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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Report of the Independent Expert on the enjoyment of all
human rights by older persons on her visit to the Republic of
Moldova**

Comments by the State*

* The present document is being issued without formal editing.



Comments on the Report of the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler, following the visit to the Republic of Moldova in November 2023

Chapter IV. Main findings

A. Age discrimination and ageism

1. *Paragraph 19:* The Government of the Republic of Moldova with the support of UNFPA carried out numerous actions, including information campaigns during the last 12 years aimed at changing the perception of society to consider older people as equal members of society by involving them in the decision-making processes as well as in social life.

2. *Paragraph 23:* Following the ratification of the Istanbul Convention, that entered into force on 1 May 2022, the Government is committed to improve the legal framework and practices for preventing and combating violence against women and domestic violence. The Ministry of Labour and Social Protection in its capacity as the central specialised body authorised to develop and promote policies to prevent and combat violence against women and domestic violence, as well as social support for victims and perpetrators, has developed the second strategic document, namely the National Programme for Preventing and Combating Violence against Women and Domestic Violence for 2023-2027, approved by Government Decision No. 332/2023.

3. The Action Plan for the implementation of the National Program includes the specific objective **1.5:** All women, including women with multiple vulnerabilities (elderly women, Roma women, other ethnic minority groups, women with disabilities, including mental disabilities, LGBTQI, immigrant women, asylum-seeking women, women without resident permits, women from rural areas, women engaged in commercial sex work, women dependent on alcohol, drugs, or other psychotropic substances, women in detention, and women from the NEET group) know their rights and are encouraged to report any form of violence. The actions planned to achieve the targeted objective include the development and dissemination (in several languages and formats, including online) of informational materials regarding the phenomenon of violence against women, sexual violence, and domestic violence, with a focus on vulnerable groups of women.

4. *Paragraph 24:* Updated statistical data regarding the profile of domestic violence victims are available on the website <https://antiviolența.gov.md/rapoarte/>. At the same time, by Order of the Minister of Health, Labour, and Social Protection no. 53/2019, the annual statistical form No. 9 "Domestic Violence" was approved. This form is filled in by the designated specialist within the territorial social assistance structure, based on data recorded by community social workers and public and private specialized service providers. The form contains the indicator regarding the age group of domestic violence victims, separately for women and men. In 2023, according to preliminary data, out of the total number of domestic violence victims, 4 468 victims were women aged between 50 and 64 years, and 267 victims were women aged 65+. Also, 96 were male victims aged between 59 and 64 years, and 43 victims were of the age 65+. The data provided in the Report of Independent Expert is outdated. Since major changes have taken place during the latest period, the authorities are of opinion that the conclusions are to be made based on the updates available for the period 2010-2013.

5. *Paragraph 26:* Through the amendments made to the Law No. 45/2007 on the prevention and combating domestic violence, the Service for the Prevention and Combating Domestic Violence and the Rehabilitation of Victims of Crime was established. Thus, from January 1, 2024, experts with responsibilities in the field of domestic violence and victims of crime rehabilitation have been employed within the territorial social assistance agencies and structures. Their main tasks are to ensure the implementation of targeted policies at the local level, including providing services focussed on the needs of the individual.

6. *Paragraph 27:* Since January 1, 2024, the National Agency for the Prevention and Combating of Violence Against Women and Domestic Violence is operational, acting as a central administrative authority under the Government. Its organizational and operational framework was approved by the Government Decision No. 926/2023. The Agency has been mandated to coordinate the implementation of national legislation, aligned with the provisions of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (without specifying any group of women) and the National Program for the Prevention and Combating of Violence Against Women and Domestic Violence for 2023-2027. Additionally, the National Coordinating Council in the Field of Preventing and Combating Violence Against Women and Domestic Violence operates alongside the Agency. This Council ensures collaboration between authorities and organizational structures with competencies in the field of preventing and combating violence against women and domestic violence, as well as cooperation with non-commercial organizations and foreign partners. It also serves as a platform for debates in the process of drafting and implementing policies for preventing and combating all forms of violence.

C. Economic Security

7. *Paragraph 29:* The Report refers to 2010 data, while the National Bureau of Statistics provided data for the year 2022. The most recent available data show that there are 10 specialised services financed from the state budget aimed at providing support and protection to victims of domestic violence, namely provide shelters for victims of crime and serve a wide range of victim profiles, such as mother-child couples, migrant women, women with disabilities, elderly women, Roma women, women victims of sexual violence. Shelter services, including all counselling services, are provided free of charge.

8. In the same context, the Ministry of Labour and Social Protection notes that assistance services, informational counselling, psychological and legal counselling, as well as placement services, are provided also by civil society organizations. In order to establish adequate and easily accessible referral services for victims of sexual violence, to ensure appropriate medical and forensic examination and counselling for victims, and to address the issue, the first *Regional Integrated Service for Victims of Sexual Violence* was launched in 2023. The pilot Regional Integrated Service for Victims of Sexual Violence in Ungheni town, established by the Government Decision no. 508 of 19 July 2023 aims to ensure a prompt and comprehensive intervention mechanism focused on the needs of the victim of sexual violence, but also to prevent re-victimisation and/or re-traumatisation of the victim in the process of providing the assistance. The pilot service is based at the Ungheni District Hospital and offers services to victims of sexual violence from six districts: Ungheni, Făleşti, Sângerei, Călărași, Nisporeni and Telenești.

9. By Decision No. 173 of 29 March 2023, the Government approved the Framework Regulation on the activity of Family Justice Centre of the Ministry of the Internal Affairs together with the Minimum Quality Standards for its functioning. The Family Justice Centre provides immediate and multidisciplinary intervention in cases of domestic violence and sexual violence, mainly for adult victims, focusing on forensic examination services, psychological crisis support, risk assessment, referral to specialised services, emergency shelter for up to 24 hours, hearing with audio-video recording and under special conditions, etc.

10. Also, eleven units for survivors of gender-based violence have been established in hospital emergency departments, strategically located in 11 medical facilities throughout the country. Their aim is to provide immediate assistance to survivors of violence in a friendly and confidential environment, to prevent revictimization and ensure access to services in accordance with the Standardised Clinical Protocol for the Clinical Management of Rape Cases at national level. The units for victims of gender-based violence operate on a 24/7 basis and are designed as specialized spaces for gynaecological examinations aimed to insure the needed medical care and psychological counselling, strategically integrated within the Emergency Department of medical institutions. These units are strategically positioned to provide vital interdisciplinary care and interaction/referral to other services as needed.

G. Education, training, and lifelong learning

11. *Paragraph 67:* The participants at “University of the Third Age”, launched in September 2023, reached the number 57 and another group of seniors has been created.

12. *Paragraph 68:* Updates for the initiatives led by UNFPA, in partnership with local organizations like the Moldcell Foundation and HelpAge Moldova: around 1000 older persons have benefited from across 26 communities.

Chapter V. Conclusions and recommendations

13. *Paragraph 91:* Regarding the adoption of comprehensive legislation to address violence against the elderly and the integration of their needs into the current legal framework on domestic violence, The Ministry of Labour and Social Protection mentions that Law No. 45/2007 on the prevention and combating of domestic violence, which is applied to all categories of people, in line with the principle of equality and non-discrimination, for ensuring equal protection for all age groups. In the event of the adoption of special legislation to address violence against the elderly, there is a risk that it may be redundant in relation to existing laws that already address domestic violence. This could lead to the fragmentation of the legal framework and confusion in the application of legislation. The adoption of such a law could, paradoxically, lead to the stigmatization and discrimination of these individuals, reinforcing the idea that the elderly are vulnerable and helpless, which would highlight negative stereotypes.

14. *Paragraph 100:* The Ministry of Labour and Social Protection emphasizes that in accordance with the law regulating the employment pro

15. motion policy, the National Employment Agency (ANOFM) registers the status of unemployed persons aged between 16 years and 63 years old (the age for the right to old-age pension). Therefore, persons who have reached the age of 63 cannot benefit from the package of active measures offered by ANOFM and the provision of unemployment benefit. Persons 63+ have the right to apply to ANOFM and to be registered with the status of "jobseekers" who are provided with employment support (information about the labour market):

- a) labour demand and supply;
- b) the services provided by ANOFM;
- c) the conditions of access to employment services;
- d) the qualifications and skills of jobseekers registered with the territorial subdivisions;
- e) the vacancies registered with the National Agency and the conditions for applying;
- f) the methods of searching for a job;
- g) the employment set-up and trends on the labour market at national and local level;
- h) information on the job fairs.

16. Another service is labour intermediation, which consists of mediation, by territorial subdivisions, between potential employees and employers to satisfy the demands of both parties and establish labour relations.

17. In conclusion, The Ministry of Labour and Social Protection underlines that people aged 63+ benefit from all informational support of ANOFM in identifying a job. This support consists of:

- a) Information about the labour market;
- b) Recommendations on the requirements and conditions of employment;
- c) Labor intermediation by matching the demand with the labour supply.