

**Country session:** Republic of Moldova

**Date of session:** 18 September – 19 September (76<sup>th</sup> Session)

## Context

The Committee recognized that the State did not have control over the Transnistrian region and that this had repercussions on the implementation of the Convention in that region.

## Background information

[OHCHR press release](#)

[Webcast](#)

[Audio File](#)

Summary Records, [here](#) and [here](#)

## Reporting

### Reporting methodology

Regular reporting procedure

Simplified reporting procedure

**Concluding Observations with urgent measures**

### State report:

Common core document	
<a href="#">Initial Submission</a>	30 April 2001
<a href="#">Updated Document</a>	15 September 2011

<a href="#">CRC</a>		OPAC		OPSC	
No. of report	4 <sup>th</sup> -5 <sup>th</sup>	No. of report	-	No. of report	-
Due date	24 Feb 2015	Due date	-	Due date	-
Submission	14 April 2016	Submission	-	Submission	-

<a href="#">Written replies to LIOs</a>	
Submission	24 July 2017
Due date	16 June 2017

**Additional comments:** The Committee regretted the limited information provided on the implementation of [its concluding observations of 2009](#) on the State's initial report under OPAC.

### Public reports from children's rights defenders

#### [Alternative reports / Additional Information](#)

NGOs

- The Alliance of NGOs active in the field of Social Protection of Family and Child
- Centre of Legal Assistance for Persons with Disabilities;

	<ul style="list-style-type: none"> <li>▪ Child Rights Information Center Moldova (CRIC);</li> <li>▪ APSCF-The Alliance of active NGOs in the field of Social Protection of Family and Child</li> </ul>
<b>NHRIs</b>	<ul style="list-style-type: none"> <li>▪ The People’s Advocate Ombudsman</li> </ul>
<b>Other Stakeholders</b>	<ul style="list-style-type: none"> <li>▪ Thomas Hammarberg, Senior Expert</li> <li>▪ OHCHR and UNDP</li> </ul>

## State delegation

Large high level and multisectoral delegation led by Mrs. Stela Grigoras, Minister of Health, Labour and Social Protection. She was supported by a delegation consisting of the Ambassador and Permanent Representative of the Republic of Moldova to the UN Office and other IO in Geneva; representatives of the Minister of Health, Labour and Social Protection, including the Department for Policies on the Protection of Family and Child’s Rights and the Department for Primary, Emergency and Community Care; the Ministry of Education, Culture and Research; the Ministry of Internal Affairs; and the Permanent Mission of the Republic of Moldova to the UNOG and other IOs.

See the list of State delegation representatives [here](#).

## Committee’s Task Force members

Name & Last Name	Country
Mr. Gehad MADI	Egypt
Ms. Olga KHAZOVA	Russian Federation

## Dialogue description

### i. Character of the dialogue

The Committee found the dialogue open and honest. The answers of the State to the Committee’s questions were technical and focused mainly on law development and program implementation.

### ii. General assessment made by the Committee

The Committee acknowledged with appreciation the numerous efforts made by the State in realizing children’s rights and noted that there appeared to be a political will to improve the situation for children in the country, despite many difficulties. However, the Committee remained concerned about numerous issues. In particular, the Committee stressed the great need to intensify and expand efforts to combat the high child poverty and widespread corruption. It also highlighted the crucial importance of children’s participation and urged the State to draw serious attention to this issue, or otherwise the principle of the best interest of the child could not be complied with.

### iii. Main issues discussed:

- **Violence and abuse against children:** The Committee was highly concerned about the prevalence of violence against children, particularly sexual violence and corporal punishment, both at home and in school. Committee members inquired what the State was doing to identify possible child victims of violence; if officials were trained to support and assist victims in a proper fashion; how these cases were being investigated; if a child could complain about violence without fearing being subjected to reprisals or re-victimization; and what was being done to combat harmful gender stereotypes and attitudes, which primarily affect girls. In its reply, the delegation held that various

Governmental sectors worked together when a child was at risk of being subjected to violence and that internal procedures on how to interact and work with the child were in place within these sectors. The domestic legislative framework further provided for specifications on how children freely could report abuse. Massive awareness campaigns had been carried out to eliminate corporal punishment in all settings, and the police regularly organized informative events and courses for children on violence against, and among, children.

- **Discrimination:** The Committee expressed serious concerns about the persevering culture of discrimination within the Moldovan society, particularly of marginalized children including Roma, migrant and refugee children. Committee members inquired information about measures taken to effectively address this. The delegation replied that a newly approved law on social housing paid attention to the need of persons from a socially vulnerable viewpoint. Housing was thus pre-assigned to children requiring social protection, such as Roma children. The delegation also said that community mediators for Roma persons had been established, which as of this year would be funded by the Government. As regards migrant and refugee children, including those in irregular situations, the delegation explained that the legislative framework provided for the integrations of foreigners, and that guardianship authorities offered services which meet the specific needs of children, e.g. by providing training for relevant personnel. There was also a plan for integration which encompassed access to education and health care.
- **Children, particularly children with disabilities, deprived of family environment:** The Committee noted with concern the high rate of children who were separated from their families and inquired more information about this. Committee members also asked whether the State was foreseeing deinstitutionalization of children, specifically of children with disabilities. The delegation replied that community social workers assessed the specific circumstances and needs of every child and that the final decision to remove a child was made by Gate Keeping Commissions, who had been established and functioned as support to local authorities in providing family-based care services. The delegation clarified that it was strictly prohibited to deprive children of their family environment solely due to reasons of poverty, although this is a factor which could be taken into account. Furthermore, the delegation explained that assessments had been carried out in relation to every single institutionalized child and that the process of deinstitutionalization was well underway. Some children had already been reintegrated with their families, and others would be moved from larger institutions to small, community based houses. There were also ongoing projects to form the national policy to enhance the foster care system, including specialized foster care for children with severe disabilities.
- **Child Trafficking:** The Committee was very concerned about the fact that Moldova remained a country of origin for trafficking of persons, including children, for purposes of sexual and labour exploitation. Committee members were worried about the lack of adequate rehabilitation services for victims and the lack of successful convictions of alleged perpetrators, often as a result of corruption within or among institutions. The delegation replied that a law on the rehabilitation of victims of trafficking had been adopted in 2016 and that amendments had been made to the domestic criminal code, whereby the definition of child labour and sexual exploitation and abuse had been clarified. The delegation also explained that State budgeted crisis centres for victims had been established.

## Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew attention to the need of **urgent measures** concerning the following 6 areas:

- **Abuse and Neglect:** The Committee recommended the State to ensure implementation of Law No. 45/2007 on Preventing and Combating Domestic Violence and the National Child Protection Strategy as well as of the inter-sectoral mechanism of cooperation. Furthermore, the State should take measures to ensure that reporting of cases of abuse and neglect is obligatory for everyone who works with children, and continue to carry out trainings. The number of centres for child victims should be increased, including in rural areas, and children's physical and

psychological rehabilitation should be facilitated. The State should also strengthen education programmes and awareness-raising campaigns, which should include marginalized families.

- **Sexual exploitation and abuse:** The Committee urged the State party to establish mechanisms, procedures and guidelines to ensure mandatory reporting of sexual abuse and exploitation. There should be effective reporting channels, and awareness-raising and education programmes should be conducted. Professionals working with children should undertake training on how to prevent and monitor domestic violence, and on how to receive and investigate complaints in a child and gender sensitive manner. The State should also ensure the development of programmes and policies for the prevention, recovery and reintegration of the child victim.
- **Children deprived of a family environment:** The Committee commended the deinstitutionalization reform in the country and recommended the State to continue supporting and facilitating family-based care services, including by supporting families in situations of poverty by financial means. It should also strengthen prevention services, including by enhancing parental skills and by conducting psychosocial interventions to address alcoholism within the family. Alternative care services such as foster family placement and family-type homes should be expanded in all regions, and the number of social workers who identify children at risk and link these children with child protection mechanisms, should be increased. The State should also take urgent measures to ensure that living conditions for children in prison with their mothers are adequate.
- **Children with disabilities:** The Committee recommended the State to enhance its efforts to implement the legislative framework and policies relating to the protection of the rights of children with disabilities, who should be fully integrated into all areas of social life. To this aim, the State should increase access to inclusive education, step-up efforts to adapt school activities and ensure accessible transportation. It should also continue its efforts to deinstitutionalize children with disabilities, strengthen support to families in all areas, establish a strategy on early childhood development and disability prevention, and undertake awareness-campaigns, with a view to combat the stigmatization of children with disabilities.
- **Sale, trafficking and abduction:** The Committee urged the State to continue the implementation of necessary measures in law and policy to eliminate all forms of child trafficking and to step-up investigations, prosecutions and convictions of perpetrators, including complicit State officials. Anti-corruption measures should be comprehensive and strengthened. The State should also increase training for judges, prosecutors, law enforcement officials and diplomatic personnel. Furthermore, victims and witnesses should be granted protection, efforts should be strengthened to identify victims and potential victims, and policies and programmes for the prevention, recovery and social reintegration of child victims should be effectively implemented.
- **Administration of juvenile justice:** The Committee urged the State to adopt and implement comprehensive juvenile justice legislation for all children and to establish specialized juvenile courts. The State should ensure in law and practice that hearings involving child defendants protect the privacy of children. Moreover, child friendly interviewing standards should be developed, the regulation on the organization and operation of the support centre for child victims and witnesses should be expedited, and qualified and independent legal representation should be provided to the child throughout the legal proceedings. In addition, the State should promote measures for dealing with children in conflict with the law without resorting to judicial proceedings, use alternative measures at sentencing whenever possible, and ensure that detention is used only as a last resort and for the shortest possible period of time. The State should ensure that incarcerated children are kept separated from adults, that detention conditions comply with international standards, and that monitoring of detention sites are conducted. Finally, the State should enhance re-integration, rehabilitation and vocational programmes.

## Sustainable Development Goals

Throughout its Concluding Observations, the Committee referred to the following targets:

- Target 16.2, on ending abuse, exploitation, trafficking and all forms of violence against and torture of children;
- Target 3.1, on reducing the global maternal mortality ratio;
- Target 3.2, on ending preventable deaths of newborns and children under 5 years of age,
- Target 3.5, on strengthening the prevention and treatment of substance abuse;
- Target 3.7, on ensuring universal access to sexual and reproductive health-care services;
- Target 4.1, on ensuring that all girls and boys complete free, equitable and quality primary and secondary education;
- Target 4.2, on ensuring that all girls and boys have access to quality early childhood development, care and pre-primary education;
- Target 4.5, on eliminating gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable;
- Target 4.a, on building and upgrading education facilities that are child, disability and gender sensitive.

### Next State report

CRC	
No. of report	6 <sup>th</sup> – 7 <sup>th</sup>
Due date	24 August 2022

**Disclaimer:** Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.