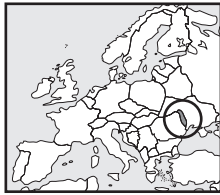


## ■ MOLDOVA

# Realities, promises and illusions



In this multicultural country, almost one third of the population lives below the poverty line. Social assistance programmes remain weak. Although gender issues have become a hot topic, recent legislation has yet to become integrated into public policies or strategic development documents. Domestic abuse is common; the Government is just beginning to take action to prevent it. Women's high labour force participation rate has not been accompanied by men's equivalent participation in household tasks.

National Women's Studies and Information Centre "Partnership for Development"

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Poverty is a major problem in the country. In 2006, 30% of the population was living in poverty; about 4.5% of them in extreme poverty. The highest rates were in rural areas, where economic activities are less profitable and wages lower. More than 40% of households headed by agricultural workers and pensioners were eking out a living below the poverty line.

The average retirement pension in 2006 was MDL 457.51 (USD 45), up 15% over the previous year. Currently, one Moldovan in five collects a pension or a social insurance benefit. This high proportion is a heavy financial burden on the current labour force. The almost total absence of contributions to the social insurance system by the agricultural sector is undermining its financial sustainability.

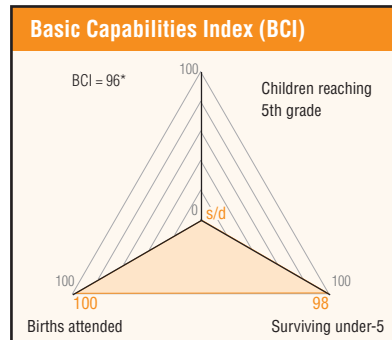
### Social protection

The Moldovan system of social protection has two main elements, social insurance and social assistance. The legislation for state social insurance is very complex and includes differentiated insurance rates for different categories. Benefits are based on need, but due to poor data management, the same person may get 11 different kinds of assistance.

All community services were created with support from international organizations and charity funds. While the strategies and programmes to reform the social protection system have been based on the needs of vulnerable populations, the greatest threat to the system is its extremely complicated formulas.

In 1998 the Government introduced a radical reorganization of the pension system based on a private social insurance system that would be financially and socially stable and equitable. It called for increased contributions and more rigorous control of distributions and raised the retirement age. However, in 2002, most of the reforms stalled; only a few were implemented. Although the Government made another attempt to create a uniform pension system in 2004, the impact was limited. The redistribution formula still leads to inequities among different categories of employee, which makes many people reluctant to contribute.

\* One of the BCI components was imputed based on data from countries of similar level.



In terms of social insurance, local governments have little capacity for managing and financing social services. This leads to inequalities in the provision of services, such as support for children, vulnerable families and the elderly. In 2006 only 44% of the poorest families were collecting child benefits and only 26.2% got cash payments or groceries.

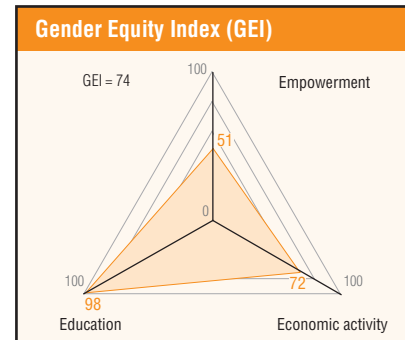
Even when the poor do receive a full complement of social services from the State, this does not cover their needs. In rural areas, NGOs are the main providers of community-based social services, and supplement public benefits. These programmes, which primarily assist children, youth, women and the elderly, can be grouped into three categories:

- Prevention services, with an emphasis on information and consulting (82%), and counselling and support (63%);
- Intervention services, including humanitarian assistance (66%); however, only 29% goes for day care services;
- Social-medical services, primarily related to health care and hygiene services (26%).

### Gender equality and women's rights

Gender equality has become a major issue in the last decade. NGOs are still underestimated by the State and not valued as a force for change, despite increasing efforts by civil society to gain a greater voice in policy making. The "PasProGen" Alliance, a civil society coalition established primarily to campaign for equal rights and opportunities for women and men, has more than 90 member organizations; thanks to its work, citizen awareness of gender issues has steadily grown.

The Government has enacted an equal opportunities law and a national plan titled "Promoting



gender equality in society for 2006-2009". However, after a careful review of the law, the independent organization Gender-Centru concluded that some of its provisions are merely formal and do not provide mechanisms for implementation. Besides, the law has not been applied in public policies or strategic development documents. The national plan calls for partnerships with NGOs to achieve 19 out of its 20 specific objectives. Representatives of the most visible and active NGOs are usually invited to participate in activities, planning meetings and discussions, but no genuine collaboration has occurred.

Although gender equality is cited in many legislative measures (e.g. the Education Law, Social-Political Parties' Law, Labour Code, Family Code, Salary Code and Citizenship Law) they also contain many provisions that contradict it. For example, Article 14 of the Family Code sets the legal age for marriage at 18 for men and 16 for women, a violation of international standards for equal treatment.

According to the CEDAW Assessment Tool Report for Moldova, although women participate in the political system, they continue to suffer discrimination within the family. Domestic abuse is common; the Government has only recently passed legislation to prevent it. Heavy participation of women in the workforce has not been accompanied by an equivalent participation of men in household tasks such as childcare and housework. In February 2008 the Government enacted a Law on Preventing and Combating Violence within the Family that will take effect on 18 September 2008. In addition to establishing penalties for physical, sexual, psychological, spiritual and economic abuse within the family, as well as moral and material bias against women, the law provides for the creation of rehabilitation centres where victims will receive shelter and protection, and

both they and the aggressors can obtain, juridical, social, psychological and medical assistance.

A recent Cabinet shake-up, following the Prime Minister's resignation in March 2008, resulted in an increase in the number of women in high-level positions, including the new Prime Minister. However, the share of women in Cabinet and parliamentary positions remains very low.

Justice is not gender sensitive either. "Preliminary Findings on the Experience of Going to Court in Moldova", a report by a mission of the Organization for Security and Co-operation in Europe (OSCE) based on a six-month analysis, concluded that the Constitution and other normative acts fail to clearly define the terms "discrimination", "gender equality", "sexual harassment", etc., leading to unequal treatment of women in the legal system.

In addition there is no effective legal remedy against gender discrimination. Lack of gender sensitivity within courts and among law enforcement authorities denies women access to justice, particularly in cases involving gender-based violence. An Anti-Trafficking Law went into effect in late 2005, however the 2007 US State Department Trafficking in Persons Report stated that Moldova remains a major source, and to a lesser extent, a transit country, for women trafficked for sexual exploitation.

Legislative progress must be accompanied by changes in attitudes and behaviour that inform gender discrimination – but few of the over 2,000 NGOs are specifically concerned with women's and/or gender issues. Gender equality can only be achieved through the joint efforts of Government and civil society; women's groups especially have a crucial role to play in designing and implementing initiatives that support and promote women's rights and empowerment, and address gaps in women's access to information.

## Children

Primary education is free and compulsory until ninth grade. Still, many inadequately funded schools, particularly in rural areas, charge parents for school supplies. Even though not technically illegal, such fees contradict Government policies and cause some parents to keep their children at home. Government and local authorities provide annual assistance of USD 30 to pay for the school supplies of children from vulnerable families.

The percentage of children attending primary school slid from 94% to 88% between 2000 and 2005, according to UNICEF. Approximately 16,000 youngsters between the ages of 15 and 16 leave the educational system each year without any professional qualifications. Secondary school enrolment was approximately 88.5% but secondary school attendance is dropping, according to the Moldovan Human Rights Centre. It believes the primary reasons are absentee parents (many are working abroad) and the obligation to care for younger siblings due to a lack of preschools in rural areas.

Although prohibited by law, child abuse is widespread. Only the gravest forms of abuse and neglect are registered and officially reported; the National Centre for Child Abuse Prevention identi-

fied 116 cases in 2006 and a majority of cases remain unreported. UNICEF study of violence against children in Moldova revealed that almost half the parents interviewed considered beating an acceptable form of punishment; 10% agreed that there were times when physical punishment was necessary. One-third of the child respondents reported that they had been beaten at home in the past year, 40% stated that they had been slapped and 25% reported they had been threatened with physical abuse or verbally abused at home. No government statistics are available.

Trafficking of children for sexual exploitation and begging remains a problem. The Centre to Combat Trafficking in Persons identified 28 children under age 18 who had been trafficked in the first six months of 2007, compared to 61 in 2006. The actual numbers are believed to be far higher.

## Persons with disabilities

Despite legislation barring discrimination against persons with physical and mental disabilities, this is rarely enforced. Gaudeamus, a local NGO, has reported widespread discrimination against students with disabilities. The Social Assistance Division in the Ministry of Health and Social Protection and the National Labour Force Agency are responsible for protecting their rights.

Children with disabilities are one of the most vulnerable and marginalized groups in Moldova. Many live in conditions of extreme poverty and isolation, without access to services that could help them learn take care of themselves and become productive citizens. The Government devotes minimal resources for trainers who work with individuals with disabilities. In 2002, the UN Committee on the Rights of the Child expressed profound concern regarding the growing number of children with disabilities and the insufficient support provided to them and their families. The Committee also noted that few programmes such as cultural and recreational activities, had been established to integrate these children into the education system and society. Three years later, only 33% of registered children with disabilities (4,540) were receiving special educational services; nearly all of them lived in residential institutions. An additional 700 were getting specialized training in sanatoriums. In its report, the Committee also recommended changing the terminology used to refer to children with disabilities, pointing out that the term "invalid" could reinforce prejudice and stigma.

No legislation requires universal access to buildings. Children with physical disabilities and their families confront major challenges simply going from one place to another. Most buildings do not have special access ramps. Roads and sidewalks are poorly maintained and public transport lacks special access facilities. Although families caring for children with disabilities receive monthly allowances, the money does not cover basic subsistence or the costs of medical assistance or other services they need. In 2005, half the families with at least one child with a disability declared that they did not have sufficient income to satisfy their basic needs.

## Ethnic minorities

Moldova has an impressive record in ethnic minority rights. The principle of equality and universality is guaranteed in law; ethnic minorities have the right to pursue their own culture and practice traditional arts. A State Department for Inter-Ethnic Relations (formerly State Department for National Relations and Linguistic Affairs) was established in 1990 and the House of Nationalities under the Department for Inter-Ethnic Relations is responsible for sustaining and promoting the ethnic cultures of all nationalities. In 1996, Parliament ratified the Council of Europe Framework Convention on the Protection of National Minorities.

The country has 18 minority groups, the largest of which are Ukrainians, Russians, Bulgarians and Gagauz. All of these communities protect the civil, economic, social and religious rights of their members, speaking on their behalf and representing their interests. Members of the Ukrainian, Russian, Bulgarian, Belarusian, German, Azerbaijani, Armenian and Georgian communities have set up their own social, cultural and humanitarian organizations and there is also a network of cultural institutions for ethnic minorities, based in the State library, museum and theatre system. Chisinau has six libraries for ethnic minorities and a Russian State Theatre. The first Gagauz theatre company has been created in Comrat; Taraclia now has the country's first Bulgarian theatre company.

Parents have the legal right to choose their children's language of instruction, and the Government secures this right in practice. In addition to a large network of schools with Russian-language classes, Ukrainian is taught in 71 schools, Gagauz in 49 schools and Bulgarian in 27 schools. Belarusian, Lithuanian, Greek, Georgian, Armenian, and German children can learn their mother tongue and culture in Sunday schools set up by ethno-cultural societies. Special training programmes are available for teachers in schools and kindergartens where pupils speak ethnic minority languages. Over the last decade, the Government has established a number of higher education institutions for ethnic minorities, including a Comrat State University and the Comrat Pedagogical College, the Pedagogical College in Taraclia and a branch of the Music College Stefan Neaga in Tvardita.

The "Teleradio-Moldova" company has two special departments that broadcast in minority languages. Their shows make up about 40% of all programmes (24.9% in Russian; 14.8% in Ukrainian, along with programmes in Bulgarian, Gagauz, Polish, Yiddish, and Romaic). Local TV and radio stations regularly broadcast programmes in Gagauz, Bulgarian and Ukrainian. Romanian, officially known as Moldovan, is the only official language. However, all official documents are also translated into Russian, which is used for interethnic communication. Nearly half (45% in 2005) the total production of the publishing sector – books, newspapers, magazines – is in Russian. Government officials are required to know both Romanian and Russian "to the degree necessary to fulfil their professional obligations." ■