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**Committee on the Elimination of Discrimination
against Women**

**Concluding observations on the sixth periodic report of the
Republic of Moldova**

Draft prepared by the Committee *

1. The Committee considered the 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 20 February 2020. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/MDA/Q/6, and the responses of the State party are contained in CEDAW/C/MDA/RQ/6.

A. Introduction

2. The Committee appreciates the submission by the State party of its sixth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/MDA/CO/4-5/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its distinguished delegation, which was headed by Ms. Djulietta Popescu, Secretary of State, Ministry of Health, Labour and Social Protection. The delegation also included representatives of the Ministry of Health, Labour and Social Protection, the Ministry of Agriculture and Regional Development, the Ministry of Education, Culture and Research, the Ministry of Interior and Environment, and the Permanent Mission of the Republic of Moldova to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2013 of the State party's combined fourth and fifth periodic reports (CEDAW/C/MDA/4-5) in undertaking legislative reforms, in particular the adoption of the following:

(a) Law No. 196, which introduces emergency restriction orders by amending Law No. 45-XVI on Preventing and Combating Domestic Violence, in 2016;

(b) Law No. 71, which: (i) prohibits of the use sexist language by amending the Law on the Press, the Law on Advertising and the Audio visual Code; (ii) establishes a minimum quota of 40 per cent for the representation of women candidates on the electoral

* Adopted by the Committee at its seventy-fifth session (10 -28 February 2020).

lists of political parties by amending the Electoral Code; and (iii) introduces 14-day paternity leave by amending the Labour Code, in 2016.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) The National Strategy for Preventing and Combating Violence against Women and Domestic Violence (2018–2023) and the Action Plan for its implementation (2018 – 2020);

(b) The National Strategy for Preventing and Combating Trafficking in Human Beings (2018–2023) and the Action Plan for its implementation (2018–2020);

(c) The National Programme on Sexual and Reproductive Health and Rights (2018–2022);

(d) The third National Human Rights Action Plan (2018–2022);

(e) The National Program on Implementation of Security Council resolution 1325 (2000) on women and peace and security (2018–2021) and the National Action Plan for its implementation;

(f) The Strategy on Ensuring Equality between Women and Men (2017–2021) and the Action Plan;

(g) The Action Programme of the Government of Republic of Moldova (2016–2018), which addresses genders stereotype and seeks to promote the participation of women in political life and decision-making positions;

(h) The Office of the People's Advocate (Ombudsman), in 2016.

C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Parliament of the Republic of Moldova, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

8. The Committee notes the statement made by the delegation during the dialogue that training on the Convention has been provided to legal professionals. It remains concerned, however, about the lack of information on court cases where the Convention has been directly

applied. The Committee also takes note of the information provided by the delegation concerning a lack of awareness about gender equality among the general public.

9. **The Committee recommends that the State party:**

(a) **Strengthen training for all relevant officials on the Convention, the Optional Protocol and the Committee's general recommendations;**

(b) **Provide systematic training for judges, prosecutors, law enforcement officers, lawyers and other legal professionals that enables them to apply the provisions of the Convention directly and/or to interpret national legislation in accordance with the Convention;**

(c) **Raise public awareness of women's rights under the Convention, the procedures under the Optional Protocol and national legislation prohibiting discrimination against women.**

Definition of discrimination

10. The Committee commends the State party's various strategic plans and legislative framework to advance women's rights. However, it notes with concern that the Law on Ensuring Equality between Women and Men and the Law on Enforcement on Ensuring Equality do not explicitly protect women from intersecting forms of discrimination, including on grounds of sexual orientation as provided for in some national legislation.

11. **The Committee recommends that the State party amend the Law on Ensuring Equality Between Women and Men and/or the Law on Enforcement on Ensuring Equality to include a comprehensive definition of discrimination against women that covers, in addition to direct and indirect discrimination, discrimination in the public and private spheres and intersecting forms of discrimination, in accordance with article 1 of the Convention.**

Access to justice

12. The Committee is concerned about women's limited access to justice in the State party, in particular:

(a) That the Contravention Code reduces criminal liability of perpetrators of domestic violence and restricts women's access to criminal justice;

(b) The barriers faced by victims of hate speech and women belonging to disadvantaged groups in accessing legal aid;

(c) The insufficient implementation of the provision of free legal aid under Law No. 196/2016 for victims of gender-based violence;

(d) The limited access to justice for women with disabilities.

13. **Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

(a) **Amend article 78 of the Contravention Code to remove the provision that exempts perpetrators of violence against women from criminal liability, and encourage women to report cases of gender-based violence to relevant authorities without fear of stigma by ensuring their access to criminal justice;**

(b) **Raise awareness among women, including those belonging to ethnic minority groups, women with disabilities, migrant women, older women and lesbian, bisexual and transgender women, about their rights and the legal remedies available to them to claim those rights;**

(c) **Provide adequate human, technical and financial resources for the provision of free legal aid under Law No. 196/2016 (Law No 45-XVI on Preventing and Combating Domestic Violence);**

(d) Address physical and communication accessibility in courts of law, including the unavailability of procedural accommodation in court procedures, and the deprivation of legal capacity on the ground of disability.

National machinery for the advancement of women

14. The Committee welcomes the steps taken by the Ministry of Health, Labour and Social Protection, in collaboration with civil society organizations, in amending the regulation for the Governmental Committee for Equality between Women and Men, which has suspended its activities. Nevertheless, it is concerned about:

(a) The absence of an active gender equality body within the Cabinet, following the suspension of the Governmental Committee for Equality between Women and Men;

(b) The fact that the National Council on the Prevention and Elimination of Discrimination and Ensuring Equality is not mandated to sanction gender based discrimination and that the draft law, which aimed at strengthening the Council, was withdrawn after the approval of Decision no. 635/2018;

(c) The lack of information on inter-sectoral cooperation mechanisms and reporting lines within the national machinery, including among the gender focal points at the local level and the gender coordination groups in ministries;

(d) The low level of gender expertise among employees in the civil service;

(e) The weak implementation of gender-responsive budgeting in the State party;

(f) The fact that the aforementioned gaps in the national machinery for the advancement of women also adversely affect the effective implementation of national legislation on gender equality and the Strategy on Ensuring Equality Between Women and Men (2017–2021).

15. The Committee recommends that the State party:

(a) Without delay, resume the activities of the Governmental Committee for Equality between Women and Men or consider establishing another gender coordination mechanisms body in the Cabinet;

(b) Resume, without delay, the legislative process to amend Law 298/2012 on the Activity of the Council for Preventing and Eliminating Discrimination and Ensuring Equality in order to provide the Council with a strong mandate on women's rights and authority to issue binding rulings and impose sanctions for gender based discrimination, with the allocation of adequate resources;

(c) Ensure effective coordination between the local gender focal points, the gender coordination units in different ministries, the Department of Policies for Ensuring Gender Equality within the Ministry of Health, Labour and Social Protection, the Governmental Committee for Equality between Women and Men or alternative gender coordination body in the government by clearly defining their mandates and responsibilities in the implementation of national legislation and policy frameworks on gender equality;

(d) Conduct systematic training on women's rights and gender equality for civil servants on their initial appointment and refresher courses on a regular basis, and monitor progress, with the aim of ensuring gender mainstreaming across all sectors;

(e) Establish mechanisms to monitor gender-responsive budgeting in all sectors;

(f) Strengthen the capacity of the Department of Policies for Ensuring Gender Equality within the Ministry of Health, Labour and Social Protection to coordinate and monitor the implementation of legislation and policy measures relating to gender equality, including the Strategy on Ensuring Equality between Women and Men (2017–2021) and the related Action Plans.

National human rights institutions

16. The Committee takes note with appreciation that the Office of the People's Advocate was accredited with A status by the Global Alliance of National Human Rights Institutions in 2018. The Committee is concerned, however, about:

(a) The insufficient human and financial resources allocated to the Office of the People's Advocate to effectively fulfil its mandate;

(b) The lack of procedural guarantees to ensure independence in the appointment of the Ombudsman of the Office of the People's Advocate.

17. **The Committee recommends that the State party:**

(a) **Provide adequate human, technical and financial resources to the Office of the People's Advocate to enable it to effectively fulfil its mandate for the promotion and protection of women's rights and gender equality;**

(b) **Ensure the independence the Ombudsman of the Office of the People's Advocate and fully implement the recommendations made by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions, in 2018.**

Temporary special measures

18. The Committee welcomes the introduction of a minimum quota of 40 per cent for the representation of women and men as candidates on political parties' electoral lists for Parliamentary and local elections as well as sanctions for non-compliance. It also notes with appreciation that 41.8 per cent of candidates on political parties' electoral lists were women in the 2019 parliamentary elections. Nevertheless, the Committee notes with concern:

(a) That the Law on Government does not include a minimum quota of 40 per cent for the representation of women in the government, notwithstanding the adoption of the Act No. 71/2016;

(b) The lack of information on the impact of the minimum quota of 20 per cent for women representation in the police force under the Police Development Strategy (2016 – 2020);

(c) The limited understanding in the State party of temporary special measures and how they are used to achieve substantive equality of women and men in all areas where women are underrepresented or disadvantaged.

19. **In line with article 4 (1) of the Convention and its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:**

(a) **Introduce a minimum quota of 40 per cent for the representation of women and men in the government;**

(b) **Provide information in its next periodic report on the implementation of the minimum quota of 20 per cent for women's representation in the police force;**

(c) **Raise awareness among legislators, policy makers, other public officials and employers in the public and private sectors of the nature and importance of temporary special measures for the achievement of substantive equality of women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged;**

(d) **Adopt temporary special measures to accelerate equal access to public positions, education and employment for women belonging to disadvantaged groups, such as Roma women, women belonging to other national minorities, rural women, older women and women with disabilities.**

Stereotypes

20. The Committee welcomes the amendments to the Law on the Press, the Law on Advertising and the Audio Visual Code, in 2016, prohibiting the use of sexist language in the

media. However, it remains concerned about the persistence of patriarchal attitudes and discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society (CEDAW/C/MDA/CO/4-5, para. 17) in the State party. The Committee is particularly concerned about:

- (a) The absence of capacity-building for media professionals and public officials on the use of gender sensitive language;
- (b) The delay in adopting the national plan for the implementation of the Cross-sectoral Strategy on Developing Parental Abilities and Competencies;
- (c) The existence of discriminatory gender stereotypes in school curricula and textbooks.

21. The Committee reiterates its previous recommendation (CEDAW/C/MDA/CO/4-5, para. 18) and recommends that the State party:

- (a) Provide the media and relevant public officials with capacity-building on the use of gender sensitive language and enforce the prohibition in the Law on the Press, the Law on Advertising and the Audio Visual Code of the use of sexist language;**
- (c) Raise public awareness to eliminate discriminatory gender stereotypes regarding the roles and responsibilities of women and men in the family and in society;**
- (e) Expedite the adoption of the national action plan for the implementation of the Cross-sectoral Strategy on Developing Parental Abilities and Competencies and ensure the allocation of adequate human, technical and financial resources for its implementation;**
- (d) Continue efforts to review school curricula and textbooks to eliminate all discriminatory gender stereotypes and provide capacity-building programmes for teachers to ensure that they do not perpetuate and tolerate such stereotypes.**

Gender-based violence against women

22. The Committee takes note of the progress made towards the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). It remains concerned, however, about the high prevalence of gender-based violence against women, including domestic violence and economic and psychosocial violence, in the State party. In particular, the Committee notes with concern:

- (a) The underreporting of gender-based violence against women, in particular domestic violence, due to fear of stigmatization and re-victimization;
- (b) That the provision of financial compensation under Law No. 196/2016 (the amendment of the Law No. 45-XVI on Preventing and Combating Domestic Violence) and Law No. 137/2016 on the rehabilitation of victims of crimes is often not applied in cases of gender-based violence against women;
- (c) The limited enforcement of the legislative framework to combat gender-based violence due to insufficient resource allocations;
- (d) The lack of shelters and support services for victims of gender-based violence, including psychosocial counselling, legal assistance and rehabilitation programmes, particularly in rural areas and in Transnistria;
- (e) The fact that the data provided by the State party on cases of gender-based violence covers only certain forms of gender-based violence and are not disaggregated by sex, age, ethnicity, geographical location, disability and relationship between the perpetrator and the victim;
- (f) That the State party has still not ratified the Istanbul Convention, which it signed in 2017.

23. Recalling its previous concluding observations (CEDAW/C/MDA/CO/4-5 para. 20) and its general recommendation No. 35 (2017) on gender-based violence against

women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) Eliminate barriers and stigma discouraging women from reporting cases of gender-based violence to the competent authorities, including through awareness raising and judicial or police training;

(b) Allocate sufficient resources for the provision of financial compensation to victims of domestic violence under Law No. 196/2016 and to victims of other crimes of gender-based violence under Law No. 137/2016 on the rehabilitation of victims of crimes;

(c) Allocate adequate human, technical and financial resources for the effective implementation of the national strategy on preventing and combating violence against women and domestic violence (2018–2023) and the related action plan, in order to ensure that victims of such violence have adequate access to accessible shelters and support services, including medical treatment, psychosocial counselling and legal assistance in all parts of the State party;

(d) Provide adequate funding to civil society organizations in Transnistria, that provide accessible and inclusive support and assistance to women victims of gender-based violence and continue efforts to raise the need to ensure the availability of such services with the *de facto* authorities in Transnistria;

(e) Improve data collection on all forms of gender-based violence, including economic and psychological violence, disaggregated by sex, age, ethnicity, geographical location, disability and relationship between the victim and the perpetrator, so as to enable relevant public officials to monitor the effectiveness of relevant legislation, policies and practice in preventing and reducing gender based violence;

(f) Expedite the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).

Trafficking and exploitation of prostitution

24. The Committee notes with concern;

(a) That new forms of trafficking in persons within and from the State party are on the rise, such as trafficking in women and girls by using the status of asylum seekers;

(b) That women in Transnistria and Gagauzia, undocumented and stateless women and Roma women are particularly vulnerable to trafficking for purposes of sexual exploitation and forced labour;

(c) The lack of information on rehabilitation services in the State party addressing specialized needs of women and girls who are victims of trafficking for purposes of sexual exploitation;

(d) That victims of trafficking have limited access to free medical assistance under Law No. 241-XVI/2005 on Preventing and Combating Trafficking in Human Beings, as well as to rehabilitation services and state compensation under Law No. 137/2016 on the rehabilitation of victims of crimes;

(e) The lack of early identification and referral of victims of trafficking to appropriate services in the State party;

(f) The lack of protection of victims of trafficking during the investigation stage and the requirement for victims to face to their traffickers at a police station in order to initiate criminal proceedings;

(g) The criminalization of women in prostitution and the absence of exit programmes for women in prostitution in the State party.

25. **The Committee recommends that the State party:**

(a) **Intensify cooperation between law enforcement authorities and social services in identifying victims of various forms of trafficking and referring them to appropriate services;**

(b) **Strengthen resilience of women in Transnistria and Gagauzia, undocumented and stateless women and Roma women against trafficking by promoting educational and income generating opportunities for women and girls and their families;**

(c) **Adopt the draft concept of a National Referral Mechanism for Protection and Assistance of Victims of Crimes (2020-2030) and strengthen accessible victim protection and support services, including free medical services, psychosocial counselling and legal assistance, shelters, rehabilitation and reintegration programmes, by allocating sufficient budgetary resources and cooperating with medical professionals and other service providers;**

(d) **Provide capacity building on gender sensitive investigation methods in trafficking cases to the police and other law enforcement officers;**

(e) **Repeal article 89 (1) of the Contravention Code to decriminalize women in prostitution and provide alternative income generating opportunities, educational programmes and exit programmes for women in prostitution;**

(f) **Eliminate stigma and discrimination against women and girls in prostitution to ensure that they have adequate access to health care and legal services and shelters.**

Equal participation in political and public life

26. The Committee notes the amendments to the Electoral Code and the Law on Political Parties and reiterates its appreciation of the 40 per cent quota for women candidates on political parties' electoral lists. It is concerned, however, that only 26 women candidates were elected in the Parliamentary elections in 2019, which accounts for 25.7 per cent of all Parliamentarians. The Committee notes with particular concern:

(a) **Hate speech against women and discriminatory gender stereotypes in political discourse, which hamper the participation of women in political and public life;**

(b) **The low representation of women at the decision-making level, including in the public service, the foreign service and in the security and defence forces;**

(c) **The very low political and public participation of women belonging to disadvantaged groups.**

27. **Recalling its general recommendation No. 23 (1997) on women in political and public life as well as target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Adopt Law on hate speech and enhance the protection of women from hate speech, including through awareness raising campaigns among politicians, monitor the use of discriminatory stereotypes and sexist language in political discourse and ensuring effective remedies for victims;**

(b) **Adopt temporary special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, including statutory quotas for the representation of women in decision-making positions in the public service, the foreign service and in the security and defence forces;**

(c) **Provide incentives for political parties to nominate an equal number of female and male candidates for elections, strengthen sanctions for non-compliance with the minimum quota of 40 percent, and provide for special recruitment programmes for women, including preferential recruitment of women where needed, to the public service, paying particular attention to women belonging to disadvantaged groups;**

(d) Provide capacity building on political campaigning and leadership skills and ensure access to adequate campaign financing for women candidates.

Nationality

28. The Committee welcomes the amendment to the Law on Citizenship in 2017 enabling persons in need of international protection and children born on the territory of the State party to acquire Moldovan citizenship. It is concerned, however, about the citizenship status of women and children in Transnistria and Gaguzia as well as that of Roma women and children in the State party.

29. The Committee recommends that the State party facilitate the birth registration of children born in Transnistria and Gaguzia and that of Roma children born in the State party and their acquisition of citizenship. It also recommends that the State party raise awareness among women living in those entities as well as Roma women on the importance of birth registration and the procedural requirements for obtaining citizenship.

Education

30. The Committee welcomes the efforts made by the State party to promote equal access by girls and boys to education, such as the adoption of the Education Code in 2014 and the GirlsGoIT initiative since 2015. Nevertheless, it remains concerned at:

(a) The lack of diverse educational choices by women and girls and their low enrolment in science, technology, engineering and mathematics (STEM) and information technology as well as in construction and law;

(b) The high dropout rate among schoolgirls in rural areas and among ethnic minority groups, in particular the Roma;

(c) The limited number of women and girls with disabilities in mainstream and inclusive education, owing to the lack of accessible school buildings and facilities as well as the lack of training on inclusive education for teachers and staff in schools;

(d) The barriers faced by women and girls in rural areas in accessing vocational training, which continues to confine many women to unpaid domestic and care work.

31. With reference to its general recommendation No. 36 (2017) on the right of girls and women to education, as well as target 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Continue encouraging women and girls to choose non-traditional fields of study and career paths, including science, technology, engineering, mathematics, information technology and law and eliminate traditional stereotypes among women and girls and their families that may deter them from enrolling in such fields of study;**

(b) **Intensify efforts to reduce the school dropout rate among girls, including through sensitization of parents, community leaders, and women and girls on the importance of education for their personal development and career prospects;**

(c) **Provide inclusive re-entry programmes for women and girls having dropped out of school, including in rural areas and within Roma communities;**

(d) **Make school infrastructures accessible for women and girls with disabilities and provide systematic training for teachers and other staff in schools on inclusive education;**

(e) **Allocate adequate human, technical and financial resources to the education sector in rural areas to ensure inclusive, quality education and vocational training opportunities for women and girls.**

Employment

32. The Committee notes with appreciation the reduction in the difference between the retirement ages for women and men and the State party's plan to complete such

harmonization by 2028. It further welcomes that the State party has introduced paid parental leave. However, the Committee remains concerned:

- (a) That vertical and horizontal occupational segregation and the persistent gender pay gap notwithstanding the principle of equal pay for work of equal value in national legislation;
- (b) That article 248 of the Labour Code, which still prohibits certain categories of women from working in mining and other industries that pose a risk to their safety or health;
- (c) The narrow definition of sexual harassment in the draft law amending several legislative acts, which is not in line with international standards;
- (d) The insufficient investigation and prosecution of sexual harassment and sex-based discrimination in the workplace;
- (e) The lack of affordable childcare facilities that would better enable parents to reconcile family and professional life;
- (f) The inadequate social protection for self-employed women, who are not entitled to maternity benefits;
- (g) Complaints by older women on unfair dismissals based on an abusive interpretation of article 86 of the Labour Code.

33. The Committee draws attention to target 8.5 of the Sustainable Development Goals and recommends that the State party:

- (a) Effectively enforce the principle of equal pay for work of equal value, in order to narrow and ultimately close the gender pay gap, by regularly reviewing wages in all sectors, applying gender-sensitive analytical job classification and evaluation methods, conducting regular labour inspections and conducting regular pay surveys;**
- (b) Repeal article 248 of the Labour Code to remove restrictions on employment of certain categories of women in the listed professions, shift to individual assessments and improving the working conditions in all industries;**
- (c) Harmonize the definition of sexual harassment in national legislation with applicable international human rights standards, including the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization (ILO);**
- (d) Provide judges, prosecutors, police officer and other law enforcement officials with systematic training on the strict application of criminal law provisions on sexual harassment in the workplace and enhance awareness among the employers and the general public on the criminal nature of sexual harassment;**
- (e) Promote the equal sharing of family and domestic responsibilities between women and men, including by encouraging men to take paternity leave, and increase access to affordable, inclusive and accessible childcare facilities;**
- (f) Strengthen the social protection for self-employed women and ensure that they have equal access as employed women to maternity benefits;**
- (g) Monitor the use of article 86 of the Labour Code by employers to avoid discriminatory dismissals of older women;**
- (h) Ratify the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization (ILO).**

Health

34. The Committee welcomes national health policies and programmes adopted by the State party and the reduction of the maternal and infant mortality ratios during the reporting period. It notes with concern, however:

- (a) Widespread corruption among medical and health personnel in the State party, along with brain drain to third countries, owing to poor working conditions and low salaries;
- (b) That women belonging to disadvantaged groups, including rural women, women with disabilities and Roma women, have only limited access to quality health care and medical insurance;
- (c) The women's limited access to early detection programmes and treatment of breast and cervical cancer in the State party and women's disproportionately high risk of contracting communicable diseases such as tuberculosis and of non-communicable diseases;
- (d) The limited use of modern contraceptives by women and men in the State party;
- (e) The absence from school curricula of age-appropriate comprehensive education on sexual and reproductive health and rights, including responsible sexual behaviour;
- (f) Stigmatization of and discrimination against women living with HIV/AIDS in the State party.

35. **The Committee recalls its previous recommendations (CEDAW/C/MDA/CO/4-5, para. 32) and recommends that the State party:**

- (a) Increase salaries and introduce incentives to retain qualified medical and health personnel in the State party, particularly in rural areas, and intensify efforts to combat corruption in medical and health services;**
- (b) Ensure that women and girls belonging to disadvantaged groups have access to adequate and accessible health services, including sexual and reproductive health and rights, and health insurance, in particular in rural areas;**
- (c) Allocate sufficient human, technical and financial resources to fighting communicable diseases, in particular tuberculosis, as well as non-communicable diseases and improve the prevention, early detection and treatment of breast and cervical cancer by ensuring the availability of accessible medical equipment;**
- (d) Raise awareness among women and men, girls and boys, on modern contraceptives, with a view to reducing unwanted pregnancy and unsafe abortion;**
- (e) Introduce age-appropriate comprehensive education on sexual and reproductive health and rights for girls and boys in school curricula at all levels, including on responsible sexual behaviour and family planning;**
- (f) Eliminate discrimination and stigma against women living with HIV/AIDS through awareness raising and extend the programme on Prevention and control of HIV/AIDS to women belonging to disadvantaged groups, particularly transgender women.**

Economic and social benefits

36. The Committee notes the progress made by the State party in its poverty reduction efforts. Nevertheless, it notes with concern:

- (a) Women's disproportionately low pension benefits increasing their risk of poverty;
- (b) The limited access to social protection for women belonging to disadvantaged groups such as Roma women and rural women;
- (c) The lack of information on women's access to loans and financial credit and the impact of reported corruption within financial institutions on women's entrepreneurship, especially as regards the establishment and operation of small and medium sized enterprises.

37. **With reference to target 5.A of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Extend the coverage of existing social protection schemes to women belonging to disadvantaged groups, including Roma women and women in rural areas, as well as to retired women in difficult economic situations, strengthen funding for such schemes, and ensure that social protection schemes are gender-sensitive;**

(b) **Ensure women's access to loans and other forms of financial credit and expand the scope of entrepreneurship programmes for women, including women belonging to disadvantaged groups, in particular, women with disabilities;**

(c) **Consider ratifying the Social Security (Minimum Standards) Convention, 1952 (No. 102), of the International Labour Organization (ILO).**

Rural women

38. The Committee is concerned about:

(a) The limited access for rural women to protection from gender-based violence, education, health care, land, agricultural technology, credit and adequate water;

(b) The fact that women in rural areas are disproportionately affected by the economic emigration, which reduces their business and employment opportunities;

(c) The high numbers of women and girls in rural areas who resort to abortion.

39. **Recalling its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) **Enhance efforts to ensure that rural women have effective access to justice, education, health care, adequate water, land, agricultural technology, and financial credit;**

(b) **Eliminate barriers and obstacles faced by rural women to start their own business and create adequate job opportunities with decent pay for them;**

(c) **Ensure that women and girls in rural areas have access to safe abortion and post-abortion services on an equal basis with women in urban areas and that all costs relating to those services are covered by health insurance.**

Disadvantaged groups of women

40. The Committee notes various measures adopted by the State party for the social inclusion of Roma women and women with disabilities. Nevertheless, it notes with concern:

(a) The lack of information on the impact of the Action Plan on the support of the Roma population in the Republic of Moldova (2016–2020) and the National Program for Social Inclusion of Persons with Disabilities (2017-2022) on the social inclusion of Roma women and women with disabilities;

(b) That the provision of support services for women who use drugs has been largely delegated to civil society organizations in the State party;

(c) Reports of gender-based violence against women with disabilities by their caregivers, staff in residential institutions and psychiatric hospitals and other health personnel, including rape, forced sterilization, abortion, neglect, restraint and seclusion;

(d) Inadequate health and hygiene conditions for women in penitentiary facilities.

41. **The Committee recommends that the State party:**

(a) **Strengthen its evaluation and monitoring of the Action Plan on the support of the Roma population in the Republic of Moldova (2016–2020) and the National Program for Social Inclusion of Persons with Disabilities (2017-2022), with a view to promoting the social inclusion of Roman women and women with disabilities;**

(b) **Provide adequate funding to civil society organizations that offer support rehabilitation services to women who use drugs;**

(c) **Protect women and girls with disabilities from abuse and violence by regularly monitoring and establishing independent confidential complaint mechanisms**

in all residential institutions and psychiatric hospitals and ensure that no medical procedures may be performed on them without their free, prior and informed consent;

(d) Improve the conditions in detention facilities where women are deprived of their liberty and ensure the provision of adequate access to health care and personal hygiene items for women in detention, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules; General Assembly resolution 65/229).

Marriage and family relations

42. The Committee notes with concern:

(a) Reports on child marriages in Roma communities and that article 14 of the Family Code allows exceptions to the minimum legal age of marriage, whereby it can be lowered from 18 to 16 years in certain cases;

(b) The denial to women with psychosocial and/or intellectual disabilities of the rights to enter into marriage and exercise parental responsibilities;

(c) Mandatory mediation requirements in divorce proceedings, including in cases involving domestic violence;

(d) The lack of information on measures taken by State party to enforce on women's equal right to inheritance following their spouse's death.

43. **Recalling paragraph 40 of its previous concluding observations (CEDAW/C/MDA/CO/4-5) and its general recommendations No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, the Committee recommends that the State party:**

(a) Consider amending article 14 of the Family Code to remove all exceptions to the legal minimum age of marriage of 18 years and continue efforts to raise awareness among Roma communities on the negative effects of child marriage on the health and well-being of women and girls and their access to education and employment;

(b) Amend article 24 of the Civil Code and the Family Code to ensure the rights of women with psychosocial and/or intellectual disabilities to enter into marriage and exercise parental responsibilities;

(c) Repeal mandatory mediation requirements in divorce proceedings in cases involving domestic violence, and amend the Civil Procedural Code accordingly;

(d) Address barriers and obstacles faced by widows to exercise their inheritance rights.

Data collection and analysis

44. The Committee appreciates statistical data provided by the State party with the sixth periodic report and with its written replies to the list of issues and questions raised by the pre-sessional working group. However, it recommends that the State party improve its data collection system that is disaggregated by sex, age, disability, ethnicity, geographical location and other relevant factors and includes such statistical data and analysis in its next periodic report.

Beijing Declaration and Platform for Action

45. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention in the context of the 25-year review of the implementation of the Declaration and Platform in order to achieve substantive equality between women and men.

Dissemination

46. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the Parliament and the judiciary, to enable their full implementation.

Technical assistance

47. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Ratification of other treaties

48. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

Follow-up to the concluding observations

49. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 15 (a), 23 (f), 27 (a) and 41 (c) above.

Preparation of the next report

50. The Committee requests the State party to submit its seventh periodic report, which is due in February 2024. The report should be submitted on time and cover the entire period up to the time of its submission.

51. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.