



**MINISTRY OF HEALTH, LABOUR AND SOCIAL PROTECTION  
OF THE REPUBLIC OF MOLDOVA**

**UN Committee on  
the Rights of Persons with Disabilities**

**IMPLEMENTATION OF THE UN CONVENTION  
ON THE RIGHTS OF PERSONS WITH DISABILITIES**

**2<sup>nd</sup> and 3<sup>rd</sup>  
REPORT PRESENTED BY REPUBLIC OF MOLDOVA  
in compliance to Art. 35 of the CRPD**

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## ACRONYMS

AC - Audiovisual Council;  
AOPD - Alliance of Organizations for People with Disabilities;  
CSO – Civil Society Organization  
CCTS - Closed Circuit Television System;  
CEC - Central Electoral Commission;  
CEDAW - Convention on the Elimination of all forms of Discrimination against Women;  
CHIF - Compulsory Health Insurance Fund;  
CIF - International Classification of Functionality, Disability and Health;  
CMHC - Community Mental Health Center;  
CPEDAE - Council for the Prevention and Elimination of Discrimination and Equality;  
CRPD – Convention on the Rights of Persons with Disabilities  
GD - Government Decision  
EASPD - European Association of Service Providers for People with Disabilities;  
ECHR - European Court of Human Rights;  
GPI - General Police Inspectorate;  
ICN - International Common Name;  
IDOM - Institute for Human Rights of Moldova;  
LPA - Local Public Administration;  
MECR - Ministry of Education, Culture and Research;  
MEI - Ministry of Economy and Infrastructure;  
MHLSP - Ministry of Health, Labour and Social Protection;  
MIA - Ministry of Internal Affairs;  
MoF - Ministry of Finance;  
MoJ - Ministry of Justice;  
NASA - National Agency for Social Assistance;  
NBS - National Bureau of Statistics;  
NCDWAA - National Council for Disability and Work Ability Assessment;  
NCHR - National Council for Human Rights;  
NHRAP - National Human Rights Action Plan;  
NIJ - National Institute for Justice;  
NGO –Non-governmental organization;  
NHIC - National Health Insurance Company;  
OHCHR - UN Office for Human Rights;  
OPD – Organization of Persons with Disabilities;  
PHC - Primary Health Care;  
RCIE - Resource Center for Inclusive Education;  
RCPA - Republican Center for Psychopedagogical Assistance;  
RECPOR - Republican Experimental Center for Prosthetics, Orthopedics and Rehabilitation;  
RM – Republic of Moldova  
UNDP - United Nations Development Program;  
UNFPA - UN Population Fund in the Republic of Moldova;  
USAID - United States Agency for International Development.  
WHO - World Health Organization;  
YFHC - Youth Friendly Health Center;

## I. INTRODUCTION

The ratification of the UN Convention on the Rights of Persons with Disabilities (CRPD) by the Republic of Moldova in 2010 marked important changes in the field of disability measured by following progresses:

- adopted the Law no. 60/2012 on social inclusion of persons with disabilities;
- approved the Indicators for monitoring the implementation of the CRPD (GD no 1033/2016);
- approved the National Program on Social Inclusion of Persons with Disabilities and the Action Plan for 2017-2022 (GD no. 723/2017);
- approved the National Program on the Deinstitutionalization of Persons with Intellectual and Psychosocial Disabilities and the Action Plan for 2018-2026 (GD no 893/2018);
- approved the National Action Plan for Human Rights for 2018 - 2022 that includes actions that ensure the respect, protection and fulfillment of the rights of persons with disabilities.
- approved guidelines on ensuring accessibility of infrastructure in 2018;
- mainstreamed disability within the new Law on employment no 105/2018;
- approved Regulations and Quality Standards for new community-based services (Supported living, Community home, Shared living, Personal Assistance, Respite, Mobile team, Day care centers, Sign language interpretation, Hotline service etc.);
- approved regulation of the minimum package of social services and allocated financial resources to the LPA for “Personal assistance”, “Monetary support”, “Support for families with children”(2018);
- approved mechanism on facilities for the import of transportation units by/or for persons with physical disabilities (2018);
- approved the mechanism on facilities for employers for reasonable accommodation and job creation for persons with disabilities (2019);
- signed the Optional Protocol to the CRPD (2018);
- increased social allowances and disability pensions (2018).

Although concrete achievements were reached, the Government should continue the work to advance CRPD implementation to address Concluding Observations of the Committee on the Rights of Persons with Disabilities and the recommendations of the UN Special Rapporteurs who have visited Republic of Moldova. According to the statistics presented by the NBS, on 01.01.2020, in the RM the total number of persons with disabilities was 176,978, including 10,684 children. People with disabilities represent 6.7% of the total population of the country, and children with disabilities represent 1.9% of the total number of children in the RM. Of the total number of persons with disabilities, about 51.7% are women and 48.3% are men, 56.6% live in rural areas and 43.4% - in urban areas.

The Republic of Moldova submitted the Initial State Report to Committee, two years after the ratification of the Convention (in 2012), which was heard in 2017. As a result, the Committee came up with the Concluding Observations in the relation to the Initial Report and requested the submission of the combined 2<sup>nd</sup> and 3<sup>rd</sup> reports by October 21, 2020.

This Report reflects the measures taken by the State so far to implement the CRPD and the analysis of national legal framework in compliance with the provisions of CRPD. Besides, the Report includes the information on the implementation of the Concluding Observations of the Committee provided to the RM in 2017, and the difficulties and shortcomings to be addressed in the next period. The development process of this Report was an opportunity for the Government to analyze the progress of CRPD implementation, both in terms of legal provisions and local practices. The Report

was prepared under the coordination of the MHLSP, with the involvement of central and local public authorities, as well as civil society organizations.

The Report was consulted with ministries, authorities, central and local public institutions, civil society organizations, including organizations of people with disabilities. In this regard, MHLSP requested in writing their views and objections to the draft Report, which was placed on the website of the MHLSP, so that it could be accessed and viewed in the consultation process, including by people with disabilities.

The National Council for Human Rights approved the report and approved the Report, as main Government's advisory body with responsibilities on the implementation of international human rights treaties to which the Republic of Moldova is party. The Report was coordinated with Parliamentary Commission on Social Protection, Health and Family and Committee on Foreign Policy and European Integration.

## **II. GENERAL PROVISIONS (Articles 1-4)**

By ratifying the CRPD, the RM has undertaken to respect and implement the principles of the document, including the improvement of the legislative and normative acts, as well as policies promoted in various fields, comply with the provisions of the Convention.

At the same time, given that disability is a topic that covers different areas, respectively must be addressed intersectorally, inter-institutionally and at different levels and of course with the involvement of people with disabilities and CSOs, the Government takes measures to review and improve legislation, and develop policy in compliance with the CRPD.

These measures aim to eliminate discriminatory provisions from the existing legal framework and ensuring the promotion, protection and fulfillment of all fundamental human rights and freedoms by all persons with disabilities based on the principle of equality and non-discrimination. In this context, of course, the Ombuds' Office and the CPEDAE have an important role.

The Law no. 60/2012 on the social inclusion of persons with disabilities ensure the rights of persons with disabilities, as well as other citizens, to social protection, health care, rehabilitation, education, work, public life, physical environment, transportation, technology and information systems, communication and other utilities and services to which the general public has access. The Law, also provides the new concepts such as "reasonable accommodation", "universal design", "accessibility" and defines "disability" / "disabled person", based on the CRPD' definitions.

In order to review and improve the legal framework in compliance with CRPD, during the reporting period about 49 legislative and normative documents from different fields were amended and completed with special provisions ( Law no. 201/2016 and GD no 592/2017). Further more, in 2018, the amendments were made to Articles 50 and 51 of the Constitution of the RM, substituting the words "handicapped persons" with the words "persons with disabilities".

*With reference to recommendation 7 letter (a) to (c) of the Committee's Concluding Observations, we inform that:*

The RM continues to improve the reform of the disability and work ability assessment to ensure the transition from the medical to the social model approach of disability, to develop new criteria and methodological guidelines in accordance with International Classification of Functioning (ICF) and other policy documents in compliance with CRPD. The disability assessment reform started in 2013, by creating multidisciplinary teams of experts in the medical, social and educational fields, responsible for disability 'assessment by applying medical and social criteria. The Concept of reforming the disability'assessment system in the RM was approved and the Action Plan for its

implementation (Order of the Prime Minister of the RM no. 43 of May 4, 2017). One of the main objectives of the new Concept is to adjust the criteria for disability assessment to international standards (according to ICF).

For implementation of the new Concept, the GD no. 357/2018 on disability assessment was approved, according to which, the National Council for Disability and Work Ability Assessment started to develop the new criteria for determining the degree of disability in case of children and in case of adults. The new criteria of assessment both disability degree and work ability, will be in accordance with the international standards (ICF). Thus, the “*Mental and Behavioral Disorders*” section of the Criteria for Determining Disability for Adults and Children was developed, piloted and approved for use in 2019. The NCDWAA developed the criteria for assessing disability for children based on International Classification of Functioning, Disability and Health (ICF) with the support of UNICEF Moldova. In this regard, the Questionnaires for assessing the capacities and performance of children in activities and participation and environmental factors in accordance with ICF (Children and Youth variant), which is piloted during 2019-2020. To implement the new assessment methodology, the NCDWAA benefited of capacity building programs with the logistical and financial support of WHO (2019). Currently, within a project funded by the World Bank, is implementing the process of digitalization of the disability and work ability assessment services. The digitization of the process will ensure the quality and accessibility of the population to the services, by simplifying the procedure for submitting documents to assess the disability and work ability; exclusion of paper forms and documents; ensuring interoperability with information systems of other authorities, etc.

To advance implementation of the CRPD and Concluding Observation of the Committee, Recommendations of the Special Rapporteur and other international human rights experts, the GoV of the RM approved the National Program on Social Inclusion of Persons with Disabilities (2017-2022) (GD no. 723/2017). The program provides a cross-sectoral approach to the social inclusion of people with disabilities and ensures that fundamental rights of persons with disabilities are respected in the same way as other citizens in all areas of social life, including their full participation in society. Additionally, the National Human Rights Action Plan (2018-2022) was approved as a strategic document that ensures the implementation of a single framework of state institutions and civil society in the field of human rights.

To coordinate of the implementation of the policy in the field of human rights, in 2019, the Government approved the National Council for Human Rights, stated its members and Regulation. The Chair of the Council is the Prime Minister. The members of the Council are at the level of ministries, chairs of Parliamentary Commissions, chairs of other central and local public authorities. Five members of the Council are representatives of CSOs, selected based on a public competition organized by the National Platform of the Eastern Partnership Civil Society Forum. The State Chancellery provides the permanent secretariat for human rights.

The Optional Protocol to the Convention was signed in 2018 and the ratification is foreseen in 2021, according to the NHRAP.

Regarding the recommendation “Providing training on the concepts of reasonable accommodation and universal design for civil servants and the adoption of legislative, administrative and other measures”, detailed information is presented in Article 9 Accessibility, of this Report.

With reference to Recommendation 9 of the Committee's Concluding Observations, we inform the following:

The issue of the Roma minority in the RM is a constant topic on the national political agenda, thus, the Government approved the Action Plan on supporting the Roma Population for 2016-2020 (GD no. 734/2016). The goal of the policy is to reduce the poverty, increase the economic

potential, promote cultural diversity and combat existing negative stereotypes, and improve Roma people participation in public life.

Roma families, including those with disabilities, benefit from social benefits and services, as needed, in accordance with the provisions of the Law on social assistance, no. 547/2003, Law on social aid no. 133/2008 and Law on social services no. 123/2010. Within the communities where the share of Roma population is higher, the LPA have been employed 54 community mediators being paid from the state budget in compliance with GD no. 425/2018. During 2020-2022 period in the state budget was planned about 3904.3 thousand lei for ensuring the activity of community mediators.

### **III. REALIZING THE RIGHTS AND FREEDOMS OF PERSONS WITH DISABILITIES**

#### **Article 5. Equality and non-discrimination**

Equality and non-discrimination, including of persons with disabilities, is enshrined in the Constitution of the RM, and other legal framework, mentioned in the Initial State Report.

*With reference to Recommendation 11 of the Committee's Concluding Observations, we inform the following:*

The discrimination on disability ground is mentioned in art. 1 of Law no. 121/2012 on ensuring equality. Discrimination against persons based on two or more criteria is one of the serious forms of discrimination, provided by art. 4 of the abovementioned Law. The violation of the rights committed based on two or more criteria, is sanctioned in accordance with art. 176 of the Penal Code. To prevent discrimination of the persons with disabilities to employment, the refusal of employers to ensure reasonable accommodation is sanctioned by art. 56<sup>1</sup> (5) of the Contraventional Code.

Regarding the discrimination caused by lack of accessibility there are provisions about sanctions on non-compliance the accessibility norms and standards of buildings (art. 177 (2) letter i<sup>1</sup>, of public transportation (art. 221<sup>1</sup>), as well as of the road repair and reconstruction (art. 227 (3) of the Contraventional Code).

There are no sanctions related to the refusal of public services providers to ensure reasonable accommodation for persons with disabilities in education, justice, health etc. Based on the Law no. 121/2012 on ensuring equality, the CPEDAE with the purpose to receive and analyze the complaints regarding discrimination based on any of the criteria provided in art. 1 of the mentioned Law, including on disability criteria. Decisions finding discrimination include recommendations on how to regain the violated rights and to prevent similar acts in the future. At the same time, the Council can identify the contraventions with discriminatory elements, but the application of these sanctions is only the prerogative of the Courts. All CPEDAE decisions are available to the public and can be accessed on the institution's website [www.egalitate.md](http://www.egalitate.md). Annually, CPEDAE is conducting training activities on preventing and combating discrimination for: legal professionals, public authorities, teachers, educators, doctors, social workers, private and public servants, journalists, students and pupils. The number of people trained annually varies from 300 to 900 people. There are many ways to send a complaint to CPEDAE: in person, by mail or e-mail, by filling the online form available on [www.egalitate.md](http://www.egalitate.md). Lately, there has been a greater use of the online complaints' platform. To ensure the access to information about the national mechanism of protection against discrimination, the CPEDAE transcribed in easy to read format the Law no. 121/2012, the Petitioner's Guide including in the Braille alphabet. In addition, the abovementioned documents were translated into four languages (Ukrainian, Gagauz, Bulgarian, Russian) being available on CPEDAE's website.

Furthermore, the CPEDAE developed informative materials<sup>1</sup> to prevent discrimination, including, on the basis of disability<sup>2</sup>, conducted awareness raising campaigns<sup>3</sup>, conferences and workshops etc.

During its activity, the CPEDAE has found discrimination on the basis of disability in 94 cases, that represents 28% of the total number (334) of cases on which the discrimination was identified. In 35 of these cases, the lack / refusal of reasonable accommodation for people with disabilities was found. As result of the analysis the complaints, the discrimination on the basis of disability is associated with other criteria (gender, age, nationality) in majority of the cases. The cases of discrimination against people with disabilities were found in the following areas: access to goods and services (57), education (13), employment (10) , access to justice (5) , violation of human dignity (5) and other areas (6) . The CPEDAE notes that the implementation rate of the recommendations on cases where discrimination on the grounds of disability was found is 48% for decisions taken in 2017 and 56% for decisions taken in 2018, which represents a positive progress.

To prevent discrimination against children with disabilities, Keystone Moldova<sup>4</sup> organized 150 forum theater performances in over one hundred schools and kindergartens across Moldova. Over 15,000 children, teachers, educators, parents participated in these performances and came up with about 4000 recommendations to prevent and combat discrimination in educational institutions.

## **Article 6. Women with disabilities**

Out of the total number of people with disabilities in the Republic of Moldova, 51, 7% are women. To ensure the equal rights of women and men in political, economic, social, cultural and other fields, as well as to prevent and eliminate all forms of discrimination on the gender grounds, the national legalframework was improved. The Law no 5/2006 on ensuring equal opportunities for women and men, Law no. 121/2012 on ensuring equality, Law no. 60/2012 on social inclusion of people with disabilities were adopted and described in detail in the Initial State Report.

*With reference to Recommendation 13 of the Committee's Concluding Observations, we inform the following:*

During 2017, the capacity building program for women from underrepresented groups, implemented by UN Women Moldova was conducted. The topics on the rights of the women with disabilities were presented. All in total 39 women with different types of disabilities across the country (including from the Gagauzia and Transnistria regions) improved their skills to get actively involved in civic and political life.

During 2018, with the support of the Gender-Center NGO and the Women's Political Club 50/50, the network of Women's political clubs at the local level was expanded to 15, being launched eight more clubs at district levels. Through these platforms, women leaders (including women with disabilities) have received support to raise awareness of gender equality and strengthened their capacities to political participation.

In 2018, 43 women from different groups, including those with disabilities, have been interested to participate in the 2019 elections, benefited of support under the project "Women4Leadership", implemented by A.O. "Contact-Cahul" and A.O. The "Institutum Virtutes Civilis", with the support of UN Women. The women, including with disabilities have improved their skills and knowledge on political parties and their role in the development of democracy, empowerment and political

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<sup>1</sup> <https://egalitate.md/publicatii/>

<sup>2</sup> <https://egalitate.md/news-and-information/ce-vezi-imagine-stephen-hawking/>

<sup>3</sup> <https://egalitate.md/campaigns/>

<sup>4</sup> [www.keystonemoldova.md](http://www.keystonemoldova.md)



participation of women. As part of this initiative, the participants of the training program committed to provide other trainings in the field of women's political participation in their communities, regions or nationwide. As result, about 220 women have been empowered to participate in the 2019 local elections. Of them, 107 women ran in the local elections, including eight women with disabilities. Following the 2019 local elections, six women with disabilities and six Roma women were chosen as local councilors.

In addition, CEC and UNDP Moldova have conducted capacity building programs on political participation of persons with disabilities. All in total 1142 persons with disabilities, of them, 654 women strengthened their capacities on political participation.

*With reference to recommendation 13 letter (a) from the Committee's Concluding Observations, we inform the following:*

The right of women with disabilities to sexual and reproductive health on an equal basis with others, is established in the normative framework, including Law no. 138/2012 on reproductive health, Law no. 411/1995 on health care, Law no. 60/2012 on social inclusion of persons with disabilities, the National Program on sexual and reproductive rights (2018-2022), approved by GD no. 681/2018.

The National Program on Sexual and Reproductive Health and Rights for 2018–2022 aims to ensure universal access to sexual and reproductive health services, including in case of humanitarian situations, being focused on enhancing rights and expanding choices for all at all ages, and particularly those furthest behind, including people with disabilities. The Regulation on ensuring vulnerable groups with modern contraceptives purchased from the state budget stipulates that people with disabilities, including those from residential facilities, are eligible to benefit from modern contraceptives distributed free of charge at the primary healthcare facilities.

UNFPA and WHO provided technical support to the national authorities to develop the National program on sexual and reproductive health and rights for 2018–2022 aimed to ensure universal access to sexual and reproductive services, including in case of humanitarian situations. The Program is focused on enhancing rights and expanding choices for all at all ages, and particularly those left behind, including people with disabilities. In line with the provisions of the program, UNFPA and WHO provided support to the Ministry of Health, Labor and Social Protection to ensure vulnerable groups, including persons with disabilities, with modern contraceptives free of charge (purchased from the state budget). Also, with their support, the State University of Medicine and Pharmacy reviewed the Standardized Clinical Protocols on Family Planning/Methods of Contraception for Family Doctors and Gynecologists and included provisions related to counselling for people with disabilities on contraception.

For 2018, for procurement of the modern contraceptives for vulnerable groups, including people with disabilities was allocated from the public budget about 3.5 million lei, and for 2019 - 2.9 million lei.

Among the groups with increased vulnerability, adolescents and young people with different types of disability, benefited from specialized services to their specific needs, manifested by creating a network of 41 Youth Friendly Health Services (YFHC) located in Chisinau, Balti and district centers across the country. In this context, MHLSP with the support of UNFPA, Swiss Development and Cooperation Office, in 2017 equipped 30 YFHC in the country with gynecological chairs adapted for girls and women with physical disabilities. Equipping medical institutions with adapted gynecological chairs and construction of the ramps/or elevators offers the possibility for girls and women with disabilities to benefit from sexual and reproductive health services without discrimination. It is planned to create the accessibility conditions for ensuring the access of the

respective persons in all health institutions. MHLSP organized the training for 30 specialists of YFHC, on the particularities of counseling of adolescents with disabilities on specific needs.

Annually, over 20% (about 10.5 thousand) of the beneficiaries of counselling services for family planning and reproductive health within the YFHC is offered to vulnerable young people, including to persons with disabilities, and about 35% of the beneficiaries are from rural areas. Also in 2019, the "NeoVita" Center organized the Social Dialogue during the annual evaluation meeting of the YFHC volunteer's activity with the topic: "Disability as a challenge", with active involvement of young people, including those with disabilities. All in total representatives of 37 YFHC and 132 volunteers participated in the event, including representatives of A.O. "Motivation" and young people with disabilities.

With reference to recommendation 13 letter (b), (c) and (d) of the Committee's Concluding Observations, we inform the following:

On February 6, 2017, the Republic of Moldova signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

In this context, MHLSP together with national experts and with the support of UNFPA and UN Women developed the first policy document - National Strategy for Preventing and Combating Violence Against Women and Domestic Violence for 2018-2023 and Action Plan for 2018 -2020, approved by Government Decision no. 281/2018. About 10 Centers for victims of domestic violence are functioning across the country. MHLSP is contracting in each year from the Hotline service for women victims of violence from specialized services providers. The Hotline service provides information and primary counseling services to women-victims of violence, the general population and specialists in the field on certain cases. At the same time, counseling and resocialization centers were opened for family aggressors in three districts: Drochia, Ocnita, Causeni and Chisinau.

The Government approved the Law for the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence and submitted to the Parliament for consideration and adoption.

With reference to recommendation 15 letter (a) to (d) of the Committee's Concluding Observations, we inform the following:

According to the statistic, data issued by NASA, at the beginning of the 2020 year in residential institutions were 1696 persons with disabilities, of them 812 women and girls. In the context of deinstitutionalisation and preventing new entrances of the women with disabilities in institutions:

- The National program on deinstitutionalization of persons with intellectual and psychosocial disabilities, including women in residential institutions managed by NASA was developed and approved, for 2018-2026. During 2017-2020, about 200 persons with disabilities have been deinstitutionalized in community based services and/or biological/extended families or independent living. Of them, more than 60% are women with disabilities.
- Two working groups that includes the representatives of CSOs (for adults and children) were set up to examine applications for placement in residential institutions. In 2019 from 91 analysed cases, only in 47 cases, the local authorities received the approval for institutionalization the children or adults, including women and girls. In other cases, public authorities received the recommendation to provide support at home or in community based services to prevent institutionalization.

## **Article 7. Children with disabilities**

According to statistical data, about 10 684 children or 1.8% out of the total number of children represent children with disabilities.

- *With reference to Recommendation 17 of the Committee's Concluding Observations, the following:*

During the reported period, public authorities in partnership with CSOs developed a range of community-based services for girls and boys, including those with disabilities:

- Social support service for families with children which benefits about 47 670 children, of them 726 children with disabilities.
- Temporary placement services at community level for about 5095 children, including 348 children with disabilities.
- Family type services for about 4134 children, of them 153 with disabilities, including in foster care (73), family-type homes (20), guardianship and kinsheep (60).
- Residential services for about 961 children, of them 195 with disabilities.
- Day care centers (22) for about 546 children with disabilities.
- Personal assistance service that includes about 1000 personal assistants who offer assistance to 400 girls and 600 boys with disabilities up to 18 years old.
- Mobile Team services (26) that deliver assistance to 840 children with disabilities per year, of them 485 are children (210 girls and 275 boys with disabilities up to 18 years old).

In addition, the public authorities from Transnistria, Gagauzia, Stefan-Vosa, Causeni, Glodeni, Donduseni and Leova benefited of support from European Union through projects implemented by Keystone Moldova during reported period. Keystone Moldova has piloted inclusive education in 22 schools and 15 kindergartens in 15 districts as well. As a result, more than 350 children with disabilities, including 34 deinstitutionalized children were integrated into mainstream schools and kindergartens in their communities.

## **Article 8. Raising awareness**

Awareness raising of the population about the problems and the rights of people with disabilities is a permanent concern of the State, which is collaborating with CSOs and OPDs for this matter. Awareness raising of the rights and skills of persons with disabilities is set out as a strategic objective in the National Program for Social Inclusion of Persons with Disabilities for 2017-2022 (GD no. 723/2017).

*With reference to Recommendation 19 of the Committee's Concluding Observations, we inform the following:*

The MHLSP develops and implements annually an action plan dedicated to the International Day of Persons with Disabilities, with the involvement of local public authorities, international agencies OPDs and CSOs. The actions are focused on promoting the rights and social inclusion of people with disabilities. In this sense, exhibitions are organized with the sale of objects made by people with disabilities, photograph exhibitions press conferences, round tables, sports competitions, conferences, workshops, launching events of the new created social services etc.

During the reporting period, several events were organized, jointly with civil society (Keystone Moldova, AOPD, etc.). In this regard, the communication campaigns to promote the social inclusion of people with disabilities, their rights, combating discrimination against people with disabilities, promoting the abilities of persons with disabilities were conducted, including:

- The media campaign for the promotion of community living of people with disabilities to advance deinstitutionalization reform, being developed and distributed 5 videos:

- a) I have a family ([https://www.youtube.com/watch?v=GNO-HZt\\_Tw4](https://www.youtube.com/watch?v=GNO-HZt_Tw4));
- b) I can work (<https://www.youtube.com/watch?v=muZIq8cbUg8>);
- c) I am learning to be independent (<http://youtu.be/QqI2zdtW8QI>);
- d) I want all the boys in the institution to live in a family (<http://youtu.be/D1YQR2ReySQ>);
- e) I want a better life for my children (<http://youtu.be/HGZhKkKrKx8>);
- f) 10 video spots

([http://www.youtube.com/watch?v=q2aTlp8LNR4&index=1&list=PLPQuptrkWEMMzdJ5qpTaPwCBBOvGUU\\_F](http://www.youtube.com/watch?v=q2aTlp8LNR4&index=1&list=PLPQuptrkWEMMzdJ5qpTaPwCBBOvGUU_F)), broadcasted on TV Moldova 1, TV Publika, YouTube, social media for a few weeks.

- Anti-stigma media campaign implemented in agreement with non-profit organizations: Voinicel, Somato and Woman and Child Protection and Support (<http://youtu.be/HttO8t3z1b8>; <http://youtu.be/myh2fN3NDL8>; <http://youtu.be/f6LJEMkhBm0>).

- Media campaign organized by mutual agreement with the parents of children with disabilities "My child is like your child". Parents of children with disabilities have developed 10 personal stories that describes cases of discrimination. The stories were broadcasted on national radio; were posted on postcards and distributed nationwide.

- The media campaign "Show that you care" implemented in partnership with national radio and TV focused on promoting the rights of people with disabilities and encouraging people to combat cases of discrimination against people with disabilities.

- The media campaign "I support inclusion" was organized in order to prevent and combat discrimination against people with disabilities. The company's actions included: photo reports, videos, success stories, interviews.

- The annual photo exhibition "The world as I see it". The photos were taken by people with disabilities who were deinstitutionalized or prevented from institutionalization. Seven exhibitions were organized, 5 of which during the reporting period. The best photos accompanied by messages from people with disabilities were published in annual calendars, which were then distributed nationwide by Keystone Moldova.

- International conferences are also organized, for example Keystone Moldova jointly with MHLSP, AOPD and in partnership with EASPD, organized two International Conferences: in 2016 on Early Intervention Services "Growing together: from grassroots initiatives to national strategies in early childhood intervention" and in 2019 on promoting the rights of the persons with intellectual and psychosocial disabilities. Experts from Belgium, Austria, Russia, Germany, Croatia, etc., as well as central and local public authorities and CSOs from Moldova attended the conferences.

- Photo Exhibition "Inspiring People" to promote the positive image of people with disabilities based on rights and human dignity at national and local level conducted in 2017-2019 by AOPD in collaboration with MHLSP and the Media Center for Youth available at: The success stories of the protagonists were covered on social networks and media companies:

- <https://gagauzinfo.md/top2/43820-lyudi-kotorye-vdohnovlyayut-v-komrate-otkrylas-fotovystavka-uspeshnyh-lyudey-s-ogranichennymi-vozmozhnostyami.html>;
- <https://www.youtube.com/watch?v=YK1iLvKubIs>.
- <http://www.aopd.md/index.php/2015-12-15-14-02-58/interviu/73-istorie-de-succes-ion>;
- <http://www.aopd.md/index.php/2015-12-15-14-02-58/interviu/74-interviu-cu-victoria-mudreac-z-mbetul-e-colacul-meu-de-salvare>;

- <http://www.aopd.md/index.php/2015-12-15-14-02-58/interviu/75-interviu-cu-vlad-andreev-noi-to-i-suntem-egali> .

- National conferences in the field of inclusive education “Ensuring the right to education for children with disabilities” (2018), “Development of inclusive education in the Republic of Moldova - current results and future priorities” (2019).

- Training activities for specialists, teachers on the educational inclusion of children with special educational needs (2018) - 651 specialists; (2019) - 59 specialists.

- Trainings for community social workers on rights and social inclusion of persons with disabilities conducted by NASA in partnership with the MHLSP and CSOs. All in total about 500 persons attended the training.

- Trainings on "Rights of people with disabilities", "Mental health and recovery from the perspective of rights people with disabilities", “My rights” for both the persons with disabilities and the employees of residential institutions organized by Keystone Moldova.

- Within the project "Strengthening the rights of people with mental health disorders", in 2018, 297 police employees participated in training seminars on "Systemic understanding of mental health in the community" organized in collaboration with the National Association of Experts and Social Workers in Moldova. In the years 2019-2020, 5 courses were organized, in which 86 people from the police were trained, including specialized training on the subject "No one can be subjected to torture and any kind of punishment or cruel, inhuman or degrading treatment".

## **Article 9. Accessibility**

Regarding the accessibility of persons with disabilities, we must mention that the Law on social inclusion no. 60/2012, establishes general provisions on accessibility for persons with disabilities, including the authorities responsible. Thus, an entire chapter provides accessibility for people with disabilities, including the design and construction of social infrastructure, redesigning, access to cultural, tourist and sports, but also access to public transport and information for people with disabilities. In the Republic of Moldova, six higher education institutions train specialists in initial training programs in the fields of construction, transportation, information and communications. Accessibility is mainstreamed in training courses.

*With reference to recommendation 21 letter (a) to (d) of the Committee's Concluding Observations, we inform the following:*

One of the objectives of the National Program for Social Inclusion of Persons with Disabilities for the years 2017-2022 refers to "Ensuring accessibility to infrastructure, transport, information and communications for people with disabilities". In this regard, the MEI and the institutions responsible for the construction component, a set of normative documents were elaborated and approved in 2018:

- Urban environment. Design rules for people with disabilities”;
- “Buildings and rooms with jobs for people with disabilities. Design rules”;
- 3.”Design of buildings and constructions with ensuring accessibility for people with disabilities. General provisions”;
- 4.”Civil buildings. Habitat with systematization elements, accessible for people with disabilities. Design rules”;
- 5. “Civil constructions. Public buildings and constructions, accessible for people with disabilities. Design rules”.

These normative acts were placed on the website [www.ednc.gov.md](http://www.ednc.gov.md) in order to ensure free and unrestricted access to all normative documents in constructions, according to the provisions of art. 35, para. (4) of Law no. 721/1996.

In 2019, AOPD monitored the activity of the Technical Supervision Agency, responsible for carrying out controls on compliance with the accessibility conditions of public buildings. During 2019, controls were performed to verify compliance with the accessibility provisions in 106 institutions. As a result, violations were found in case of 16 institutions, and as a result, 16 prescriptions and 2 minutes of accessibility right 'violations were developed sent to responsible body.

According to the MEI data, during the years 2018-2019, 1047 specialists in the field of constructions were certified on how to apply the norms and technical standards of accessibility for people with disabilities.

Regarding the adaptation of spaces for children with physical disabilities in educational institutions:

- 132 institutions from early education built the access ramp; 53 institutions have adapted sanitary groups, and 15 institutions from Balti have special rooms, accommodated for recovery / therapeutic activities with children with special educational needs;
- 409 primary and secondary general education institutions have the access ramp; 169 institutions have adapted sanitary groups, and 25 institutions have special rooms for recovery / therapeutic activities with children with special educational needs;
- 12 vocational education institutions have the access for students with disabilities.
- 5 higher education institutions started to ensure the accessibility for students (State University of Moldova/ elevator and access ramp to the study building; Technical University of Moldova / access ramp to one dormitory; State University of Physical Education and Sports - access ramp to the central study building; Tiraspol State University/ access ramp to the study building and one dormitory; „Ion Creanga” State Pedagogical University/ the project for the accessibility of 2 study buildings and a dormitory; „Bogdan Petriceicu Hasdeu” State University of Cahul / access ramp in the study one study building and in two dormitories).

With regard to the access of persons with disabilities in national libraries, we inform you that access (entrance) routes are provided, including the National Library of the Republic of Moldova, access to the first floor is provided where they are directly served and is currently looking for solutions to ensure access to the second floor. People with disabilities have free admission to national libraries. At the local level, only 30 libraries have accessibility conditions.

With reference to the access of people with disabilities in museums, the access only to the ground floor of the National Museum of History is ensured. Currently, partial access is provided in the permanent exhibition of the National Museum of Art. In the current development project of the museum headquarters, the equipment with ramps and elevator is foreseen. According to the regulatory framework in force, both people with disabilities and their companions benefit from free admission to the museum.

With reference to the access of people with disabilities in theatrical-concert institutions, the most of them have partial accessible conditions to people with disabilities.

In 2019, the Ministry of Interior initiated the procedure for assessing the degree of accessibility of the premises of administrative authorities and institutions under its subordination, for persons with disabilities. Access ramps were installed for people with disabilities at the entrance to the

headquarters of the Ministry of Interior, at the headquarters of the Information Technology Service subordinated to the Ministry of Interior. They have access ramps and offices managed by the subdivisions subordinated to the General Inspectorate of Police. At the same time, within the Police Development Strategy, with the support provided by the EU, the reconstructions of 17 police sectors were completed, out of which 14 police sectors were inaugurated, and 20 police sectors are in the process of modernization including accessibility. In addition, in 3 Temporary Detention Isolators (Chisinau, Hincesti, Cahul) it is planned to ensure the accessibility based on universal design.

At the same time, in order to ensure the access of persons with disabilities to the road infrastructure and the need to comply with the provisions of public road design regulations, the project documentation is verified and examined by the State Service for verification and expertise of projects and constructions, which includes accessibility as well. In order to improve the conditions of service and transportation of passengers among persons with disabilities by the State Company in the filed the following measures have been taken:

- the waiting rooms of the train, bus, car stations of the company were provided with places arranged for waiting;
- sidewalks and ascent-descent slopes are arranged at the company's branches at the entrances of railway stations and car stations;
- 12 subsidiaries of the Company have been renovated and ensure the access of people with disabilities to enjoy full rights and fully benefit from all services provided by the bus station;
- in all branches of the Company, persons with disabilities benefit of special travel tickets and are given the opportunity to occupy the first four seats in the transport units on regular journeys;
- the company's employees are trained in order to improve the services provided.

On the transport component, by Order no. 101/2017, the specifications regarding the equipment of vehicles accessible to people with disabilities were approved. They set out the minimum conditions for equipping road vehicles, including requirements for the space required for the trolley, the angles of inclination of the access ramp and the requirements for the safety of the passenger in the trolley.

*On the dimension of access to information and communications*, the Law on electronic communications no. 241/2007 expressly provides that end users with disabilities can benefit from offers of electronic communications services available to all users.

## **Article 10. The right to life**

In the Republic of Moldova, the state guarantees the right to life in the Constitution and other legislative acts, including the Law on Reproductive Health, no. 138/2012; Health Care Law, no. 411/1995; Law on social inclusion of persons with disabilities, no. 60/2012 etc. People with disabilities, from birth, have the right to life and no one can be deprived of this right.

The average life expectancy in the Republic of Moldova in 2019 was 70.9 years, including 66.8 years for men and 75.1 years - for women, it is below the EU-28 average (2018 - 81.0 years, Eurostat). Therefore, the indicator, life expectancy at birth in 2019 increased by 0.3 years compared to the previous year and by 1.6 years on average for both genders in the last 6 years (compared to 2014).

Life expectancy at certain ages, categories of citizens and by gender is an important benchmark for the development and adjustment of policies in the areas of health, employment, insurance and social assistance, including the provision of social services, based on the needs of people with disabilities, the elderly and other categories of citizens.

## **Article 11. Risk situations and humanitarian emergencies**

In the Republic of Moldova, measures for the protection and safety of citizens, including persons with disabilities in situations of risk and humanitarian emergencies are established and are granted in accordance with the provisions of the legislation.

With reference to Recommendation 23 of the Committee's Concluding Observations, the following activities have been performed:

During the state of emergency, in the context of the Covid-19 pandemic, the central and local public authorities, the responsible institutions, donors/development partners, have undertaken several actions of support and assistance, including for persons with disabilities:

- Extended the period of disability in case of its expiration during the period of emergency;
- Provided social benefits for all persons with disabilities whose disability certificate expired during emergency, until the disability re-assessment was performed but no later than August 01, 2020 subsequently;
- The financial motivation for the staff of the Temporary Placement Centers for the elderly people and persons with disabilities, during the emergency, to take special measures for prevention and control of Covid-19 infection;
- The local public authorities, through the social assistance department's assistance to people with severe disabilities, including the involvement of volunteers;
- Online training courses were organized for employees of medical and social institutions, on provision of the medical and social services at home care and safe palliative care in the conditions of the Coronavirus pandemic, "Use of individual protective equipment: measures to prevent the spread of infection";
- "Assisting people with disabilities within the placement institutions during the Covid-19 pandemic".

Civil society has also been actively involved and has taken various actions to support people with disabilities during the COVID-19 pandemic. Thus, Keystone Moldova organized online seminars for local public authorities in several districts on how to manage social services during a pandemic and how to protect people with disabilities and staff from Covid-19 infection, as well as training sessions, mentoring in developed services, in order to develop person-centered plans, more complicated case management, challenging behavior management. They delivered protective equipment and materials procured from EU and Soros Foundation Moldova funds. Also, Keystone and AOPD conducted a sociological research on the impact of Covid-19 on people with disabilities, with recommendations to central and local public authorities.

## **Article 12. Equal recognition before the law**

According to the Law 60/2012 on social inclusion, persons with disabilities benefit from legal capacity in equal measure with other persons in all aspects of life, and from protection and legal assistance measures to exercise their legal capacity.

With reference to recommendation 25 letter (a) to (c) of the Committee's Concluding Observations, the following activities have been performed:

In 2017, by Law no. 66, amendments and completions were made to the Civil Code no. 1107/2002, Code of Civil Procedure no. 225/2003, Family Code no. 1316/2000, Execution Code no. 443/2004, Law on mental health no. 1402/1997, as well as in other relevant legislative acts (all in total 16 legislative acts).



According to the improved legal framework, all persons with disabilities have restored their legal capacity. They can benefit of supported decision making through 2 types of measures: contractual (extrajudicial) measures and judicial protection measures. Contractual measures are a novelty for the national legal system and include - the assistance contract (art. 74 - 75 of the Civil Code, updated) and the future protection mandate (art. 76 - 86). The judicial protection measures differ according to the intensity of the intervention in the person's life and they can be established in respect of a person with full capacity to exercise.

In order to establish the clear mechanism on providing support of persons with disabilities in decision making, an analysis was performed during 2019 of the legal provisions, according to which it was found that both the Code of Civil Procedure (art. 581), as well as the Code of Penal Procedure (art. 75) contain special regulations for persons with disabilities, participants in legal proceedings. Only the Contravention Code does not establish regulations for persons with disability through supported decision making and needs to be completed with amendments by the MoJ by the end of 2020.

### **Article 13. Access to justice**

Access to justice for persons with disabilities is established in national legislation, including the Law on social inclusion no. 60/2012, and in the Plan for construction of new buildings and/or renovation of existing buildings of the court system, approved by Parliament Decision no. 21/2017.

Regarding the accessibility of people with disabilities to the infrastructure of the justice system is gradually ensured. Thus, out of the 20 courts, in 12 courts the conditions of accessibility are created, in case of 8 courts the authorities planned to improve the conditions in the next period of time.

Regarding the accessibility to information related to justice system and administration of the files within the Court, the webpage of the Agency for Court Administration, in 2019, introduced an accessibility menu for persons with visually impairments. The menu contains several options designed to facilitate the navigation of the web portal, such as: the possibility of enlarging the text, changing the background color of the page and the contrast, reading, text voice, enlarging the navigation cursor, highlighting text with other colors, stopping or starting animations, increasing and/or decreasing the space between words.

With regard to physical access, 22 Prosecutor's Offices have been equipped with access ramps, and another 30 are planned to be gradually adapted. According to the Regulation regarding the official page of the Prosecutor's Office [www.procuratura.md](http://www.procuratura.md), approved by the Order of the General Prosecutor, no. 43/4 of 23.11.2016, the official website was adapted to be easily accessed from mobile equipment (mobile phone, smartphone), as well as, accessed by people with disabilities by providing a sound system for information content.

*With reference to recommendation 27 letter (a) to (d) of the Committee's Concluding Observations, we inform the following:*

With regard to state-guaranteed legal aid, during the years 2017-2020, 183 persons with disabilities benefited from state-guaranteed legal aid, of which: 136 persons with physical disabilities; 31 with psychosocial disabilities; 10 with intellectual disabilities and 6 people with sensory disabilities.

In 2018 the National Council for Legal Aid developed the Quality standards of the activity of lawyers, which provide state-guaranteed legal assistance in cases that involve people with intellectual and psychosocial disabilities. The standards contribute to the establishment of minimum recommendations that include measures to be taken by lawyers representing people with intellectual

and psychosocial disabilities, based on the special needs of these groups, including recommendations on the lawyer-client relationship.

The tools for external monitoring of the quality of legal aid guaranteed by the state, provided by lawyers to persons with intellectual and psychosocial disabilities, as well as a Curriculum for continuous training of lawyers, which provide legal aid guaranteed by the state on criminal and non-criminal cases were also developed, with the involvement of people with intellectual and psychosocial disabilities.

Annually, the Council in collaboration with National Institute of Justice conducted trainings for lawyers who provide state-guaranteed legal assistance. All in total 40 lawyers attended the trainings on how to provide legal assistance guaranteed by the state. As result, the list of lawyers specialized in providing state-guaranteed legal assistance to persons with intellectual and psychosocial disabilities was reviewed the last list being updated by National Council for Legal Aid (Decision no. 4/2020).

With regard to persons with disabilities in the penitentiary system, the penitentiary institutions, improved the accessibility conditions in the Penitentiaries no. 1 Taraclia, no. 6 Soroca, no. 9 Pruncul, no. 13 Chisinau and no. 17 Rezina. Currently, there are 198 people with disabilities in the penitentiary system, of which 21 are women and 177 are men. The activity with people with disabilities is organized in a multidisciplinary form, consisting of various specialized collaborators, who actively work to provide the necessary support, based on the psychosocial program for the elderly and disabled in prisons, approved by National Administration of Penitentiaries Order, no.373 / 2019.

People with disabilities who are subject to probation receive support services, from the perspective of assistance and counseling, provided both directly by probation counselors or through specialists in community institutions (translation in special language, mimico-gestural language, support person etc.).

In accordance with the plan for training of employees of MIA within the Academy "Stefan cel Mare" during the academic years 2019-2020, five courses conducted on disability, for 86 employees. The right to interpreter or translator for the persons with disabilities detained, transported, escorted and detained in pre-trial detention is ensured through MIA Order no 797/2019.

#### **Article 14. Freedom and security of the person**

The Constitution of the Republic of Moldova and the national legislation establish that the individual freedom and security of the person are inviolable, without any distinction being between persons with and without disabilities (art. 25). Restriction of the exercise of certain rights or freedoms of the person (art. 54), excludes the restriction of free access to justice, the presumption of innocence, non-retroactivity of the law, the right of every person to know his rights and duties and the right to life, physical and mental integrity.

With reference to recommendation 29 letter (a) to (c) of the Committee's Concluding Observations, we inform the following:

According to the provisions of the Law no. 1402/1997 on mental health, the psychiatric assistance is provided at the voluntary request of the person or with his free consent. Hospitalization in the psychiatric hospital, except for the cases provided by this Law, is done at the request or with the free consent of the person. The treatment can be performed without the free consent of the person suffering from mental disorders only in case of application of coercive medical measures, in accordance with the provisions of the Penal Code.

At the same time, amendments were made to the Law on mental health, which regulates hospitalization in the psychiatric hospital and/or institutionalization in residential institutions, based on:

- the request for hospitalization in the psychiatric hospital or placement in residential institution, which may be submitted by the persons with mental health problems or on behalf of the person, by the authorized/supported person if the mandate expressly indicates this fact;
- the request can be done by temporary guardian or other support persons who will assist the person, by countersigning the request, in accordance with the Law. If guardianship is instituted in respect of the person, the request for hospitalization in the psychiatric hospital shall be signed by the guardian;

In both cases provided above, the hospitalization of a person suffering from a mental disorder shall be prohibited if the hospitalization contravenes the wishes expressed by him. When identifying the wishes of the person in respect of whom a protection measure is established, the presence of the person who will facilitate their establishment (trusted person) is mandatory. The trusted person is any person freely chosen by the person suffering from mental disorders. In the absence of a person, the trustee will be appointed by the Community Mental Health Center. At the same time, as a ground for institutionalization in a residential institution, serves the opinion of the medical commission, with the participation of the psychiatrist.

Regarding the deinstitutionalization process of persons with disabilities, the transfer or exit of the persons is made based on the request or desire and feelings of the person, expressed in any form, which shows that placement in institution contradicts his/her desire. When identifying the person's wish, the presence of the trusted person is mandatory, which will facilitate their establishment; at the request of the parents, relatives, legal representative or, as the case may be, of the person in charge of protection (assistant, future proxy, temporary guardian, curator, guardian, family council members), who undertakes to discharge the person from residential care.

Penal Code no. 985/2002 and the Code of Penal Procedure no. 122/2003 stipulates that deprivation of liberty, arrest, forced internment of a person in a medical institution are allowed only on the basis of an arrest warrant or a reasoned court decision. Forced admission of a person to a psychiatric institution is a coercive measure applied only to persons with psychosocial disabilities, who have committed acts provided by Penal Law in a state of irresponsibility or reduced responsibility. In the period 2017-2019, no person with disabilities was deprived of liberty in the absence of a court decision (placed under the interdiction to leave the institution or psychiatric or social placement service). During 2017 - 2019 of the National Institute of Justice conducted the following training courses:

- The legal protection measures in case of domestic violence towards women, including women with disabilities (40 hours of training);
- Hospitalization procedures and treatment/approval in psychiatric hospitals (40 hours of training);
- Mental health and mental illness (16 hours of training).

## **Article 15. Freedom from torture or cruel, inhuman or degrading treatment or punishment**

The Constitution of the Republic of Moldova and other normative acts contain provisions that state that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. These issues were described in more detail in the initial State Report.

In order to protect persons against torture and other cruel or inhuman or degrading treatment or punishment, the National Mechanism for the Prevention of Torture, in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The council consists of seven members. The People Ombuds' and Ombuds' for the Rights of the Child are full members of the Council. The other members are proposed by the civil society and selected for a term of 5 years, which cannot be renewed.

The cooperation procedure between different state authorities (General Prosecutor's Office, MoJ, MIA, Customs Service, and MHLSP) for the identification, registration and reporting the cases of torture, inhuman or degrading treatment is approved by a joint Order of the mentioned institutions. To eliminate the application of torture and other inhuman treatment, the Action Plan on reducing ill-treatment, abuse and discrimination against persons in police custody for the years 2017-2020 was approved (GD 748/2017). Based on the Partnership Agreement signed in 2017 between General Inspectorate of Police and IDOM, 237 people from the Police offices and pre-trial detention have been capacitated in prevention and combating ill-treatment of persons with disabilities.

In addition, the capacity building programs have been provided with the support of Soros Foundation Moldova based on the Partnership Agreement signed with the Ministry of Interior, General Prosecutor's Office (2018). All in total 80 persons attended the trainings.

The Methodological Recommendations for the effective investigation of the crimes of torture, inhuman or degrading treatment, involving persons with psychosocial and intellectual disabilities were approved by the Order of the General Prosecutor's Office no. 39/8 of 30.12.2015. The General Instruction, no. 11-3d/17-4407 of 12.10.2017, applicable in the criminal investigation bodies, which regulate the actions in case of interaction with persons suspected/accused of committing crimes, in which there are suspicions that he/she suffers from mental disorders was approved too.

Between 23-24.01.2020, within the Council of Europe Program "Promoting a criminal justice system based on respect for human rights in the Republic of Moldova", the prosecutors of the Anti-Torture Section participated in a workshop on detention, arrest, medical examination and detention of persons with mental health problems. The workshop was attended by judges, employees of the penitentiary system, in the field of health, social protection, lawyers and criminal investigation officers, being identified the problems in the field and possible solutions to remedy the situation.

With reference to recommendation 31 of the Committee's concluding observations, we inform the following:

Temporary placement centers for people with disabilities, managed by NASA, promote and implement measures to protect people with disabilities, including against torture, punishment or inhuman and degrading treatment. These issues are also set out in the activity regulations, as well as in the working instructions of the employees of the institutions, which include prevention, reporting and intervention procedures. Also, the legal provisions regarding the consent of the disabled person to any type of medical intervention are implemented.

Temporary placement centers are periodically inspected by the Ombuds Office, IDOM, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment, International and National Experts, etc. Based on the reports and recommendations made by the mentioned organizations, the Centers elaborate and implement concrete action plans to implement the recommendations of abovementioned bodies. Both employees and beneficiaries permanently participate in training courses and information seminars organized by OHCHR, IDOM, the Police Inspectorate and other CSOs.

Mailboxes are installed in the Centers for the confidential filing of complaints in situations of ill-treatment. The beneficiaries use mobile telephony and have access to the fixed telephony of the

institution and the service 112. At the same time, the beneficiaries also call the Free Hotline service regulated by Government Decision no. 198/2019. The service has a toll-free number (Freephone) - 080010808. MHLSP is contracting this service in each year from specialized services providers. Up to now Keystone Moldova that piloted the Hotline service in 2017, is delivering assistance on the contract basis. During the years 2017-2019, the Hotline services was accessed by 2500 people with disabilities from the Temporary Placement Centers.

## **Article 16. Freedom from exploitation, violence and abuse**

In recent years, the Republic of Moldova has taken several measures, both legislative and practical, to protect individuals (especially women and children) against all forms of exploitation, violence and abuse, both within the family and in social services of different types. The Initial State Report mentioned the provisions of the legislation in this field.

The General Prosecutor's Office informed that, during the reporting period, in the courts with the participation of prosecutors, 103 criminal cases involve persons with disabilities as suspects of abuse or violation were examined, including: 96 men and 7 women.

Of the total number of examined cases of persons with disabilities handed down by the Courts, 99 were sentences and 4 termination sentences for people with disabilities.

By the Courts, criminal cases were examined with the pronouncing of the sentences, in which 26 victims were persons with disabilities, including 18 women victims and 8 men victims. Most of the criminal cases in which the victims were women who have exposed to sexual violation (art. 171, art. 172, art. 173 of the Criminal Code). In other 3 criminal cases, 3 persons with disabilities participated in the process as witnesses, of them 2 men and one woman. During the examination of 11 criminal cases in the Courts, people with hearing disabilities requested a monico-gestual interpretation and benefited from this service.

The General Prosecutor's Office developed the Methodological Guide on investigating cases with child victims witnesses of crimes, approved by the order of the Prosecutor General no.25/25 of 03.08.2015 and the Decision of the Superior Council of Magistracy no. 619/25 of 02.09.2015. The recommendation was elaborated in accordance with the provisions of 1101 par. (1) Code of Criminal Procedure.

The MoJ in compliance with article 13 of CRPD, proposed to amend the Contravention Code by regulating the procedure for the use of video conference in the examination of contravention cases for the hearing of persons with disabilities, whose presence in Court cannot be ensured.

*With reference to recommendation 33 letter (a) to (d) of the Committee's concluding observations, we inform the following:*

In addition to those mentioned in the previous article (art. 15), the Order no. 150/2015 "On the examination of suspected cases of violence, neglect and exploitation of beneficiaries of investment institutions subordinated to MHLSP". The employees of the social and educational institutions are obliged to notify the administration about any suspected case of violence, neglect and exploitation of the beneficiaries, and the administration of the institution is obliged to ensure the registration in the register the suspected cases of violence, neglect and exploitation of the beneficiaries, as well as to notify the competent bodies for the examination of the notification.

According to the provisions of the Regulation on the organization and functioning of the residential institutions, they have the obligation to provide protection to persons with disabilities against violence, neglect and exploitation, as well as, to ensure an efficient system for receiving,

registering and resolving complaints about services provided within the institutions, in accordance with the legislation in force.

NASA ongoing is organizing training courses for the employees and beneficiaries of the institutions in order to familiarize and implement the mentioned procedure, including with the support of SCOs in the field and donors (IDOM, Keystone Moldova, Ombuds'Office, People in Need, OHCHR).

In addition, in order to prevent cases of violence and ill-treatment between beneficiaries and between employees and beneficiaries, video surveillance cameras have been installed in the institutions. Under the EU funded project, Keystone Moldova distributed 30 mobile phones to persons with disabilities from six residential institutions to ensure the access to free Hotline services. The campaign to inform and promote the rights of people with disabilities in residential institutions "EU helps me to defend my right" was conducted. As result of the information campaign, 74 cases of violence and abuse were reported to Hotline service; of them 32 cases were referred by Keystone Moldova to IDOM for legal support and judicial expertise; 15 cases were sent to the Court. The impact evaluation report of the Free Hotline service, including in residential institutions, highlighted that it had a positive impact and made a significant contribution to reducing cases of abuse and violence in residential institutions. Thus, 2/3 of the respondents-persons with disabilities from residential institutions mentioned that the staff changed their attitudes and behavior because they are afraid that people with disabilities will report cases of abuse to Hotline service and consequently lose their jobs.

In cases of violence, neglect, exploitation of children in child care institutions, the staff is acting in accordance with the *Instructions on the cross-sectoral cooperation mechanism for identifying, assessing, referring, assisting and monitoring child victims and potential victims of violence, neglect, operation and traffic* (GD no. 270/2014).

### **Article 17. Protecting the integrity of the person**

The right to mental, physical, sexual and reproductive health es ensured by national legal fremork, including the provisions of the Constitution, Law on social inclusion no. 60/2012, Law on health care no. 411/1995. All abovementioned Laws contain provisions such as: the patient's consent for any medical service (art. 23 (1)), voluntary surgical sterilization performed only with the written consent of the person (art. 31 (1)), the voluntary interruption of pregnancy (art. 32).

With reference to Recommendation 35 of the Committee's concluding observations, we inform the following:

With the reform of the guardianship institution, changes were made to art. 23 of the Law on health care, respectively the consent of the patient in respect of whom a measure of judicial protection is instituted is given by the person in charge of the care; in his absence of the closest relative. The consent of the patient in respect of whom a measure of judicial protection is established is presumed in case of danger of imminent death or serious threat to his/her health (art. 23 (4)).

The normative framework for regulating reproductive health is found in the provisions of the Law on reproductive health no. 138/2012 and the National Program on sexual and reproductive health and rights for the years 2018-2022, (GD no. 681/2018). People with disabilities are included within the Program with one of vulnerable group that need free acces to modern contraceptive goods and family planning services.

Among the beneficiaries of public social assistance institutions, their information on family planning and measures to prevent the forced sterilization of girls/women with disabilities is promoted

at community level and in residential institutions. The medical staff, the social worker and the psychologist at the Centers were trained in obtaining informed consent for people with disabilities to use contraceptive.

### **Article 18. Freedom of movement and citizenship**

The right to free movement and the right to citizenship are enshrined in the Constitution of the Republic of Moldova and other normative acts mentioned in the Initial Report. Registration of the birth of any child is mandatory in the Republic of Moldova. According to the legislation, the civil status bodies are obliged to register any birth, without any differences or special procedures for newborns with disabilities. Each child, including those with disabilities, has guaranteed an identity (name and nationality).

During the years 2017-2019 and the first 6 months of 2020, 3345 identity cards and 1885 passports were issued free of charge to people with disabilities, including children / young people with disabilities. About 637 persons with disabilities paid only 50% of the cost for citizen's passport.

### **Article 19. Independent living and being included in the community**

To ensure the independent living and social inclusion in the community of the persons with disabilities, the Government of Moldova has taken the following steps to develop and review the national disability legislation in compliance with article 19 of the CRPD:

- Approved Law on social services no 123/2010.
- Approved the [National Program on Social Inclusion of Persons with Disabilities \(2017-2022\)](#).
- Developed and approved the [National Program on the Deinstitutionalization of Persons with Intellectual and Psychosocial Disabilities \(2018-2026\)](#).
- Developed and implemented the [National Program on Inclusive Education for 2011-2020](#).
- Mainstreamed disability within the new [Law on employment in 2019-2020](#).
- Developed Regulations and Quality Standards for new community-based services (Supported living, Community home, Shared living, Foster care, Personal Assistance, Respite, Mobile team, Day care centers, Sign language interpretation, etc.).

The strategic policy framework is well developed to contribute to implementation of the Article 19 into practice. However, the implementation of the policy on independent living and social inclusion into community is limited by financial and human resources constraints faced by the State.

With reference to recommendation 37 letter (a) to (c) of the Committee's Concluding Observations, we inform the following:

In the context of deinstitutionalisation and prevention of institutionalization, several actions have been taken, including:

The Government approved the National Program for deinstitutionalization of persons with intellectual and psychosocial disabilities from residential institutions managed by NASA for the 2018-2026 was approved (GD no. 893/2018). The document aims to deinstitutionalize 50% of the persons with disabilities up to 2026 with the support to independent living into community. Starting with 2017 financial resources from residential care were redirected to community based services development.

According to the assessment report which includes social, psychological and medical evaluation of 2000<sup>5</sup> persons with disabilities placed in residential care the experts recommend the following types of community based services to advance deinstitutionalization:

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<sup>5</sup> The evaluation conducted with the support of keystone Moldova and Center for Mental Health Care development Czech Republic during 2015-2017

- Community home services (community housing where 2 to 6 persons can live that need care 24/24 hours) for 40% of the persons with intellectual and psychosocial disabilities from residential care . During reported period, three Community based services for 18 persons with disabilities were developed from the state budget.
- Supported living services (housing services where could live from 2 to 6 persons with less support established based on individual needs of the service users) for 30% of persons with disabilities with high level of personal autonomy. During reported period, 12 Supported living for 63 persons with disabilities were developed from the state budget.
- Supported living services combined with mental health services for 14% of the persons with psychosocial disabilities. This type of service is not developed yet.
- Support services for independent living and/or family reintegration for about 80 persons with disabilities (9%) of persons from residential care. During reported period, 10 persons have been transferred in community-based services provided by local public authorities and 16 persons have been deinstitutionalized in their biological/extended families.

All in total about 400 persons with intellectual and psychosocial disabilities, including children were deinstitutionalized during 2009-2019 with the support of Keystone Moldova, other CSOs and the involvement of local public authorities. In 2019, all six residential institutions under administration of NASA have established Partnership Agreements with 10 CSOs on implementation deinstitutionalization reform and providing support to 100 persons with disability in the process of deinstitutionalization.

To reduce the number of entrances in residential care and to advance deinstitutionalization with support services at community level, the multisectoral working groups (for adults and children) on the examination of placement applications, prevention of institutionalization and deinstitutionalization were established at the MHLSP level. The members of the working groups are the representatives of the responsible public authorities (NASA, MHLSP) and of the civil society (Keystone Moldova, IDOM, People in Need, CCF Moldova). The institutionalization is accepted only in cases when there are no alternative solutions and when the life and health of the adult or child with disabilities is in a higher risk, and the placement period is temporary (from 6 months to a maximum of one year). During the placement period, the local public administration is responsible for taking concrete measures and identifying social services as an alternative to residential care. Regarding the activity of the mentioned groups, we note that, during the reference period, 91 placement requests were received for examination, including 37 files for placement of persons with intellectual and psychosocial disabilities in institutions for adults, 44 files - for institutionalization of elderly people, including with physical and sensorial disabilities and 10 requests for temporary institutionalization of children with disabilities. In 47 cases (51.6%) (out of 91 registered cases) institutionalization was prevented, including for 26 adults with intellectual and psychosocial disabilities, 7 children with disabilities and 14 cases for the elderly and people with physical disabilities.

To prevent institutionalization and facilitate the inclusion of persons with disabilities in the community, the public authorities with the support of CSOs developed the community-based services. The data provided by LPA to MHLSP shows that in 2019, the following services were functional:

- 3 Shared living services (family-type placement service) for 42 adults and elderly people with intellectual and psychosocial disabilities;
- 4 Respite services for 160 children and adults per year (one person can benefit from Respite service 30 days per year);



- 26 Mobile Team services that provides social assistance, psychological, speech therapy and physiotherapy and other necessary services at home (840 children and adults with disabilities/per year);
- 6 Day-care centers for about 188 persons with disabilities (children and adults);
- Personal Assistance service that provides person-to-person services to assist people with disabilities with tasks they would perform if they did not have a disability, for about 3,590 persons with severe disabilities;
- Sign language interpretation - 7350 hours/2019 year provided based on individual request of persons with disabilities;
- Support services for inclusive education (917 resource centers and 989 support teachers in mainstream schools).

Development of social services at community level by local public authorities remain to be challenging due to the lack of financial resources in their local budgets. In this regard, the national authority approved the minimum package of social services and allocated from state budget the financial recourse to cover the most required support services at local levels. For 2020, from the state budget were allocated about 135,7 million lei, including: 31,5 million lei for the Support services for families with children, including children with disabilities; 12,9 million lei for monetary support addressed to disadvantaged families / persons, including with disabilities; 91,3 million lei for the Personal assistance service.

To ensure independent living and inclusion of persons with disabilities into community and to advance deinstitutionalization, the public authorities have established Partnership Agreements with CSOs (Keystone Moldova, AOPD, People in Need, Partnership for every child, AREAP, Outreach Moldova, IDOM, Trimbos, etc.) to support projects aimed to contribute on implementation of the National Program on Deinstitutionalization from donors funds (European Union, Soros Foundation Moldova, World Health Organization, Czech Development Agency, Sioil Ireland Austrian Embassy etc.).

## **Article 20. Personal mobility**

In order to facilitate the mobility of persons with disabilities, the legislation of the RM provides support in the form of payment benefits and specialized services, which were described in the Initial State Report.

*With reference to recommendation 39 of the Committee's Concluding Observations, we inform the following:*

People with physical disabilities, including children receive social allowance for transportation. The data provided by Social assistance departments shows that about 145600 people with disabilities (of them 15200 people with physical disabilities) benefit from the social allowance for transportation services, including 10600 children with disabilities (of them 1960 children with physical disabilities).

In addition, according to the national legislation, persons with physical disabilities, including in the case of children, may choose instead of transportation allowance, the fiscal facilities for import of transportation unit (once in five year). According to the data provided by social assistance departments, in 2019 - 111 people benefited from fiscal and customs facilities for vehicles' import.

To facilitate the mobility of persons with disabilities, the Republican Experimental Center for Prosthetics, Orthopedics and Rehabilitation (RECPOR) is providing rehabilitation services and assistive equipment. All in total about 53,000 people with physical disabilities benefited of support from RECPOR.

For 2019 and 2020 years from the state budget were allocated the financial resources (3.5 million lei per year) for procurement of about 1000 wheelchairs per year. All in total, 2160 persons with physical disabilities have been ensured with wheelchairs in 2019 and 1437, in 2018. One lot of wheelchairs were procured from the state budget by RECPOR and Society of Persons with Disabilities ensured other lot in partnership with one religious organizations. The Society of Persons with Disabilities is receiving from the state budget about 250 thousands lei per year for assistive equipment.

## **Article 21. Freedom of expression and opinion and access to information**

In the Constitution (art. 32 para. (1), (2) and art. 34 para. (1), (2)) and the legislation of the Republic of Moldova there are a number of provisions governing freedom of expression and opinion and access to information, issues that were described in the Initial Report.

*With reference to recommendation 41 letter (a) to (c) of the Committee's Concluding Observations, we inform the following:*

We reiterate that, in the Law on the social inclusion no. 60/2012, the access to information of persons with disabilities is guaranteed (art. 25 (1-8) . Thus, the State: recognizes and promotes the use of sign language and other alternative forms of communication), communication between people, promotes access of people with disabilities to information and the media, as well as to assistive technology and electronic communications (Braille and audio, easy to read etc.). The persons with hearing impairments benefit of sign language interpretation (GD no 333/2014).

The interpretation in sign language is provided by the Association of the Deaf People from the RM, from the state budget paid by MHLSP.

For 2020 year, about 428.5 thousand lei were allocated for sign language interpretation. In the first quarter of 2020, about 5134 hours of interpretation were provided for 2873 people with hearing disabilities. For these sign language interpretation, the MHLSP contracted the Association of the Deaf People –and paid for 2019 / 368.2 thousand lei for 7350 hours of interpretation; for 2018 / 272.2 thousand lei for 5968 hours of interpretation.

In the context Covid-19 pandemic, the Public Television "Moldova 1" which has national coverage presented the news and official information about the rules and work regime of the state institutions in emergency by using the mimico-gestual interpretation to ensure the access of the people with hearing disabilities to official, safe and truthful information.

At the same time, the press service of MHLSP provides daily press releases on the ministry's website and social networks, about the current situation, including sent to all media institutions in our country to inform the population from official sources. In this context, we mention that the MHLSP website is also accessible to people with disabilities.

During the pandemic, MHLSP also launched a new platform to monitor the current situation. On this platform are presented data on the situation in each locality affected by the virus (<http://gismoldova.maps.arcgis.com/apps/opsdashboard/index.html#/d274da857ed345efa66e1fbc959b021b>).

With the support of the WHO and donors, materials, social networks, materials to inform the population about the pandemic, including in accessible format for people with sensory and intellectual disabilities, have been edited and distributed on MHLSP website and social media.

The web pages of several ministries and central public authorities, including the Ministry of Interior, MHLSP and some public institution (NASA, NCDWAA, CPEDAE) have been improved having a format accessible to people with disabilities.

CPEDAE has developed a Guide on information accessibility, support material for public institutions and authorities that aims to provide practical recommendations to ensure the ensure equal access to information, especially for people who face barriers in interpreting and accessing information provided by public authorities. The printed and electronic versions of the Guide is available all interested stakeholders. The Council did not register any complaints regarding the restriction of the freedom of expression of persons with disabilities. With regard to access to information, the Council examined in two cases the issue of ensuring the accessibility of information for people with disabilities to bus services.

The access to information of persons with disabilities is ensured by CSOs, too. In this regard, Keystone Moldova developed informational materials to ensure access for people with intellectual disabilities to information about the rights of people with disabilities, the benefits of living in the community compared to living in institutions, the participation of people with disabilities in elections, the law of volunteering and the right to volunteer, routes of infection and protective measures against COVID-19 etc. Infonet with the support of th UNDP also developed the informative materials in audio and by using the sign language formats.

## **Article 22. The right to personal life**

National legislation, including the Constitution of the Republic of Moldova, Law on personal data protection no. 133/2011, Law on informatics no. 1069/2000, Law on social services no. 123/2010, but also the Code Penal Procedure no. 122/2003, establish the procedures regarding the observance of human rights, freedoms and dignity and the right to the inviolability of the person, domicile, property, private life, etc., without distinction between persons with and without disabilities.

The Law no. 133/2011 (1) on the protection of personal data, provides the protection of fundamental rights and freedoms of individuals with regard to the processing of personal data, in particular the right to inviolability of home, privacy, family and private life. According to art. 27, the subject of personal data who considers that the processing of his data does not comply with the requirements of the Law, may submit a complaint to the National Council on Personal Data Protection.

The Council developed and published on their website regulations and instructions on the processing of personal data, including data about health status of persons with disabilities.

It is important to mention, that is mandatory to obtain the consent of persons with disabilities or their representatives, before processing the personal data. The concept of consent is defined in art. 3 of Law no. 133/2011 and applies equally to all subjects of personal data.

## **Article 23. Respect for home and family**

According to the Constitution of the Republic of Moldova "The family is based on freely consented marriage between a man and a woman, on their equal rights and on the right and duty of parents to ensure the upbringing, education and training of children" (art. 48, paragraphs (1) and (2)).

With reference to recommendation 43 letter (a) to (b) of the Committee's concluding observations, we inform the following:

According to the provisions of art. 120 of the Civil Code, the marriage of the person in respect of whom guardianship has been established is permitted only with the authorization of the family council or, in its absence, of the guardianship authority, after hearing the future spouses and, as the case may be, the parents. In other case all persons with disabilities, including intellectual and psychosocial have the right to home and family. The promotion of the family-right is promoted almost by CSOs and OPDs.

For example, Keystone Moldova is providing information in easy to read format for persons with intellectual and psychosocial disabilities about their right to personal life and family's right. Six people with intellectual and psychosocial disabilities who were deinstitutionalized with the support of Keystone Moldova officially created families and already have children. These good examples have been disseminated among their peers to empower and capacitate them about the right to family and personal life. The national Radio Free Europe disseminated these practices at national level; Keystone Moldova - at international level.

## **Article 24. Education**

The educational process is carried out based on the provisions of the Education Code no. 152/2014 and other normative acts, which establish the legal framework of the reports on the design, organization, functioning and development of the education system. Art. 7 of the Code stipulates the fundamental principles of education, including the principle of equity.

*With reference to recommendation 45 letter (a) to (b) of the Committee's concluding observations, we inform the following:*

In the RM 18 special schools continue to provide education to 684 children with disabilities and special educational needs. In addition, 75 children with severe disabilities are placed in two residential institutions. During 2018 and 2019, 8 children with disabilities were admitted in residential institutions, and other 107 were deinstitutionalized, including 47 children in 2018 and 60 children in 2019. The deinstitutionalization of children and their inclusion in mainstream schools is in progress. The number of children in special education system is decreasing (2015 year/ 378 children with sensory disability and 647 children with intellectual disabilities in special schools; in 2019 year/ 211 children with sensory disabilities and 473 with intellectual disabilities in special schools. Taking into account all the measures taken by the state authorities to ensure inclusive education of children with disabilities, the Association of the Deaf People in RM reports that children with hearing disabilities still encounter difficulties in the process of inclusion in the education system caused by the lack of assistive technologies and sign language interpretation in mainstream schools.

There are 7 early education institutions in the country for children with special needs with 45 groups. At the same time, within 2 general purpose institutions, 7 special purpose groups operated. The number of children with disabilities in these institutions in 2019 was 746 children, about 16% less than in 2018. Most of these children is 3 years and over and are included in preschool education (91.6%). Out of the total number of children with disabilities or/and special education needs, 32.6% are with speech disorders, 27.6% - with visual impairments and 13.8% - with intellectual disabilities. The mainstream kindergartens are more adapted to the needs of children with disabilities, although in 2019 about 247 children with disabilities attended the early education institutions.

In the 2019-2020 academic year, 9784 students with special educational needs and disabilities were registered in *primary and secondary general education institutions* in the country, including 9157 students in mainstream educational institutions and 627 students - in special schools for children with intellectual or physical disabilities. In the primary and secondary education institutions were included 7693 children with special needs and 1464 - with disabilities. The share of children with special educational needs and disabilities, who attend mainstream education institutions, has increased over the last 5 years by 2.6% representing 93.6% in the 2019/20 academic year.

To support inclusive education across the country, about 917 resource centers for inclusive education have been created and equipped in mainstream education institutions and 989 support teachers are employed to provide individual support to children. In 2020, 100 resource centers for

inclusive education will be equipped with teaching materials and asistive equipment for children with special educational needs to ensute the access of children with sensory and intelectual disabilities, with speech disorders and with severe disabilites.

Inclusive education is supporting by CSOs in the field of child protectioan and disability. For example, Keystone Moldova has piloted inclusive education in 22 schools and 15 kindergartens from 15 districts. As result of the pilot, about 350 children with disabilities, including those deinstitutionalized from the Orhei residential institution for children with severe intellectual disabilities, were integrated in mainstream schools at community level. The project has contributed to the development of 22 resource centers for inclusive education in 22 schools. The results of the pilot contributed to the elaboration of the Methodology'Guideline on inclusive education in the RM, approved in 2018, by the MECC order.

To support inclusive education, continuing capacity-building courses are organized for all teachers and support teachers working with children and young people with disabilities. All in total, about 650 people have been capacitated in the field; of them 450 persons from local specialized bodies in education and teachers.

Regarding inclusive education in technical and vocational institutions the the Methodological Guideline was approved by MECC through Order no. 1430/2018, and amended by MECC Order no. 1486/2019.

To promote inclusive education in vocational education, 15% of the budget places are booked for inclusion of socially vulnerable candidates, giving priority to children and young people left without parental care and those with disability.

## **Article 25. Health**

In the Republic of Moldova, the state guarantees the protection of all citizens in the field of health care, through the system of health insurance, primary health care, emergency medical care, hospital health care, within the established limits and volume, respecting the needs of children, women and men, people with disabilities and the elderly(Health Care Law no. 441/1995).

*With reference to recommendation 47 letter (a) to (b) of the Committee's concluding observations, we inform the following:*

In accordance with the provisions of Law no. 1585/1998 on health insurance, all persons with disabilities and care givers of persons with severe disability benefit of health insurance paid by state that includes volume range of health services and medications established by the Single Program on Health Insurance.

During the declaration of the exceptional state related to the pandemic with the new type COVID-19 virus, MHLSP emphasized the provision of access to health care for the population in conditions of emergency. Elderly people and people with disabilities are informed about the need for self-assessment of health, measuring at home the characteristic parameters, informing the family doctor, social worker, by phone to request support, organizing necessary community interventions, in compliance with measures for the protection and control of Coronavirus infection, including their training on protective measures and their provision of protective equipment (mask, gloves, etc.).

By the MHLSP Order no. 368/2020, some additional measures were regulated to ensure the access of the population to mental, psychiatric and narcological health services in conditions of emergency, which include concrete actions to control the infection, including increasing vigilance on early detection of patients with signs of infection, acute respiratory / signs that meet the definition of Covid-19 with the organization of sections for patients with clinical signs of infection and their isolation

from patients without clinical manifestations. Family doctors are informed about mental health issues that may occur among the population due to the Covid-19 epidemic (anxiety, depression from self-isolation and quarantine, panic, etc.). Online webinars are organized by MHLSP for family doctors.

For people with hearing impairments, hearing aids are performed within the Republican Functional Center for Audiology, Hearing Aids and Medical-Pedagogical Rehabilitation in Chisinau, Balti Clinical Hospital, Republican Clinical Hospital, Territorial Medical Association Center, Chisinau. In 2018, from the state budget were purchased 1270 hearing aids (1,7 million lei); and 1098 people received hearing aids, including 239 children. In 2019, 970 hearing aids were purchased (1,43 million lei); and 831 people received hearing aids, including 398 children. About 16,5 million were planned for 2020 for this purpose.

For people with visual impairments, in the partnership with the Rehabilitation Center "LOW VISION", in 2018, 15 persons with visual impairments received assistive devices for remote activities (monocular telescope, binocular, binocular telescope); 297 persons - glasses with optical correction; 67 persons - magnifying glasses; -152 persons - loupes; 32 persons - closed circuit television system; and 97 persons other accessories. In 2019, 1684 people with visual impairments benefited of specialized consultation on behalf of "LOW VISION" Center, including: 243 children aged (0-18 years) and 449 people have been evaluated for screening and treatment for diabetic retinopathy. At the same time, with the support of the Norwegian non-governmental organization "Hjelp Moldova", about 600 optical correction and visual aid devices were purchased and distributed to people in 2019, including Closed Circuit Television System (29 units), electronic magnifiers (15 units), fixed magnifiers, hand-held magnifiers, pocket magnifiers, telescopes, MLVidi, magnifying glasses (loupes), including spectral filters. The total cost of all assistive devices procured by "Hjelp Moldova" and distributed by "LOW VISION" Center is about 729, 4 thousand lei. From the state budgeted in this purpose were allocated 500,0 thousand lei to "LOW VISION" Center.

People with disabilities with diabetes, in 2018 received free of charge tests and needles (912 500 units) for assessing blood sugar, as well as 500 glucometers. For this purpose from the state budget were allocated 821.0 thousand lei. In 2019, about 100 thousand glucometers, 33 million tests and lancets were received by the state health institutions from donor international organizations, which were distributed to persons with disabilities. All in total 99 618 persons with disabilities benefited of support. The total cost for abovementioned services and goods is about 23 million lei.

Regarding the access of people with disabilities to mental health services, in 2017, the Government approved the National Program on Mental Health for 2017-2021 (GD no. 337/2017). In compliance with the Program, 40 Community Centers for Mental Health have been created across the country. Annually, about 36 thousand people with psychosocial disabilities including 10 thousand children are benefiting of mental health services provided by Community Centers for Mental Health.

It should be noted that the results of mental health reforms in recent years have had a positive impact on the mental health of the population, so the prevalence of mental illness in 2019 was 2152,0 per 100 000 population, including 1456.9 in children (2014 - 2683.6 in adults and 2204.3 in children). The incidence of mental illness during the period of promoting the reform of the mental health system decreased from 374.9 in 2014 to 172.8 per 100 thousand people 115.5 in 2019.

In order to ensure outpatient treatment of people affected by unfavorable mental illness (dementia, schizophrenia, bipolar disorder, epilepsy with mental disorders) in the list of drugs fully reimbursed (100%) from the funds of health care insurance are included 13 international common names.

The MHLSP has signed a Memorandum of Understanding with the Swiss Agency for Development and Cooperation for implementation of the project "Supporting the reform of mental health services in the Republic of Moldova" (MENSANA). Under this project, the Community

Centers for Mental Health' staff and people with psychosocial disabilities benefited of capacity building programs and support in recovery process. The analysis of the university curriculum (Cycle I Bachelor and Cycle II Master) and of the continuous training in the field of specialties psychology and social assistance in five higher education institutions were conducted and recommendations for its improvements have been provided. Four brochures on the psychological and emotional development of children and adolescents were elaborated and printed (10 000 copies). The thematic brochures were elaborated by the experts of the Romanian League for Mental Health and endorsed by the National Agency for Public Health.

MENSANA project conducted an informative campaign with the specialized website [www.suntparinte.md](http://www.suntparinte.md). In this regard:

- Video tutorials to prevent and combat "bullying" in schools and addiction to information technology.
- Public lessons in Chisinau and Sangerei with the participation of national and international experts for parents, with the theme of information technology addictions among children and adolescents.
- 20 workshops carried out in 20 communities from Briceni, Edinet, Ungheni, Orhei, Criuleni, Stefan Voda, Taraclia, Vulcanesti districts. All in total 866 people attended the workshops, representatives of LPA, educational and social institutions.

With regard to access to home and geriatric care services, we note that primary care institutions and CSOs, including HomeCare, CasMed, Angelus Moldova Foundation, etc., provide home care services for the elderly, including those with disabilities, in multidisciplinary teams. During 2018, about 53 thousand home care visits and about 17 thousand palliative care visits were performed by the family doctor, community nurses, and the staff of above mentioned CSOs. During 2019, about 55,000 home care visits and about 18,000 palliative care visits have been conducted. The services are offered based on the National Standard of medical care at home, approved by Order no. 851/2013 and the Regulation on the organization of palliative care services at home, and approved by Order no. 1022/2015. During the pandemic Covid-19 period, MHLSP has organized trainings on resilience of home care for all home medical care and palliative care.

With regard to the provision of Early Intervention Services for Children (ITS), we note that they are delivered by providers, based on the Regulation on the organization and functioning of Early Intervention Services and the Minimum Quality Standards for Early Intervention Services, approved by Government Decision no. 816/2016.

Starting with 2017, the Early Intervention Services (medical services) could be contracted by National Medical Insurance Company based on their criteria and conditions stated in the Regulation.

In order to develop and promote Early Intervention Services at country level, MHLSP has taken several actions, including:

- The support course on "Early Intervention" was developed and approved. The manual for the university and postgraduate course is printed with the support of LUMOS-Moldova. ;
- The regionalized Model of Early Intervention Services in the Health System is approved;
- The specialists of interdisciplinary teams (pediatricians, neuropsychiatricians, family doctors, physiotherapists, rehabilitation and other professionals in the field) from Chisinau and Balti and 25 districts have been capacitated in the field of Early Intervention Services;
- Training courses for physiotherapists and psychologists will be carried out, who will work in these services;
- The Early Intervention Service was developed by Center for Temporary Placement and Rehabilitation of Children, Balti municipality, in partnership with CCF Moldova.

With regard to medical and social services for children and young people with Autism Spectrum Disorders, the Government approved the Regulation on the organization and functioning the Specialized Center for Intervention in Autism Spectrum Disorders and the Minimum Quality Standards (GD no. 234/2019). To implement this Decision, the MHLSP approved the Order no. 1244/2019 on the Regulation for organization and functioning of the Specialized Center for Intervention in Autism Spectrum Disorders, provided by A.O "SOS AUTISM"; the National Clinical Protocol "Autism Spectrum Disorders for Children and Adults" (MHLSP Order, no. 343/2019) and the Standardized Clinical Protocol for Family Doctors (MHLSP Order, no. 344/2019).

## **Article 26. Habilitation and rehabilitation**

The state provide different types of habilitation and rehabilitation services, including:

- Balneo-sanatorial rehabilitation. Annually, about 8100 people benefit from rehabilitation tickets, out of which at the "Victoria" Center - 4400 people and at the "Speranta" Center - 3700 people. Rehabilitation tickets are issued to beneficiaries through the Directorates of Social Assistance and Family Protection at district level, based on medical recommendations and the order of registration in line for receiving the ticket.
- The Republican Rehabilitation Center for Children, in which there is a stationary section with 30 beds and a rehabilitation section in outpatient conditions, for 100 visits a day. All in total 520 children per year are benefiting of rehabilitation services.
- Rehabilitation Center for Children "Sergheevca" (Ukraine), with 200 beds, with profiles: respiratory, cardio-rheumatological, gastrointestinal and neuro-motor;
- Recovery Center for Children "Ceadir-Lunga" (80 beds), with profiles: respiratory and neuro-motor.
- Rehabilitation services for children at risk situation and phthisiopneumological recovery in two Centers (Tirnova and Cornesti). All in total 300 children are benefiting of rehabilitation services in both Centers.
- Day Rehabilitation services within the Placement Centers for Children (0-6 years) from Chisinau and Balti. All in total about 800 children per year are benefiting of rehabilitation services.

Family doctors, gatekeeping commissions active in each district and Republican Center for Psychopedagogical Assistance, provide the recommendations and refer the children to habilitation and rehabilitation services.

AOPD is monitoring the accessibility of rehabilitation services in Moldova and is advocating for ensuring the universal design and reasonable accommodation to provide equal access for all children and adults despite of type of disability. In 2019, AOPD contributed to the accessibility of two public rehabilitation centers.

## **Article 27. Work and employment**

National legislation, including the Labor Code, Law on social inclusion of persons with disabilities no. 60/2012, guarantees the inclusion in employment of persons with disabilities (art. 33 - 40), including the right to work, forms of employment. In addition these Law state the obligations of employers regarding the employment of persons with disabilities, the duration of working time and of leave, guidance, training and vocational rehabilitation.



According to the NBS Labor Force Survey, in 2019, the participation rate of people with disabilities in the workforce was 17.2%, including 16.9% for men, 17.5% for women, 16.6% in urban areas and 17.5% in rural areas. The employment rate of people with disabilities was 16.5%.

Depending on gender, this indicator recorded values: 15.9% for men and 17.2% for women. The employment rate of people with disabilities in rural areas was higher (17.0%) compared to the rate for those in urban areas (15.6%). Unemployment rate of people with disabilities was 3.8%, including 5.6% in men and 1.9% in women.

With reference to recommendation 49 letter (a) to (b) of the Committee's concluding observations, we inform the following:

According to the Law on the social inclusion no. 60/2012, persons with disabilities can be employed according to their professional training and work capacity, assisted by NCDA NCDDWAA. According to the Law, the employers, regardless of the form of legal organization, which have 20 or more employees, have to create or reserve jobs and employ people with disabilities in a percentage of at least 5 percent of the total number of employees (art. 34 para. (4)).

In the first six months of 2020 year, in 62 companies, 359 jobs were adapted and reserved for the employment of people with disabilities. In this regard, the the companies that respect the legal framework regarding job creation for persons with disabilities have access to public funds for job creation or reasonable accommodation of work place. The companies could ask the returning of 50% from the state budget, of the costs invested for job creation or adaptation for persons with disabilities. In 2019, only two companies benefited of support in this regard, for 2020 other six requests on behalf of companies have been approved for funding on job creation or reasonable accommodation.

According to art. 36 of the above-mentioned Law, employers who employ unemployed people from vulnerable groups, including people with disabilities also benefit from monthly subsidies in the amount of 30% of the average monthly salary per economy for the previous year (1933.92 lei per month), during six months, for each employed person. . During 2019, through this program, 17 people with disabilities were employed

Annually, about 600 people with disabilities benefit from the services of National Labour Agency (2017 year – 680 persons; 2018 year - 650 persons; 2019 year – 600 persons).

In order to facilitate inclusion into the open labor market, 31 people with disabilities attended free vocational training courses; 16 people with disabilities graduated qualification courses (51.6% of the total number of people with graduated disabilities), retraining courses - 13 people with disabilities (41.9%) and advanced courses - 2 people with disabilities (6,5%). Most people with disabilities who graduated vocational training courses were in the age group 16-24 years (15 people). After graduating, 23 people with disabilities were placed in open labor market (74.2%), of them 10 people were self-employed.

As result of the job mediation services, 200 people with disabilities were integrated in open labor market (33.3% of the total number registered persons with disabilities), of them 97 women with disabilities.

During the reporting period, the Law no. 105/2018 on employment was improved by integrating the the new employment measures, addressed to vulnerable groups, including persons with disabilities on the labor market, such as: supported employment and reasonable accommodation based on the needs of the person and professional rehabilitation.

Vocational rehabilitation is provided within the specialized vocational rehabilitation institutions and centers, in compliance with the recommendations contained in the Individual Rehabilitation and Social Inclusion Program. In 2019, 16 people with physical disabilities benefited of professional rehabilitation services, of them six women with disabilities.

Starting with 2018, AOPD monitored the implementation of the National Employment Strategy at central and local level, thus increasing the degree of implementation of the results and consolidating the partners for better results.

<http://incluziune.md/ro/wp-content/uploads/2020/01/Raport-monitorizare-SNOFM-2018.pdf>

[https://www.facebook.com/permalink.php?story\\_fbid=1883503038463167&id=130654290414726](https://www.facebook.com/permalink.php?story_fbid=1883503038463167&id=130654290414726)

## **Article 28. Adequate living standards and social protection**

According to the provisions of the legislation in force, persons with disabilities, including children with disabilities, as the case may be, members of their families, benefit from social protection measures in the form of social benefits, including: state pension or social allowance, state financial support, compensation for transport services, as appropriate, care allowance, accompaniment and supervision, social assistance and assistance for the cold period of the year, as well as various types of social services.

*With reference to recommendation 51 letter (a) to (d) of the Committee's concluding observations, we inform the following:*

### **1. Social benefits**

#### ***1.1. Disability pensions***

In accordance with the provisions of Law no. 156/1998 on the public pension system, the person in a degree of disability caused by a common illness benefits from a disability pension if he meets the conditions of the contribution period, in relation to the age at the date of the disability' determination. The amount of the disability pension depends on the salary of the person from whom the social insurance contributions were calculated, the degree of disability and the contribution period.

Starting with 2020, the indexation takes place twice a year, on April and October. About 121 000 people benefit from disability pensions. The average disability pension of persons with disabilities is about 1500 lei, compare with the average pension of the general population about 2000 lei. The amount of the minimum disability pension is, in case of a severe disability – 848, 60 lei; in case of persons with accentuated disability – 792,02 lei; in case of an medium disability – 565,73 lei.

#### ***1.2. State social allowances***

If the disabled person does not meet the conditions for obtaining the right to a pension, he/she benefits from a state social allowance, established in accordance with Law no. 499/1999, regarding the state social allowances for some categories of citizens. In order to increase the state social allowances for people with disabilities and children with disabilities, in the years 2018-2020, changes were made to the legislation in force, thus, the amount of state social allowances was increased. About 48 000 people with disabilities benefit from the state social allowance.

#### ***1.3. Allowance for care, accompaniment and supervision***

According to the provisions of Law no. 499/1999 on state social allowances, some categories of persons with severe disabilities benefit from the mentioned allowance, including: allowance for persons who take care of child with severe disability; allowance for persons with severe disability from childhood, allowance for blind people.

About 15 000 people with severe disabilities benefit from the above-mentioned allowance.

***1.4. People with disabilities also benefit from other social benefits, including: social aid, social aid for cold period, state financial support; unique financial support; monetary support, compensation for transport services and tax exemptions on the vehicle' import .***

In order to improve the quality of social services provided to people with disabilities, Keystone Moldova provided support to the MoF and MHLSP to develop the methodological guide on

performance-based budgeting of social services, especially for people with disabilities. Local public authorities have been trained on how to use the methodological guide in practice. Performance-based budgeting was piloted in 12 districts.

## 2. The right of the persons with disabilities to *Social housing*

The Law on Housing, no. 75/2015, the the right to the social housing have persons in need of social protection. According to art. 10 of the nominated Law, the social housing is leased to the persons or families registered, whose monthly income for each family member does not exceed the minimum standard established at country level and which cumulatively meet the conditions established by Law. Persons with severe disabilities who cannot be employed, people who take care of minors with severe disabilities have the priority right to receive social housing under the conditions mentioned within the Law.

## **Article 29. Participation in political and public life**

*With reference to recommendation 53 letter (a) to (c) of the Committee's concluding observations, we inform the following:*

The participation in the political and public life of persons with disabilities is established in the national legislation, including the Constitution, the Electoral Code, the Law on the social inclusion 60/2012.

In the context of the reform of the guardianship institution, in 2017, by Law no. 66, being amended and supplemented to relevant legislation, which we mentioned in Articles 12 and 14 of this Report, the right to vote and/or to be elected is guaranteed for all persons with disabilities. The restriction to vote and/or to be elected is established only in cases of persons deprived of the right to vote by the final decision of the court.

In order to ensure the conditions for promoting the participation without support in the electoral process of persons with disabilities, the CEC approved the *the Instruction on ensuring the infrastructure of the polling station* (Decision no. 2625/2014). According to the instruction, each polling station must be equipped with a voting booth for people with special needs, an additional light source, a magnifying glass, a ruler and an envelope for ballot papers with Braille inscriptions, special perforations for the application of the "Voted" stamp.

According to the provisions of art. 60 para. (4) of the Electoral Code, voters, including those with disabilities, who, due to health or other good reasons, cannot go to the polling station, may vote at the polling station, by means of a mobile ballot box.

In order to ensure an unrestricted and non-discriminatory electoral process for persons with disabilities, it was approved by CEC the Regulation on the accessibility of the electoral process for persons with disabilities (decision no. 4463/2016). The document aims to make the electoral bodies responsible, the local public administration in the sense of ensuring the access to and in the polling stations for people with all types of disabilities.

Periodically, after the organization of the elections, the Central Electoral Commission audits the level of accessibility of the electoral bodies through a questionnaire addressed to the electoral officials who acted in the respective elections.

An analysis of the level of accessibility of polling stations was conducted in 2019 by the Alliance "INFONET"/CSO with the financial support of UNDP Moldova. The accessibility audits included 612 buildings where the polling stations had their headquarters across the country (which constitutes over 30% of the total number of polling stations). The results have been presented to CEC and to public authorities responsible for polling station arrangements.

The promotion of the political right of the persons with disabilities capacity building programs, informative and awareness raising campaigns are conducted regularly with the active participation of CSOs (Alliance Infonet, Motivation NGO, LOW VISION Center, Keystone Moldova and AOPD). See below the projects implemented in this regard:

1. "Strengthening Democracy in Moldova through Inclusive and Transparent Elections". Informative materials developed and printed: "Voter's Guide", the version "Easy to read, easy to understand" (in Romanian, Russian and English); "Democracy is learned" - interactive brochure; "Democracy Matters - Participate" - Electoral information guide.
2. "Accessibility of the electoral process" All together 6054 electoral officials who worked in the parliamentary elections of February 24, 2019 and 3974 electoral officials who worked in the general local elections of October 20, 2019 benefited of trainings.
3. "Elect Parliament in 60 days" e-learning platform the online course this program was developed in the audio version. The informative materials elaborated for the civic information campaigns at the elections of February 24 and October 20, 2019 (guides, leaflets, posters) were developed in Romanian, with translation in Russian, and the video spots were accompanied by translation in sign language. All materials were developed and shared in compliance with the principle of gender equality.
4. "The right to vote and political participation of persons with intellectual and psychosocial disabilities was implemented in 2019 year. All in total, 27 seminars in residential institutions and 53 seminars in communities to promote the right to vote of people with disabilities have been conducted by Keystone Moldova. As result of these seminars, more than 2000 people with disabilities from residential institutions and communities improved their knowledge of their right to vote and how to participate in elections. The information material from the trainings was translated into an easy-to-understand format.

Political and public participation is supported by Keystone Moldova at local level through self-advocacy groups assisted to be active in 19 districts of the RM. The representatives of the self-advocacy groups' promote political and public participation at community, national and international levels. They attended international forum organized by the Clinton Global Initiative and promoted the rights of women with disabilities in Moldova; the Conference of States Parties on the Implementation of the UN Convention on the Rights of Persons with Disabilities, held in New York in 2019 and promoted deinstitutionalization and the right live independent in community living.

### **Article 30. Participation in cultural life, recreational activities, leisure and sports**

*With reference to Recommendation 55 of the Committee's concluding observations, we inform the following:*

Public or private institutions that provide cultural, tourist or sports services, have the obligation under the law to ensure free access of persons with disabilities to these services in proportion of at least 2% of the total number of places.

The National Library provides people with disabilities with various services and facilities such as: free registration and special assistance at an information station organized in the lobby of the central building; installation of railings on the runway on the stairs at the entrance to the central block and on the stairs in the halls of the Library buildings; providing informational and documentary assistance to people with disabilities, beneficiaries of book loans at home; remote access, through the Library's website, the electronic catalog, local databases, publications, developed by the Library and

various information related to encyclopedias, dictionaries, etc.; digitization of patrimonial documents from the Library's collections and creation of the Moldava National Digital Library, etc.

To facilitate access to the published works of blind, visually impaired or other reading difficulties of printed materials, on November 23, 2017, the Parliament of the Republic of Moldova ratified the Marrakesh Treaty, adopted in Marrakesh, Morocco, on June 27, 2013.

Museums also organize various activities, including free access to the exhibitions they organize. For example, during the years 2017-2020, about 2021 people with disabilities participated in the activities organized by the National Museum of Art of Moldova and the National Museum of History of Moldova.

- The participation of people with disabilities in sports activities is facilitated by the sports federations for people with disabilities and the Paralympic Committee of the Republic of Moldova. The sports federations and the Paralympic Committee are funded annually from the state budget. For example, in 2019, the following sports activities have been funded from state budget:

- Paralympic Committee of the Republic of Moldova - 20 athletes ( 1.0 million lei);
- National Judo Sports Federation for People with Disabilities - 4 athletes (105, 8 thousand lei);
- Federation of Blind Athletes - 40 athletes ( 143, 3 thousand lei);
- Sports Federation for people with locomotor disabilities - 50 athletes (403, 7 thousand lei).

#### **IV. SPECIFIC OBLIGATIONS**

##### **Article 31. Statistics and data collection**

The NBS is responsible and presents information on statistics, including information on the situation of people with disabilities in the Republic of Moldova.

Evidence and data on the number of people with disabilities, disaggregated by age, sex, place of residence, type of benefits, size of benefit, type of social services, occupational status, education, professional experience, etc. is carried out by several institutions responsible for social protection measures, employment, rehabilitation and social service providers.

For the first time, in the 2014 Population and Housing Census, the NBS included and collected data according to the minimum set of questions recommended by the Washington Group on the difficulties of the population in their daily activities. The methodology and preliminary data were presented at the National Conference on the Implementation of the UN Convention on the Rights of Persons with Disabilities, on 4 December 2017.

Starting with 2017, disability as a question was included in the questionnaire of the Labor Force Survey, thus allowing the collection of data on people with disabilities on the labor market according to the main socio-demographic characteristics. Indicators such as: participation rate, employment rate and unemployment among people with disabilities, compared to the general population are available on the official website<sup>6</sup>.

*With reference to recommendation 57 of the Committee's concluding observations, we inform the following:*

The NBS produces disaggregated data on various categories of the population and economic-socio-demographic dimensions. Within the current statistical surveys in households (Household Budget Survey, Labor Force Survey), variables such as age, sex, place of residence, regions,

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<sup>6</sup> <https://statistica.gov.md/newsview.php?l=ro&idc=168&id=6617>

disability, socio-economic status, level of education, welfare quintiles, etc. are collected. Ethnic, linguistic and religious characteristics are collected in the censuses (last conducted in 2014<sup>7</sup>).

At the same time, the NBS completed the process of re-evaluating the availability of sustainable development indicators (SDGs) and assessing their degree of compliance with international methodologies, activity carried out during 2019 in cooperation with the State Chancellery and UNDP Moldova, in the context of commitments country guidelines on the implementation of the Global Agenda 2030. In reviewing the nationalized SDG indicators, the disaggregations (including disability) recommended by the Inter-agency and Expert Group on SDG Indicators (IAEG-SDGs) by the UN Statistics Committee have been included. As result of the review, a Roadmap will be developed which will include the actions needed to produce the missing indicators (including the necessary disaggregations), but also to ensure the continuity of the collection processes. In addition, depending on the results of the evaluation, national data collection priorities will be established.

NBS publishes annually, around the International Day of Persons with Disabilities, data on the situation of persons with disabilities, available in several data sources: number of persons with disabilities, social protection of persons with disabilities, education, persons with disabilities on the labor market, the standard of living of households with people with disabilities compared to general population.

Periodically, statistical products are developed and disseminated for a wide range of users and on the most important aspects of women's lives. In 2016, the NBS in partnership with UNDP and UN Women, developed and disseminated the statistical profiles of the 10 most vulnerable groups of girls and women in the Republic of Moldova, namely: women with disabilities, women in rural areas, migrant women, women living with HIV, Roma women and girls, elderly women, women victims of violence, women in economics and business, women in appointed positions and women in decision-making. The profiles include 10 analytical notes and sets of infographics and are intended for decision makers, civil society and the general public. Also, within the project "Public Administration Reform" of technical assistance for the NBS, financed by the European Union, the redesign of the web page with a new structure, new and inclusive visualization tools, advanced search functionalities for people with disabilities was planned.

### **Article 32. International cooperation**

Cooperation, external technical and financial assistance had a visible impact for the Republic of Moldova in the process of implementing reforms in the field of disability focused on the social inclusion of persons with disabilities.

As result of the involvement of development partners/external donors, the Republic of Moldova has made significant progress in areas such as: reform of the institution responsible for determining disability, deinstitutionalization, creation of community services, skills development of different types of services, development and implementation of new methodologies and tools on needs assessment and assistance to beneficiaries of various services, new information technologies, etc.

Representatives of public authorities, experts and representatives of civil society in the Republic of Moldova ensure representation and active participation in various events, both nationally and internationally, related to the protection and promotion of the rights of persons with disabilities, including interactive debates, conferences, study visits, etc.

Several examples of international cooperation, technical assistance and external finance are described in this Report.

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<sup>7</sup> RPL 2014, <https://statistica.gov.md/pageview.php?l=ro&idc=479&>

Additionally, in order to coordinate external assistance and civil society organizations, other relevant institutions, by Order MHLSP, no. 1388 of December 4, 2019, the Sectoral Council in the field of external assistance for the coordinated sectors of social protection and labor was created based on the partnership principle between MHLSP representatives, external development partners active in the sector and civil society.

On behalf of the Government level, the MoF is responsible for the coordination and management mechanism of external assistance and fulfills the role of single point of contact/control in relation to external development partners and public authorities on project proposals/external assistance programs. Government Decision no. 377/2018 approved the Regulation on the institutional framework and the mechanism for coordination and management of external assistance and the Regulation on the Platform Module for the management of external assistance.

### **Article 33. National implementation and monitoring**

According to the provisions of art. 54 of the Law on the social inclusion of persons with disabilities, no. 60 of 30.03.2012, the monitoring of the implementation and promotion of the national policy regarding the social inclusion of persons with disabilities is performed by the National Council for the rights of persons with disabilities. The President of the National Council for the Rights of Persons with Disabilities is the Deputy Prime Minister responsible for the social field, and the Deputy-President is the Minister of Labor, Social Protection and Family.

During the period when the position of Deputy Prime Minister responsible for the social field did not exist at the level of the Government, the Council did not act, but at the level of the MHLSP, is conducting working meetings, consultations, workshops and working groups with involvement of civil society, persons with disabilities other authorities, institutions in order to discuss draft policies, draft regulations and issues which target people with disabilities.

To coordinate and monitor the implementation of the uniform state policy in the field of human rights in 2019, the Government set up the National Council for Human Rights and the Permanent Secretariat for Human Rights (Decision, no. 65/2019).

*With reference to Recommendation 59 of the Committee's concluding observations, we inform the following:*

The independent monitoring mechanism is provided in art. 10 para. (2) of the Law on the social inclusion of persons with disabilities, no. 60/2012, which establishes that compliance with the provisions of the CRPD.

In this regard, in 2016, through the Provision of the Ombuds Office (People Advocate Office) was established the Council of Experts aimed to monitor the implementation of the CRPD. The Council of experts includes seven persons from different institutions with expertise in human rights related to disability, including persons with disabilities.

In 2018, the Ombuds Office was re-accredited with the status "A" by the Accreditation Subcommittee of the Global Alliance of National Institutions for the Protection of Human Rights, which indicates a high degree of compliance of the institution with the Paris Principles.

The Ombuds Office, annually, prepares the report on the observance of human rights in the Republic of Moldova, including the rights of persons with disabilities, as appropriate, and prepares thematic reports on various topics related to the rights of persons with disabilities. These reports shall be submitted to the public authorities and civil society for information and to take the necessary measures, based on the findings and recommendations.



MHLSP collaborates effectively with several public associations, including: AOPD (within the Alliance there are over 51 organizations working in the field of promoting and respecting the rights of people with disabilities), Keystone Moldova, Association of the Deaf in the Republic of Moldova, Society of the Blind in Moldova, Society To Persons with Disabilities from the Republic of Moldova, the Center for the Rights of Persons with Disabilities, the “Motivation” Association to advance CRPD implementation by including their expertise in examination and approval the draft policy documents, normative and legislative acts, which address the rights of persons with disabilities.

Another collaboration platform used by MHLSP is public consultations (meetings, workshops and working groups) in which draft policies, legislative and normative acts are presented and discussed with people with disabilities and representatives of civil society who represent their rights and interests, as well as, their comments and suggestions.

Civil society has an important role in the process of drafting policy documents, draft normative and legislative acts targeting people with disabilities, and their proposals and contribution in this process is valuable, respectively, MHLSP will continue to work with civil society, because, only through joint efforts will we be able to ensure the social inclusion of people with disabilities.

*With regard to **Follow-up and Dissemination**, Recommendations 60-63 of the Committee's Concluding Observations, we inform the following:*

In the context of implementing the recommendations of the Committee on the Rights of Persons with Disabilities in the Concluding Observations, adopted on 12.04.2017, following the hearing of the initial State Report of the Republic of Moldova on the implementation of the Convention, several actions were taken, including some of the most important:

- The Concluding Observations were presented and discussed during the meeting of the National Council for the Rights of Persons with Disabilities, from 18.05.2017, and as result of the Decision no. 4 of the mentioned Council, the document were disseminated to the members of the Council, to the central and local public authorities, to the representatives of the civil society to encourage their involvement in Concluding Observation implementation.
- The concluding observations and the Convention were also posted on the MHLSP website
- (<https://MHLSP.gov.md/legislatie/protectie-sociala/legislatie-internationala-ps/>);
- The authorities worked on the elaboration of the National Program for social inclusion of persons with disabilities for the years 2017-2022, approved by Government Decision no. 723/2017 ([https://www.legis.md/cautare/getResults?doc\\_id=101863&lang=ro](https://www.legis.md/cautare/getResults?doc_id=101863&lang=ro));
- The authorities worked on the elaboration of the National Program for deinstitutionalization of persons with intellectual and psychosocial disabilities in the residential institutions managed by ANAS, for the years 2018-2026, approved by Government Decision no. 893/2018
- ([https://www.legis.md/cautare/getResults?doc\\_id=109067&lang=ro](https://www.legis.md/cautare/getResults?doc_id=109067&lang=ro));
- Information on the measures taken to implement the Committee's recommendations in paragraphs 29 and 37 of the Concluding Observations was reported and provided within 12 months;
- With the support of donors and public organizations in the field, easy-to-read and easy-to-understand versions of the Convention have been developed and published, including a Guide for local government on its implementation:
- <http://www.aopd.md/images/CDPDusorcitit.pdf> ;



- [file:///C:/Users/user/Downloads/Conven%C8%9Bia\\_ONU\\_privind\\_drepturile\\_persoane\\_lor\\_cu\\_dizabilit%C4%83%C8%9Bi\\_\(ro\).pdf](file:///C:/Users/user/Downloads/Conven%C8%9Bia_ONU_privind_drepturile_persoane_lor_cu_dizabilit%C4%83%C8%9Bi_(ro).pdf) ;
- <https://www.soros.md/files/publications/documents/Anexa%201%20Conventia%20ONU%20%20ghid%20pentru%20APL.pdf> ;
- <file:///C:/Users/user/Downloads/fact%20ROM%20tipar%20+%205%20mm.pdf> .

In addition, civil society in the field provided information for development of this Report. The Report was published on the website of th MHLSP for public consultation as well.