on management positions in public institutions.

The Committee considers that Article 20 of the Charter imposes positive obligations on States to tackle vertical segregation in the labour market, by means of, inter alia, promoting the advancement of women in management boards in companies. Measures designed to promote equal opportunities for women and men in the labour market must include promoting an effective parity in the representation of women and men in decision-making positions in both the public and private sectors (Conclusions 2016, Article 20, Portugal). States must demonstrate a measurable progress achieved in this area.

In its assessment of national situations, the Committee examines the percentage of women on boards and in executive positions of the largest publicly listed companies and considers whether a measurable progress has been made in increasing their share. The Committee notes from EIGE the percentage of women on boards of large publicly listed companies amounted to 33.2% in 2023 and 35.1% in 2025 in the EU 27. As regards the percentage of female executives, it stood at 22.2% in 2023 and 23.7% in 2025.

The Committee notes that there is no information on this point. It considers therefore that it has not been established that a measurable progress has been made in promoting the representation of women in management boards of publicly listed companies.

Conclusion

The Committee concludes that the situation in Moldova is not in conformity with Article 20 of the Charter on the grounds that:

- the female employment rate is low and there is no measurable progress in reducing the gender employment gap;
- it has not been established that measurable progress has been made in promoting the representation of women in management boards of publicly listed companies