



06/03/2023

RAP/RCha/MDA/18(2023)

EUROPEAN SOCIAL CHARTER

18th National Report on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF THE REPUBLIC OF MOLDOVA

Articles 7, 8, 16, 17, 19, 27, and 31
for the period 01/01/2018 – 31/12/2021

Report registered by the Secretariat on
06 March 2023

CYCLE 2023

Republic of Moldova

NATIONAL REPORT

on the implementation of the European Social Charter (Charter), "Children, family and migrants"

MINISTRY OF LABOUR AND SOCIAL PROTECTION

Chisinau 2022

CONTENT

Art. 7 paragraph 1	3
Paragraph 5	4
Paragraph 10	5
Art. 8 paragraph 1	8
Paragraph 2	8
Paragraph 4	9
Paragraph 5	10
Art. 16 paragraph 1	10
Art. 17 paragraph 1	15
paragraph 2.....	27
Art. 19 paragraph 1	30
Paragraph 2	30
Paragraph 3	31
Paragraph 4	31
Paragraph 5	31
Paragraph 6	32
Paragraph 7	32
Paragraph 8	32
Paragraph 9	33
Paragraph 10	34
Paragraph 11	34
Paragraph 12	35
Art. 27 paragraph 1	35
paragraph 2.....	37
paragraph 3.....	38
Art. 31 paragraph 1	38
paragraph 2.....	40

Information on art. 7, 8, 16, 17, 19, 27, 31 of the European Social Charter (Charter)

Article 7 – The right of children and young persons to protection

1. *to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;*

a) Please provide information on the measures taken by the authorities (e.g. Labour Inspectorates and social services) to detect child labour, including children working in the informal economy. In this regard, please provide information on the number of children actually working (either from existing statistics on this issue or from surveys to be conducted to obtain such information), as well as on measures taken to identify and monitor sectors 3 where it is strongly suspected that children are working illegally (General question, Conclusions 2019).

a) The Constitution of the Republic of Moldova specifically prohibits the exploitation of minors, their use in activities that would be harmful to their health, morality or that would endanger their life or normal development.

Under the Labour Code, art. 46, par. (2) the natural person acquires the capacity to work on reaching the age of 16. Also, according to art. 46 par. (3), "A natural person may also conclude an individual employment contract on reaching the age of 15 with the written consent of his/her parents or legal representatives, provided that his/her health, development, education and professional training will not be jeopardised as a result". This provision is in line with art. 2 of the International Labour Organisation Convention no. 138/1973 concerning Minimum Age for Admission to Employment, ratified by the Republic of Moldova by Parliament Decision no. 519/1999.

As part of the inspections carried out during 2021, labour inspectors monitored the work of 26 employees, persons under 18 years of age. An important aspect concerning the work of minors, who carried out activity during the reporting period, is that they were employed only in the real sector. Thus, at 9 employers - legal entities and 5 employers - natural persons, 6 planned and 8 unannounced inspections were carried out, during which the employment and working conditions of 22 persons aged 17, 2 persons - aged 14, 1 person - aged 12 and 1 person - aged 11 were examined. Three planned and three unannounced inspections were carried out on the spot. By direct request of the necessary documents for examination, 3 planned and 5 unannounced inspection files were drawn up. According to the documents examined, minors worked in small periods during 2021.

The distribution of the persons concerned by activity is as follows: waiters - 8 persons; 6 animal caretakers in the agricultural branch; in the textile industry - 5 persons; manufacture of electrical and electronic equipment - 2 persons; wire netting - 2 persons; in the food industry - 1 person as confectioner, car washer - 1 person, in trade - 1 person as porter.

The risks to which the underage workers were exposed are as follows: danger of attack by animals, sunstroke, back and lumbar diseases.

At the same time, in 2021 there were 3 events of injury to persons under 18 years of age at 2 employers in the manufacturing industry and 1 individual employer, resulting in serious injury to 2 minors with hand trauma and 1 with temporary incapacity for work. One injury event with incapacity for work of a minor-juvenile occurred at an economic agent, which manufactures electrical and electronic equipment for motor vehicles.

During the inspections, 34 labour law violations were found in relation to 16 employees under 18 years of age, including:

- occupational injury to minor workers;
- lack of training of workers, in violation of the provisions of art. 17 of the Law no. 186/2008 on Occupational Safety and Health;
- admission of undeclared work, in breach of art. 7¹ of the Labour Code;
- failure to provide mandatory social and medical insurance for employees in the manner prescribed by the legislation in force, contrary to art. 10 par. (2) letter (o) of the Labour Code;

- employment of persons under 15 years of age, contrary to art. 46 par. (4) of the Labour Code;
- before being admitted to work, the employer did not inform the person about the conditions of work in the proposed position, through the draft individual employment contract or through an official letter signed by the employer, thus violating the provisions of art. 48 par. (1) of the Labour Code;
- drawing up the individual employment contract in violation of the provisions of art. 49 par. (1), art. 56 par. (1) and art. 283 par. (3) letters a), b), c) of the Labour Code;
- failure to conclude an employment contract in writing, in violation of art. 58 par. (1) of the Labour Code;
- failure to comply with the reduced working hours, in violation of art. 96 par. (2) letter b) of the Labour Code;
- drawing employees up to the age of 18 into overtime work, contrary to art. 105 par. (1) of the Labour Code;
- failure by the employer to keep records of the time actually spent by the employee, including overtime work, work performed on rest days and holidays (e.g. as a 24-hour animal caretaker), thereby violating the provisions of art. 106 of the Labour Code;
- non-payment of the average wage for the non-working holidays listed in art. 111 par. (1) of the Labour Code, if the non-working days did not coincide with the weekly rest days, contrary to the provisions of art. 111 par. (1¹) of the Labour Code;
- failure to comply with the deadlines and periodicity of payment of wages, in breaching the art. 141 par. (1);
- lack of written agreement of the employees on the payment of wages through banking institutions, thus violating the provisions of art. 141 par. (2) of the Labour Code;
- when paying wages, the employer does not inform each employee in writing of the parts of the wages due to him/her for the period in question, of the amount and grounds for deductions, of the total amount to be received, contrary to art. 142 par. (3) of the Labour Code;
- the accounting records did not reflect the records relating to the payment of wages, thereby violating the provisions of art. 142 par. (3) of the Labour Code;
- the salary was determined, calculated and paid in breach of the provisions of art. 152 of the Labour Code and of the Regulation on the remuneration of certain categories of employees who are subject to reduced working hours, approved by Government Decision no. 1254 of November 15, 2004, pt. 7;
- failure to pay minors for overtime work, applying the coefficients established, contrary to art. 157 of the Labour Code;
- employing the minor without undergoing a preventive medical examination, in breach of the art. 253 par. (1) of the Labour Code;
- the use of persons work under the age of 18 in work with heavy, harmful and/or dangerous working conditions, in violation of the provisions of art. 255 par. (1) of the Labour Code and Government Decision no. 541 of July 07, 2014 on the approval of the Nomenclature of works with heavy, injurious and/or dangerous working conditions in which it is prohibited to use the work of persons under 18 years of age and the rules of maximum permitted demand for persons under 18 years of age for manual lifting and carrying of weights.

Upon examination of the Police Inspectorate's referrals, it was found that 4 natural persons, for certain periods of time in working conditions forbidden to persons under 18 years of age, 6 minors were trained as animal caretakers. When the labour inspectors closed the inspection files, the minors were no longer working. The labour inspectors drew up a plan for remedying the infringements and issued orders prohibiting the recruitment of persons under the age of 18 to work in contravention of the law.

5. to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances;

a) Please provide updated information on net minimum wages and allowances payable to persons under 18 years of age. Please provide information on measures taken to ensure that fair remuneration is guaranteed to young workers:

1) In atypical jobs (part-time work, temporary work, fixed-term work, casual and seasonal work, self-employed people, independent workers and homeworkers.)

2) in the gig or platform economy and

3) having zero hours contracts.

b) Please provide information on measures taken to ensure that this right is effectively enforced (e.g., through Labour Inspectorates and similar enforcement authorities, trade unions) (General question, Conclusions 2019).

According to the Labour Code no. 154/2003, Chapter III "EMPLOYMENT OF PERSONS UNDER THE AGE OF 18" it is stated that "employees under the age of 18 shall be employed only after undergoing a preventive medical examination. Thereafter, until they reach the age of 18, they will undergo a mandatory medical examination every year. The costs of medical examinations will be borne by the employer."

At the same time, for employees up to the age of 18, the working time shall be determined in proportion to the reduced working time established for those employees, based on the general rules of employment.

It should be noted that it is forbidden to use the work of persons under the age of 18 in work with heavy, harmful and/or dangerous working conditions, in underground work, and in work that may harm the health or moral integrity of minors (gambling, work in nightclubs, production, transport and sale of alcoholic beverages, tobacco products, narcotic and toxic substances). Minors are not allowed to lift and carry by hand weights exceeding the maximum weights set for them.

10. to ensure special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work.

a) Please provide updated information on the measures taken to strengthen the protection of children, including migrant, refugees, and displaced children, from sexual exploitation and abuse (in particular in response to the risks posed by the Covid-19 pandemic) during the reference period, including information on the incidence of such abuse and exploitation.

b) Please provide information on the impact of the Covid-19 pandemic on the monitoring of the exploitation and abuse of children, as well as measures taken to strengthen monitoring mechanisms.

a) Within the framework of the Council of Europe project "Combating violence against children in the Republic of Moldova", a national conference on capacity building of social workers in the implementation of the Lanzarote Convention for the Protection of Children against Sexual Exploitation and Sexual Abuse in the Republic of Moldova was organised on February 26, 2020. Following the feedback received from participants, the "Training material on intervention in cases of sexual exploitation and sexual abuse of children" was developed in March 2021 and three trainings (in online format) for mixed groups of social workers and other professionals from multidisciplinary teams (doctors/medical assistants, police officers and pedagogues) were organised in order to train and strengthen the capacities of professionals in the area.

In order to improve access to protection and quality services for children during the pandemic, the Ministry of Labour and Social Protection with the support of UNICEF Moldova has developed the *Handbook on Child Protection during the Covid Pandemic - 19* (July 2021).

The handbook is intended for local/territorial authorities, service providers, child protection specialists and carers of children.

Several interviews and focus groups with child protection specialists, managers of alternative child care social services, people in charge of children (guardians, professional parental assistants, parent educators), community social workers, mayors, managers of territorial social assistance structures, and other specialists in the field were organized during the process of elaborating the Handbook in order to have a broad and comprehensive product aimed at helping specialists to undertake the necessary protection measures during this pandemic period.

To facilitate the implementation of the provisions of Government Decision no. 270/2014 on the approval of the Instructions on the intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking, on December 15, 2021 by joint order of the Minister of Labour and Social Protection, the Minister of Health, the Minister of Internal Affairs and the Minister of Education and Research no. 17/1173/528/1652, the Guidelines for the practical implementation of the intersectoral cooperation mechanism were approved. This document was developed by the Ministry of Labour and Social Protection with the support of the Council of Europe Office in Chisinau and provides specialists with a series of recommendations and useful information aimed at ensuring effective and quality multisectoral and multidisciplinary interventions in each suspected or confirmed case of violence, abuse, neglect, exploitation and trafficking of children. The Guidelines are addressed to all representatives of educational, medical and social welfare institutions, regardless of their legal form of organisation, cultural, public order, state labour inspectorate, other public authorities and institutions with responsibilities in the child protection area. We point out that the intersectoral mechanism outlined above is the basis for the work of all specialists directly and/or indirectly involved in child protection. Thus, according to the statistical data provided by the territorial structures of social assistance, in 2020 the total number of referrals/self-referrals was 6828, of which 4840 referrals received from:

- 2628 public order institutions;
- 677 educational institutions;
- 318 health care institutions;
- 1217 other institutions.

Of the total registered referrals:

- 1574 were on children subjected to violence;
- 3250 neglected children;
- 12 children exploited through labour;
- 1 child victim of trafficking;
- 3 children presumed victims of trafficking.

At the same time, the number of self-referrals was 1988, of which:

- 258 children subjected to violence;
- 1721 neglected children;
- 1 child victim of trafficking;
- 3 presumed victims of trafficking.

Based on the same mechanism, the following data was recorded for 2021 on the total number of referrals/self-referrals, which amounted to 6714, of which 5325 were received from:

- public order institutions - 3051;
- educational institutions - 708;
- health care institutions - 315;
- other institutions - 1251.

Of the total registered referrals:

- 1808 were on children subjected to violence;
- 3502 neglected children;
- 13 children exploited through labour;
- 2 children victims of trafficking or presumed victims of trafficking.

The number of self-referrals was 1389, of which:

- 197 children subjected to violence;
- 1190 neglected children;
- 1 child exploited through labour;
- 1 child victim of trafficking.

Also during the reporting period, with the support of the Council of Europe, an information campaign was conducted, which included several activities on the prevention of child sexual abuse. For the effectiveness of this information campaign, the Council of Europe has indicated the *Free phone support for children (Child Helpline) 116 111*, which is managed by the Ministry of Labour and Social Protection, on all

materials and video spots that have been broadcast/published as part of the information campaign. The Government Decision is a state response to the reduction of violations of children's rights, which also involves the creation of services for prevention, information, counselling, assistance and the implementation of commitments undertaken by the Republic of Moldova internationally. It should be noted that the free phone support for children is not a simple information service but implies a complex of specialised services provided according to quality standards. Thus, the provision of services at a high level of quality is certain to increase children's confidence in the protection system. As of 2014, more than 44 535 calls have been received to the Free Child Helpline from both within the Republic of Moldova and abroad.

In the same context, we draw attention to the fact that in March 2022, the first *Regional Center for Integrated Assistance of Child Victims/Witnesses of crimes* started its activities (Government Decision no. 708/2019). The primary purpose of this Center is to prevent re-victimization and re-traumatization of the child in the process of gathering evidence in criminal cases, by providing legal, medical, psychological and social assistance to the child and his/her family in the same location "under one roof". The Center's beneficiaries are child victims/victims of crimes of a sexual nature, child trafficking or domestic violence, against life and/or health, as well as in other cases where the interests of justice or of the child so require, which have or may have a serious impact on their physical and/or psychological integrity. The Center's beneficiaries may also be child victims/victims of domestic violence or violence against the life and health of the child, when the interests of the child so require.

Considering assistance to refugee children, we emphasize that the provisions of the legislation of the Republic of Moldova in the field of child protection expressly state that all children are equal in rights and benefit from protection without any discrimination, regardless of race, nationality, citizenship, ethnic origin, sex, language, religion, disability, beliefs, wealth or social origin.

b) The Ministry of Labour and Social Protection and the Ministry of Internal Affairs, aiming to ensure compliance with the best interests of refugee children, have developed the *Regulation on the establishment of the inter-sectoral cooperation mechanism for the identification, assistance and monitoring of children at risk who came from Ukraine during the declaration of the state of war in Ukraine*, which was approved by the Commission for Exceptional Situations of the Republic of Moldova on 14.04.2022.

Thus, in order to implement the provisions of pt. 21 letter (e) of the Regulation concerned, the following were approved:

- Joint order of the Minister of Labour and Social Protection and the Minister of Internal Affairs no. 34/169 of April 22, 2022 on some measures for the implementation of the Provision of the Commission for Exceptional Situations of the Republic of Moldova, which approved the model of the *Act for the authorization of the crossing of the state border* of the Republic of Moldova for the exit of unaccompanied children or children accompanied by an unauthorized person;
- Order of the Minister of Labour and Social Protection no. 36 of May 05, 2022, approving the model of the *Act of rapid assessment of the best interests of the child at risk* who came from the Ukraine during the declaration of the state of war in Ukraine, which are placed on the web site of the Ministry (www.social.gov.md - Information of public interest - Policy areas - Social protection - Policies for the protection of the rights of children and families with children - <https://social.gov.md/informatie-de-interes-public/domenii-de-politici/protectia-sociala/>).

Attention should be drawn to the fact that based on the documents in the prenotation, responsible persons from the territorial guardianship authorities and the border police have been designated to register, process and provide the necessary assistance, including the completion of identity documents for children who are unaccompanied or accompanied by an unauthorised person.

Therefore, according to the data presented by the territorial social assistance structures, from April to September 2022, the following persons were assisted:

- 443 unaccompanied children from Ukraine;
- 967 children from Ukraine who were accompanied by an unauthorised person;
- 361 documents were issued to authorise the crossing of the state border on the exit direction.

In the same vein, we would like to inform you that according to the website www.uahelp.md (information system administered by the Ministry of Labour and Social Protection) as of February 24, 2022, 16959 Ukrainian children have been registered and assisted, of which 10385 children were placed in foster

homes, 6574 children were placed in families and 696 children were undocumented, and currently 6971 children are registered, of which 5670 children are placed in families and 1301 children are placed in foster homes.

Moreover, the Ministry of Labour and Social Protection, in order to ensure the welfare of Ukrainian children who have been identified without legal representatives on the territory of the Republic of Moldova, has developed the social service "Professional Parental Assistance" in the administrative-territorial units of Donduseni, Orhei and Causeni where these children are placed.

Article 8 – The right of employed women to protection of maternity

1. to provide either by paid leave, by adequate social security benefits or by benefits from public funds for employed women to take leave before and after child birth up to a total of at least fourteen weeks;

a) Please provide information whether the Covid-19 crisis had an impact of on the right to paid maternity leave (in particular whether all employed women concerned – in the private as in the public sector - continue to receive at least 70% of their salary during the whole length of the compulsory maternity leave during the Covid-19 crisis).

a) In accordance with the provisions of art. 124 of the Labour Code, female employees and apprentices, as well as dependent spouses of employees, are granted maternity leave including prenatal leave of 70 calendar days (in the case of pregnancies with 3 or more children - 112 calendar days) and postnatal leave of 56 calendar days (in the case of complicated births or births of two or more children - 70 calendar days), and are paid allowances for this period in accordance with the legislation in force.

According to the provisions of art. 103 of the Labour Code, it is not allowed to attract pregnant women to night work.

Article 250 of the Labour Code provides that following an assessment of occupational risks in accordance with the Law on Occupational Safety and Health, if the work performed by a pregnant woman, a woman who has recently given birth or a woman who is breastfeeding proves to present risks to her safety or health or is likely to have repercussions on her pregnancy or breastfeeding, the employer shall take the necessary measures to exclude the influence of risk factors on those persons by temporarily changing the working conditions.

If the change in working conditions referred to in par. (1) is not possible for objective reasons, a pregnant woman, a woman who has recently given birth or a woman who is breastfeeding shall be given alternative work so as to avoid exposure to the risk factors identified in the assessment. During the period of work in the new job, the pregnant woman, the woman who has recently given birth or the breastfeeding woman shall be maintained at the average wage of the previous job.

The provisions of par. (1) and (2) shall also apply in cases where pregnancy or breastfeeding occurs during the performance of work involving the influence of risk factors, subject to the employer being duly informed.

Pregnant women, women who have recently given birth and women who are breastfeeding will be removed from night work and given day work, with the average wage at the previous workplace being maintained.

Pending resolution of the question of alternative employment or where a change of workplace is not possible for objective reasons, pregnant women, women who have recently given birth and women who are breastfeeding will be exempted from work obligations, with the average wage being maintained for the days they have not worked for this reason.

2. to consider it as unlawful for an employer to give a woman notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period;

a) Please provide information:

1) whether the Covid-19 crisis had an impact on the possibility of dismissing pregnant employees and employees on maternity leave and

2) *whether there were any exceptions to the prohibition of dismissal during pregnancy and maternity leave during the pandemic.*

According to art. 86 par. (2) of the Labour Code, it is not allowed to dismiss the employee during the period of sick leave, annual leave, study leave, maternity leave, paternity leave, partial paid leave for the care of a child up to 3 years of age, additional unpaid leave for the care of a child aged between 3 and 4, leave to care for a sick family member, leave to care for a disabled child, during periods of state or community service and during secondment, except in the event of the liquidation of the unit.

According to the provisions of art. 251 of the Code, it is prohibited to dismiss pregnant women, women with children up to 4 years of age and persons using the childcare leave provided for in art. 124 (maternity leave and partial paid childcare leave), 126 (additional unpaid childcare leave for children aged 3 to 4 years) and 127 (leave for employees who have adopted new-born children or taken them into care), except in the cases provided for in art. 86 par. (1) letter b) (liquidation of the unit or termination of the activity of the natural person employer), g) to k) (disciplinary measures).

At the same time, the State Labour Inspectorate with its territorial subdivisions, in 2021 carried out more than 2.5 thousand inspections on compliance with legislation and other normative acts in the labour area in establishments with a number of 122.9 thousand employees, of which 64.2 thousand were women, including 12.2 thousand in rural areas.

Out of the total number of inspections carried out, following the verification of the manner and terms of payment of salaries in 180 units, arrears in the payment of salaries and non-payment of other salary payments were found in the amount of over MDL 32 million compared to 4058 women.

During 2021, 80 workers, including 7 women, working without legal forms of employment were detected in 21 legal and 31 natural persons employers.

All actions undertaken by labour inspectors are aimed at ensuring the application of the provisions of laws and other regulations relating to labour relations and the protection of employees in the exercise of their duties. In this context, labour inspectors undertake communication actions, ensuring the exchange of information with the first and second level public authorities, as well as with natural and legal persons subject to control actions, in order to raise knowledge and awareness of the benefits of legal work, of the risks to which both employees and employers are exposed in cases of undeclared work and of compliance with the legal rules in the field of labour relations.

Concerning the non-granting of rest leave, non-granting of temporary incapacity benefit, non-granting of parental childcare leave, non-granting of sickness prevention benefit, during the reference period, 29 requests from 30 persons, including 15 women, were examined and reinstated.

At the same time, no requests were received during the reference period concerning the administration's refusal to calculate maternity and childcare leave allowances.

4. *to regulate the employment in night work of pregnant women, women who have recently given birth and women nursing their infants;*

a) *Please provide updated information to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post and that in case of exemption from work related to pregnancy and maternity, the woman concerned is entitled to paid leave.*

a) Legislation in the Republic of Moldova protects the rights of pregnant women, women who have recently given birth or women who are breastfeeding their babies, with regard to night work. According to art. 250 of the Labour Code, pregnant women, women who have recently given birth or women who are breastfeeding will be removed from night work and will be employed in day work, maintaining the average wage of the previous workplace. Pending resolution of the question of alternative employment, or if a change of job is not possible for objective reasons, they will be exempted from their work obligations and will receive the average wage for the days they have not worked for this reason. The employer is also obliged, on request, to set a day or week of part-time work for pregnant women, but also for employees who have children up to the age of 10 or disabled children or employees caring for a sick family member.

5. *to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining and all other work which is unsuitable by reason of its dangerous, unhealthy or arduous nature and to take appropriate measures to protect the employment rights of these women.*

a) Please provide updated information to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post and that the women concerned retain the right to return to their previous employment at the end of the protected period.

According to the Labour Code no. 154/2003 art. 255 it is stated that during the suspension by the state control bodies of the work activity, provided for in the individual employment contract, as a result of violation of occupational safety and health requirements through no fault of the employee, the employee shall retain his/her job (position) and average salary.

If the employee refuses to work in the event of danger to his/her life or health, the employer shall be obliged to give the employee another job, corresponding to the employee's level of professional training, until the danger is removed, with the maintenance of the salary of the previous job.

If it is not possible to give the employee other work, the employer shall pay for the time the employee is on standby until the danger to his/her life or health has been removed in accordance with art. 80 par. (2).

At the same time, according to Law 816/2008 on "*safety and health at work*" Art. 22 "Groups sensitive to specific risks" specifies "Groups sensitive to specific risks: pregnant women, pregnant or breastfeeding women, persons up to 18 years of age, as well as persons with limited functional capacity must be protected against hazards that specifically affect them. In this respect, employers are obliged to design workplaces taking into account the presence of specific risk-sensitive groups in the unit."

In view of the above, we hereby inform you that the Government Decision no. 722/2020 on the amendment of certain Government Decisions and the repeal of a Government Decision repealed the Government Decision no. 624/1993 on the approval of the list of industries, occupations and jobs with heavy and harmful working conditions, prohibited to women, and the maximum load standards allowed for women in manual lifting and carrying of weights.

The repeal of the above-mentioned GD is in fulfilment of the recommendations made by the Committee in its Sixth Periodic Report of the Republic of Moldova (CEDAW/C/MDA/6) at its 1763rd and 1764th meetings (see CEDAW/C/SR.1763 and 1764), held on February 20, 2020.

Article 16 – The right of the family to social, legal and economic protection

1. *With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means.*

a) Please provide updated information on measures taken to reduce all forms of domestic violence against women including information on incidence and conviction rates.

b) For States Parties not having accepted Article 31, please provide updated information on the availability of adequate affordable housing for families.

c) Are family or child benefits provided subject to a means-test? If so, what is the percentage of families covered?

d) Please provide information about the amounts paid in child/family benefit as well as the median equivalised income for the reference period.

e) Is there a length of residence requirement imposed on nationals of other States Parties lawfully resident in your country for eligibility to child/family benefits?

f) What measures have been taken to ensure that vulnerable families can meet their energy needs, in order to ensure their right to adequate housing (which includes access to essential services)? 8

g) If specific temporary measures were taken to financially support vulnerable families during the Covid-19 pandemic, will they or are they expected to they been maintained or withdrawn? If they have been withdrawn, what effect is this expected to have on vulnerable families?

a) Among the latest major achievements of the state in the field of preventing and combating domestic violence, for the period 2021 - to date, we note:

- approval of the new National Action Plan for 2021-2022 for the implementation of the National strategy for preventing and combating violence against women and domestic violence (Government Decision no. 281/2018). We should mention that the deadline for implementation of the Strategy has ended due to the new regulatory provisions (Government Decision No. 386/2020 on planning, drafting, approval, implementation, monitoring and assessment of public policy documents), and in 2023 it is planned to approve a new public policy document in the area;
- in October 2021, the Republic of Moldova became the 35th country to ratify the Istanbul Convention (Law no. 144/2021, which entered into force on May 1, 2022);
- on 28.02.2022 was approved the Joint Order no. 89/22/172/56/20/121 (MIA, MLSP, MH, MJ, GP, MEC) on the establishment of the inter-ministerial mechanism for monitoring and analysis of cases of domestic violence resulting in death or serious bodily harm and through which was approved the Regulation on the organisation and functioning of the Commission for monitoring and analysis of cases of domestic violence resulting in death or serious bodily harm of victims;
- approval of the Instruction on the Mechanism of Intersectoral Cooperation in Cases of Domestic Violence by Order no. 48/298/610/162/5 (signatories: Ministry of Labour and Social Protection, Ministry of Internal Affairs, Ministry of Health, Ministry of Justice and National Council for State Guaranteed Legal Aid);
- during 2022, the Ministry of Justice promoted the draft amendment of some normative acts (ensuring the rights of victims in case of offences related to sexual life and domestic violence), in order to ensure the harmonisation of the normative framework with the provisions of the Istanbul and Lazarote Conventions. The general objective of the above-mentioned project is to strengthen the material and procedural rights of victims of offences of domestic violence and offences against their sexual freedom and inviolability by adapting the domestic legal framework to international standards and practices. Thus, in order to improve the existing legal framework, to prevent violations of victims' rights both at the prosecution stage and during the examination of cases by the courts, the draft law contains proposals to amend the rules of the Criminal Code, the Code of Criminal Procedure, the Code of Civil Procedure, the Family Code, the Enforcement Code and the Contravention Code. We point out that the draft in question was approved at the Government meeting of July 21, 2022 and is currently being considered by Parliament;
- running information campaigns on the field focused on different target groups;
- providing capacity-building activities for professionals in different areas (justice sector, law enforcement, social work, multidisciplinary teams);
- implementing projects in the areas of reference and strengthening partnerships between government institutions and civil society.

During 2021, 2609 cases of domestic violence were detected by the Police (+1.56% compared to 2020), of which:

- 947 cases (+0.81% compared to 2020) met the constituent elements of a criminal offence;
- 1662 cases (+0.75% compared to 2020) met the constituent elements of a contravention.

In order to ensure the protection of victims of domestic violence, 773 protection orders were issued by the courts during 2021. While monitoring the compliance with the protection measures, it was found that 373 protection orders were violated by the aggressors (year 2020-281), and in this regard criminal cases were initiated based on the constituent elements of the criminal offence provided for in art. 320 1 of the Criminal Code.

Police also issued 5851 emergency restraining orders (year 2020-4939 (+11.80%)) to domestic abusers. For violation of the protection measures established by the emergency restraining order, contravention proceedings were initiated according to the constituent elements of a contravention (art. 318¹ of the Contravention Code) against 726 family aggressors (year 2020-591 (+12.2%)).

In order to reduce aggressive behaviour, the Police is carrying out tertiary prevention activities with 4938 aggressors (year 2020 -3942), who have admitted violent behaviour in family relationships. Thus,

during 2021, 3724 aggressors (year 2020 - 2411) were taken to the nominal register and 2695 (year 2020 - 2593) persons were removed from the register.

Also, 502 subjects (domestic abusers) were monitored electronically during 2021: 479 - men and 23 - women. In the process of monitoring compliance with protection measures, it was found that 94 protection orders were violated by abusers. Thus, out of the total number of subjects (family aggressors) monitored electronically - 502 (100%), 408 subjects (81%) complied with protection measures.

The reasons for not complying with the protection orders are going abroad, poor health, expired term of enforcement of the protection orders.

We mention that during 2020, the recidivism rate of family offenders was \approx 50%. In 2021, since the implementation of electronic monitoring for domestic abusers, the recidivism rate decreased to 19%.

At the same time, during 2021, 140 beneficiaries with the status of victims of domestic violence were placed in the Center for Assistance and Protection of Victims and Potential Victims of Human Trafficking, including 25 unaccompanied minors (21 girls and 4 boys), 44 adults (women) and 71 children of victims (28 girls and 43 boys). During the placement period, people benefited from the full range of available services (placement and protection, social, psychological, legal assistance).

Subsequently, with the support of relevant non-governmental organizations, persons with the status of victims of domestic violence, who benefited from the services of the Center and were reintegrated into their permanent place of living, received personalized support (food, clothes and shoes) to facilitate the socialization process.

In this context, we present the information on the amounts of financial means allocated from the National Public Budget (NPB) for the social protection of families with children for the years 2018-2021 as shown in Table no. 1.

Table no. 1

Programme 9006. Family and child protection	Executed (million MDL)			
	2018	2019	2020	2021
Total	270,9	336,0	296,7	322,9
Including: social benefits	123,1	149,1	128,0	133,1

Source: Ministry of Finance

b) We inform you that in the Emergency Placement Service of the Placement Center for Elderly and Persons with Disabilities, Chisinau municipality, in 2021, 4 beneficiaries were placed in emergency care, and in 2022, 8 beneficiaries were placed in emergency care.

Subsidiarily, we would like to mention that no persons infected with Covid-19 have been placed in the Service.

c) The Social Aid Programme is aimed at disadvantaged families, aiming to reduce hardship and promote self-sufficiency. The programme provides for a guaranteed minimum monthly income (GMMI) which is a calculated minimum level guaranteed by the state to a family (currently 1363 MDL) and includes three sets of criteria, which applicants must meet to qualify for benefits. In addition to an assessment of the income and occupational status of family members, it also includes a proxy score (94,10) that assesses family well-being. To qualify for the programme, families must meet all three sets of criteria. Families who are eligible for the programme are also eligible for Cold Weather Assistance (CWA). However, the income threshold for CWA is 2.2 times higher than for Social Assistance (SA) and therefore more families qualify for this financial support.

Under this topic, we provide statistical information on the implementation of the Social Assistance Programme as shown in Table no. 2.

Table no. 2

Year	No. of families (who received at least one payment)		Average benefit, MDL		Calculated amount million MDL		GMMI, MDL		% indexing
	SA	CWA	SA	CWA	SA	CWA	SA	CWA	

2020	96997	247776	920	500	659,4	506,9	1107 Indexed 1300	2435,4 Indexed 2860	4,8
2021	78978	262586	1080	700	645,6	484,6	1196	2631,2	3,86
2022 (3 months)	47153	238998	1120	700	681,4	947,3	≥01.04.22 1363	2998,6	13,94

Source: Ministry of Labour and Social Protection

At the same time, statistics based on the structure of families receiving social assistance *as shown in Table no. 3* will be presented under this topic.

Table no. 3

	2021 – 03.2022
BENEFICIARY HHS, TOTAL	%
RURAL	76
URBAN	24
FEMALE	55
MALE	45
FAMILIES WITH CHILDREN	38
FAMILY WITH PENSIONERS (62+ YEARS)	25
FAMILY WITH MEMBERS WITH DISABILITIES	54
UNEMPLOYED MEMBERS	20
EMPLOYED MEMBERS	6

Source: Ministry of Labour and Social Protection

d) Allowances for families with children are the main financial support from the state for families with children and are expressed in the form of one-off or periodic payments to the family for the birth and upbringing/care of the child.

On December 23, 2016, the *Law no. 315 on social benefits for children* was approved, which establishes social benefits for children for the purpose of providing minimum financial support from the state at the birth of a child, for child care, for the raising of twin children, as well as social support benefits for adopted children, children temporarily without parental care and children without parental care, including for further studies.

Thus, the *Law no. 315/2016* provides for the following types of social benefits for children:

- for a child, a one-off childbirth allowance is granted at birth (*this is set at an amount equal to the monetary value of the minimum basket of goods required at the birth of the child, calculated for the year preceding the child's birth. The amount of the one-off childbirth allowance is approved annually by the Government*). For the year 2022, the amount of this allowance has been increased from **9459 MDL to 10068 MDL**.
- for children up to 2 years of age a monthly childcare allowance is granted. From October 01, 2022, this allowance will be fixed and granted additionally for each child in the amount of 1000 MDL, regardless of the parent's status as an insured or uninsured person. Thus, in the case of uninsured persons currently receiving childcare allowance up to the age of 2, in the amount of 740 MDL/month for each child, this allowance will be increased by 260 MDL, and insured persons currently receiving an allowance under *Law no. 289/2004 on temporary incapacity benefits and other social security benefits* will receive an additional 1000 MDL per month. In this respect, non-discrimination will be ensured with regard to the state support provided to families for the care of children up to the age of 2.
- for twin children or for more than one child born from a single pregnancy, a monthly allowance is granted for each child to support their upbringing until the age of 3 (*it is set at 50% of the monthly childcare allowance until the age of 2*). From October 01, 2022, the amount of this allowance has been increased from 370 MDL to 500 MDL/month.

- for the child temporarily left without parental care and for the child left without parental care placed in the guardianship/trusteeship service, a monthly allowance is granted for the maintenance of the child under guardianship/trusteeship. Thus, in order to improve the material situation of children placed in family-type care by *Government Decision no. 1278/2018 approving the Regulation on the types, amounts and specific conditions for granting allowances for the upbringing and care of children placed in guardianship/trusteeship services, professional parental assistance and family-type children's home*, the following allowances were established:
 - one-off placement allowance (the amount of this allowance in 2022 is - 3688,7) MDL;
 - monthly allowance (amount in 2022 - 1400 MDL/month);
 - one-off allowance on reaching the age of 18 (its amount in 2022 is - 1000 MDL).

We also mention that for children with the status of children temporarily left without parental care and children left without parental care, placed in family-type placement services, in the social service Community home for children at risk and in the social service Placement center for children separated from their parents, who are placed in educational institutions, under *Government Decision no. 378/2018 on the establishment and payment of the daily child allowance*, a daily child allowance is granted from the fifth grade until the child reaches the age of 18. At present, the amount is: on ordinary days - 15 MDL; on the child's birthday - 129 MDL and on public holidays - 92 MDL.

- for the adopted child, a monthly allowance for the maintenance of the adopted child shall be granted in the amount of 800 MDL/month until the child reaches the age of 18.
- for children temporarily left without parental care and children left without parental care, as well as for youths who, before reaching the age of 18, held the status of children left without parental care, who are continuing their studies in technical vocational schools and higher education institutions, an allowance is granted for further education. To this end, in 2020 the Government approved the Regulation on the way of establishing and paying allowances for certain categories of children and youths, which aims to improve the financial situation of children temporarily left without parental care and left without parental care, as well as youths who until the age of 18 held this status. The Regulation establishes the following types of allowances:
 - one-off allowance on graduation from boarding school (5000 MDL);
 - monthly maintenance allowance (amount equal to minimum subsistence);
 - monthly housing allowance (500 MDL);
 - one-off allowance for carrying out research, editing thesis and diploma thesis in the final year of studies (500 MDL);
 - one-off allowance on graduation (10000 MDL).

We also mention the *Social support service for families with children*, which is aimed at families with children in order to prevent and/or overcome situations of risk to ensure the child's upbringing and education in a family environment.

The aim of the Social support service for families with children is to support the development of the family's capacities in the upbringing and education of the child by strengthening the protective factors within the family and connecting it to relevant resources in the community. The named service is provided in two forms: primary family support and secondary family support. Under secondary family support, families with children can get financial support.

Primary family support includes varied, flexible activities aimed at strengthening the family environment and protective factors within the family: building the capacity to go beyond difficult situations, building the family's social network and its capacity to provide support in difficult times, building skills in child care and education, building the child's social and emotional competencies, identifying factors that may lead to the risk of neglect and abuse. The beneficiaries of primary family support are all families with children in the community.

Secondary family support includes a range of activities for families with children at risk, aimed at mitigating factors affecting the child's health and development, preventing the child from being separated from the family or facilitating the child's reintegration into the family, which are carried out on a case

management basis. In order to prevent the child from being separated from the family or reintegrated into the family, secondary family support is carried out using a complex assessment.

Financial support (up to 4 000 MDL per child) is provided in situations where secondary family support does not ensure the alleviation of the problem/solution of the case without financial assistance. When determining the financial support, needs of the family, number of children in the family, living conditions, seasonal factors, severity of the problem, etc., as well as family's income from wages, social payments and other sources of income, declared under the family's responsibility, are taken into account. Families receiving social assistance are entitled to access financial assistance.

Beneficiaries of secondary family support are families with children at risk and/or families whose children are in the process of reintegration. Thus, during 2021, primary family support was granted to 28285 children and secondary family support to 4967. Financial support was provided to 3508 children.

e) Under the terms of the above-mentioned *Law no. 315 on social benefits for children*, children who are citizens of the Republic of Moldova and reside in the Republic of Moldova, children recognized as stateless in the Republic of Moldova and foreign children residing in the Republic of Moldova are eligible for social benefits.

f) In the context of diminishing the impact of rising energy prices on vulnerable consumers, the Law no. 241/2022 *on the energy vulnerability reduction fund* was adopted, as well as the Government Decision 704/2022 *on the approval of the Regulation on the assignment of energy vulnerability categories and the method of establishing and paying compensation for the payment of energy bills*. The measures to be financed from the Fund for vulnerable consumers are:

- monthly energy bill compensation in the form of financial assistance on the bill to cover part of the costs of centralised heating, electricity and/or gas consumption;
- energy efficiency grant in the form of one-off financial support to cover part of the cost of replacing used household appliances, electrical and electronic equipment in a household with more energy-efficient ones, as well as for the replacement of windows, upgrading of individual heating systems, insulation of dwellings, under the programme of grants for the replacement of household appliances;
- other social assistance measures to reduce energy vulnerability, established by the Government.

g) In accordance with the provisions of the National Commission for Exceptional Situations no. 16 of 10.04.2020, during the state of emergency, persons registered as unemployed with one of the territorial subdivisions for employment, including persons returned from abroad, received monthly unemployment benefit in the amount of 2775 MDL, i.e. unemployment benefit was granted to 14 886 persons.

At the same time, in order to mitigate the challenges and problems faced by both economic agents and their employees, Government Decision no. 316/2021 on the approval of support measures for employers and employees in the conditions of application of restriction measures during the COVID-19 pandemic, thus, from the state budget was provided financial support to persons who benefited from days off in case of suspension of the educational process in physical attendance, employees who were on technical unemployment, as well as employees who requested days off for vaccination, i.e. beneficiaries of these measures were 4334 persons.

Another support measure is the provision of aid to employees with reduced working hours, in accordance with Government Decision no. 333/2021 on the approval of the Regulation on granting aid to employees with reduced working hours, 465 employees received such financial support.

We note that the period of implementation of Government Decisions no. 316/2021 and no. 333/2021 will be maintained during the declaration of a state of emergency, curfew and war, respectively, owing to the restrictions imposed in the state of public health emergency.

Article 17 – The right of children and young persons to social, legal, and economic protection

1. *With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment, which encourages the full development of their personality and of their physical and*

mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

a) to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;

b) to protect children and young persons against negligence, violence or exploitation;

c) to provide protection and special aid from the state for children and young persons temporarily or definitively deprived of their family's support;

a) At the beginning of 2021, 1485 early education institutions were operating in the country. Previously, the total number of early education institutions showed a continuous increasing trend over several years. Compared to 2019, the network of early education institutions has changed, in particular, the number of kindergartens has increased (by 25 units) and the number of nursing kindergartens has decreased (by 21 units). Between 2015 and 2020, the number of early education institutions in general is increasing by 24 units, in urban areas - by 23 units. The number of children enrolled in early education institutions in 2020 was 134.2 thousand, a decrease of 15.5 thousand or 10.4% compared to the previous year (Figure 1). The early education enrolment rate was 68.3% (the indicator is calculated according to the population with usual residence as a percentage of the population in the age group 1-6 years).

In the 2021-2022 school year, the network of primary and general secondary schools consists of 99 primary schools, 786 secondary schools, 338 high schools (including 2 part-time schools) and 8 schools for children with intellectual or physical developmental disabilities. Of the total number of institutions (1231 units), 23 are private educational institutions.

In order to ensure access to distance/online learning, it was necessary to establish the real needs of schoolchildren and teachers in terms of computer technology for participation in the online educational process, to ensure the recording and monitoring of the use of computer technology in primary, secondary and high schools. Thus, indicators have been added to the Education Management Information System (EMIS) on the computing technology needs mentioned, the computing technology received by the beneficiary from the educational institution in temporary use, the period of use, etc.

In March 2021, needs for 20698 units of computing technology have been declared in EMIS, of which 11214 units for schoolchildren in grades 1-4, 9201 units for schoolchildren in grades 5-9 and 283 units for schoolchildren in grades 10-12.

b) In the Republic of Moldova, the **Government Decision no. 270/2014 on the approval of the Instructions on the intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking** continues to be implemented, and on December 15, 2021, by joint order of the Minister of Labour and Social Protection, the Minister of Health, the Minister of Internal Affairs and the Minister of Education and Research no. 17/1173/528/1652, the Guidelines for the practical implementation of the intersectoral cooperation mechanism were approved. This document was developed by the Ministry of Labour and Social Protection with the help of the Council of Europe Office in Chisinau and provides specialists with a range of recommendations and useful information aimed at ensuring effective and quality multisectoral and multidisciplinary interventions in every suspected or confirmed case of violence, abuse, neglect, exploitation and trafficking of children. The Guidelines are addressed to all representatives of educational, medical and social welfare institutions, regardless of their legal form of organisation, cultural, public order, state labour inspectorate, other public authorities and institutions with responsibilities in the field of child protection. We draw attention to the fact that the intersectoral mechanism set out above is the cornerstone for the work of all specialists directly and/or indirectly involved in child protection. Thus, according to the statistical data presented by the territorial structures of social assistance, in 2020 the total number of referrals/self-referrals amounted to 6828, of which 4840 referrals were received from: public order institutions - 2628; educational institutions - 677; health care institutions - 318; other institutions - 1217. Of the total number of registered referrals: 1574 were on children subjected to violence; 3250 neglected children; 12 children exploited through labour, 1 child victim of trafficking and 3 children presumed victims of trafficking. At the same time, the number of self-referrals was 1988, of which: children

subjected to violence - 258; neglected children - 1721; child victims of trafficking - 1 and children presumed victims of trafficking - 3.

Based on the same mechanism, the following data were recorded for 2021: the total number of referrals/self-referrals was 6714, of which 5325 referrals were received from: public order institutions - 3051; educational institutions - 708; health care institutions - 315; other institutions - 1251. Out of the total number of registered referrals: 1808 were on children subjected to violence; 3502 neglected children; 13 children exploited through labour and 2 children victims of trafficking or presumed victims of trafficking. Meanwhile, the number of self-referrals was 1389, of which: children subjected to violence - 197; neglected children - 1190; children exploited through labour - 1 and children victims of trafficking or presumed victims of trafficking - 1.

Also during the reporting period, with the support of the Council of Europe, an information campaign was conducted, which included several activities on the prevention of child sexual abuse. For the effectiveness of this information campaign, the Council of Europe has indicated the ***Free phone support for children (Child Helpline) 116 111***, which is managed by the Ministry of Labour and Social Protection, on all materials and video spots that have been broadcast/published as part of the information campaign. It should be noted that on July 22, 2022, the Government Decision no. 519 approved the Regulation on the organization and functioning of the Free phone support for children. The Government Decision is a State response to the reduction of cases of violation of children's rights, which also involves the creation of prevention, information, counselling and assistance services and the implementation of the commitments undertaken by the Republic of Moldova internationally. Please note that the Free phone support for children is not a simple information service but presumes a complex of specialised services provided according to quality standards. Thus, the provision of services at a high level of quality is certain to increase children's confidence in the protection system. As of 2014, the free phone support for children has received more than 44 535 calls from both within the Republic of Moldova and abroad.

In the same context, we draw attention to the fact that in March 2022, the first Regional Center for Integrated Assistance of Child Victims/Witnesses of crimes started its activities (Government Decision no. 708/2019). The primary purpose of this Center is to prevent re-victimization and re-traumatization of the child in the process of gathering evidence in criminal cases, by providing legal, medical, psychological and social assistance to the child and his/her family in the same location "under one roof". The Center's beneficiaries are child victims/victims of crimes of a sexual nature, child trafficking or domestic violence, against life and/or health, as well as in other cases where the interests of justice or of the child so require, which have or may have a serious impact on their physical and/or psychological integrity. The Center's beneficiaries may also be child victims/victims of domestic violence or violence against the life and health of the child, when the interests of the child so require.

The Ministry of Education and Research, together with the Ministry of Labour and Social Protection, the Ministry of Health and the Ministry of Internal Affairs are part of the intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking, approved by Government Decision no. 270/2014. In order to implement this mechanism in the education sector, the Ministry has approved the related normative and methodological framework. The methodological guidelines "Prevention of violence in educational institutions" and the Compendium of normative acts "Protection of children from violence in educational institutions" were distributed in general and technical vocational schools. The Ministry is of the opinion that the normative and methodological framework on the protection of children in educational institutions is currently a solid and sustainable basis for further action in the educational area.

The Ministry carries out awareness-raising activities on discrimination and violence. Regular meetings are organised with educational decision-makers on compliance with the legal framework and child protection. Nonetheless, cases of violence that are reported to the Ministry or which are investigated by itself are monitored and examined.

In accordance with the normative acts in force, the Ministry of Education and Research, based on the reports of the local specialized bodies in the educational area and subordinate institutions, draws up a report biannually on suspected and confirmed cases of violence, neglect, exploitation and trafficking of children. The above reports can be consulted on the Ministry's official website www.mec.gov.md, in the "Education" section, "Preventing and combating violence" sub-compartment. The cases in question were reported by

employees of the education system and took place in the family, kindergarten, school or in other community settings.

We also specify that educational experts are obliged to train schoolchildren to recognise and manage situations of violence, including bullying, through two school subjects - Personal Development in grades I-XII and Education for Society in grades V-XII. The subject is also included in the agenda of parenting education programmes in schools.

c) On June 01, 2022, the Government Decision no. 347 approved the *National child protection programme for 2022-2026 and the Action Plan for its implementation*. The new Programme is rooted in the Sustainable Development Goals and will be a natural continuation of the activities previously undertaken in the field of child protection and will be an important tool for redressing the issues faced by children in the Republic of Moldova, thus contributing to strengthening the current child protection system.

The strategic vision for the protection of children's rights focuses on:

- prevention of separation of the child from family;
- further deinstitutionalisation of children and development of social services;
- reducing the social risks of parental migration on children;
- preventing and combating violence, neglect and exploitation of children, children's online safety;
- facilitating the reintegration of parents into work and enhancing the role of each parent in parenting.

In accordance with the provisions of the Law on the special protection of children at risk and children separated from their parents no. 140 of June 14, 2013, the guardianship authorities must take all necessary measures for the assistance and support of children and their families in order to prevent the separation of the child from family environment or, where appropriate, to (re)integrate the child into family. Placement of the child may be ordered by the guardianship authorities only if, after assessment, it is found that keeping the child with his/her parents is not possible or not in the best interests of the child. In the event of the child's separation from family, the territorial guardianship authority shall order the placement of the child taking into account the priority of family-type care placement with the extended family over other types of placement and, if this is not possible, the priority of placement in family-type services over residential-type services.

Thus, we provide below the information on family-type services developed in the Republic of Moldova and the number of children placed in these services as follows:

- 1) Government Decision no. 760/2014 approving the Framework Regulation on the organisation and functioning of the Professional parental assistance service and the minimum quality standards.

The purpose of the Service is to provide care for the child in a substitute family environment for a defined period of time.

The beneficiaries of the Service are: 1) children effectively deprived of parental care in situations caused by their absence, except for children whose parents are abroad; 2) children taken from their parents because of imminent danger to their life or health or at risk; 3) children whose status as children temporarily without parental care has been established; 4) the child whose status as a child left without parental care has been established; 5) the child with disabilities, parents or carers who need time for recovery; 6) the minor parent with a child at risk of separation; 7) the pregnant minor, if she falls within the situations mentioned in subpoints 1)-4); 8) the child of the minor parent.

At the end of 2021, 382 professional parental assistants were employed and about 761 children were placed in this service.

- 2) The Government Decision no. 51/2018 approving the Framework Regulation on the organization and functioning of the social service "Family-type children's home" and the Minimum Quality Standards.

The purpose of a family-type children's home is to provide care for a child in a substitute family environment for a specified period.

The beneficiaries of the Service are: 1) children effectively deprived of parental care in situations caused by their absence, except for children whose parents are abroad; 2) children taken from their parents because of imminent danger to their life or health or at risk; 3) children whose status as children temporarily without parental care has been established; 4) the child whose status as a child left without parental care has been established; 5) the minor parent with a child at risk of separation; 6) the pregnant minor, if she falls within the situations mentioned in subpoints 1)-4); 7) the child of the minor parent.

At the end of 2021, 64 parent educators were employed and about 295 children were placed in this service.

- 3) Guardianship/trusteeship service which is a service providing temporary protection to children with the status of a child temporarily left without parental care or a child left without parental care, by placing them in the family of the guardian or curator. Mostly guardians/curators become members of the child's extended family and they are legal representatives of the child with the same rights and obligations as a child's parent. Around 2684 children were placed in the guardianship/trusteeship Service at the end of 2021.

At the same time, we underline that the number of children placed in family-type services is considerably higher than the number of children placed in residential institutions (which at the end of 2021 was 685). However, measures to reduce the placement of children in residential care are necessary and continue to be taken, and guardianship authorities are focused on developing the spectrum of family-type care services.

a) Please provide information on measures taken by the State to:

1) reduce statelessness (e.g., ensuring that every stateless migrant child is identified, simplifying procedures to ensure the acquisition of nationality, and taking measures to identify those children who were not registered at birth) and

2) facilitate birth registration, particularly for vulnerable groups, such as Roma, asylum seekers and children in an irregular situation. (General question posed in Conclusions 2019).

b) Please provide information on measures taken to:

1) child poverty (including non-monetary measures such as ensuring access to quality and affordable services in the areas of health, education, housing etc.) and

2) combat discrimination and promote equal opportunities for children from particularly vulnerable groups such as ethnic minorities, Roma children, children with disabilities, and children in care.

3) States should also make clear the extent to which child participation is ensured in work directed towards combatting child poverty and social exclusion.

c) Please provide information on any measures adopted to protect and assist children in crisis situations and emergencies.

a) 1. The national legal framework of the Republic of Moldova fully guarantees the right of every person to the citizenship of the Republic of Moldova established by the Constitution of the Republic of Moldova and is ensured by the Law on citizenship of the Republic of Moldova no. 1024/2000 and the Regulation on the procedure of acquisition and loss of citizenship of the Republic of Moldova approved by the Government Decision no. 1144/2018.

Based on the principle of avoiding statelessness, national legislation in the field of citizenship provides various grounds for children to acquire citizenship of the Republic of Moldova. Thus, under art. 11 of the above-mentioned Law, a child shall be considered a citizen of the Republic of Moldova if:

- born to parents, both or one of whom, at the time of the child's birth, is a citizen of the Republic of Moldova;
- born on the territory of the Republic of Moldova of stateless parents or beneficiaries of international protection;
- born on the territory of the Republic of Moldova of parents who are nationals of another State or one of whom is stateless or a beneficiary of international protection and the other is a foreign national, subject to the condition that at the time of birth, at least one of the parents has the right of residence or benefits from international protection granted by the competent authorities

of the Republic of Moldova or is recognized as stateless by the competent authorities of the Republic of Moldova. In this case, the child's nationality is decided by mutual agreement between the parents. If the parents do not agree, the court will decide on the child's citizenship of the Republic of Moldova, taking into account his/her interests;

- the child found on the territory of the Republic of Moldova is considered a citizen of the Republic of Moldova, as long as it is not proven otherwise, until he/she reaches the age of 18.

Other grounds for the acquisition of citizenship by the child are regulated by art. 12, 13, 15 and 17, par. (1) of the Law on citizenship of the Republic of Moldova no. 1024/2000.

According to art. 13 and 15 of the specified law, a stateless child who is adopted or for whom guardianship is established automatically becomes a citizen of the Republic of Moldova, if the adoptive parents or guardians (adoptive parent or guardian) are citizens of the Republic of Moldova.

In the case of a child who is a foreign citizen, adopted or under the guardianship of both spouses or only one of them is a citizen of the Republic of Moldova, and the other is a foreign citizen or stateless person, he/she may become a citizen of the Republic of Moldova, if he/she renounces the citizenship of the foreign state.

Children, born abroad of foreign parents, who are entitled to be recognized as citizens of the Republic of Moldova in accordance with art. 12, par. (11) of the mentioned law, may acquire the citizenship of the Republic of Moldova together with the parent, upon submission of the consent of the other parent.

According to art. 19 of this Law, a child born of foreign citizen or stateless parents who acquire citizenship of the Republic of Moldova acquires citizenship on the same date as the parents. If only one of the parents acquires the citizenship of the Republic of Moldova, the parents will decide by mutual agreement whether the child will be a citizen of the Republic of Moldova. If the parents do not agree, the court will decide, taking into account the child's interests. In the case of a child who has not acquired citizenship of the Republic of Moldova with one of the parents, he/she is entitled to acquire it later, until reaching the age of 18 years by virtue of which citizenship was acquired by the parent. In such cases, the consent of the child who has reached the age of 14, authenticated by a notary, is required.

The art. 7, letter e) of the Law on Citizenship of the Republic of Moldova no. 1024/2000 lays down the principle of non-production of effects by changing the citizenship of one of the parents on the citizenship of the child, unless there is a written request to this effect by the parents.

Therefore, the national normative framework has been subject to multiple amendments with a view to harmonizing it with international instruments on citizenship, ensuring the right of every person to citizenship of the Republic of Moldova and excluding cases of loss of citizenship of the Republic of Moldova by children becoming stateless.

It should be noted that the Public Services Agency aims to achieve excellence in all aspects of its work, acting promptly and professionally in providing public services in the field of citizenship, especially to children, ensuring non-discrimination, regardless of the grounds for acquiring citizenship of the Republic of Moldova.

a) 2. On facilitating birth registration, especially for vulnerable groups such as Roma, asylum seekers and children in irregular situations.

The Ministry of Health with the support of the e-Government Agency in the framework of the World Bank project is reengineering the public services "Birth Registration" and "Death Registration".

Thus, the data recorded by the medical institutions on birth and death will be transmitted electronically to the Public Services Agency based on which the Electronic birth certificate will be generated.

This will facilitate birth registration, including for vulnerable groups such as Roma, asylum seekers and children in irregular situations.

b) 1. On non-monetary measures taken, such as ensuring access to quality and affordable services in the areas of health, education, housing, etc.

In the Republic of Moldova, all citizens have the right to health care services according to the legislation, which is enshrined in the Law on health protection no. 441-XIII of 28.03.1995.

The State shall ensure the protection of the interests of all citizens in the field of health care through the system of mandatory health care insurance, the provision of primary health care, emergency health care

at the pre-hospital stage, hospital health care, within the limits and in the established volume, respecting the needs of children, women and men, the disabled and the elderly, which is one of the fundamental principles of the health care system laid down in art. 2 of the Law on health care no. 441-XIII of 28.03.1995.

In accordance with the provisions of Law no. 1585/1998 on mandatory health care insurance, the Government is insured for children up to the age of 18, schoolchildren and students enrolled in the education system at levels 3-8, according to art. 12 of the Education Code, on a full-time basis, including those who study abroad; persons with severe, acute or moderate disabilities and persons caring for a severely disabled person at home who requires permanent care and/or supervision by another person.

Within the framework of mandatory health insurance, insured persons are provided with health care up to the amount set out in the Single programme of mandatory health insurance, drawn up within the limits of mandatory health insurance funds.

In accordance with the provisions of the Single programme of mandatory health insurance, insured persons benefit from the following types of health care: emergency health care at the pre-hospital stage; primary health care; hospital care; specialised outpatient health care, including dental care; hospital care; high-performance medical services, home health care.

For uninsured persons, emergency pre-hospital care and primary health care shall be provided in the amount established by the Single programme, including the prescription of medicines compensated in accordance with the regulations in force, without being subject to payment for the provision of these services.

At the same time, the state budget and mandatory health insurance funds are used to finance the implementation of national programmes in the priority areas of public health: e.g. control of non-communicable diseases - diabetes, cardiovascular, mental health, etc., and communicable diseases e.g. immunisations, control and prevention of tuberculosis, HIV/AIDS, viral hepatitis B, C and D, etc., beneficiaries being both insured and uninsured persons.

Under the Joint order of the Ministry of Health, Labour and Social Protection and the National Health Insurance Company no. 492/139A of April 22, 2013, insured persons, including those with disabilities, receive medicines from the list of those compensated in full or in part from the funds of the mandatory health insurance (CHI) to reduce the financial burden and permanent supportive treatment for priority chronic diseases.

Thus, for respiratory diseases, endocrine diseases, bronchial asthma, diseases of the digestive system, rare diseases, for each existing INN in the list of compensated medicines (about 152 INNs), and there is at least one absolutely free medicine according to the trade name, for which the maximum compensated amount is fixed.

In order to ensure the quality of medical services provided to children, 294 clinical protocols in the areas of paediatrics and neonatology have been developed and approved by orders of the Ministry of Health, including: 11 clinical protocols for rare diseases; 68 clinical protocols for new-borns.

In the case of diseases that are not included in clinical protocols, the clinical case management is carried out by medical service providers in accordance with the provisions of the Medical Standards for Diagnosis and Treatment (MSDT).

Currently approved by the orders of the Ministry of Health:

- 13 MSDT for children's surgical profile;
- 11 MSDT for children's therapeutic profile;
- 1 MSDT for children's pediatric emergencies.

We also inform you that, during 2022, in the field of pediatrics and neonatology, 23 clinical protocols were approved by the orders of the Ministry of Health.

In order to develop service quality standards for children with autism spectrum disorders (ASD) and in accordance with the Action Plan for the implementation of the National Mental Health Program for the period 2017-2021, by the Government Decision of the Republic of Moldova no. 234/2019, it was approved the Framework Regulation on the organization and operation of the specialized intervention center for autistic spectrum disorders and the minimum quality standards for the medical-social services provided in the specialized intervention centers for autistic spectrum disorders.

The framework regulation for the organization and operation of the Center includes the regulation of the specialized service for children (3-18 years) and young adults (18-25 years) with ASD, which provides

assistance and psycho-social rehabilitation for people with deep psychological development problems, including ASD support for integration into the educational system, support and mediation in family and community relationships.

In order to ensure the access of children and young adults with ASD to specialized services closer to their homes, including temporary placement, the Republic of Moldova needs 6 regional specialized intervention centers for autistic spectrum disorders. The Ministry of Health requested investment assistance from the development partners, for the creation and equipment of intervention centers for Autistic Spectrum Disorders with the necessary equipment, for their proper functioning and for the training of the personnel involved in the center's activity.

Thus, the Memorandum of Understanding was signed between the Ministry of Health and PA Moldova Branch of the Adventist Development and Relief Agency (ADRA), ADRA Czech Republic and PA SOS AUTISM, implementation partners of the project "Help for children with spectrum disorders autistic and other genetic disorders from the Republic of Moldova", one of the objectives of which is to improve health care services, access to vocational education, increase access of children with autism/genetic disorders to high quality medical assistance.

In order to support families and children with various medical, social and psycho-social problems, the Ministry of Health has established 2 early intervention centers (in the municipality of Chisinau, the Early Intervention Center "Voinicel" and the Early Intervention Section in the municipality of Balti).

The establishment of these medical-social services aims to identify and evaluate, as early as possible, children (young age 0-3 years), whose development is compromised and to provide appropriate individual interventions to improve the development of the child and the family. The early intervention program primarily aims to contribute to the early detection of developmental delays, in order to be able to correct them optimally and to prevent their worsening.

b) 2., 3. Regarding combating discrimination and promoting equal opportunities for children from particularly vulnerable groups, such as ethnic minorities, Roma children, disabled children and children in care.

Roma people benefit from the same medical services provided: primary, pre-hospital emergency, specialized outpatient and hospital medicine according to the regulations of the MHI (mandatory health insurance) and the Single Program, depending on the entity's insured or uninsured status. Accordingly, in order to increase the level of information among Roma people on provision of medical services, proposals were presented for the elaboration of the Guide for Roma people community mediators, in terms of informing people from the Roma people communities regarding the law and regulations within the MHI.

Family physicians annually hold informational meetings among the Roma people regarding the following topics: the types of medical assistance and the general range of services to which the insured entities are entitled within the mandatory medical assistance insurance system; prevention of transmittable diseases through immunization; preventing smoking, alcohol abuse and illicit drug use and providing youth-friendly health services.

At the same time, we mention that the Interethnic Relations Agency (ARI) has drawn up a report on the progress made by the ministries and central public administration authorities provided for in the Action Plan for the years 2016-2020 to support the Roma population in the Republic of Moldova.

The action plan contributed to improving the economic condition of Roma people and ensuring their active participation in social and political life in the country, including ensuring the effective use of the right of Roma children and teenagers to social, legal and economic protection.

Among the main achievements of the Action Plan, we mention the following:

- considerably simplifying the process of establishing identity and obtaining identity documents, including for Roma children and adolescents.
- increasing the number of Roma children institutionalized in kindergartens and schools;
- ensuring free transportation of Roma students from rural localities to and from educational institutions over distances exceeding 2 km;
- significant strengthening of the institute of the community mediator, which fulfils an important task in strengthening the Roma community by ensuring a balance in the cooperation between state institutions and the community.

The Interethnic Relations Agency participated in the development of the new Program for the support of the Roma population in the Republic of Moldova for the years 2022-2025 (approved by Government Decision no. 576/2022), as a member of the inter-institutional working group, created within the Ministry of Education and Research.

The actions proposed by ARI in the new Program were designed and formulated taking into account the influence of the COVID-19 pandemic on the situation of the Roma people in the Republic of Moldova, including the right of Roma children and young people to social, legal and economic protection.

The progress of the Interethnic Relations Agency in the implementation of the new Program for the support of the Roma people in the Republic of Moldova is aimed at the field of activity of community mediators. The institution of the community mediator is considered the most effective tool for promoting the inclusion of Roma people and their integration into society, including Roma children and youth.

In order to promote the role of the community mediator in the concerted effort to strengthen the Roma community and improve its situation, the Cooperation Memorandum was signed between the Interethnic Relations Agency and the National Association of Community Mediators from the Republic of Moldova.

As part of the project "Advising the Government of the Republic of Moldova in economic policies" implemented by GIZ, the Report on the analysis of the community mediator status was carried out - this report was compiled in the context of identifying the need to strengthen the capacities of community mediators in the Republic of Moldova, in order to ensure a professional intervention in achieving the socio-economic inclusion of the Roma people.

Thus, for the continuous training of community mediators, ARI together with development partners (GIZ, USAID) organized a series of training sessions, with the participation of 48 community mediators, which focused on training activities regarding:

- access to education and medical insurance services;
- standards in the field of human rights;
- measures to address discrimination, hate speech and hate crimes, mechanisms and institutions;
- establishing partnerships and collaboration with legal bodies, etc.

In September of the current year, ARI started a new training cycle for employed community mediators, within the project "Support for ARI through empowering Roma community mediators and language training" funded by USAID. Between September 7 and 9, the first training workshop took place: "Strengthening the capacities of community mediators", organized in the Vadul lui Voda town, where 25 community mediators were trained.

In order to combat discrimination and promote equal opportunities for children from particularly vulnerable groups, such as ethnic minorities, Roma children, ARI annually organizes actions that encourage tolerance and multiculturalism, such as:

- actions on the occasion of the International Day of Tolerance: the round table "Tolerance - an integral part of respecting human rights and freedoms"; exhibition of children's drawings "Together, but different", etc.;
- actions dedicated to the International and National Day of Commemoration of the Victims of the Holocaust: The Forum of the Youth of the Republic of Moldova, "The Future Belongs to Us"; student visits to the Center-Museum "Holocaust Memory and Interethnic Tolerance" in the premises of the Interethnic Relations Agency, etc.;
- actions on the occasion of the International Day of the Roma: round table, "Mechanisms for the implementation of public policies for the inclusion of Roma in the Republic of Moldova", cultural program, "Customs and traditions of the Roma";
- actions dedicated to International Children's Day: watching shows for children at the State Russian Drama Theatre "A.P. Chekhov", various contests, etc.;

The Interethnic Relations Agency has developed the Guide for Roma families that supports the Roma population by helping them to know their rights in addressing social assistance, medical, education services, completing civil status documents, as well as the right to participate to cultural life. Much of the content of the publication refers to the legal framework and administrative procedure, which must be known in order to benefit from fundamental rights and to have access to public services.

At the same time, on this topic we can mention that during the reporting period the Council for the Prevention and Elimination of Discrimination and Ensuring Equality examined two cases in which the victims of discrimination were children.

Thus, in decision no. 67/2022² Council established the exclusion of children of other nationalities in the field of education based on religious beliefs. In order to prevent acts of discrimination, the Council formulated recommendations on activities regarding combating discrimination in the field of education and respecting the secular principle of state education, for all employees, students and their parents.

In the second case no. 228/2021, the Council noted the victimization of children belonging to a national minority in connection with the fact that their parents submitted several complaints to the People's Advocate for Child's Rights regarding the discriminatory actions of the teaching staff. The actions of child victimization were manifested by the use of offensive and uncensored language towards children and their marginalization. Therefore, the Council formulated recommendations with reference to stopping victimization actions, as well as organizing training for teachers in the field of non-discrimination with the aim of preventing and combating discriminatory actions in the future.

It should be noted that one of the current priorities of the Republic of Moldova in the field is the implementation of the provisions of Article 19 of the UN Convention on the Rights of Persons with Disabilities, Living independently and being included in the community. Thus, States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

By Government Decision no. 893/2018, the National Program for deinstitutionalization of people with intellectual and psychosocial disabilities from residential institutions managed by the National Social Assistance Agency and the Action Plan for its implementation, for the years 2018-2026, which aims to reforming the residential care system for people with intellectual and psychosocial disabilities in residential institutions managed by ANAS, through the development and provision of social services at community level, in order to ensure their right to independent life and community living.

Thus, we inform you that in the period October 2021 - January 2022, the State Chancellery and the Ministry of Labor and Social Protection carried out the intermediate evaluation of the National Deinstitutionalization Program, analysing the challenges identified, the lessons learned and the positive models of deinstitutionalization and social inclusion of people with disabilities.

The results of the interim evaluation demonstrated the need to reconceptualise the way to reform the residential care system for people with disabilities, including by streamlining the necessary economic and social costs, a project that the Ministry of Labor and Social Protection is currently working on.

Additionally, we mention that, by Government Decision no. 723/2017, the National Program for Social Inclusion of Persons with Disabilities for the years 2017-2022 and the Action Plan regarding its implementation were approved.

The program provides for an intersectoral approach in the social inclusion of people with disabilities and ensuring respect for their fundamental rights equally with other citizens in all areas of social life.

The effective implementation of the Program is based on close collaboration between central and local public administration authorities, public and private institutions, civil society organizations, mass media, business environment, academic environment and international development partners.

Accordingly, we are currently in the process of drawing up the Final Report, at the end of the implementation period of the National Program for Social Inclusion of Persons with Disabilities for the

years 2017-2022, based on the achievements of which we will initiate the drawing up of a new Program and Action Plan.

At the same time, we mention that, after the ratification of the UN Convention on the Rights of Persons with Disabilities, it was possible to register several advances in terms of the social inclusion of persons with disabilities, including:

- adopted the Law on the social inclusion of persons with disabilities;
- approved the set of indicators for monitoring the implementation of the Convention;
- signed the Memorandum of understanding between the Ministry of Labor and Social Protection and the United Nations Children's Fund (UNICEF), one of the objectives of the said Memorandum is the expansion of the "Personal Assistance" social service by hiring and paying 900 units of personal assistants for children with disabilities, including refugee children from Ukraine, for a period of 12 months, etc.

c) With reference to this subject, we draw attention to the fact that, in accordance with the provisions of the Law on the special protection of children at risk and children separated from their parents no. 140/2013, the guardianship authorities must undertake all the necessary measures for the assistance and support of children and their families in order to prevent the separation of the child from the family environment or, as the case may be, in order to (re)integrate him/her into the family. The situations in which a child is at risk are provided in art. 8 of the relevant Law, namely when:

- children are subject to violence;
- children are neglected;
- children practice vagrancy, begging, prostitution;
- children are lacking care and supervision by their parents due to their absence from home for unknown reasons;
- the children's parents have died;
- children live on the street, ran away or were kicked out from home;
- the children's parents refuse to exercise their parental obligations regarding the child's upbringing and care;
- children were abandoned by their parents;
- regarding one of the child's parents, a judicial protection measure is instituted (provisional protection, trusteeship or guardianship);
- children are victims of crimes.

In this regard, we draw attention to the fact that the guardianship authority is obliged to report itself and/or to ensure the receipt and registration of referrals regarding children in the situations described above and subsequently to ensure the implementation of each individual case.

The Ministry of Labor and Social Protection draws attention to the fact that second-level local public administration authorities ensure the development and management of social services, depending on the identified needs of the population in the administered territory, either autonomously or jointly with other local public administration authorities, as well as in collaboration with economic agents, employers, trade unions in the territory and with public associations from the country and abroad, and the local public administration authorities of the first level contribute to the development and provision of social services in the administered territory and approve, in accordance with the law, the resources financial necessary in accordance with Law no. 123/2010 on social services.

Additionally, the Ministry of Labor and Social Protection points out that, according to the data from the (yearly) statistical Report no. 103 - Children at risk and children separated from their parents, presented by the territorial social assistance structures at the end of 2021, there were 8,252 children at risk in the records of the respective structures, of which 783 were identified as children subjected to violence, 6297 neglected children, 78 children who practice vagrancy, begging, prostitution, 105 children without parental supervision due to their absence from home for unknown reasons, 547 children whose parents (the only parent) have died, 37 children who live on the street, ran away or were kicked out from home, 294 children whose parents (the only parent) refuse to observe their parental obligations regarding the upbringing and care of the child, 41 children abandoned by their parents, 43 children, in respect of whose parents it is instituted a judicial protection measure and 27 children, victims of crimes.

At the same time, we also mention the provisions of Government Decision no. 270/2014 regarding the approval of the Instructions on the intersectoral cooperation mechanism for the identification, evaluation, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking, aimed at employees of central and local public authorities, structures, institutions and to the services within or subordinate to them, which are active in the fields of social assistance, education, health care, law enforcement, which must cooperate in order to prevent violence, neglect, exploitation, child trafficking, as well as to combat them through assistance services social, educational, public order and medical. Based on this mechanism, the following data were recorded for the year 2021: the total number of referrals/self-referrals was 6714, of which 5325 referrals, received from:

- public order institutions – 3051;
- educational institutions – 708;
- health care institutions – 315;
- other institutions – 1251.

Of the total registered referrals:

- 1808 were on children subjected to violence;
- 3502 neglected children;
- 13 children exploited through labour and 2 children victims of trafficking or presumed victims of trafficking.

At the same time, the number of self-referrals was 1389, of which:

- children subjected to violence – 197;
- neglected children – 1190;
- children exploited through labour – 1;
- child victim of trafficking or presumed victim of trafficking – 1.

In the context of assisting refugee children, we emphasize that the provisions of the legislation of the Republic of Moldova in the field of child protection expressly establish that all children have equal rights and benefit from protection without any discrimination, regardless of race, nationality, citizenship, ethnic origin, sex, language, religion, disability, beliefs, wealth or social origin.

The Ministry of Labor and Social Protection and the Ministry of Internal Affairs, in order to ensure that the best interests of refugee children are respected, have developed the Regulation on the establishment of the intersectoral cooperation mechanism for the identification, assistance and monitoring of children at risk, coming from the territory of Ukraine during the declaration of the state of emergency war in Ukraine, which was approved by the Commission for Exceptional Situations of the Republic of Moldova on 14.04.2022.

Thus, in order to implement the provisions of point 21, letter e) from the concerned Regulation were approved:

- *Joint order of the Minister of Labor and Social Protection and the Minister of Internal Affairs no. 34/169 of April 22, 2022 regarding some measures to implement the Provision of the Commission for Exceptional Situations of the Republic of Moldova, by which the model of the Act was approved for the authorization of the crossing of the state border of the Republic of Moldova on the way out of unaccompanied or accompanied children unauthorized companion;*
- *Order of the Minister of Labor and Social Protection no. 36 of May 5, 2022, which approved the model of the Act for rapid assessment of the best interests of the child at risk, coming from the territory of Ukraine during the declaration of war in Ukraine, which are placed on the Ministry's web portal (www.social.gov.md - Information of public interest - Policy areas - Social protection - Policies for the protection of children's rights and families with children - <https://social.gov.md/informatie-de-interes-public/domenii-de-politici/protectia-sociala/>)*

It is important to highlight that based on the pre-registered documents, the responsible persons from the territorial guardianship authorities and the border police were appointed, who ensure the registration, processing and provision of the necessary assistance, including when completing the identity documents of unaccompanied children or accompanied by an unauthorized companion.

Therefore, according to the data presented by the territorial social assistance structures, from April to September 2022, the following were assisted:

- 443 unaccompanied children, originally from Ukraine;
- 967 children, originally from Ukraine, who were accompanied by an unauthorized companion;
- 361 documents were issued for authorization to cross the state border in the exit direction.

At the same time, we would like to inform you that, according to the www.uahelp.md portal (information system managed by the Ministry of Labor and Social Protection), as of February 24, 2022, 16,959 children, originally from Ukraine, were registered and assisted, of which 10,385 children were placed in foster care centers, 6574 children were placed in families and 696 children had with no documents, and currently there are 6971 children on record, of which 5670 children are placed in families and 1301 children are placed in foster care centers.

Also, the Ministry of Labor and Social Protection, in order to ensure the well-being of children originating from Ukraine, who were identified without legal representatives on the territory of the Republic of Moldova, developed the social service "Professional Parental Assistance", in the administrative-territorial units of Donduseni, Orhei and Causeni where they are place these children.

2. to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

a) What measures have been taken to introduce anti-bullying policies in schools, i.e. measures relating to awareness raising, prevention and intervention? (General question, Conclusions 2019).

b) What measures have been taken by the State to facilitate child participation across a broad range of decision-making and activities related to education (including in the context of children's specific learning environments) (General question, Conclusions 2019).

c) What measures have been taken to address the effects of the Covid-19 pandemic on the education of children (including in particular disabled children, Roma and Traveller children, children with health issues and other vulnerable children)?.

d) Please provide information on the measures taken to ensure that state allocation of resources to private education does not negatively impact on the right of all children to access free, quality public education (based on a Statement of Interpretation from Conclusions 2019).

a) The prevention and combating of bullying is part of the policy to prevent violence against children and adolescents in educational institutions, and the particularities of the process of prevention and intervention in cases of bullying are established complementary to the existing normative framework.

It should be noted that, as of today, the Ministry of Education and Research has developed the Methodology regarding the prevention and combating of bullying. Previously, the Ministry supported the introduction of the notion of bullying and the principle of non-violence into the Education Code. The respective changes made in the Education Code enter into force on September 16, 2022 and constitute a legal basis for the approval of the Methodology for preventing and combating bullying.

The text of the Methodology reflects the basic components and answers to the main questions related to bullying, as well as contains practical tools for prevention and intervention, contained in the annexes. Therefore, the Methodology for preventing and combating bullying focuses on institutional organization, prevention, identification, assistance of the students involved, as well as monitoring and closing bullying cases.

The methodology is part of the protection policy against violence against children and adolescents in the educational institutions of the Republic of Moldova and was developed by the Ministry of Education and Research with the technical support provided by the Alliance of active NGOs in the field of Child and Family Social Protection (APSCF) and the Child Rights Information and Documentation Center (CRIDOC), as well as with the financial support provided by the ERIKS Development Partner Foundation and the Liechtenstein Development Services Foundation.

In order to ensure the training of management and teaching staff regarding the unitary understanding and appropriate application of the provisions/programs regarding the prevention and combating of bullying, with the support of development partners, several training workshops were planned.

In essence, the anti-bullying regulations are a response to the genuine needs of children and young people, on the one hand, and to the needs of management and teaching staff, on the other hand, to have a methodological framework for a better understanding of the phenomenon and possible approaches to solving

it. We also add that, in recent years, several campaigns have been organized to prevent bullying in educational institutions.

b) Through the ratification by the Parliament of the Republic of Moldova, on December 12, 1990 of the Convention on the Rights of the Child, the Republic of Moldova undertook to ensure to those capable of discernment the right to freely express their opinion on any issue that concerns them, the right to participate, freedom of expression and thought, as well as freedom of association. In order to achieve the mentioned commitments, the Ministry of Education and Research, in collaboration with its partners, has promoted, in recent years, several initiatives such as the Children's Parliament, the Youth Parliament, the local councils of children and young people, the Child Rights Monitoring Groups, the teams of peer educators, media and community projects, etc.

At the national level, since 2013, the National Council of Students (NCS) has been active in general education. The Council of Students is a representative structure of students at the institutional level (professional secondary education institution and specialized environment) involved in identifying and solving problems that concern them, in partnership with the management team, teaching staff and parents, for the benefit of students and the community.

The purpose of the NCS is to ensure the right to opinion and free expression of students, as well as the right to participate in the decision-making process. At the same time, the Council constitutes a platform through which students can make their voice heard regarding all aspects related to the activity of educational institutions. NCS is a mechanism through which the leadership of the ministry consults the opinion of students regarding the development of educational policies.

Annually, the Ministry of Education and Research organizes national contests for the election of members of the National Council of Students under the Ministry of Education and Research for the respective academic year and approves by order the composition of the National Council of Students under the Ministry of Education and Research.

At the same time, we mention that the normative acts (Order of the Ministry of Education no. 136 of March 26, 2013 *regarding the approval of mechanisms for student participation in the decision-making process*, Order of the Ministry of Education no. 257 of April 8, 2014 *regarding the amendment of Order of the Ministry of Education no. 136 of March 26, 2013*, Order of the Ministry of Education no. 331 of April 30, 2014 *regarding the participation of students in the decision-making process*, Order of the Ministry of Education no. 241 of April 20, 2017 *regarding the operation of some changes in the Regulation on the establishment and operation of the National Council of Students from the Ministry of Education*) provide for a series of regulations such as: the way to establish and dissolve the Student Council, the composition, the financing formula, the prohibition of administrative authorities to get involved in the activities and attributions of the Council of Students, etc. A National Council of Students also exists in vocational education. Councils of Students also exist at the district level, in some cases also at the level of educational institutions (in the case of institutions with a larger number of students). According to art. 49 par. (1) of the Education Code of the Republic of Moldova no. 152/2014, at the level of the general education institution, the administrative board of the educational institution operates, a governing body with a decision-making role in the administrative field, which includes a student representative, delegated by the institution's student council, students from the institutions of pre-university education from the Republic of Moldova can participate in decision-making in the distribution of a part of the school budget for the problems identified in the institution where they study, they can participate in the identification of needs in the school, generate ideas for solving them, develop projects, vote and assist to their accomplishment.

c) In order to ensure the access of children with special educational requirements, including disabilities or children in various risk situations, both during the pandemic period and in the period after the pandemic, the Ministry of Education and Research developed and approved by Order no. 380 of March 26, 2020 Instruction on the organization of psychological assistance to children/students, parents and teachers during the suspension of the educational process.

Through the circular of the Ministry of Education and Research no. 03/1-09/ 2110 of April 7, 2020, the Ministry of Education and Research provided teaching and managerial staff with methodological guidelines for ensuring the continuity of the educational process under quarantine conditions in extracurricular

educational institutions, institutions that offer services to children with special educational requirements, disabilities and other categories of children at risk.

For the 2020-2021 academic year, the methodological guidelines for the organization of the educational process, in the epidemiological context of COVID-19, for children with special educational requirements in general education institutions were developed and made available to general education teachers and managers.

The methodological milestones regulated the process of planning, organizing, carrying out and monitoring the educational process, in the epidemiological context of COVID-2019, for children/students with special educational requirements, disabilities, and children at risk in general education institutions in the academic year 2020-2021 and were developed based on the normative and methodological framework in the field.

The purpose of the document was to guide teachers, management and specialists who assisted children/students with special educational requirements, in order to ensure quality education for each child, by organizing the necessary specialized support services and individualizing the educational process based on the individual needs of the child/the student.

The benchmarks are always mandatory for local specialized bodies in the field of education, district/municipal psycho-pedagogical assistance services, management staff, teaching staff and specialists who assist children/students with special educational requirements (psychologists, speech therapists, psychopedagogues, and other specialists). During 2021, the Ministry of Education and Research monitored, according to its competences, the situation regarding the provision of the necessary conditions for the activity of general education institutions, namely:

- preparing the institutions for the new academic year, for the cold season, in the epidemiological context of the COVID-19 infection;
- ensuring hygiene conditions and improving the sanogenic environment in general education institutions, in accordance with the provisions of the normative acts in force, including the decisions of the Extraordinary National Public Health Commission regarding measures to prevent and control the infection of COVID-19;
- transporting students to and from educational institutions;
- updating the needs for renovation/construction of sanitary blocks, of the water pipe in general education institutions (according to data from the local specialized bodies in the field of education, presented in 2021).

In the context of the evolution of the epidemiological situation and the measures taken by the authorities to prevent and combat the epidemic of the COVID-19 virus in the country, on the one hand, and the great lack of medical personnel involved in the control and treatment of the infection, on the other hand, the increase was approved with 15 budget places allocated to medical specialties at integrated higher studies, within the limits of the financial means planned for the Ministry of Health, Labor and Social Protection for the State Command, thus there are fewer budget places planned for the II cycle – Master's Degree.

In order to improve the hygiene conditions and sanogenic environment in general education institutions, in 2021, 5 million MDL were allocated to the Social Investment Fund of Moldova from the state budget for the implementation of construction projects and the provision of sanitary blocks in 16 schools.

d) According to art. 143 of the Education Code of the Republic of Moldova no. 152/2014, the financing of private educational institutions is carried out from the sources of the founders and from tuition fees. Accredited private general education institutions benefit from support from the state, in the manner established by the Government.

As of today, the Government has not approved a mechanism regarding the assistance/support to private institutions, at the same time; proposals for amendments to the Education Code have been developed with the aim of:

- Establishing the fact that the standard package of educational services is approved for mandatory education, is granted to institutions regardless of the form of organization and the unification of the provisions of the Code regarding this aspect;

- Introducing some changes to ensure a clearer understanding and explicit description of the support from the state that private general education institutions, which have been accredited can benefit from.

Article 19 – The right of migrant workers and their families to protection and assistance

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

1. to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration.

The National Employment Agency, in accordance with the applicable law, has duties aimed at protecting Moldovan citizens in the emigration process. On the one hand, it implements 3 international treaties in the field of labour migration (with the state of Israel, Bulgaria and Germany), in which the attributions and powers of state institutions on both sides are well regulated in the integration, work and return of Moldovan citizens. Likewise, the institution is involved in the pre-orientation process before departure, where emigrants benefit from relevant information regarding employment and work in the country of destination. ANOFM has extensive information on its web page regarding the conditions of emigration, legal residence, and work in 39 destination countries.

On the other hand, the institution manages a process of supervising the activity of private employment agencies involved in the process of recruiting/employing Moldovan citizens abroad.

2. to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey.

According to art. 30 of Law no. 270/2008 regarding asylum in the RM, access to medical assistance is guaranteed as follows "(1) Asylum seekers are provided, in accordance with the legislation in force, with urgent medical assistance at the pre-hospital stage in case of acute conditions that endanger life. (2) Asylum seekers are guaranteed the right to a free (including anonymous) medical examination for the purpose of early detection of HIV and AIDS. (3) Testing for HIV markers is done in accordance with the legislation in force. (4) Minor asylum seekers have access to medical assistance under the same conditions as minor citizens of the Republic of Moldova."

In accordance with Law no. 1286/2002, regarding the status of refugees, art. 15, par. (7), Asylum applicants must undergo a general medical examination. In the same context art. 17, par. (3), letter e) stipulates that the asylum seeker is obliged to submit to medical investigations.

According to art. 23, par. (1), letter g) The refugee status gives the beneficiary the rights provided by the legislation for foreign citizens and stateless persons, as well as special rights to enjoy, from the moment of granting the refugee status, in the system of mandatory medical assistance, the same rights like the citizens of the Republic of Moldova under the conditions established by the legislation in force.

In accordance with the Law on mandatory health care insurance no. 1585/1998, the Government has the capacity to be insured, including for foreigners who are beneficiaries of a form of protection included in an integration program, during its implementation.

In the framework of the mandatory medical assistance insurance, the insured persons benefit from medical assistance in the volume established by the Single Program of the mandatory medical assistance insurance, developed within the limits of the means of the mandatory medical assistance insurance funds.

In accordance with the provisions of the Single Program of mandatory medical assistance insurance, the insured persons benefit from the following types of medical assistance: emergency medical assistance at the pre-hospital stage; primary health care; hospital medical care; specialized outpatient medical care, including dental care; hospital medical care; high performance medical services, medical care at home.

For uninsured persons, pre-hospital emergency medical care and primary medical care are granted in the volume established by the Single Program, including the prescription of medicines, in accordance with the normative acts.

3. to promote co-operation, as appropriate, between social services, public and private, in emigration and immigration countries.

The National Agency for Employment has a good collaboration with the partners involved in the process of implementing international treaties, as well as with the social partners who inform citizens about the possibilities of support from their counterparts in the destination countries (Israel, Bulgaria and Germany). Likewise, the institution is in close collaboration and partnership with the development partners with whom it carries out joint activities aimed at promoting international cooperation in the migration segment.

4. to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:

- a) remuneration and other employment and working conditions;*
- b) membership of trade unions and enjoyment of the benefits of collective bargaining;*
- c) accommodation.*

Equality in terms of judicial procedures, we mention that in par. (2) of art. 6 of Law no. 198-XVI of July 26, 2007 on legal assistance "(2) foreign citizens and stateless persons benefit from legal assistance guaranteed by the state, in accordance with this law, in the procedures or cases that fall within the competence of public administration authorities and of the courts of the Republic of Moldova". By "*state-guaranteed legal assistance*", in the context of the nominated law, is meant the provision of legal services from the funds intended for the provision of such services to persons who do not have sufficient financial means to pay for them and who meet the conditions stipulated in this law.

Legal assistance is therefore free of charge for the respective categories of persons. We mention that the respective persons are granted *qualified legal assistance* (granting of legal consultancy services, representation and/or defence in criminal investigation bodies, in courts of law on criminal, contravention, civil or administrative litigation cases, representation before public administration authorities by a *public lawyer* under the conditions of the Law on Advocacy, admitted on the basis of selection criteria to provide free or partially free qualified legal assistance from the means intended for the provision of state-guaranteed legal assistance) according to the legislation.

Art. 7 of the Law stipulates the forms of legal assistance guaranteed by the state:

- a) provision of information, through consultations and explanations in legal matters;
- b) preparation of legal documents;
- c) representation before public administration authorities;
- d) defence of the interests of the suspect, the accused, the defendant in criminal proceedings;
- e) defence and representation of the convict's interests;
- e¹) defence and representation of the interests of child victims of crimes, as well as victims of family violence;
- f) defence of the person's interests in the procedure on contravention cases;
- g) defence and representation of the person's interests in the civil process;
- h) defence and representation of the person's interests in the administrative court. "We mention that in context the provisions of letter e¹) were introduced into the Law by Parliament Law no. 196 of 28.07.16, published in OM no. 306-313/16.09.16 Art. 661.

5. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals with regard to employment taxes, dues or contributions payable in respect of employed persons.

See the information presented in art. 19, paragraph 4.

6. to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory.

In 2020, changes were made to Law no. 274/2011 on the integration of foreigners in the Republic of Moldova.

These changes have the purpose of implementing the provisions of the Association Agreement with the EU and refer to the adjustment of national legislation with EU Directives, as well as the correlation with the changes made during the last period in the migration field in the Republic of Moldova and in the region. The fastest possible integration of foreigners contributes to reducing the possible risks of social exclusion, preventing social incidents that would endanger public order in connection with the presence of foreigners in the territory. The current framework provides for the inclusion in the integration processes of new categories of documented foreigners with the right to stay on the territory of the Republic of Moldova, the revision of the integration measures offered by the state, develops and simplifies the procedures for access to medical services, education, the assistance and insurance system social, labour market in the Republic of Moldova, as well as establishes an active role for the employer in the integration process.

At the same time, we specify that, by Law no. 66/2022 for the amendment of some normative acts, the normative framework was adjusted especially in order to connect it to the revised framework in the field of integration of foreigners.

Thus, some normative acts were modified, namely:

- Law no. 270/2008 on the asylum in the Republic of Moldova, the specialized terminology being adjusted, introducing the notions of "integration measures", "humanitarian, voluntary or religious activities";
- Law no. 105/2018 on the promotion of employment and unemployment insurance, the legislation on access to the labour market for foreigners being revised and supplemented in accordance with Law no. 274/2011 on the integration of foreigners in the Republic of Moldova, etc.

7. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals in respect of legal proceedings relating to matters referred to in this article.

The changes mentioned above come to connect the legal framework that regulates the access of foreigners to medical services, the right to rest and health protection being respected on a general basis as the citizens of the Republic of Moldova, as established in the Law on the regime of foreigners in the Republic of Moldova no. 200/2010.

It should be noted that, since 2014, foreigners have been included in the system of mandatory health care insurance in order to protect their health.

At the same time, the Migration and Asylum Office undertook protection and assistance measures for foreigners - beneficiaries of the Accommodation Center - specialized structure, intended for the temporary accommodation of asylum seekers and beneficiaries of international protection, as well as the accommodation of foreigners who were included in the integration programs. The Migration and Asylum Office ensured the training of employees and people placed in the Center. For the people staying in the Center, with the help of the Social Department of the Chisinau City Hall, free lunches were provided, and with the help of the UNHCR Budapest Representation, they were provided with food parcels for 2 months (meat, groats, sugar, oil, etc.).

Thus, taking into account the fact that, during the state of emergency, asylum seekers employed in the field of work did not have the opportunity to work, together with the UNHCR Representation in Budapest, the possibility of granting financial assistance once during the state of emergency was examined.

8. to secure that such workers lawfully residing within their territories are not expelled unless they endanger national security or offend against public interest or morality.

We note that the Law no. 200 of 16.07.2010 on the regime of foreigners in the Republic of Moldova regulates the entry, finding and exit of foreigners on/from the territory of the Republic of Moldova, the granting and extension of the right of residence, their repatriation, their documentation, stipulates coercive measures in case of non-compliance with the residence regime and specific immigration record measures, in accordance with the obligations assumed by the Republic of Moldova through the international treaties to which it is a party.

Thus, foreigners who have obtained the right of residence on the territory of the Republic of Moldova, but do not observe or do not meet the conditions provided for by the Law mentioned above, the Migration and Asylum Office of the MIA can cancel, by reasoned decision, the right of residence in the Republic of Moldova (art. 48) or revoke, by reasoned decision, the right of temporary residence in the Republic of Moldova (art. 49). The foreigner has the right to challenge the refusal to grant a right of residence, in accordance with the Administrative Code.

At the same time, in art. 50 of the Law no. 200/2010 is stipulated: "against foreigners who illegally entered the territory of the Republic of Moldova, whose stay in this territory became illegal, whose visa or whose right of residence was cancelled or revoked, who the extension of the right of temporary residence was refused, whose right of permanent residence has ended, whose recognition of stateless status has been rejected, the respective procedure has been terminated or whose stateless status has been cancelled, as well as against former asylum seekers, the competent authority for foreigners orders the measure of return from the territory of the Republic of Moldova and applies the ban on entering the Republic of Moldova for a determined period".

9. to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire.

The Ministry of Health is part of the mechanism for including foreigners in integration activities, approved by the joint Order of the Ministry of Internal Affairs, the Ministry of Labour, Social Protection and Family, the Ministry of Culture, the Ministry of Education, the Ministry of Health, the National Social Insurance House, the National Company of Medical insurance no. 42/26/46/128/61/28-A/107-A of February 16, 2016, which, through section 6, provides for the inclusion of foreigners in the mandatory health care insurance system and the benefit of all medical services provided by the institutions medico-sanitary, including prophylactics.

Monitoring the health status of the population of the Republic of Moldova is a value and a true source of the country's economic and social stability. In this context, the Ministry of Health places the emphasis on promoting health and adopting healthy behaviours to ensure the well-being of all population groups, including migrants. 2 Vasile Alecsandri str., MD-2009, Chisinau municipality Tel. +373 22 268 885, +373 22 268 818; Fax. +373 22 738 781; e-mail: office@ms.gov.md <https://ms.gov.md> Permanent supervision and maintaining a constant sanitary-epidemiological level is due to the implementation and realization of National Programs in the field of public health, through the approval of normative acts, guidelines and protocols in prevention and supervision, providing methodical and practical organizational assistance in medical and sanitary institutions, involving NGOs, organizing and carrying out seminars and health promotion activities.

The assessment of the risk of the emergence/importation and spread of communicable diseases is a continuous process, determined by the intensive circulation of the causative agents of the disease in the environment, the registration of single cases and outbreaks in many countries, the intensive migration (legal and illegal), including in endemic areas, such as and the particularities of the spread of causative agents from person to person, characterized by an incubation period, the high receptivity of the population, the possibility of a large number of cases in a short period of time, which determines the need to maintain early detection capabilities and carry out measures of public health.

In the context of the COVID-19 pandemic, the Ministry of Health has strengthened the areas of prevention and limitation of the transmission of the virus at the community level with the support of central and local public administration authorities:

- drawing up and implementing contingency plans (by object, locality/district/municipality, at border crossing points and sector/branch) to prevent and limit the spread of the virus at community level and in institutions;
- measures to prevent the transmission of the virus at the community level, especially for the vulnerable population;
- ensuring infection prevention and control measures at the workplace, public transport, as well as at community level;
- minimizing social disturbances and ensuring the functionality and continuity of activities for the delivery of essential services and products;
- risk communication and community involvement in the implementation of public health measures;
- organization of anti-Covid vaccination, insurance with compensated drugs and pulse oximeters for health monitoring in ambulatory conditions.

10. *to extend the protection and assistance provided for in this article to self-employed migrants insofar as such measures apply.*

In accordance with art. 2 of Law no. 105/2018 on the promotion of employment and unemployment insurance, the National Agency for Employment, grants services and active employment measures to the following categories of foreigners: holders of the right of temporary residence; holders of the right of permanent residence; foreigners who have been recognized as stateless in the Republic of Moldova and beneficiaries of international protection or political asylum, with the exception of foreigners holding the right of temporary residence for studies and work purposes.

In the following, we list the services and active employment measures, are the following: information on the labour market; career guidance; work intermediation; professional rehabilitation of disabled people; assisted employment; professional training; subsidizing jobs; support for job creation or adaptation and stimulation of labour mobility.

11. *to promote and facilitate the teaching of the national language of the receiving state or, if there are several, one of these languages, to migrant workers and members of their families.*

On this topic, we can mention the fact that the Interethnic Relations Agency participated in the development of the Program for the years 2022-2025 regarding the implementation of the Strategy for the consolidation of interethnic relations in the Republic of Moldova for the years 2017-2027, through which it aims to carry out a series of concrete actions, including in field:

- language as a means of integration: policies regarding the state language and minority languages.

In order to facilitate the learning of the Romanian language, including by migrants and their family members, the Inter-Ethnic Relations Agency in partnership with the National Association of European Trainers of Moldova (ANTEM), with the financial support of USAID, launched the project "Linguistic training of young people, representatives of ethnic groups from the Republic of Moldova and refugees from Ukraine".

The training process will take place between September and December 2022, in the premises of the House of Nationalities. For 4 months, the program will provide the necessary conditions for improving the language skills of 75 young people, aged between 18-35, including refugees from Ukraine.

In order to organize courses for the study of the Romanian language by the non-speaking population, two partnership agreements were concluded between the Agency for Interethnic Relations and ANTEM, and respectively the Romanian Language House.

At the same time, ARI attended the Intersectoral Working Group created by the Ministry of Education and Research regarding the elaboration of the National Program project regarding the study of the Romanian language by national minorities, including the adult population for the period 2022-2025, through which it undertakes a series of concrete actions intended to contribute to improving the study and possession of the

Romanian language; ensuring the protection and development of the languages of national minorities, as well as the promotion of linguistic diversity.

12. to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.

See the information presented in art. 19, paragraph 11.

Article 27 – The right of workers with family responsibilities to equal opportunities and equal treatment

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

1. to take appropriate measures:

a) to enable workers with family responsibilities to enter and remain in employment, as well as to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;

b) to take account of their needs in terms of conditions of employment and social security;

c) to develop or promote services, public or private, in particular child day care services and other childcare arrangements.

1. By Law no. 195/2022 for the amendment of some normative acts, some amendments were made in the Labor Code no. 154/2003.

According to the provisions of art. 100¹ of the Labor Code, flexible work formulas are established by agreement between the employee and the employer, at the request of the employee or the employer, both at the time of employment and after the conclusion of the individual employment contract, for a fixed or indefinite period.

Flexible work formulas are established in the individual employment contract or in the additional agreement to the individual employment contract.

The activity under the conditions of flexible work formulas does not limit the rights and guarantees of the employee regarding the calculation of length of service, regarding the duration of the annual vacation or other rights related to employment relationships, provided by this code.

An employee can request a reasonable adjustment of the work schedule no more than once every 6 months, in writing, through a request that will include the following information: the date of submission of the request, the flexible work formula requested and the date on which the modification of the work schedule would take place to begin.

Within 30 days of receiving the request for a reasonable adjustment of the work schedule, the employer will respond with the justifications for the decision.

In the process of examining the request for reasonable adjustment of the work schedule, the employer may consider the following factors to determine the possibility or impossibility of adjusting the workplace to flexible work formulas:

- the costs involved;
- the ability to reorganize work among the existing staff;
- the ability to recruit additional staff;
- the impact on quality;
- the impact on the employee's performance;
- the effect on the ability to meet customer demand.

In the case of the employee with a flexible work formula traveling for work, the work schedule established at the unit to which he/she is delegated is extended to him/her.

a) During 2021, during the control visits, the way to respect the rights of workers with family responsibilities to equal opportunities and equal treatment was taken into account and verified, namely what concerns the temporary change of workplace and the specifics of work, working time partly, reduced activity regime, flexible work regime, limitation of overtime work, breaks for feeding the child, remote work, etc., both employees and employers being informed and consulted in this regard. During the control visits, no non-conformities were detected in the given chapter. In the same way, during the meetings with the labour collectives, the employees did not submit any claims or problems.

During the reference period, in the process of examining the petitions, the topics addressed were examined in the administrative procedures, the employees being reinstated in their legal rights. Thus, 36 petitions were examined, with the restoration of rights of 95 people. The needs of employees with family responsibilities regarding conditions of employment and social security, retention of position after an absence related to family responsibilities, including guidance and professional training were met. Also, no negative impacts related to the Covid-19 crisis, etc., were noticed. A fact by which it is established that violations of the right to equal opportunities and equal treatment have not been detected.

At the same time, actions were carried out to raise awareness, inform and consult those interested in the correct and efficient application of the legislation. In order to ensure the transparency of the inspection activity, actions were carried out to inform the population through various mass media.

In the context of promoting the provisions of the labour law, in the seminars and round tables, organized by the decision-makers in the territory and the territorial subdivisions of the trade unions, the collaborators of the State Labour Inspectorate undertook information actions regarding the way of employment, compilation of contracts of individual work, of non-discrimination in work, of preventing and combating the phenomenon of "illegal work", about the particularities of the work of women, people younger than 18 years, people with disabilities.

b) See the information reflected in art. 27, paragraph 1 pt. a)

c) Reconciling family and professional life is a priority for the Government of the Republic of Moldova. Thus, the Government of the Republic of Moldova undertook a range of actions to support families with children, ensuring the balance between private and professional life, which also strengthens the country's demographic resilience.

As a result, several policy documents were developed in partnership with UNFPA, UN Women, UNICEF, GIZ, which were later voted by the legislature.

In order to ensure the reconciliation of professional and family life, by adopting Law no. 46 of 10.03.2022, employers were given the right to create alternative childcare services for employees up to the age of 3.

At the same time, the draft law on alternative child care services was developed, which is to be approved by the Parliament. This project foresees the introduction of three types of alternative services for the care of children up to 3 years old:

- Child care services, organized by the employer at the workplace;
- Individualized child care services;
- Family-type child care services.

As a result, the Ministry of Labor and Social Protection initiated the process of drafting the framework Regulation on the organization and operation of alternative child care services.

Another document to be drafted will provide for subsidizing the creation of childcare services.

At the same time, through the adoption of Law no. 195/2022, amendments were voted to the legislative framework regarding the promotion of flexible work programs for families with children and the new options for child care allowance and the duration of care leave.

As of September 1, 2022, an additional option to grant the right to the monthly allowance for raising the child for 90% of the income for the first 12 months came into force. In addition, the other two options remain in force - parents can request paid childcare leave for 2 years or 3 years according to the mention in art. 27, paragraph 2.

The period in which fathers can apply for 14-day paternity leave has been extended from 56 days to 12 months after the birth of the child, starting from September 1, 2022. Beneficiaries of paternity leave can

apply for the paternal child-rearing allowance, granted through the National House of Social Insurance (CNAS). Its amount is 100% of the average monthly income achieved in the last 3 months before the month of the child's birth.

By approving the amendments to Law no. 315/2016 on social benefits for children, starting from October 1, 2022, any child in the Republic of Moldova up to the age of 2 years benefits from a monthly allowance, in the amount of 1000 MDL, regardless of the parents' status (socially insured/uninsured).

Starting from January 1, 2022, the period of caring for a severely disabled child by one of the parents is considered as work activity, and the average monthly salary is used to determine the pension.

From January 1, 2023, the National Social Insurance House will review the disability pensions established between January 1, 2017 and December 31, 2021, which will include the average monthly wage in the economy and not the minimum wage in the economy as the basis for calculating the disability pension.

Also, parents can benefit from flexible work schedule arrangements, based on Article 100¹ of the Labor Code of the Republic of Moldova, which has been amended. They can be negotiated with the employer both at the time of employment and during the activity, later being included in the individual employment contract or in the additional agreement to it. Employees who work according to a flexible work schedule benefit from the same rights regarding the calculation of length of service, the duration of annual leave, etc.

The Ministry of Labor and Social Protection is to develop a framework regulation regarding the reasonable adjustment of the work schedule, with methodical indications, which will include:

- concepts and benchmarks, examples of flexible work schedule arrangements;
- criteria for analysing the specifics of the unit's activity, models of relevant internal documents;
- benchmarks for the development and approval of internal regulations in this regard.

2. to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice;

a) Please provide information on whether the Covid-19 crisis had an impact on the right to parental leave.

According to the provisions of art. 124 of the Labor Code, female employees and apprentices, as well as dependent wives of employees, are granted a maternity leave that includes prenatal leave with a duration of 70 calendar days (in the case of pregnancies with 3 or more children - 112 days calendar days) and postnatal leave with a duration of 56 calendar days (in the case of complicated births or the birth of two or more children – 70 calendar days), being paid allowances for this period in the manner provided by the legislation in force.

After the expiration of the maternity leave, the above-mentioned insured persons are granted, based on a written request, partially paid leave to take care of the child up to the age of 3, with the payment of the allowance from the state social insurance budget. Partially paid leave for the care of the child up to the age of 3 is granted, optionally, to one of the parents, one of the grandparents, another relative who directly takes care of the child, as well as the guardian.

We mention that, through the adoption of Law no. 195/2022 for the amendment of some normative acts, starting from September 1, 2022, additional options for granting the right to the monthly allowance for raising the child entered into force, namely:

- from the date of granting leave for the care of the child and until the date of the child's 1st birthday, in the amount of 90% of the income for the first 12 months;
- from the date of granting the child care leave until the child turns 2, in the amount of 60% of the income for the first 12 months and in the amount of 30% of the income for the following 12 months;
- from the date of granting leave for the care of the child until the child turns 3 years old, in the amount of 30% of the income.

The need for these additional legislative measures is determined by the major importance for the better contribution of the reconciliation of family and professional life, and in the long term, these program changes will also contribute to facilitating the achievement of the desired number of children.

Partially paid childcare leave can be used by both parents alternatively, in fractions, according to the availability of each, provided that the fractions do not overlap. This leave is included in seniority, including seniority in special work, and in the contribution period.

In the case of requesting partially paid childcare leave in instalments, the leave is granted within 30 days at most from the date of submission of the request, for the period indicated in the request. A copy of the child's birth certificate is attached to the application.

Partially paid leave for the care of children born from a twin, triplet or multiple pregnancy is granted, upon written request, to both parents or other above-mentioned insured persons.

The employee has the right to return from the partially paid leave to take care of the child up to the age of 3 before the expiration of the term established in the application, notifying the employer about this, through a written application, 15 working days before.

According to the provisions of art.124¹ of the Labor Code, paternity leave is granted under the conditions set forth in this article to ensure the effective participation of the father in the care of the new-born child.

The father of the new-born child is entitled to a paternity leave of 14 calendar days. Paternity leave is granted on the basis of a written request, during the first 12 months after the birth of the child. A copy of the child's birth certificate is attached to the application.

During the period of paternity leave, the employee benefits from a paternal allowance which cannot be lower than the average monthly income insured for that period and which is paid from the state social insurance budget.

The employer is obliged to encourage employees to take paternity leave. Cases in which the employer creates situations with the effect of disadvantaging employees who take paternity leave are considered cases of discrimination by employers and are sanctioned according to the law.

3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

a) Please provide information on whether the Covid-19 crisis had an impact on the prohibition of dismissal on the ground of family responsibilities and whether there were any exceptions to the prohibition of dismissal on the ground of family responsibilities during the pandemic.

b) Please explain whether a ceiling on compensation for unlawful dismissals was applied on the ground of family responsibilities during the Covid-19 crisis.

On this topic, we mention that, if the modification of the working conditions and/or the work schedule is not possible from a technical or objective point of view or cannot reasonably be requested, for well-founded reasons, the employer will adopt appropriate organizational measures to change the workplace of the respective employee, in accordance with the provisions of the Labor Code.

If the change of job is not technically possible and/or cannot reasonably be requested, for well-founded reasons, the respective employees will be exempted, according to the provisions of the Labor Code, from fulfilling work obligations for the entire period necessary to protect security or their health.

At the same time, we specify that pregnant employees, who have recently given birth or who are breastfeeding cannot, under any circumstances, be forced to carry out activities for which the assessment highlighted the risk of exposure to agents and the working conditions presented in annex no. 2 to these Minimum Requirements, which may endanger the security or health of these employees.

Article 31 – The right to housing

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:

1. to promote access to housing of an adequate standard

- a) Please provide full, up-to-date information on the percentage of the population living in inadequate housing including overcrowded housing, and the practical measures taken to improve the situation.
- b) Please provide relevant and updated figures relating to the adequacy of housing (e.g. number of substandard dwellings; overcrowding, water, heating, sanitary facilities, electricity).
- c) Please provide information on the measures taken, in particular also during the Covid-19 crisis, to ensure adequate housing for vulnerable groups, including refugees, asylum seekers, Roma and Travellers.

a) According to the provisions of art. 1 of Law no. 75/2015 on housing, the right to housing is a fundamental right, which is part of the person's or family's right to a decent life. The right to housing provides for:

- a) the stability of the rental relations, the provision of appropriate related services, the provision of the necessary infrastructure, the accessibility of financial sources;
- b) non-discrimination in the exercise of the right to housing, including access to the housing market, administration and use of the housing, as well as entry into the ownership of a housing;
- c) the transparency of the exercise by the authorities of the powers and obligations related to the exercise of the right to housing. The state ensures the right of people to social housing, service housing, shunting housing, dormitories, hotel-asylum, with special status (protocol), according to the criteria established by this law, within the limits of available housing.

The state ensures the right of people to social housing, service housing, shunting housing, dormitories, hotel-asylum, with special status (protocol), according to the criteria established by this law, within the limits of available housing. Thus, in order to provide socially vulnerable people with housing, in the period 2013-2022, in the Republic of Moldova, the Housing Construction Project for the Socially Vulnerable Layers, Phase II, was implemented, financed with the support of the Development Bank of the Council of Europe and the local public authorities of level two. The procedure for registering citizens in order to improve living conditions and housing insurance is carried out according to Law no. 75/2015 on housing and the Regulation on the record, allocation and use of social housing, approved by Government Decision no. 447/2017.

According to the eligibility criteria of the Project, beneficiaries of social housing can be: persons/families in which at least one of the members is an employee of a budgetary institution or works in the sphere of public services - 50% of the total available housing, families with at least 3 children minors - 15%, people with severe disabilities - 10%, people who support children with severe disabilities - 15%, deinstitutionalized people aged 18-21 - 10%. Thus, during the period 2014-2021, 556 turnkey social housing units were completed and distributed to the beneficiaries. In 2022, 121 more homes are to be completed and distributed. Subsequently, we inform you that on May 5, 2022, the Grant Agreement was signed between the Republic of Moldova and the Development Bank of the Council of Europe for the implementation of the "Preparatory activities related to a social housing project".

The mentioned technical assistance provides for carrying out the Feasibility Study and the necessary preparatory activities for the realization of a new Social Housing Construction Project in the Republic of Moldova, its implementation period being 01.12.2021 – 30.09.2022. Following the completion of the Feasibility Study, negotiations will be initiated regarding the launch of Phase III of the social housing construction project for the socially vulnerable strata, which, in addition to the construction of social housing, will also include the component regarding the reconstruction of student dormitories and the construction/reconstruction of nursing homes.

According to the data available from the National Bureau of Statistics (NBS), the population with housing in the country in 2018 was 24,8%.

b) Based on the data provided by the NBS in 2021, the area of the housing stock equipped with aqueduct, sewerage, central heating and gas was 238,262.5 thousand square meters.

Table no.4 Endowment of housing stock per country, year 2021, thousands of square meters

	Water pipe	Sewerage	Central heating	Gas
Total per country	57 530,4	55 608,7	43 526,2	81 597,2

Source: National Bureau of Statistics

If we analyse the official data available at country level, we can say that the number of homes connected to the public water supply service in 2021 was 868,953 units.

An important indicator in determining the level of housing insurance with decent conditions for the population is the *share of housing comfort insurance*, which is presented in table no. 5.

Table no. 5 Endowment of the home with amenities, year 2021, %

	Total per country
Electric lighting	100,0
Water supply inside the house	76,3
Water pipe outside the house	7,3
Water source - public network	71,8
Water source - spring well	27,8
Hot water - public network	8,4
Hot water - own system	57,9
Central heating system	14,6
Own thermal heating system	25,3
Other type of heating installation (stove, fireplace, etc.)	60,1
Mains gas	55,9
Sanitary group with water inside the house	60,5
Sewage system - public network	32,8
Sewage system - own system	43,8
Bathroom or shower inside the home	66,4
Phone	72,7
Internet connection	66,8

Source: National Bureau of Statistics

At the same time, the Government of the Republic of Moldova supports and implements the UN recommendations concerning the intensification of efforts to improve the population's access to safely managed drinking water supply and sanitation services. The National Program for the implementation of the Protocol on Water and Health for 2016-2025 (GD 1063/2016) was developed and is being implemented, which establishes the national objectives and the actions necessary to achieve them. Thus, according to national data, in 2021, 70% of the general population, including 98% of the urban population and 48% of the rural population had access to a safely managed water supply system, up 1.5% from year 2020. Records indicate that 88% of pre-school and school educational institutions have access to a safely managed water supply system. According to NBS data, the number of localities with access to water supply systems in 2020 compared to 2017 increased by 58 localities. 82% of localities are connected to water supply systems, and about 18% of rural localities do not have access to water supply systems.

c) See the information presented in art. 31, paragraph 1 pt. a)

2. to prevent and reduce homelessness with a view to its gradual elimination.

a) Please provide information on measures and actions, undertaken, in particular also during the Covid-19 crisis, to prevent categories of vulnerable people from becoming homeless.

By GD no. 144/2018 regarding the approval of the Framework Regulation on the organization and operation of the Night Shelter Service for the homeless and the Minimum Quality Standards, the state supports the homeless by offering accommodation at night, food, clothing, but also assistance for

reintegration social. At the same time, within the Service, homeless people benefit from medical first aid, psychological counselling, support for obtaining identity documents and employment.

Social services are created throughout the country, depending on the needs identified and have a capacity of up to 70 beneficiaries for the warm period of the year and a maximum of 134 beneficiaries in the cold season. The stay period from April to October is from 20.00 to 7.00, and from November to March, from 18.00 to 7.00. Depending on the category of beneficiaries, a stay program with an individual regime can be established, including the possibility of staying during the day.

b) Please provide information whether the Covid-19 crisis had an impact on the prevention of homelessness. In particular address whether measures been taken:

- 1) to provide safe accommodation for persons in situation of homelessness. If so, how many persons were housed, in what form, where and for how long?*
- 2) to ensure that persons provided with temporary accommodation will have access to housing after the crisis.*

During the COVID-19 crisis, the state has undertaken several measures aimed at identifying and supporting homeless people: in collaboration with local public authorities, it has launched several raids to identify, establish, inform and convince homeless people to be permanently housed in Homeless Shelters. In the accommodation center for homeless people in Chisinau during the pandemic, 12 places were set up in the isolation ward, where all homeless people who come to the Center are obliged to spend 14 days.

There are 2 homeless centers operating in the country, which provide services to 124 beneficiaries monthly, of which 16 are women and 108 are men.

c) Please provide:

- 1) information on measures in place to reduce the number of homeless (e.g., measures aiming at raising the employment rate, increasing the stock of social and non-profit housing, allocating social benefits to those in urgent needs, developing social security programmes and supporting NGOs' activities) and*
- 2) figures on the overall number/rate of homeless persons.*

Therefore, according to the data provided by the territorial social assistance structures, in 2021, in the republic, 2 night shelter services for the homeless were activated, the services of which benefited 124 beneficiaries.

d) Has your country declared a moratorium/prohibition on evictions during the pandemic?

- 1) If so, indicate its legal basis and how long it will last.*
- 2) Please specify if it is a general prohibition. Is the prohibition of evictions restricted to tenants or mortgage payers who have been unable to pay their rent or serve their mortgages, or broader?*
- 3) If no general prohibition on evictions was declared, please provide information on procedures in place to limit the risk of evictions and to ensure that when these do take place, they are carried out under conditions which respect the dignity of the persons concerned.*
- 4) Have any measures been taken to ensure that households are not cut-off from water, heat or other utility provision when they are unable to pay their bills? Please provide figures on the number of evictions carried out (tenant evictions, evictions from illegal camps or shanty towns, including those affecting camps in which Roma or Travellers are installed) and the cases brought for lack of alternative accommodation offered or compensation awarded.*

During the pandemic period, a series of measures were taken to support consumers of mortgage loans, with the aim of preventing insolvency. Thus, both banks and non-bank lending organizations came up with a series of actions:

- modification of the repayment schedule (possibility of changing repayment schedules by postponing payments);

- revision of the method of payment and the calculation of penalties (stopping the calculation of penalties and/or late interest for the period of the state of emergency).

During the pandemic crisis, in accordance with point 2 of the Decision of the Board of Directors of the National Agency for Energy Regulation no. 86/2020 of 24.03.2020 regarding the prohibition of the suspension of the provision of services and the application of penalties to household consumers of electricity, thermal energy, natural gas and drinking water during the state of emergency, was a measure aimed at prohibiting holders of licenses to disconnect services provided and to impose penalties in case of non-payment by domestic consumers.

Also, during this period, suppliers are entitled to issue monthly invoices according to estimated calculations.

e) Please provide any information about:

- 1) legal or financial measures taken aimed to ensure that households do not lose their home if they cannot pay their rent or mortgage payments and*
- 2) other tenant protection measures that have been adopted in response to the pandemic.*

See the information presented in art. 31, paragraph 2 pt. d).