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# STUDY ON THE SITUATION OF ROMANI WOMEN AND GIRLS IN THE REPUBLIC OF MOLDOVA



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This Study has been produced as a result of cooperation between UN Women, OHCHR and UNDP Moldova (hereinafter “UN Family”).

The study presents the conclusions of intensive research work – including field and desk research – carried out by consultants Isabela Mihalache<sup>1</sup> and Sergiu Rusanovschi<sup>2</sup> -- the authors of this report -- at the request of the United Nations entities commissioning this report. The study also includes research derived from the previously published and ongoing work of the United Nations Country Team in the Republic of Moldova as concerns the situation of Romani women and girls in the Republic of Moldova.

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# FOREWORD

## Supporting Steps to Improve the Rights of Romani Women and Girls

In October of last year, the UN Committee on the Elimination of Discrimination Against Women (CEDAW) released findings that disadvantaged groups of women, including Roma women are, in practice, almost completely excluded from political and public life. The CEDAW Committee also expressed concern that Romani women and girls are in practice excluded from the effective protection of laws such as the 2008 Law on Domestic Violence. These conclusions are the latest in a series of recommendations by expert human rights review bodies focussing on the troubling situation of Roma in general, and Romani women and girls in particular.

Last year also saw UN family support for Moldova's efforts to strengthen data on the situation of Roma in the country. That data presented a troubling picture: significant segments of the Romani community in Moldova are not yet succeeding in education, and are in the main locked out of the world of formal employment. Roma are twice as likely as non-Roma not to have health insurance. Stigma and stereotypes are widespread among the wider society, driving discrimination.

The report appearing under this cover complements the 2013 report on the situation of Roma in the Republic of Moldova by examining in particular the situation of Romani women and girls. According to the report, while obstacles to access basic services, including education, are significant for both Romani girls and boys, some aspects are clearly gendered. Romani girls are particularly vulnerable to school drop out and low educational attainment, due to the role many are required to play in their family. Early marriage remains an issue in some communities.

But Romani women are starting to organize. On December 20, 2013, the first-ever network of young Romani women activists was launched with the support of the UN family in Moldova and the non-government organization Tarna Rom. The launch followed a three-day retreat, bringing together young Romani women from throughout the Republic of Moldova to discuss issues of mutual concern. This year, as Moldova prepares for elections, the UN family in Moldova is continuing its efforts to see this and other groups of excluded women and girls articulate and raise issues of concern, with a view to action by the public authorities.

The policy framework for this work is propitious. In 2011, the Government adopted an amended action plan on Roma inclusion, for the first time framing its priorities around key social inclusion vectors of education, employment, access to health care and other social services. The plan explicitly defines action to strengthen the rights of Romani women and girls as a priority. In 2012, the Government adopted Law 121 on Ensuring Equality, significantly elaborating the domestic law ban on discrimination in a range of areas of key concern to Roma. A new system of Roma community mediators should be fully in place by the end of 2014.

Experience from this region shows clearly that Roma community mediator networks are a key step in securing the effective inclusion of this highly stigmatized group. However, mediators have been only successful in those places where the policy is seen as the start – rather than the end – of Roma inclusion policies. Effective Roma inclusion requires acknowledgements that work is required on all sides, and engagements to undertake that work. Where Romani women and girls are at issue, negative sentiments and patriarchal attitudes need to be overcome both within communities and families, as well as in the wider society.

Genuine inclusion also requires that the historical experiences of Roma – including dark chapters such as the Holocaust – are reflected in the mainstream school curriculum. All Moldova's peoples need to see themselves reflected in the history of the country to feel their rightful place in it.

Inclusion requires recognition and direction by Romani leaders, activists and parents that the time has come for genuine change. Romani women and girls are owed by right the chance to develop to their full potential. There is no greater single investment any community can make than the education of girls.

We hope that this publication can provide the basis for a redoubling of commitments on all sides. The United Nations stands ready to support the Government and civil society, in their efforts to make Moldova a global leader in the inclusion of minorities.



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# EXECUTIVE SUMMARY





## EXECUTIVE SUMMARY

### 1. BACKGROUND

This study was commissioned by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations Development Program (UNDP) and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Its purpose has been to provide empirical documentation of the overall situation of Romani women and girls in the Republic of Moldova and to identify opportunities for their empowerment. This report cannot be considered a comprehensive assessment; it nevertheless aims to remedy the current dearth of information on the situation of Romani women and girls in the Republic of Moldova, with the aim of bringing recommendations to improve the situation.

Romani women represent one of the most vulnerable groups in the Republic of Moldova. Routinely they have lower levels of education, much higher rates of unemployment, significant lower level of income and poorer health than the rest of the population. Romani children face segregation at school, while many Romani families live in deprived and segregated areas with poor quality housing, lack of basic services and limited access to healthcare. Romani women face multiple discrimination in many areas, facing compound threats of exclusion as women and Roma.

The situation of Romani women has been raised extensively by international human rights review bodies including the UN Treaty Bodies and by the UN Working Group on Discrimination against Women in Law and in Practice. Moldova made extensive commitments to combat discrimination against Roma in the Universal Periodic Review and committed itself as participating state to the OSCE to implement relevant OSCE commitments relating to Roma and Sinti particularly the 2003 Action Plan on Improving the Situation of Roma

and Sinti within the OSCE Area<sup>3</sup> and its subsequent Ministerial Council Decisions.<sup>4</sup>

In 2011 the Government of the Republic of Moldova approved the Action Plan to Support the Roma Ethnic Group in the Republic of Moldova for 2011-2015, which was elaborated with the support of the UN family in Moldova and the OSCE Office for Democratic Institutions and Human Rights (OSCE ODIHR). The plan includes *inter alia* a set of actions to address the needs of Roma women in such areas as employment, education, health care, social inclusion, participation in decision making and public life.

To support on-going initiatives, strengthen the existing knowledge base in the context of the 2013 review of the Republic of Moldova by the UN Committee on the Elimination of Discrimination Against Women (CEDAW), as well as to identify the potential areas of joint UN interventions on Romani Women's Empowerment, the three named United Nations agencies commissioned a study of the situation of Romani women in the Republic of Moldova. One key aim of the study is to provide insights and guidance as to next steps to improve the participation, tackle discrimination and secure the full inclusion of Romani women and girls in the Republic of Moldova.

### 2. KEY FINDINGS

This study aims to examine the situation of Romani women and girls in Moldova. Its findings indicate that the marginalized position of Romani women and girls

<sup>3</sup> Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, adopted by the Permanent Council on 27 November 2003. The Action Plan is available electronically at: <http://www.osce.org/odihr/17554>

<sup>4</sup> Ministerial Council Decision No. 6/08, "Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area" (Helsinki, 2008) and Decision No. 8/09, "Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration" (Athens, 2009). See further: <http://www.osce.org/mc/35488> and <http://www.osce.org/cio/40707>

in Moldova is determined by the interaction of gender discrimination, racism, class and other systems of discrimination and exclusion at various levels and in multiple situations, as well as a legacy of past exclusion. The current situation of a significant segment of the population of Romani women in Moldova is characterized by low levels of education, lack of marketable skills and employment qualifications, poor health status and increased vulnerability to social exclusion, violence and other human rights violations, as well as by evidently low levels of self-esteem and motivation.

Hence, Romani women and girls can be described as one of the most disempowered groups in the Republic of Moldova. In addition, gender inequalities take place in Romani households and interfamilial relations, in the Romani community and in the society at large, making Romani women particularly vulnerable to social exclusion and discrimination.

The lack of effective and focused policies on the situation of Romani women and girls is both reflected in and perpetuated by a lack of quantitative and qualitative statistics describing the situation of Romani women and girls in Moldova. In the absence of such data, their social exclusion and lack of empowerment are at risk to be further exacerbated and reinforced.

### 3. RIGHT TO EDUCATION

In the area of education, the findings of the current study reinforce previous available data according to which there is a significant gap in education and literacy levels for Roma vs. non-Roma. The educational attainment of both Romani girls and boys is low and many times it prevents them from pursuing higher levels of education. Interrelated complex reasons prevent Romani girls from accessing general education on an equal footing with other children. Roma generally lack equal access to education in the Republic of Moldova. Romani children living in one of the several tens of rural slum settlements are at significant spatial remove from schools. Romani children report bullying or isolation by non-Romani peers, and this treatment is often not effectively challenged by school authorities. Romani parents in poverty state that they are unable or ashamed to send children to school, and some may not be able to pay informal fees frequently asked of parents by school authorities in Moldova. Some Roma engage in seasonal work, removing children from school for

periods of time; no policies appear to exist to respond to these challenges or to support catch-up by children returning from abroad. As a result of legacies of under-education, many Romani parents are illiterate and unable to assist children with homework. Roma also frequently regard school as a hostile environment, and a place where Roma may lose their Romani culture. This latter view is heightened by the reality of the fact that the Moldovan school curriculum currently includes little or no information on Romani History and Culture or the valuable contributions Roma have made to Moldovan and European societies. Dark chapters of the history of Roma in Moldova – in particular the Romani Holocaust – are not included in the general curriculum. There is no provision for Romani language.

While obstacles to access education are significant for Romani girls and boys, some aspects of the lack of realization of the right to education are clearly gendered. Romani girls are ascribed separate, subservient roles by the family or society, including pressure to abandon school at the onset of puberty. Child marriage exists in a number of Romani communities in Moldova. Romani girls married in their teens generally are forced to abandon school and take on a subservient role in the family, becoming entirely dependent on their husbands. As a result, Romani girls are particularly vulnerable to school dropout and low educational attainment, with very serious social exclusion and often also health impacts.

### 4. WORK AND OCCUPATIONS

The findings of this study lead us to conclude that Romani women face significant barriers on the labor market, including as a result of anti-Romani prejudice leading to discrimination. Their low access to employment and the low level of employability is due to low levels of education, lack of professional qualification, lack of awareness of existing vacancies and lack of employment opportunities, and residential segregation, as well as to unchallenged discrimination on the labour market. The Romani women interviewed during research for this study were either unemployed or under-employed. Those who were working were mainly involved in day labor in neighboring households, agriculture, small trade and entrepreneurship. Because of work in the informal economy, the monthly income of

Romani women is highly insecure and frequently insufficient to cover basic needs. In the context of limited employment opportunities and lack of professional skills demanded on the labor market, many Romani women choose to migrate for work abroad or, especially in the case of urban Romani women, to engage in small trade activities after purchasing goods from abroad.

## 5. RIGHT TO SOCIAL PROTECTION

Social protection represents an important source of income for Romani households, overrepresented as Roma are among persons living in poverty. Study findings indicate that Romani women have a very limited understanding of the social benefits, the differences among various forms of benefits and the criteria upon which they are determined. In addition, Romani women reported cases of discrimination and abuse in the access of social assistance by local authorities. Romani women also face particularly high barriers in accessing generally available social services, including those available for victims of domestic violence. Roma are twice as likely as non-Roma in the Republic of Moldova to lack health insurance.

## 6. RIGHT TO HEALTH

Romani women frequently do not go to the doctor for preventive care or for treatment even if their health is precarious. The majority of Romani adults interviewed in the course of this study lacked the compulsory medical insurance and did not have insurance policies. The distance to medical institutions is another obstacle in accessing health services by Romani women. Medical clinics may be situated at a distance of up to 3 km away or more. As a result, many times they do not get the required medical treatment. There are reported cases of refused or denied medical services for women living in particularly excluded rural settlements. Poor living conditions in Romani communities and the lack of social protection measures have a detrimental impact on the health of Romani women, and drive continuing social exclusion.

## 7. FREEDOM FROM ALL FORMS OF VIOLENCE

### a) Domestic violence

Domestic violence may be as high in Romani communities as among the population-at-large, although due to widespread underreporting of domestic violence generally, there is no accurate data in this regard. Romani women and girls are however particularly excluded from protection services available generally for victims of domestic violence. Many Romani women are reluctant to report cases of domestic violence to the authorities fearing that it will worsen the situation. Police as a rule refrain from providing protection to Romani woman and girls, with the justification that Roma have their “own laws”. Romani women interviewed for this study were also reluctant to discuss domestic violence with other members of the family and most of the time they do not question it either because of fear, shame or resignation. During discussions, some stated had if they had a better economic status and position in the family, many would consider reporting domestic violence to the police or leaving the marriage. Financial insecurity and concerns over the fate of their children – combined with the near-complete abandonment of Romani women and girls threatened with violence by the competent state authorities -- traps them in abusive relationships.

### a) Trafficking

Report findings indicate that some Romani women and girls are trafficked abroad. The lack of accurate data regarding the extent of trafficking in Romani women and girls underpins the lack of preventive and protective measures against trafficking in Romani women and girls, which makes Romani women and girls vulnerable to trafficking and re-trafficking. The cycle of poverty, exclusion and discrimination Roma women and girls find themselves makes them even more vulnerable.

### b) Child labor

The findings of this study show that many Romani boys and girls are involved in activities not suitable for children, such as begging, as well as agricultural work, including day work at farms and sheepfolds, field work, cutting wood, cutting corn plants for the whole day, carrying water, feeding animals, etc. Involved in child begging, Romani girls are vulnerable to reinforcing intergenerational cycles of poverty, school



dropout and health deprivation. In traditional Romani families, Romani girls are often expected to fulfill more household responsibilities than Romani boys and less school activities.

### c) *Child marriage*

The present study indicates that in some communities, Romani girls are married at the age of 15 or younger, in common law or “traditional” arranged marriages, which are not formalized by the state authority. In these arrangements, following arrangement between the parents, the girl child goes to live with the groom (frequently also a minor), and the marriage is sexually consummated. Discussions with police and others involved in protection from domestic violence are aware of such community marriages – the ceremonies for which are frequently carried out in public spaces such as restaurants – but as a rule never intervene under the pretext of the existing Roma traditions and rules, in which the police cannot intervene. No policies or programmes exist to address child marriage in the Romani community in the Republic of Moldova.

When Romani girls marry, their education and entire childhood development process are ended. They are forced to give up their childhood and become entirely dependent on their husbands. Early marriage is soon accompanied by pregnancy and the responsibility of being a mother. These women lose their chances to achieve autonomy in making decisions regarding their education, employment opportunities or household needs. These in turn make them more vulnerable to accepting abusive relationships, as well as to poverty and social exclusion. Child marriage has demonstrable negative health and well-being impacts on the persons concerned.

Romani girls’ virginity at marriage is still highly valued in Romani communities, and not necessarily only for the traditional communities. Where Romani girls who do not reveal their loss of virginity before the marriage, they risk to be abandoned by their husbands after the consumption of the sexual act, sent away from home and/or beaten. Demanding virginity from Romani women perpetuates stereotypes and reinforces the position of women at the lower part of community hierarchy through regulating their sexual behavior, advocating abstinence before marriage and confining them to stereotypical views of the female and male sexual and social roles. Romani women’s virginity is viewed as an indicator of men’s reputation, one of the

dominant qualities desired and required of a Romani woman partner in a marriage. It promotes a system of honor and shame, whereby women are made to feel guilty and even punished if they commit pre-marital sex. Thus Romani women are dehumanized and reduced to their sexuality, which in turn provides men with control over their bodies, social interactions and freewill.

## 8. PARTICIPATION IN POLITICAL AND PUBLIC LIFE

There are no Romani women in any positions of elected responsibility anywhere in the Republic of Moldova. Romani women are largely excluded from electoral processes. They do not participate neither in election as candidates nor in the composition of election management structures. Regarding Romani women’s representation in local public administration authorities, it remains insignificant. According to the current study findings, only a very limited number of Romani women in the Republic of Moldova are engaged in civic and community work. Discussions with Romani women revealed that if given the opportunity, they would choose to be part of a Romani women’s NGO and be actively involved in the life of the community.

## 9. GENDER RELATIONS

The current field research shows that there are many inequalities between Romani women and men. The low status of Romani women in the family and society can be explained by a number of economic and social constraints. Thus, a lack of formal employment, often high number of children and limited education may affect their decision-making role in the family and position in the society. The lack of education and decent employment and stable income increases their dependency on the family members and husband or partner. Supporting Romani women’s empowerment is therefore central to improving gender relations in the Romani families and larger communities. It can be achieved by supporting Romani women’s education and entrepreneurship, including improved access to property, training, microfinance and markets. But in order for Romani women to achieve autonomy, a more comprehensive approach should be considered

that would raise their gender consciousness, enable them to access community resources, provide support for challenging traditional norms and take equal part in decision-making processes in the household. Enabling them to establish and realize their rights are essential means to empower Romani women to be more autonomous in decision-making.

## 10. INTERNATIONAL CONCERN

In its 2013 review of the Republic of Moldova's compliance with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the United Nations CEDAW Committee expressed a range of concerns at the situation of Romani women and girls, including the reluctance of the police to intervene in cases of domestic violence within the Romani community; that Romani women are, in practice, almost completely excluded from political and public life; as well as problems of discrimination and exclusion in sectors such as education and employment. The CEDAW Committee recommended, *inter alia*, that the Government promotes access by Roma girls to quality mainstream and inclusive education and their retention at all levels of education, by tackling anti-Roma sentiment, and raising awareness on the importance of education as the basis for the empowerment of women, and strengthening the implementation of re-entry policies enabling such drop-out girls to return to school; as well as that it introduces procedures to ensure effective participation of Roma women and women with disabilities in elected offices and appointed bodies.

The CEDAW Committee also noted the adoption of the Action Plan to support the Roma population for 2011-2015 and the on-going establishment of Roma Community Mediators at the community level, the Committee is concerned about the inadequate finan-

cial resources allocated to the implementation of the Action Plan, and that only 15 Mediators have been appointed so far. The CEDAW Committee urged the State party to implement and allocate adequate funding to national action plans and strategies aimed at eliminating all forms of discrimination against Roma women and girls, and appoint, without delay, qualified Roma Mediators in all Roma communities and allocate adequate funds to this post.

The CEDAW Committee also expressed concern about reports of child marriage within some Roma communities and about the lack of systematic action taken by the State party to address this harmful practice, despite the legal prohibition of early marriage. The Committee recommended that the State party, ensure that the social welfare and other state agencies, take measures to combat the practice of child marriage and effectively implement the law prohibiting early marriage. The Committee also recommends the State party to raise awareness among Roma communities about the legal prohibition of child marriage, as well as on their negative effects on girls' health and education, in cooperation with community leaders.

The CEDAW Committee 2013 views and recommendations complement earlier assessments made by bodies including the UN Working Group on discrimination against women in law and in practice (2012 report on mission to the Republic of Moldova); the UN Committee on Economic, Social and Cultural Rights (CESCR 2011 Concluding Observations on the Republic of Moldova); the UN Committee on the Elimination of Racial Discrimination (2011 CERD Concluding Observations on the Republic of Moldova); as well as those of other United Nations and Council of Europe human rights review bodies.

The CEDAW Committee's 2013 recommendations to the Republic of Moldova are included in full as an annex to this report.

# I. INTRODUCTION



## I. INTRODUCTION

### 1.1. RATIONALE

The human rights situation of Romani women and girls is an area of concern throughout Europe. Anecdotal information has indicated that Romani women and girls in the Republic of Moldova similarly face serious discrimination, exclusion and other human rights issues. However, to date no study has been carried out to examine in details issues facing Romani women and girls in the Republic of Moldova.

Despite lack of statistical data on the situation of Romani women and girls, important steps have been made towards mainstreaming Romani women's concerns into strategies for Roma integration. Such efforts include the 2003 OSCE Action Plan on the situation of Roma and Sinti in the OSCE Area<sup>5</sup>, the National Action Plans under the Decade of Roma Inclusion 2010-2015, embraced by twelve European countries, the 2006 European Parliament Resolution on the Situation of Roma Women in the European Union<sup>6</sup>, the Council of Europe Strasbourg Declaration on Roma<sup>7</sup> adopted in October 2010, the European Council Conclusions on the EU Framework for National Roma Integration Strategies up to 2020<sup>8</sup> from May 2011, the European Framework for National Integration Strategies adopted by the European Commission in April 2011 and the Common Basic Principles for Roma Inclusion.<sup>9</sup> Beginning in the 1990s and continuing to the present day, United Nations agencies and entities have engaged to improve policy and action to improve the human rights situation of Roma in Europe.<sup>10</sup>

Romani women's concerns have been consistently raised and advocated by Romani women advocates, Romani NGOs, international organizations and national level policy-makers. Advocacy efforts however have been hindered by the lack or limited data on the actual situation of Romani women at national level and the lack of human expertise on gender and ethnic minority issues to define strategies and develop concrete actions at local and national level. Similar to elsewhere, a lack of credible information on the situation of Romani women and girls is also a problem in the Republic of Moldova.

The purpose of this study is therefore primarily to address the lack of information on the human rights situation of Romani women and girls in the Republic of Moldova and to provide an overview of their access to education, employment, health care, social protection, political life, as well as of other human rights issues facing Romani women and girls in Moldova. This study aims to stimulate a dialogue among policy makers, NGOs, international organisations, donors and others at local, national and international level on the importance of taking up the issue of Romani women and girls in Moldova and to encourage networking and partnerships on concrete programmes and action for improving the situation of Romani women and girls.

### 1.2. METHODOLOGY

This study aims to reflect on multiple aspects in the lives and experiences of Romani women and girls in the Republic of Moldova in their access to education, health care, employment, social protection, freedom from forms of violence, participation in political and public life and gender relations. The study combines desk and field research by an international expert on gender equality and Romani women's rights and a na-

<sup>5</sup> Available at: <http://www.osce.org/odihr/17554>

<sup>6</sup> Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2006-0244+0+DOC+XML+V0//EN&language=EN>

<sup>7</sup> Available at: <https://wcd.coe.int/ViewDoc.jsp?id=1691607>

<sup>8</sup> Available at: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/lsa/122100.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/122100.pdf)

<sup>9</sup> Available at: [http://www.coe.int/t/dg4/youth/Source/Resources/Documents/2011\\_10\\_Common\\_Basic\\_Principles\\_Roma\\_Inclusion.pdf](http://www.coe.int/t/dg4/youth/Source/Resources/Documents/2011_10_Common_Basic_Principles_Roma_Inclusion.pdf)

<sup>10</sup> United Nations, "The Role of the United Nations in Advancing Roma Inclusion", 2013, on file with the authors.



tional expert on Roma issues, and incorporates the experience of UN agencies working on Roma inclusion in the Republic of Moldova.

The study aims to look at the extent of vulnerability of Romani women and girls to social exclusion, discrimination and human rights violations and provide fresh and meaningful observations that can inform further research work and policy action in the area of Romani women and girls' rights. It also aims to give voice to Romani women to express their concerns and share their views and ideas on a number of aspects of their life. Finally, it intends to provide a list of sectoral recommendations that can support the work of NGOs and future processes of policy development on the situation of Romani women and girls in Moldova.

Research work proceeded as follows: Following initial desk research and consultations, during the period 1-9 September 2012, the group of experts conducted individual interviews with circa 60 Romani women and held focus groups with Romani women and men from various parts of Moldova. In addition, the experts held meetings with local government representatives and institutions at central level, such as the Ministries of Labor, Social Protection and Family, Education, Interior, Health, and the Bureau of Interethnic Relations. Meetings and discussions were also held with civil society representatives and UN Agencies, including UN WOMEN, OHCHR, UNHCR, UNICEF, UNFPA, IOM and UNDP.

Localities visited during the September 2012 mission include: Carpineni and Mingir (Hincesti district), Chetrosu and Drochia (Drochia district), Ciocilteni (Orhei district), Hincesti, Huzun (Straseni district), Otaci (Ocnita district), Parcani, Schinoasa and Ursari

(Calarasi district), Purcari (Stefan Voda district), and Soroca.

Following the September mission, further desk and consultative work was undertaken, after which multiple drafts of the report have been circulated for comment and input by various stakeholders. Further research was undertaken by UN Moldova colleagues in the field, to verify information and further document key issues facing Romani women and girls. The report was finalized in the second half of 2013.

### 1.3. ROMA IN THE REPUBLIC OF MOLDOVA

There are no exact figures regarding the number of Roma living in the Republic of Moldova, which continues to pose challenges when discussing policies and programmes on Roma. Thus, there are big discrepancies between the data of the census in 2004, which counted 12,271 Roma, data collected by the Bureau of Interethnic Relations, which suggest that the figure is closer to 20,000 and claims by Roma leaders there could be up to 250,000 Roma living in the Republic of Moldova. The Roma in Moldova are among those most vulnerable to discrimination or exclusion in Moldova. They face a higher risk of marginalization inter alia as a result of their under-representation in decision-making, high levels of illiteracy and unemployment and the existence of social stigma and negative prejudices. A number of tens of rural Romani slums exist, many characterized by extremely substandard infrastructure development, as well as by isolation from the local authorities responsible for their governance. A map of these communities follows here:





During World War II, Roma were targeted, together with Jews, for genocidal measures. The Holocaust in Romania (including on the territory of today's Republic of Moldova) involved, among other things, both massacres and massive expulsions of Roma from various parts of Romania to "Transnistria", although this territory is not identical to present-day Transnistria, but rather is a much larger territory comprising the land between the Dniestr and Bug rivers, i.e. for the most part in today's Ukraine. These issues are not-at-all known among the public-at-large, and do not feature in the school curriculum.

During the Soviet era, extensive efforts were made to assimilate the Romani minority throughout the former Soviet Union. However, segments of popular opinion

also viewed Roma as utterly different, and not integrable, and stereotypes about "the Wild Gypsy" were promoted. Some segments of the Romani community were to a certain extent tacitly exempt from assimilation measures. At the same time, there was systematic underdevelopment of rural Romani settlements in the Republic of Moldova, with Gypsy settlements explicitly deemed "not for development".

Post-Communist land reform in the Republic of Moldova – and in particular land privatization – systematically excluded Roma, and in rural areas resulted in situations in which, despite new and widespread private land ownership, Roma for the most part lacked both ownership and title to places in which they were

living.<sup>11</sup> This situation has never been reversed, and prevails to the present day.

Anti-Romani sentiment is currently very high in the Republic of Moldova. A recent survey found that 49% of Moldovans would absolutely not accept a Romani person as a neighbor, while a further 16% said that they would “probably not” accept a Romani neighbor.<sup>12</sup>

### Poverty

In a 2010 survey, 12% of Roma reported “lacking food” one time during the previous month, as against 3% among the population at large. 28% of Roma responding said they had been hungry 2-3 times during the previous month (as opposed to 6% among non-Roma), while 17% (as opposed to 3% among non-Roma) said they had lacked food more than 3 times during the previous month.<sup>13</sup>

### Education

There are significant inequality issues facing Roma and others regarded as Gypsies in the field of education,<sup>14</sup> including very high levels of antipathy against “Gypsies”. A recent UNDP study found that 82.5% of school principals who participated in the survey would accept a Romani person as staff member or student, but only 27.2% of teachers who participated in the survey would accept a Romani person as colleague and 26.3% as pupils/students.

On the positive side, anecdotal evidence indicates that the number of Roma in university education is among the highest in the region, in percentage terms.

However, access to education for Romani children living in the several tens of isolated rural Romani slum settlements is problematic. In schools in these settlements, educational standards are far below national average. Some schooling arrangements – such as those in Otaci, as well as those in Stejareni/Lozova, Parcani/Raciula and Vulcanesti – are or have been segregat-

ed.<sup>15</sup> A significant positive step is the pilot effort begun in September 2010 aiming to bring children from the isolated Romani slum of Schinoasa into mainstream schooling in the nearby town of Tibirica (Calarasi County). Similar efforts are reportedly underway in Otaci. It will be important that these efforts be supported and fostered, as well as that similar initiatives be undertaken as part of mainstream educational policy. A second serious area of concern is mobbing and bullying of Romani children by non-Roma in those schools where they do not constitute a large population in the school. There appear to be no mechanisms to address such issues.

### Employment

Civil society organisations report discrimination against Roma on the job market. In the most frequent scenario, applicants are told that there are positions available over the telephone, but when they come for job interviews (and are seen to be visibly Romani), they are told there is no job. As a result of these and other factors, many Roma work in the parallel economy, are entrepreneurs, and/or emigrate.

### Housing

According to a recent survey, 30% of Roma in Moldova live in housing in a high state of disrepair or other forms of poor housing, as against 7% for the population-at-large.<sup>16</sup> As concerns the availability of basic amenities, according to a recent expert source, 10% of Roma have no electricity (as against 2% for the population-at-large), 42% have no kitchen (as against 17% generally), 88% are not connected to direct water provision (76% generally), 81% are not connected to sewerage (60% generally), 81% have no bath in the house (as against 51% generally) and 89% have no toilet at home (against 71% generally).<sup>17</sup> Instances of forced eviction of Roma from housing are reported in cases where Roma in situations of extreme vulnerability attempt to rent housing in mainstream areas of towns, villages or cities.<sup>18</sup>

<sup>11</sup> Resource Center for Human Rights (CReDO) and Roma National Center (RNC), “Shadow Report on the Implementation of the UN Covenant on Economic, Cultural and Social Rights: 2003-09”, pp.28-29.

<sup>12</sup> Expert Grup, “Barometrul Socio-Politic 2012: Sondaj la Nivel Național”, September 2012.

<sup>13</sup> Dr. Nicolae Sali, presentation of recent research data, ULIM University, Chisinau, December 2010.

<sup>14</sup> For an overview of Roma exclusion issues in Moldova, see United Nations Development programme (UNDP), “Roma in the Republic of Moldova”, Chisinau 2007.

<sup>15</sup> OHCHR field research in the context of cooperation with the Moldovan Centre for Human Rights, 2012, on file with the authors.

<sup>16</sup> Dr. Nicolae Sali, presentation of recent research data, ULIM University, Chisinau, December 2010.

<sup>17</sup> Ibid.

<sup>18</sup> Throughout 2009, a civil society organization in Chisinau repeatedly attempted to arrange housing for a single Romani woman with several children, who were regularly begging in Chisinau. Despite direct payment of rent to landlords by the NGO, the family was repeatedly evicted in Chisinau and elsewhere, after landlords learned that the tenants were “Gypsies”.

## Health Care

International and regional monitoring bodies, as well as civil society, have indicated a number of concerns, including reports of denial of emergency health care services in excluded Romani settlements (including at least one recent case in which the person concerned died), as well as stereotypes among health care professionals, giving rise in some cases to fear, and unfair or arbitrary treatment.<sup>19</sup> In addition, there is a troubling gap between Roma and non-Roma in rates of coverage by health insurance.<sup>20</sup>

### 1.4. ROMANI WOMEN IN THE REPUBLIC OF MOLDOVA

Romani women in Moldova are, *ab initio*, highly vulnerable in practice to, discrimination, social exclusion and marginalization. Their limited access to public administration management and lack of participation opportunities further prevent them to voice their concerns and be a changing motor in their lives. They have little support from institutional mechanisms, which are not equipped to create opportunities for the most vulnerable to social exclusion. Their social exclusion is furthered by geographical remoteness and segregation from public services characterized by underdeveloped social infrastructure and compromising public service delivery system.

<sup>19</sup> United Nations Human Rights Committee, Op cit.; United Nations Committee on the Elimination of Racial Discrimination, "Concluding observations of the Committee on the Elimination of Racial Discrimination: MOLDOVA", CERD/C/MDA/CO/7, 16 May 2008; Council of Europe's Commission Against Racism and Intolerance (ECRI), "Third Report on Moldova", Strasbourg, 29 April 2008, CRI(2008)23; UNDP, "Roma in the Republic of Moldova", 2007; National Roma Center, "Respecting the Human Rights Towards Roma in Moldova", Chisinau, 2010.

<sup>20</sup> UNDP, "Roma in the Republic of Moldova", 2007, p.14.

## II. LEGISLATION AND POLICIES ON ANTI- DISCRIMINATION, GENDER EQUALITY, MINORITY RIGHTS AND ROMA





## II. LEGISLATION AND POLICIES ON ANTI-DISCRIMINATION, GENDER EQUALITY, MINORITY RIGHTS AND ROMA

### 2.1. INTERNATIONAL AND REGIONAL HUMAN RIGHTS STANDARDS

The Republic of Moldova is party to seven of the nine core international human rights treaties: the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD). These treaties impose positive obligations on states parties to respect, protect and fulfill the rights provided therein. In recent years, nearly all of the international human rights review bodies charged with supervising international human rights law have expressed concern over the situation of Roma. The UN Committee on the Elimination of Discrimination Against Women (CEDAW) has repeatedly expressed concern at the situation of Romani women and girls in countries it has reviewed.

The UN Human Rights Committee, the UN Committee on the Elimination of Racial Discrimination (CERD), the UN Committee on Economic, Social and Cultural Rights (CESCR), the UN Committee Against Torture (CAT) and the UN Committee on the Rights of the Child have all expressed concerns at the situation of Roma in the Republic of Moldova in recent years. On May 2012, the UN Working Group on discrimination against women in law and in practice (UN WG DAW),<sup>21</sup> one of the independent Spe-

cial Procedures reporting to the United Nations Human Rights Council, undertook an official mission to the Republic of Moldova. In its March 2013 report to the Human Rights Council, the Working Group devoted extensive attention to concern at the situation of Romani women and girls in the Republic of Moldova. In particular, it noted:

Romani women face discrimination on grounds such as sex and ethnicity, and their low socio-economic status. Romani women and girls in particular have high rates of illiteracy, lack access to employment and are particularly vulnerable to violence. They have lower life expectancy compared to non-Romani women and rarely benefit from social services, including reproductive health services at the community level. They are almost completely excluded from political life, particularly as candidates and in electoral management structures.<sup>20</sup> There are few if any Romani women employed in public functions at any level above the local level, and they are also completely excluded from elected and civil service positions in the local and regional administration.<sup>21</sup> Romani women who are single mothers, divorced or widowed face difficulties in securing their rights to housing and land. Within their communities, Romani women and girls also face discrimination, including prevalent early marriage of girls, which denies them many opportunities.

Romani advocates stated that they have little or no access to women parliamentarians and politicians do not respond to their concerns. Quotas for universities have not worked in practice because no adequate support exists at the secondary level of education for Romani girls and women. In its visit to the village of Cioresti and a Romani community in Vulcanesti village in Nisporeni district,

<sup>21</sup> <http://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/WGWomenIndex.aspx>

the Working Group was informed of a current high degree of absenteeism of Roma children from schools because of seasonal migration of the Roma community. Despite there being 60 per cent women candidates running for Council in a commune with the highest percentage of Romani inhabitants in the country, none of them were Romani.

The multiple forms of discrimination faced by Romani women represents a pattern of discrimination against the Romani people that is pervasive, persistent and deeply entrenched in social behaviour, constituting what the Committee on Economic, Social and Cultural Rights identifies as systemic discrimination.<sup>22</sup>

The Working Group summarized its views by drawing attention “to the importance of addressing structural impediments to the empowerment of Romani women, including in their access to education, employment and property, and guaranteeing Romani women’s full and equal enjoyment of all human rights, including cultural rights. It also notes that action to strengthen networks of Romani women and girls would contribute to ending practices such as child marriages and child labour, reportedly prevalent in some Romani communities. It is concerned that the Government has no effective affirmative action measures for Romani, including in the labour market or disaggregated data, including by sex, on their employment. The Government’s effort to increase the quality of medical services, including in rural and Romani communities, must address Romani women’s access to health care generally, including reproductive health and rights, and for adolescents.”<sup>23</sup>

Subsequently, in its October 2013 review of the Republic of Moldova’s compliance with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the United Nations CEDAW Committee expressed a range of concerns at the situation of Romani women and girls, including the reluctance of the police to intervene in cases of domestic violence within the Romani community; that Romani women are, in practice, almost completely excluded from political and public life; as well as problems of discrimination and exclusion in sectors such as education and employment. The CEDAW Committee recommended, inter alia, that the Government pro-

motes access by Roma girls to quality mainstream and inclusive education and their retention at all levels of education, by tackling anti-Roma sentiment, and raising awareness on the importance of education as the basis for the empowerment of women, and strengthening the implementation of re-entry policies enabling such drop-out girls to return to school; as well as that it introduces procedures to ensure effective participation of Roma women and women with disabilities in elected offices and appointed bodies.

The CEDAW Committee also noted the adoption of the Action Plan to support the Roma population for 2011-2015 and the on-going establishment of Roma Community Mediators at the community level, the Committee is concerned about the inadequate financial resources allocated to the implementation of the Action Plan. The CEDAW Committee urged the State party to implement and allocate adequate funding to national action plans and strategies aimed at eliminating all forms of discrimination against Roma women and girls, and appoint, without delay, qualified Roma Mediators in all Roma communities and allocate adequate funds to this post.

The CEDAW Committee also expressed concern about reports of child marriage within some Roma communities and about the lack of systematic action taken by the State party to address this harmful practice, despite the legal prohibition of early marriage. The Committee recommended that the State party, ensure that the social welfare and other state agencies, take measures to combat the practice of child marriage and effectively implement the law prohibiting early marriage. The Committee also recommends the State party to raise awareness among Roma communities about the legal prohibition of child marriage, as well as on their negative effects on girls’ health and education, in cooperation with community leaders.<sup>24</sup>

Indeed, all recent UN Treaty Body reviews of Moldova – the Committee on the Rights of the Child, Human Rights Committee, the Committee Against Torture, the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights, Committee on the Elimination of Discrimination against Women -- have urged improved action and policy in this area. Thus, for example, the CESCR Committee concluded in May 2011 that:

<sup>22</sup> A/HRC/23/50/Add.1, paras. 70-72

<sup>23</sup> Ibid., para. 74.

<sup>24</sup> CEDAW/C/MDA/CO/4-5.

The Committee is concerned that the Roma population continues to face marginalization and social exclusion, especially in the areas of education, housing, health and employment (art.2, par.2).

The Committee recommends that the State party strengthen its efforts to address the socio-economic issues facing the Roma population, including through effective implementation, adequate resourcing and effective monitoring of the “Action Plan for the Support of the Roma People from the Republic of Moldova for 2011 – 2015”. The Committee strongly recommends that such efforts are adequately funded and prioritize social inclusion measures, focusing on the areas of education, housing, health, employment, infrastructure, and water and sanitation. The Committee also recommends that the State party create a network of community mediators charged with facilitating interaction between Roma, public authorities, employers, health providers and others. The Committee requests the State party to provide detailed information in its next report on action taken in this regard as well as the impact measured in all areas.<sup>25</sup>

Concern about the situation of Roma in particular also appears in specific recommendations by the CESCR Committee related to (1) poverty; (2) access to social housing; (3) access to drinking water and sewerage, (4) access to health insurance and health care generally; and (5) access to equal quality education. As a related matter, the CESCR Committee (similar to many other Committees) urged the government to improve statistical data and other publicly available information in this and related areas.<sup>26</sup> The problematic state of ethnic data as concerns Roma was a particular concern of the Committee on the Elimination of Racial Discrimination (CERD) during its March 2011 review, as were a number of other issues related to the treatment of Roma in various sectors. CERD also focused on the important potential role played by the Ombuds office in bringing cases of racial discrimination – including cases of racial discrimination against Roma – to court.<sup>27</sup>

Finally during Moldova’s October 2011 Universal Periodic Review (UPR), the following recommendations were made specifically with respect to Roma:

- 73.4. Adopt socio-economic measures aimed at ensuring the social and labour integration of the Roma minority (Spain);
- 73.10. Promote greater public appreciation for the importance of according equal rights for the Roma, including freedom from abuse and discrimination (Australia);
- 73.25. Adopt specific measures to combat discrimination against Roma (Slovenia);
- 73.61. Address the socioeconomic issues facing Roma, including through effective implementation and adequate resourcing of the Action Plan for the Support of the Roma People for 2011-2015, as recommended by CERD (Israel);
- 75.32. Strengthen the protection of minorities through a reform of its criminal code, incorporating offences punishing hate crimes and incitation to hatred as well as through ensuring the effective implementation and adequate resourcing of the Action Plan for the support of the Roma (Austria).<sup>28</sup>

## 2.2. NATIONAL HUMAN RIGHTS FRAMEWORK

The present study does not endeavor to provide an overall assessment of all aspects of Moldovan law and policy in the field of human rights, nor even all aspects of law and policy as concerns Romani women and girls. Nevertheless, several key areas are relevant for summary here, as follows below.

### 2.2.1. Anti-discrimination legislation

The Moldovan Constitution makes a range of far-reaching commitments in the field of equality and non-discrimination. Article 16(2) of the Constitution stipulates that “all the citizens of the Republic of Moldova are equal before the law and public authorities, irrespective of their race, nationality, ethnical origin, language, religion, sex, opinion, political views, property or social origin”.<sup>29</sup> This principle is also found in article 43 with regard to the right to work: “Any person has the right to work and to free choice of work on equitable and satisfactory working terms, as well as

<sup>25</sup> E/C.12/MDA/CO/2.

<sup>26</sup> Ibid.

<sup>27</sup> CERD/C/MDA/CO/8-9.

<sup>28</sup> A/HRC/19/18.

<sup>29</sup> Unofficial translation of the Constitution of the Republic of Moldova. The original text is available at: <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311496>



to protection against unemployment.”<sup>30</sup> The constitutional right to social assistance and protection present in article 47 stipulates that any person has the right to decent living to ensure family health and welfare.<sup>31</sup> Article 48 of the Constitution stipulates that the family is created through free marriage between a woman and a man and is based on equality between the man and the woman.<sup>32</sup>

Even if the Constitution of the Republic of Moldova does not include the notions of direct and indirect discrimination, these have been transposed in the Law on ensuring equal opportunities between women and men, no. 5/2006.<sup>33</sup> The Law stipulates an institutional framework that guarantees equal opportunities for women and men. However, there are no known instances in which the provisions of the Law have been applied by a court.

Certain provisions of the Law on local public administration, no. 436/2006<sup>34</sup> represent another negative aspect of restricting gender equality. These provisions do not include in the jurisdiction of public authorities assurance of equal opportunities for men and women as it was stipulated in the Law on local public administration from 1998.<sup>35</sup> Moreover, even if the local public administrations are obliged by the law to mainstream gender in the local development process, none of them observe the law because of the lack of capacity of public employees, internal procedures regarding gender equality or gender desegregated statistics.<sup>36</sup>

The 2006 Law on ensuring equal opportunities between women and men requires the parties and other socio-political organizations to promote gender equality. However, the Law on political parties, no. 294/2007 does not include any specific requirements, stimulants or sanctions for political parties to ensure that the gender equality principle is respected, as it

was stipulated in the Law on political parties and other social and politic organizations from 1991.<sup>37</sup> Several proposals exist to strengthen the legislative basis for achieving equal representation of men and women in public life, but as of the end of 2013, none of these had been adopted into law.

Laws including the Criminal Code, the Civil Code, the Contravention Code, the Labor Code and a number of other key domestic laws include provisions, which could be invoked by a person to challenge discrimination. However, the most important achievement was the adoption of the Law No. 121, on Ensuring Equality.<sup>38</sup>

On May 25, 2012, the Parliament of Moldova passed the Law on Ensuring Equality followed by the adoption of the Law on the activity of the Council for the prevention and elimination of discrimination in December 2012. The Law became effective on January 1, 2013. It aims to prevent and combat discrimination in general and ensure equality for all persons on the territory of Moldova in political, economic, social, cultural, and other aspects of life without any distinction based on race, color, nationality, ethnicity, language, religion or belief, sex, age, disability, political affiliation, or any other similar criteria.<sup>39</sup>

The Contravention and the Criminal Code have been amended and several provisions on different types of discrimination were included; however there is no general provision regarding the discrimination act. Discrimination is linked to the right to work, access to services and access to education. All other forms of discrimination are not covered by the Contravention Code.

The principle of non-discrimination is also used at the basis of enforcement of provisions of the Labor Code. Article 8 of the Labor Code provides “expressly that any direct or indirect form of discrimination of the employee on the basis of gender, age, race, skin color, ethnic origin [...] shall be prohibited.”<sup>40</sup> Labor legislation was amended in accordance with the revised

<sup>30</sup> Unofficial translation of Art. 43 of the Constitution of the Republic of Moldova.

<sup>31</sup> Constitution of the Republic of Moldova.

<sup>32</sup> Constitution of the Republic of Moldova.

<sup>33</sup> Law no 5 of 9 February 2006 on ensuring equal opportunities between women and men. Published 24.03.2006 in the Official Gazette no 47-50. Available in Moldovan at: <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=315674>

<sup>34</sup> Law on local public administration, no. 436 of 28 December 2006. Available in Moldovan at: <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=321765>

<sup>35</sup> Law on local public administration, Art.13. – (1) The local public administration authorities of the first level have to ... p) ensure equal opportunities for women and men. Art.18. – (2) In the administered territory, the local council perform the following main functions: y) approve programs on ensuring equal opportunities for women and men.

<sup>36</sup> Impact for Gender Equality: 2012-2015 Strategic Plan of the Partnership for Development Center, available in Moldovan at: [http://www.progen.md/files/8541\\_delivering\\_on\\_gender\\_equalityro.pdf](http://www.progen.md/files/8541_delivering_on_gender_equalityro.pdf), p 4-5

<sup>37</sup> Law on political parties and other social and politic organizations, no.718-XII of 17.09.1991, Art.9. – “Parties and other social-political organizations will promote the principle of gender equality between women and men at all levels of the decision making structures.” The text of the law is available in Moldovan at: <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=313322>

<sup>38</sup> Law on Ensuring Equality (No. 121, adopted on 25 May 2012, published in the Official Gazette no. 103, on 29 May 2012). Available electronically at: <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=343361&lang=1>

<sup>39</sup> Article 1, The purpose and scope of the law, Law on Ensuring Equality, No. 121

<sup>40</sup> Combined fourth and fifth periodic report regarding the Republic of Moldova. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, 15 September 2011. More information available at: <http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW.C.MDA.4-5.pdf>



European Social Charter to include the concept of sexual harassment. However, according to the European Commission, “women continued to be under-represented in both the central and local governments, even though the number of female mayors slightly increased following the local elections”.<sup>41</sup> There are no Romani women in elected positions anywhere, at any level, in the Republic of Moldova.<sup>42</sup>

In accordance with the provisions of the Code on Elections, approved in November 1997, the citizens of the Republic of Moldova can elect and be elected irrespective of their race, nationality, ethnic origin, language, religion, sex, opinion, political views, property or social origin. The right to elect and be elected and the participation in managing state public matters provided for in articles 38 and 39 of the Constitution are also reflected in the Law on political parties, no. 294/2007<sup>43</sup>: “the establishment and activity of political parties on the basis of race, nationality, ethnical origin, language, religion, sex, opinion, political views, property or social origin criteria is prohibited”.<sup>44</sup> Despite the fact that the Law expressly prohibits discriminatory attitudes, presently there is no mechanism that requires accountability for violating this requirement.

The Law on preventing and combating domestic violence, no. 45/2007<sup>45</sup> stipulates the legal and organizational mechanisms regarding the prevention and elimination of violence in the family and establishes the procedure for information and solution of cases.

Despite all the legislative provisions aiming at preventing and combating discrimination, there are only a few cases in Moldova, courts have held that a person suffered from discrimination on any ground.

### 2.2.2. Minority rights legislation

In the Republic of Moldova there is a legal framework regulating the rights of minorities. The most relevant

legal act is the Law on the Rights of Persons Belonging to National Minorities and the Legal Status of their Organizations, no. 382/2001.<sup>46</sup> While the law stipulates the state guarantees toward ensuring equality before the law and equal protection before the law of persons belonging to national minorities (Art.4), it prohibits any kind of discrimination based on the national minority affiliation.

Specific provisions on minority rights have been incorporated in a series of special legal and normative acts regulating different aspects of public life, such as: the Law on the usage of languages on the territory of Moldavian SSR, the Law on education, Criminal Code, the Law on culture, the Law on the citizenship, the Law on social assistance, the Concept of National Policy of the Republic of Moldova.

Nonetheless, despite consistent efforts to establish an efficient legal framework protecting the rights of ethnic minorities, visible deficiencies exist in their practical implementation, especially with regard to linguistic policies in education and linguistic integration in general.

## 2.3. NATIONAL MECHANISMS FOR THE ADVANCEMENT OF ROMANI WOMEN'S RIGHTS

The Government undertook a set of measures to support gender equality in Moldova after the Fourth World Conference on Women in Beijing in September 1995.<sup>47</sup> One of these measures was to enforce a national mechanism guaranteeing the involvement of women in leadership and decision making. Thus, a set of institutional structures with specific competencies have been set up, such as the Governmental Committee on Gender Equality, the Division for Equal Opportunities and Prevention of Violence within the Ministry of Labor, Social Protection and Family (MLSPF), and Gender Focal Points within several line ministries. All these constitute the National Mechanism on Gender Equality, whose efficiency nonetheless is scrutinised by civil society.

<sup>41</sup> European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy, Joint Staff Working Document, Implementation of the European Neighborhood Policy in the Republic of Moldova Progress in 2011 and recommendations for action, Brussels, 15.05.2012

<sup>42</sup> Sociological Study report “Monitoring of participation of women and of vulnerable groups at the local elections 2011”, UN Women 2011

<sup>43</sup> Law on Political Parties no. 294 from 21 December 2007, amended, available in Moldovan at: <http://www.parlament.md/CadruLegal/Legeaprivindpartidelepolitice/tabid/156/Default.aspx>

<sup>44</sup> Article 3 of the Law on Political Parties, no 294-XVI from 21.12.2007

<sup>45</sup> Law on Preventing and Combating Family Violence, Law no 45-XVI of 1 March 2007, Published 18 March 2008 in the Official Monitor No 55-56/178. Entered into force at 18 September 2008. Unofficial translation prepared by the OSCE Mission to Moldova, April 2008, available at: [http://www.coe.int/t/dghl/standardsetting/violence/Moldovan%20law%20on%20family%20violence%20\\_EN.pdf](http://www.coe.int/t/dghl/standardsetting/violence/Moldovan%20law%20on%20family%20violence%20_EN.pdf)

<sup>46</sup> Law no 382 of 2001 on the Rights of Persons Belonging to National Minorities and the Legal Status of their Organizations, available at: <http://www.usefoundation.org/view/437>

<sup>47</sup> More information on the Beijing Conference in 1995 is available at: <http://www.un.org/womenwatch/daw/beijing/fwcwn.html>

## 2.4. CURRENT POLICIES CONCERNING ROMANI WOMEN AT NATIONAL LEVEL

There is no national policy in Moldova focusing exclusively on Romani women. Instead, provisions regarding social inclusion of ethnic minorities, promotion of gender equality and non-discrimination have been incorporated in several core strategic documents targeting tangible results by 2015, such as the National Programme on Ensuring Gender Equality for 2010 – 2015<sup>48</sup>, the National Human Rights Action Plan for 2011-2014<sup>49</sup>, the Activity Program on European Integration: Freedom, Democracy, Welfare for 2011-2014<sup>50</sup>, and the National Decentralization Strategy<sup>51</sup>. Despite the intrinsic value of these policy documents in promoting gender equality and non-discrimination, they lack effective implementation, clear methodological guidelines and, most importantly, there is not much evidence that these policies have been used to benefit Romani women in a notable way.

In July 2011, Government adopted the Action Plan to support Roma Ethnic Group in the Republic of Moldova for 2011-2015.<sup>52</sup> The Action Plan was subsequently amended in January 2012. In addition, in 2013, for the first time in Moldova's history, an advisor to the Prime Minister was appointed whose portfolio includes Roma inclusion matters.

The current 2011-2015 Action Plan follows Moldova's first Action Plan to support the Roma Community, a policy framework operative from 2007-2010. The 2007-2010 Action Plan, although an important first step, was criticized for focusing primarily on cultural activities, to the detriment of social inclusion and anti-discrimination measures. Its budgetary provisions were in practice devoted almost entirely to ethno-cultural promotional activities.

As such, the 2011-2015 Action Plan marked a turning point in Moldova's Roma inclusion policy, insofar as it focuses on key social inclusion areas such as education, employment, health care access, social assistance, participation in decision-making processes, and infrastructure in excluded Romani settlements. While these areas are not exhaustive of the full range of human rights-based thematic areas which might want attention in a Roma inclusion policy document, they have the merit of matching – and indeed to some extent in theory going beyond – the areas frequently deemed the baseline of Roma inclusion policies, such as in the European Union policy frameworks in this area.

The 2011-2015 Action Plan recognizes the importance of the empowerment of Romani women. In its preamble, the Action Plan notes:

*Roma women face a triple discrimination - by their Roma ethnicity, by being women and representing a socially vulnerable group. They are exposed to greater risks of social exclusion and poverty, compared to men in their community and to most women representing other ethnic groups.*

*The lack of equality can be observed through the violence against Roma women, access to employment, education, leading positions and social services. Roma women rarely receive reproductive health services that are available at the community level. Because of gender stereotypes, it is more likely that a Roma girl leaves the school earlier than a Roma boy.<sup>53</sup>*

A number of activities in the Plan are explicitly focused on strengthening the situation of Romani women and girls.

The jewel-in-the-crown of the 2011-2015 Action Plan is a system of Romani community mediators, intended to act as a bridge between community members and the public authority. Informal mediators have existed in the Republic of Moldova since the mid-2000s, as a result of various pilot initiatives. The Plan includes provisions to formalize these and support them from the state budget. As this was deemed to require a legal basis, a Law on Roma Community Mediators was adopted – although not without opposition – in April 2013. Based on a survey carried out by the Ministry of

<sup>48</sup> The National Program on Ensuring Gender Equality for 2010 – 2015, adopted through the Government Decision no. 933 from 31.12.2009. Text in English available at: <http://sgdatabse.unwomen.org/uploads/Decision%20No.%20933%20of%202009%20-%20domestic%20violence%20and%20trafficking.pdf>

<sup>49</sup> The National Human Rights Action Plan for 2011-2014, approved through the Parliament's Decision no. 90 from 12.05.2011. Published at 22.07.2011 in the Official Gazette no 118-121. Entry into force 12.05.2011. Text available in Moldovan at <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339395&lang=1>

<sup>50</sup> The Activity Program of the Government of the Republic of Moldova "European Integration: Freedom, Democracy, Welfare" for 2011-2014, available at: <http://www.gov.md/download.php?file=cHViBGljL3B1YmVpY2F0aW9ucy8zNzI5NDQ1X2VuX3Byb2dfZ3V2X3Zhcml9LnBkZg%3D%3D>

<sup>51</sup> The National Decentralization Strategy, approved through the Law no.68 from 05.04.2012, available at: [http://www.descentralizare.gov.md/public/files/temp/Os\\_draft\\_National\\_Decimalization\\_Strategy\\_eng.pdf](http://www.descentralizare.gov.md/public/files/temp/Os_draft_National_Decimalization_Strategy_eng.pdf)

<sup>52</sup> The Action Plan to support Roma Ethnic Group in the Republic of Moldova for 2011-2015, approved through the Government's Decision no. 494 from 08.07.2011.

<sup>53</sup> Ibid., p.7.

Labour, Social Protection and Family and supported by the UN family, a total of 48 community mediators is envisioned to be in place in 44 communities by the end of 2014, with 15 of these to be hired and working officially by the end of 2013. Following extensive discussion, the Government decided that the mediators would not be formally supervised by the Ministry of Labour, Social Protection and Family, but would instead be engaged exclusively within the local competence of the local public administration.

As of the end of December 2013, the target of an initial 15 mediators hired had not in practice been met. Although reported figures varied, it appeared that 7 mediators were formally hired as of the end of the year, with most of these contracted in the last days of 2013. At least one municipality slated for deployment of a mediator in 2013 reportedly declined explicitly to engage one. It is unclear how budgetary provisions allocated to the region (raion) level for the purposes of hiring mediators in 2013 have in fact been used.

There have also been some reports of local authorities telling Roma that, now that there is Roma policy, they should not seek support from mainstream health or social protection services. This is an inauspicious beginning, insofar as region-wide experience indicates that Roma community mediators have been successful in those places where mediators are the start of Roma inclusion policies, working to strengthen access to mainstream services. Indeed this is explicitly the reasoning set out in the Action Plan. Rejection from the outset, or efforts to hold the mediator responsible for all issues in the Roma community, can rapidly lead to dysfunctionality or collapse of the arrangement. Indeed, refusals by local authorities to provide services with the justification that Roma should seek “Roma services” *prima facie* indicates discrimination.

The 2011-2015 Action Plan, with its clear social inclusion framework, is undoubtedly an improvement over

what came before it, as is the adoption of a system of Roma community mediators and the allocation of state budget provisions for their support. These measures indicate the gradual reorientation of the system as a whole from viewing Roma community matters as ones of ethno-cultural promotion – the Soviet legacy – to ones of policies to secure inclusion on an equal footing with others.

It remains the case however that the laws, policies and practices most affecting Romani women and girls are general laws, policies and services, and this cannot be otherwise. For example, effective education requires an open, non-discriminatory school system, prepared to engage with Romani children on terms of equal dignity, as well as prepared to engaged to challenge negative sentiments and attitudes by non-Romani children and parents. Moldova’s reputedly quite generous system of public health insurance coverage includes a large area of rationed or discretionary items; if and how these are allocated – or not allocated -- to Roma is as yet understudied. However, empirical observation indicates extensive exclusion. Access by Roma to employment depends significantly on the willingness – or not – of local work facilitation offices to engage to challenge discrimination by employers. Ending domestic violence and child marriage in Romani communities depends on decisions and practices by police and other security officials. Roma community mediators can at best play only a supporting – mediating – role in this regard. And finally deep patterns of exclusion from infrastructure development – many rural Romani slums in Moldova have been classified as “areas not for development” in the recent past – depend on the willingness of local and regional authorities to think seriously about – and to act on -- the equal access of everyone to public infrastructure. It is thus to particular key areas that this report turns below.



### III. EDUCATION



### III. EDUCATION

According to Article 35 of the Constitution of the Republic of Moldova,<sup>54</sup> the right to education is guaranteed and free of charge. The constitutional principle is further incorporated into the Law on Education<sup>55</sup>, Article 6(1) of which states that “The right to education is guaranteed regardless of nationality, sex, race, age, social origin and status, political or religious affiliation, criminal record”.

#### 3.1. LITERACY AND LEVEL OF EDUCATION

Despite efforts of the Government, NGOs and international organisations to improve education for Romani children in Moldova, their situation remains critical. National data made available publicly does not provide disaggregated statistical data on the levels of education of Romani girls and boys at different school levels.

Nonetheless, general earlier statistics for both Romani boys and girls indicate a significant gap in education and literacy levels for Roma vs. non-Roma<sup>56</sup>, which leads us to believe that similar gaps exist both between Romani girls and non-Roma girls and between Romani girls and non-Roma in general.

Reports in the last decade reconfirm lower levels of education of Romani children than non-Romani children, whereby less than 70% of Romani children have only primary education, and 50% only secondary education (including incomplete or vocational education). Forty-three percent of Romani children at the ages of 7-15 do not attend school, in comparison with

only approximately 6% in the case of non-Roma.<sup>57</sup> There are very few Roma with higher education. Only 4% are college or university graduates compared to 38 percent in the non-Roma population.<sup>58</sup>

In its visit to the village of Cioresti and a Romani community in Vulcanesti village in Nisporeni district from May 2012, the Working Group on Discrimination against Women in Law and in Practice noted a high degree of absenteeism of Romani children from schools because of seasonal migration of the Roma community.<sup>59</sup>

#### 3.2. EQUAL ACCESS TO EDUCATION

According to the recently released 2013 UN publication “Roma in the Republic of Moldova”:

- ✓ only 52% of Roma girls are involved into primary education, compared to 84% non-Roma girls and 55% Roma boys;
- ✓ only 14% of Roma girls are involved into secondary professional education, compared to 78% non-Roma girls and 17% Roma boys;
- ✓ only 76% of Roma girls attend school every day compared to 96% non-Roma girls;
- ✓ only 63% of adult (16+) Roma women are literate, compared to 99% adult non-Roma women, and 77% adult Roma men;
- ✓ 45% of Roma women have no formal studies whatsoever (not even primary studies), compared to 2% of non-Roma women and 33% Roma men.

<sup>54</sup> Constitution of the Republic of Moldova, available in English at: [http://web.parliament.go.th/parcy/sapa\\_db/cons\\_doc/constitutions/data/Moldova/Constitution%20of%20Moldova.htm](http://web.parliament.go.th/parcy/sapa_db/cons_doc/constitutions/data/Moldova/Constitution%20of%20Moldova.htm)

<sup>55</sup> Article 6 para. 1 of the Law No. 547-XIII, or the Law on education adopted in 1995. An English version of the law is available at: <http://www.erisee.org/downloads/2012/libraries/mo/The%20Law%20on%20Education.pdf>

<sup>56</sup> Country analysis, 2007 and Roma in Moldova, UNDP, 2007

<sup>57</sup> UNDP, Roma in the Republic of Moldova, 2007, page 61

<sup>58</sup> Country Analysis, United Nations – Moldova, June 2011; Roma in the Republic of Moldova, UNDP Moldova, Chisinau 2007

<sup>59</sup> Annex to the Report of the Working Group on the issue of discrimination against women in law and practice in its mission to the Republic of Moldova (from 20 to 31 May 2012).

The research findings show that the access to education of Romani girls and boys is hindered by complex interrelated factors. They include poverty and high costs related to the act of education, the long distance between home and the school and the lack of (free or affordable) school transportation, child labor, the migration of parents abroad for work, child marriage, low motivation of parents to support their children's education, segregation of children in school and differential treatment of Romani children in school by their peers and school staff. At the same time, cultural practices and patriarchal structures are important issues that raise barriers to access to education for Romani girls. These practices often lead to girls dropping out from school at grades 5 or 6, often with the onset of puberty, including for reasons of fear among parents of sexual contact.

Although the primary and secondary education is free of charge and the Action Plan to support Roma people in Moldova foresees free of charge provision of teaching materials and manuals for Roma pupils, the practice of informal payments is reportedly widespread in the education system. A number of Romani parents interviewed declared that they could not afford their children's studies. As a result of high direct cost of education (fees), as well as the high indirect costs of schooling, poorer Romani families have to choose between keeping children in school and losing current income. Thus, large numbers of Romani children dropout of school before they finish compulsory education due to the extreme poverty of parents who cannot support them. In other cases, families state that they are forced by their financial circumstances to put children to work or marry them off.

#### Box 1: Village Drochia

In village Drochia, mothers from three interviewed Romani families stated that none of their children attends kindergarten because of lack of money to pay the required 80-90 MDL per month (circa 5 EUR) towards covering the costs of food served in the kindergarten.

The effects of extreme poverty on the education of Romani children are aggravated by the prevalence of biased views among teachers who believe that Roma do not value education. Romani women interviewed in the course of this research stated that they wanted a

higher level of education for their children. An important number of Romani mothers interviewed wished that their girls would finish university. Mothers see their girls graduating also post-graduate studies, vocational school or apprenticeship.

#### Box 2: Village Carpineni

In Carpineni, one Romani mother stated that: "We let them go to school as much as possible. The problem, however, is the money. It is expensive to keep them in school when we barely survive".

The lack of schools in many communities inhabited by Roma force many children to drop out. Many Romani children live in villages or rural satellite slums and therefore must travel significant distances of several kilometers or more to get to school. Despite legal provisions obliging local authorities to ensure transport for students living at a distance greater than 3 km from school, previous reports indicate deficiencies in the system for several localities.<sup>60</sup>

The current field research revealed that in the communities of Schinoasa and Ursari, Romani children have to attend primary and secondary education in the villages near-by. Both villages are more than 2 km away and children cannot go by foot. Roma civil society organisations<sup>61</sup> together with the city hall of Buda, have worked out a bussing system for children from Ursari to get to the primary and secondary schools in Buda and respectively in Parjolteni. In Schinoasa, Romani children have to take the public transport available from up on a hill to get to school in the village of Tibririca, which is circa 7 km away from Schinoasa.

As the primary school in Schinoasa was closed down, the UN in Moldova started to support a kindergarten for Romani children in the village. The kindergarten provides small boys and girls with the possibility to pursue pre-school education.

Many Romani students from villages face additional physical and financial barriers when pursuing higher

<sup>60</sup> Raport reprezentativ privind cartografierea localitatilor dens populate de romi din Republica Moldova [Representative Report on mapping of densely populated Roma localities in Moldova], UNDP Moldova, 2012, p.29

<sup>61</sup> Tarna Rom Association in Moldova has provided a school bus to the City Hall of Buda to facilitate Romani pupils' transportation from Ursari to the primary school in Buda and to the secondary school in Parjolteni. Tarna Rom is an NGO based in Chisinau, active since 2003, active in the field of education. Some information about Tarna Rom is available at: <http://www.ergonetwork.org/ergo-network/about/members/moldova/>



education since highschools are usually located in bigger cities, thus Romani children have to commute daily or relocate in the school locality; this bears additional costs most Romani parents cannot afford.

#### Box 3: Village Ciocilteni

A Romani girl from Ciocilteni, an average B student, declared that because the high-school is about 5 km away from home, in Fedoreuca, and because she has to walk 3 km and then take two buses to get to school, she would prefer to be able to stay in Fedoreuca. Unfortunately her parents are not able to afford the payment of accommodation and thus she risks school dropout.

Distance to reach high school adds an additional impact on Romani girls, whose protective parents are often reluctant to send them far away from home. Romani parents declared that it is more difficult for them to allow Romani girls to commute long distances every day to go to high school, not only because of high costs but also because they are more vulnerable to threatening incidents, which results in restriction of movements of Romani girls.

#### Box 4: Village Purcari

In Purcari, one mother declared that: “You hear so many bad things happening to girls: some are kidnapped, some are abused... I am afraid, but what can we do? I wait for her every day to come from school.”

The long distance to school is compounded by poor road infrastructure and limited public transportation, which further limit the access of Romani children to school. Villages with preponderant Roma populations such as Ursari and Schinoasa are cut off from basic public services. During focus group discussions and interviews in Parcani and Schinoasa, Romani women complained about the lack of a public school, a medical clinic or even a store to buy food.

Schinoasa is one the most severe cases of lack of service development. At the time of the survey, inhabitants were waiting to be connected to water systems as a result of United Nations financial and technical support and Romani women’s engagement with the municipality.

#### Box 5: Village Schinoasa

In Schinoasa, women from 5 Romani families in focus discussions complained about the lack of water and other services. One woman said: “Here we don’t have anything! We are lost in nowhere! We have to work hard to make money to buy bread, but we don’t have where to buy it from! The only store we had does not exist anymore.”

Roma often migrate with their entire family, a phenomenon, which can explain school dropout by some Romani students. In cases where Romani families migrate abroad for work purposes, children are either left with other family members or taken by their parents abroad. As a consequence, many Romani children miss periods of schooling. This was also the case of Romani children from Soroaca, some of whose parents undertake seasonal work-related travel to Ukraine or Russia, in search of income opportunities.

#### Box 6: Soroaca town

In Soroaca, four Romani families interviewed declared that many times when they travel without their children, older daughters take the responsibility of taking care of the household and younger siblings. As a result, they tend to miss from school or even dropout.

One Romani girl in Soroaca stated that: “I never went to school. I stay at home and take care of the house”. Her two brothers reportedly not only attend school regularly, but also intend to pursue university studies.

### 3.3. DISCRIMINATION IN EDUCATION

Discrimination in schools is considered by some of the Roma NGOs interviewed, such as Tarna-Rom and Juvlia Romani, as the main reason for school abandonment. This is also confirmed by international organisations, according to which “discrimination against the Roma population in education [...] takes place with impunity”<sup>62</sup>. Prejudice against Romani students as well as incidents of harassment by peers are obstacles to educational attendance and achievements by Romani children.

<sup>62</sup> European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy, Joint Staff Working Document, Implementation of the European Neighborhood Policy in the Republic of Moldova Progress in 2011 and recommendations for action, Brussels, 15 May 2012

Discussions with Romani women about the way Romani girls are being treated in school by teachers or by their non-Roma peers indicate that discrimination is not always perceived as such by Romani parents who have a low level of expectations from the educational system and a generally low self-esteem, which may have prevented them from providing objective and revealing answers. Thus when asked whether their children are treated less favorable in school by non-Roma, and whether there is a difference in the way boys versus girls are treated most parents throughout the selected localities declared that there was no difference made.

Nonetheless, some Romani parents indicated negative behavior or inferior treatment by teachers towards both Romani boys and girls.

#### Box 7: Village Ursari

In Ursari, mothers from Romani families, when asked whether there are tensions or violent incidents among Romani and non-Romani children and what teachers do about it, stated that: "Sometimes [ethnic] Moldovan children call our children 'Gypsy' or 'stinky'" and "Eh, children sometimes fight... the teacher blames our kids."

Two Romani parents declared that some teachers would criticize the worn attire of Romani children or that they would check every day Romani children's heads for lice, in front of the entire classroom: "The kids would come crying from school because they were ashamed. Our kids did not have lice, but of course we were Gypsy!"

One mother complained about the way the teacher treated her daughter in the school in Buda and decided to transfer her to a new school. According to her, the teacher would make presumptions about the lack of preparation of her daughter and would not allow her to participate substantively in the class. She stated that: "The teacher never let her answer in class because she never believed my daughter knew the right answer. So I went to school, sat in the back of the class and asked the teacher to let my daughter speak. After the class finished the teacher admitted that my daughter was right".

Cases of bullying and inferior treatment have been reported by Romani women also in relation to boarding schools.

#### Box 8: Huzun

In Huzun, a mother complained that her daughter has been isolated by teachers, refused clothes and other services that were provided to other children.

Field research findings indicate also occurrence of severe cases of violence in school by non-Romani adults against Romani boys and girls.

#### Box 9

##### Village Chetrosu

In Chetrosu, a Romani mother declared that a neighboring non-Romani mother, who had her child in the same class with hers, came to her house and beat her boy, while she was in the garden. As a result of this incident and because he was supposed to walk 2 hours to get to school, the Romani mother took the child out of school after he finished 1<sup>st</sup> grade.

##### Village Schinoasa

A severe case of violence against a Romani student and his mother was reported in Schinoasa. Romani children from Schinoasa commute to the neighboring town, Tibirica, for school. In this school, a Romani pupil was beaten severely by the teacher after he refused to move in the back of the classroom because, according to him, he was not able to see adequately to the blackboard from the back of the class. When the mother went to complain to the school principle, instead of checking on the situation, he called the police. Thus, the police officer together with the school principle and the teacher reportedly locked the mother up in one of the classrooms and threatened her that if she went to complain to higher authorities she would be put in jail. They also told her that her child would risk getting enough absences, which they can use against him.

Cases of abuse and violence against Romani pupils have been also reported in other localities in the study



sample, such as in Mingir (Hincesti) and Purcari (Stefan-Voda).

The overall assessment gravitates towards concluding that differential treatment, and violence Romani girls and boys experience in school leads to frequent cases of absenteeism and dropout. In addition, the motivation of parents to send their children to school when the school environment is not safe and does not offer confidence may decrease even further. The impact on Romani girls can be severe. Moreover, because of such insecure school environment, when family crisis occur, Romani parents may find it easier to sacrifice their girls' education in order to overcome family hardships.

From overall discussions with Romani mothers and interviews with Romani women mediators, we note that the presence and work of the Romani community mediators in various localities has helped to decrease cases of harassment or discrimination against Romani children in schools, improve school environment and attendance and install parents' trust in the education system. In addition, Romani parents declared that since Romani NGOs started to work with the schools, for instance in Tibirica, Buda and Pirjolteni, the situation of their children and their educational situation had improved.

### 3.4. SEGREGATION IN EDUCATION

Although many Romani women interviewed declared that their children learn in mixed classes, study findings show that Romani children were being segregated in schools in Otaci, Stejareni /Lozova (Straseni district) and Vulcanesti (Nisporeni district) as of the time of research.

Study findings about the incidence of segregation reconfirm patterns of segregation of Romani children reported in previous researches. Earlier reports indicated cases of segregation in Edinet, Sarata Noua in Leova District and Chisinau.<sup>63</sup>

In the case of Romani students from Schinoasa who were subjected to segregation in the past, Romani parents declared that the school situation of their children improved as a result of engagement by Roma NGOs to improve school performance of Romani children from

Schinoasa or to bus children from Ursari to neighboring villages.

#### Box 10: City Soroca

In Soroca, Romani parents from five Romani families declared that ethnic Russian parents refuse to have their children study together with Romani students. The school authorities nonetheless showed greater concern for the lack of participation of Romani students then by their own administrative actions to separate Romani children into Roma-only classes. At an open meeting in Soroca, convened by the local authorities and a local Roma leader, to discuss Romani children's education, local authorities reportedly blamed Romani parents alone for the status of Romani boys and girls, who, according to school authorities do not put a lot of emphasis on their children's education.

It is evident that, despite efforts to improve Romani children's education by various actors, including Romani NGOs and international organisations, the situation of Romani children is very complex. As for most marginalized groups, improving the quality of Romani children's education does not depend only on improving school performance. To this end, efforts to end discrimination and prevent new cases of segregation should be thoroughly enhanced. When it comes to the situation of Romani girls in accessing education, the research findings indicate that there are additional obstacles for Romani girls, due many times to the role many of them are required to play in their family, as well as the fear of violence against minority girls because of stereotypes about them and the parent's fear of violence against their daughters. The lack of gender statistics on Romani girls and boys in the area of education prevents generations of Romani girls to move away from family constraints, break away from the cycle of poverty, exclusion and discrimination and become autonomous individuals, able to fully exercise their rights.

<sup>63</sup> Report on the Situation of Roma Children in Moldova, UNICEF, 2010

## IV. WORK



## IV. WORK

Poverty in Moldova affects Romani women especially from rural areas. They are particularly affected by the economic crisis and the transition to market economy, which translates into fewer job opportunities, higher job insecurity and insufficient protection of vulnerable groups.

### 4.1. ACCESS TO THE LABOUR MARKET

As per the recently released 2013 UN publication “Roma in the Republic of Moldova”:

- ✓ only 21% of labor-age (15-64) Roma are occupied, compared to 46% of labor-age non-Roma;
- ✓ the average of years-at-work among 15+ Roma is 13,6 years, compared to 23 years among 15+ non-Roma;
- ✓ only 15% of 15+ Roma women are employed, compared to 34% of non-Roma women and 25% of Roma men;
- ✓ only 19% of Roma are employed at permanent jobs, compared to 69% of non-Roma;
- ✓ 56% of Roma were ever employed, compared to 18% non-Roma;
- ✓ 45% of Roma declared they are available to start working in case of a job offer, compared to 28% of non-Roma.

As per the publication the structure of employment among Roma and non-Roma is dramatically different:

- ✓ while of the entire number of employed non-Roma 30% are qualified workers, and 19% non-qualified workers, among employed Roma only 5% are qualified workers, and 64% non-qualified workers;

- ✓ while among the entire number of employed non-Roma 4% are office workers, and 7% are employed at public service, among employed Roma only 0,2% are office workers, and 0,2% are employed at public service;
- ✓ while among the entire number of employed non-Roma 4% are self-managed farmers, and 3% are agricultural workers without their own land, among employed Roma only 1% are self-managed farmers, and 10% are agricultural workers without their own land;
- ✓ while of the entire number of employed non-Roma 37% are employed at a state or municipal company, among employed Roma only 11% are employed at a state or municipal company;
- ✓ while of the entire number of employed non-Roma only 1% are employed at seasonal or daily works, among employed Roma 8% are employed at seasonal or daily works;
- ✓ while of the entire number of employed non-Roma 62% are employed in companies with 6+ employees (i.e. medium to big size companies) and 23% in micro-companies (1-5 employees), among employed Roma only 26% are employed in companies with 6+ employees (i.e. medium to big size companies) and 47% in micro-companies (1-5 employees).

Previous data<sup>64</sup> revealed significant gaps between the employment levels of Roma and the general population: 29% of Roma unemployed or without a job, more than twice than the percentage for non-Roma. Regarding data on Romani women, existing reports show that the share of housewives is higher (13%) among Roma population than among non-Roma (9%).<sup>65</sup>

<sup>64</sup> Roma in the Republic of Moldova, UNDP Moldova, Chisinau 2007.

<sup>65</sup> Ibidem

The current research has broadly drawn similar conclusions on the employment discrepancies between Roma and non-Roma and Romani women and Romani men, due especially to limited employment opportunities available for Romani women.

As a result of lower levels of education, lower skills and lack of professional qualification, lack of labor opportunities, residential segregation, compounded by the intersection of their ethnicity and gender, Romani women are less employable and less part of the formal employment than Roma men or non-Romani women.

Thus, many Romani women interviewed have never been part of the labor market, while only some have been at some point in their lives part of the formal workforce. They have never signed an employment contract; they exploited labor opportunities by verbal agreement. For example, no Romani woman from Schinoasa or Ursari is employed in the public sector of Tîbîrica or Parjolteni. Likewise, employment in the private sector of Romani women from Schinoasa and Ursari is very limited if at all.

The lack of labor opportunities in many rural areas limits Romani women to only performing small occasional work. At the same time, their poor job qualifications or total lack of them impede many Romani women from actively seeking adequate long-term employment.

The highest levels of poverty identified during the research were in the rural areas of the country, especially in densely populated Roma communities such as Schinoasa and Parcani, although very poor families were also recounted in urban areas such as Balti, Drochia and Basarabeasca.

#### Box 11: Village Huzun

In Huzun, two Romani families complained about the lack of water in their near-by well. One old Romani woman stated that: "There is hardly any water left in the well. It's full of mud and this is what we have only for drinking. But we also need to cook and wash the children. How can we send them to school like this? We try to ask water from the neighbors but they don't always give us. It's very hard". When confronted about the wells situation and after explaining that there are many families that cannot afford to bear related costs for a new well because most of them are either unemployed or pensioners or sick, the mayor of Huzun answered that Roma have to contribute with 2000 MDL (circa 120 EUR) for the construction of a running well and that the city hall cannot afford to bear the full costs of such an undertaking.

#### Village Carpineni

In Carpineni, the lack of wells nearby is also one of the biggest concerns voiced by some Romani women as in the case of women in Huzun. A Romani woman complained that: "I am sick and I have to walk a long way to bring water a few times a day. We need water for everything: to cook, to drink, to wash. How can we send the children to school like this?! This is my biggest concern. If someone could help us get a well closer to the house! Our husbands could help dig, whatever is necessary, only to have a well!"

## 4.2. INCOME AND SOURCES OF INCOME

As Romani women are mostly part of the informal economy, their work and income are uncertain. According to their statements, rural Romani women struggle to survive throughout the year. They are able to perform only daily labor in agriculture a few months per year. Although in villages across Moldova, the primary source of income is land, Roma have been outside the process of privatization of land due to the



policy adopted on privatization.<sup>66</sup> Thus many Romani women in rural areas complained of the lack of own land, which forced them to work the land of other landowners in their village or neighboring villages for very little money.

#### Box 12

##### Village Schinoasa

In Schinoasa, women of 8 Romani families complained about the lack of job opportunities and the constant efforts they make to provide food on the table. One Romani woman stated that: "I just came from work now. It was only for today and I made 120 Lei. Now I am waiting that someone else is asking me to go and work the field. It's hard. You work all day long and now I have to see what I can buy to give children to eat. It's hard because I worked only a few days this month and this year everything dried up. I went to collect potatoes and they were very small."

##### Village Mingir

In Mingir, the Roma community mediator confirmed how hard it is for Romani women to find work during the year. She stated that: "We don't have much work around here. Look, today I just arranged for a few Romani women to go tomorrow at 8 o'clock in the morning with me in the field. When I hear these things I try to help them. This is how it is!"

At the other end, Romani women in urban areas may engage in more continuous income-earning activities, as freelancers and small entrepreneurs. Hence, many do small trade, buying and selling clothes usually brought from Ukraine or Russia. According to Romani women interviewed only a very small number have their own shop or authorization for their trading activities, such as women in Drochia.

#### Box 13: Village Drochia

In Drochia, 5 Romani women interviewed in the market on a Saturday stated that they had authorization for the products they were selling. One young Romani woman stated that the bank agreed to provide a small credit to her parents based on which they were able to get an authorization for trade. Her parents are buying clothes from Ukraine and even from Romania at a smaller price and then sell them at the market price in Moldova. The average profit she makes helping her parents is 5000-6000 MDL a month (circa 300-350 EUR). But the total profit they make monthly, as a family, can be twice bigger.

The research findings reconfirmed earlier study results, according to which, the average monthly cash income of a Roma household is around 1000 MDL (58 EUR), which is 40 per cent lower than the average 1,597 MDL (93 EUR) received by a non-Roma household. Thus, depending on their social and employment status, Romani women interviewed declared that they earn between 1000 (58 EUR) to over 5000 MDL (300 EUR), with the lowest point in the case of Romani women unemployed and with the highest point in the case of Romani women doing trade. Thus, while in the case of unemployed Romani women, where the monthly income is generally instable, depending also on the seasonal period, the amounts can be anywhere from 100 (5 EUR) to 2000 MDL (120 EUR), in the case of employed Romani women, the monthly income stays around 3000 MDL (180 EUR). Romani women who are small entrepreneurs gain the most, reaching up to 5000 MDL (300 EUR) a month or more.

### 4.3. LABOR MIGRATION

Labor migration is a frequent phenomenon in the Republic of Moldova. Romani women interviewed have worked at some point outside of the country, particularly in Russia and Ukraine, but also in Italy and Israel. Trade market and agriculture seemed to be the most obvious and handy labor opportunities for them, in the absence of a proper qualification or higher education. A new work perspective that seems to be growing

<sup>66</sup> Report on Human Rights Concerns of Roma Rural Communities in Moldova, Moldovan Helsinki Committee for Human Rights and Resource Center for Human Rights, 2002, p.33

in the future for Romani women in Italy and Israel is baby-sitting and care-giver or home nursing older sick people.

#### Box 14: Village Mingir

In Mingir, a young educated Romani woman, mother of two, stated that her husband was abroad working and that recently he returned home. She had her mother in Israel for a while and she started to prepare already to follow her in Haifa. She declared that: "Now that my husband is at home, he can take care of children and I can go and work in Israel. They already sent me the contract to take care of an old sick person. If everything goes well, I will also have my husband and children follow me later. But for now I hope they can do well in school with their father and grandmother next to them... My mother gets paid 800 USD a month, so I think I will get the same. I just have to give the old lady her pills when she needs to take them and take care of her. I will not do cleaning or anything else."

#### Box 15: Village S.

In S., 3 Romani families complained about the low paid they receive from the non-Romani landowners. One Romani woman stated that: "They pay Roma 100 Lei but they pay Moldovans 120-150. But we need work, so we take the 100."

Discussions with Romani men indicate that labor offices provide unemployed Romani women with unqualified job opportunities, such as street broomer, or cleaning lady, underpaid and in dissonance with the professional profile of the candidates. According to information provided by the regional labor offices, no qualification or re-qualification specialized training is provided to vulnerable groups, especially Romani women.

## 4.4. PERCEPTION OF ETHNIC AND GENDER BASED DISCRIMINATION

A significant number of the Romani women surveyed believe that Roma are treated worse than the ethnic Moldovans in the labor market. They also believe that the difference in discrimination on the labor market is mainly based on ethnicity and not on gender. Examples of discrimination cases reported by Romani women refer to Roma families being refused when wanting to buy land, being paid less than ethnic Moldovans for working the land, or not being paid at all for their work. Additional examples from Romani women highlight that employers usually avoid or directly refuse to employ Roma because of the prejudices and stereotypes they have towards them.

## V. SOCIAL PROTECTION



## V. SOCIAL PROTECTION

According to one study on the Law on Social Protection and Social Inclusion in Moldova, Roma among other groups are considered the most vulnerable category of the population.<sup>67</sup>

### 5.1. ACCESS TO SOCIAL PROTECTION

The current study findings confirm previous data according to which, Roma tend to receive more social assistance benefits than social insurance benefits. This is explained by lower salaries and lower activity rates in the formal sector, which result in lower contributions and lower payments. Thus the social assistance benefits (mainly child benefits) make up 6% in the case of Roma in comparison with 3% for non-Roma.<sup>68</sup>

Social protection benefits play an important role among Romani women, as they represent an important source of income for Romani households after salary revenues, or after the payments from seasonal or day-work.

However, previous data do not adequately reflect on the participation of Roma in the social insurance system and social assistance programmes, which makes it very difficult to monitor the access of Romani women and men to social benefits. The exposure of Roma to various forms of social exclusion, particularly under the current crisis conditions is increasingly recognized by the Government, nonetheless, the extent to which Roma households get access to social protection and other benefits, access to health insurance and education services in particular, continues to be rather problematic.

Discussions with Romani women throughout the selected localities and social workers in the village Buda indicate that Romani women have a very limited understanding of the social benefits, the differences among them and the criteria upon which are determined. In many instances, Romani women interviewed complained that the unemployment benefits were cut after evaluations by social workers or that they were inconsistent from one month to another.

#### Box 16: Village C.

In C., during a focus group, one Romani woman stated that: “They came from the city hall, they asked us how we live, they looked around and after that they cut the aid.” When asked whether explanations were given by city hall the representatives, Romani women declared that the city hall representatives left without saying anything and that only later on they discovered that they could not receive the social benefits anymore.

### 5.2. DISCRIMINATION IN THE ACCESS OF SOCIAL ASSISTANCE

Romani women reported what seem to be cases of abuse by local authorities in the access of social assistance.

Many women complained that they were offered job opportunities by the labor offices that they could not accept, because of the lack of adequate qualification. They further argued that local representatives offered them ineligible jobs on purpose, knowing that by refusing a certain number of job offers they would risk to be taken out from the registry and excluded from the list of social aid beneficiaries. Thus, Romani women

<sup>67</sup> Study on Social Protection and Social Inclusion in Moldova, European Commission, Chisinau 2009. Report available electronically at: [ec.europa.eu/social/BlobServlet?docId=4348&langId=en](http://ec.europa.eu/social/BlobServlet?docId=4348&langId=en), p 12

<sup>68</sup> IDEM Study on Social Protection and Social Inclusion in Moldova, 2009, p. 71



complained that while they actively seek for employment, they can always lose the benefits for failing to get employment.

**Box 17: Village C.**

In C., 4 Romani women interviewed reported situations where a social worker approved social benefits to Romani families in exchange of work performed for the social worker's private needs at home. A Romani woman stated the following: "I know at least two Romani families who cleaned the house of the social worker and received social aid. The mayor doesn't know about this... But what can we do?! Can we go and tell him?! This is it!"

### 5.3. SECURITY OF TENURE

Insecure living conditions represent a major problem for a significant part of Romani women. Many Romani households do not have access to a secure dwelling, or they live in dwellings that are in very poor condi-

tion or even in ruins. Housing deprivation for Romani households is much higher than for the majority of the population. The overwhelming majority of Romani households do not benefit from basic housing conditions such as potable water, bathrooms, running water and sewage systems.

**Box 18: Village Ursari**

In Ursari, at the time of research, one old Romani woman shared her common space with one of her 6 children. Her daughter was married to a physically disabled Roma man who received social aid from the municipality and had a daughter of 12. Her house was a 6-7 square meters shack that could not be inhabited because of the precarious and even hazardous conditions and lacking electricity; therefore she stayed mainly in her mothers' house of two rooms, where there was no running water; only an improvised outside bathroom and electricity paid from her mother's pension.

## VI. HEALTH



## VI. HEALTH

The right to health is guaranteed in the Constitution of Moldova through free provision by the State of basic health services.<sup>69</sup> By subscribing to the Millennium Declaration, the Government of Moldova committed to reaching the MDGs and outlined the key measures necessary to achieve these goals in the Economic Growth and Poverty Reduction Strategy Paper.

According to the survey data, Romani women aged 30-45 rated their health as “neither good nor bad”, while Romani women above 45 assessed their health as “bad” or even “very poor”. Most Romani women interviewed suffer from cardio-vascular diseases. Many other complained of high blood pressure, kidney problems, stomach and gall problems, headaches, pancreases problems, diabetes, thrombosis, rheumatism, thyroid, gynecological problems, problems with the liver, lungs, spine and swollen legs.

### 6.1. ACCESS TO HEALTH CARE

Access to health care services remains highly unequal in Moldova.<sup>70</sup> According to the 2013 UN publication “Roma in the Republic of Moldova”:

- ✓ 37% of Roma women assessed their health condition as poor and very poor, compared to 34 of non-Roma women, and 30% of Roma men;
- ✓ only 35% of Romani women are covered by the medical insurance system, compared to 74% non-Roma women;

- ✓ 65% of adult (16+) Roma with health issues hesitated to consult a doctor over the past year, compared to 44% of adult non-Roma;
- ✓ of the above number, 81% of adult Roma did not consult the doctor because they could not financially afford this, and another 5% because they did not have medical insurance;
- ✓ over the last year 78% of adult Roma solicited specialized medical exams (X-ray, ultrasonography, cholesterol check, dentist check, etc), compared to 89% of non-Roma.

According to the findings of the current study, Romani women seem to lack awareness about the medical system as a consequence of Roma illiteracy and difficulties faced in accessing public services. In addition, most Roma villages do not have a medical center and as such Romani women and children have to walk between 2 to 7 km to the nearest village for medical care. Distance to the nearest medical facility is a prevalent factor that prevents access of rural population densely populated by Roma. Moreover, reports by Romani women indicate that there have been cases, where emergency services came only after approval by the general practitioner or nurse in the village.

In addition, Romani women complained that many times they have to wait in front of the doctor’s office without getting the service because the visiting hours are too short and the number of people coming from neighboring villages is too big. In particular, Romani women from Schinoasa and Ursari have asked multiple times the local administration to open a medical point in the village so that they have daily access to medical services, but the local administration pointed to the insufficient number of people living in the village (Schinoasa - 294; Ursari - 345) and that according to the law, medical offices can be established in

<sup>69</sup> Article 36 para. 1 and 2 of the Constitution of Moldova.

<sup>70</sup> The National Statistical Bureau talks in 2012 about an unequal distribution of the medical personnel at national level and an insufficient share of medical workers in rural areas as opposed to their overrepresentation in the urban areas, which creates inequity and social exclusion. The region of Chisinau has the highest level of medical coverage in terms of medical doctors, where the share for 10,000 inhabitants exceeds the average national share..

localities with a minimum number of 300 inhabitants. In addition, contrary to the information issued by the Ministry of Health on 575 visits by a mobile team in rural areas in July –December 2011, out of 5 inquired Roma communities (Schinoasa, Ursari, Vulcanesti, Stejareni, Mingir) no one could confirm visits of the mobile team in their area.<sup>71</sup>

#### Box 19: Village Schinoasa

In Schinoasa, 4 Romani women during focus group discussions complained about the lack of a medical center in the locality. One 40-year-old Romani woman recalled a case of a pregnant woman who had to deliver home because they could not call the ambulance or go to the hospitals nearby. She indicated that she was able to have the child nonetheless.

The study findings indicate that an increasing number of Romani adults are not covered by the compulsory medical insurance system and do not have insurance policies. The obligatory health insurance was introduced in 2004 with the initial price of 441 lei. With time, though, the price started to increase dramatically reaching in 2007 - 1209 lei, in 2011 - 2478 lei, in 2012 - 2982 lei and in 2013 the price increased with 336 lei, i.e. 11,3% and constitutes 3,318 lei. This amount is relevant for all social groups living or residing in Moldova. No exceptions are made for the economically vulnerable people, which include, *inter alia*, a significant segment of the Romani community in Moldova. Thus, in Schinoasa, for example, 55 Roma from the total population of 294 hold a health insurance, while in Mingir, out of 200 Roma, only 27 have health insurance and in Ursari, out of 345 Roma, 153 have health insurance.<sup>72</sup>

The lack of jobs and low monthly income together with the lack of identity cards and birth certificates prevents Romani women from obtaining health insurance. In the absence of medical insurance, Romani women cannot afford to pay all medical services needed for their health prevention or recovery. In terms of practicalities, there is no obligation for the patient to present or hold a health insurance in order to have access to emergency medical assistance. Moreover, emergency medical assistance is free of charge for all. In reality, though, people lack-

ing health insurance, Roma women among them, are required to make informal payments for emergency medical services. This practice contravenes national law.<sup>73</sup> Instead, many Romani women resort to unconventional (popular) medicine at the expense of modern medicine, which unfortunately it is not a matter of choice but of (in)affordability.

#### Box 20: Village Huzun

In Huzun, 3 Romani women interviewed stated that when the doctor prescribes treatment, they do not buy it because it is expensive.

## 6.2. PREVENTIVE CARE

Romani women rarely go to the doctor for preventive or treatment care, because of lack of health insurance, coupled with lack of financial resources, as well as in some cases because of lack of information. They usually visit the doctor only in relation to their children's preventive care.

#### Box 21: Village Schinoasa

In Schinoasa, 3 Romani women highlighted that they usually go to the clinic in Tibirica only when they need to take children for a medical check up or if they have a medical emergency because it is far and they don't have money.

Although Roma are entitled to free emergency health care or free access to some medical services, they rarely use these services. This is often due to the fact that many Roma from rural areas are not aware that they have access to free emergency health care or to medical services such as X-ray examination even if uninsured. There are cases when Roma from villages are sent by the local physician to medical screening in the district clinics, without being informed whether they have right to free screening or not. In this case Roma pay for the services, to which they are entitled to for free or refuse to pass the medical screening because of the lack of money. There are also cases when Roma are refused health care access if they do not have money to pay for the health services.<sup>74</sup>

<sup>71</sup> Documentation on Roma access to health services by Anna Lungu, OHCHR Consultant, December 2012, on file with the authors.

<sup>72</sup> Documentation on Roma access to health services by Anna Lungu, OHCHR Consultant, December 2012, on file with the authors.

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**Box 22: Village Drochia**

In Drochia, a 51-year-old Romani woman visited the family doctor in the village, who issued her an ordinance to make X-ray examination. Because she does not have insurance policy she was told to pay 130 lei for X-ray and 100 lei for consultancy. She had no money and left without examination.

**6.3. REPRODUCTIVE HEALTH**

According to their statements, the majority of Romani women interviewed went every month for checkups while pregnant or alternately every three months.

Although Romani women interviewed seem to lack important information about various forms of contraception and their separate value, half of Romani women interviewed have used various forms of contraception, among which the most used was the spiral, followed by sterility device, pills, sterilization and calendar. Many Romani women interviewed had also resorted to abortion while also using other contraceptive methods.

Among Romani women interviewed, there have been cases of miscarriage in Schinoasa. One 2007 report indicated that, 21% of Romani women in Moldova who had at least one pregnancy had at least one miscarriage. This seems to be almost two times higher than in the case of non-Roma, where the percentage of women who had miscarriages constitutes 14%.<sup>75</sup>

**6.4. ETHNIC AND GENDER  
DISCRIMINATION IN HEALTH  
CARE**

Because many Romani women do not actively seek for health care services, they do not always get to experience direct discrimination from medical personnel. This does not mean that discrimination of Romani women in the health care does not exist or is occasional. Discrimination has to be looked at primarily from the accessibility and affordability point of view, where unfortunately Romani women are at great disadvantage.

Romani women interviewed who experienced differential treatment when seeking for medical care, declared that the ambulance would not come in Mingir<sup>76</sup>,

doctors refuse treatment to them and their children in Drochia; they are reportedly subjected to inflammatory statements from the side of doctors in Tîbîrica.

**Box 23****Village Schinoasa**

In Schinoasa, A Romani woman complained that once when she went to the dentist in the neighbouring village in Tîbîrica, the dentist told Romani women waiting in line that: "This is not the day for Gypsies!"

**Village Mingir**

In a case of an ethnic Moldovan woman who has set herself on fire in Mingir, doctors refused at first to treat her assuming she was Roma because the family members and people that accompanied her to hospital were Roma.

**Village Drochia**

In Drochia, a Romani family suffering from Hepatitis B and C and needing home treatment was reportedly refused treatment. They all suffer from disability of grade I and move in a wheelchair. Despite their health problems and inability to move easily, the Romani family was rarely visited by the local family doctor. In July 2012, one of family members started to feel bad – he had stomach ache, was vomiting, had high temperature. His mother went to ask the doctor to examine him, but the doctor was on holiday and the nurse told her that she did not have medicines for emergency cases and said that „maybe she would send somebody later to see the sick person”. They waited for the entire day and nobody came to examine the person. Finally, the mother went to the pharmacy and bought medicines on credit.<sup>1</sup>

The study findings indicate that information, physical and administrative barriers compounded by poverty and discrimination prevents Romani women from accessing quality health services. Thus Romani women experience various types of direct and indirect discrimination in their access to health care, which includes refusal of treatment by health care professionals, inferior treatment, and difficulties in accessing emergency care. These in turn affect Romani women's trust in medical services and reinforce the cycle of social exclusion.

<sup>75</sup> UNDP, Roma in the Republic of Moldova, 2007.

<sup>76</sup> For similar reports see also:

<http://lib.ohchr.org/HRBodies/UPR/Documents/session12/MD/UNCT-eng.pdf>

## VII. VIOLENCE



## VII. VIOLENCE

### 7.1. DOMESTIC VIOLENCE

As the UN Special Rapporteur on Violence Against Women has noted, in Moldova, “Domestic violence [...] is, by and large, accepted as a normal aspect of private life by men and women alike and not considered as a problem warranting legal intervention.”<sup>77</sup> Consequently, women are generally reluctant to report cases of domestic violence to the police and their confidence of obtaining legal redress is very low.

Domestic violence against women is present in many Romani families, although is many times not reported. Many times Romani women hide or minimize violence against them. It was not easy for them to share the presence of violence in their lives or talk about its extent even to a Romani woman interviewer, to whom they felt closer. More than half of the Romani women interviewed stated that they have suffered from physical violence from the part their husband or partner in their lifetime, while a significant part continue to be beaten even in the present. Despite repeated violence against them, most of Romani women interviewed did not try to ask for help from anybody.

When asked about physical violence against women, Romani men found physical violence unjustified. At the same time they admitted that they apply physical violence occasionally although they regret their act later. The justifications Romani men provided were that “nobody is a saint and everybody makes mistakes in this life”, or that the incident occurs on the wife’s behavior. One Romani man justified physical violence against women by saying that “If a woman is not beaten, she is not a woman”. In the opinion of some “If there are cases of domestic violence, these are being

solved through Romani customary law, or ‘Romani kris’. In exceptional cases only, when there is no leader in the community, police intervention is needed”. It seems that there is a good understanding among Romani men about the consequences of domestic violence. “If you beat a woman you cause her pain and even physical traumas, and after that you have to transport her to a hospital. No reasons to do so and it’s not good.” Romani men also acknowledged that there is a high risk that children who witness domestic violence might perpetuate the family example.

What the findings of this study show is that domestic violence is experienced quite privately by Romani women. They hardly talk about it with other members of the family and most of the time they do not question it either because of fear, shame or resignation. Discussion with them revealed that had they had a better economic status and position in the family, many would consider reporting domestic violence to the police or left the marriage. The financial insecurity and concerns over the fate of their children traps them in abusive relationships.

#### Box 24: Village Drochia

One Romani woman in Drochia described that her husband would beat aggressively her at least once a week after coming home drunk. She says: “I got used to it! It was horrible, I was crippled, with a black eye for many days, but I have no choice to escape with 5 children and no home. Plus he would come after me. Now he goes away for a few months to work but brings home no money. At least the house is quiet when he is not around.”

<sup>77</sup> United Nations Country Team in Moldova Joint Submission for the Compilation prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15(b) of resolution 5/1 of the Human Rights Council on the First Periodic Review of the Republic of Moldova, 21 March 2011, available at: <http://lib.ohchr.org/HRBodies/UPR/Documents/session12/MD/UNCT-eng.pdf>

## 7.2. TRAFFICKING IN HUMAN BEINGS

Moldova is a source and, to a lesser extent, a transit and destination country for women and girls subjected to sex trafficking, and for men, women, and children subjected to conditions of forced labor.

The 2012 Trafficking in Persons Report<sup>78</sup> shows that Moldovan women are subjected to forced prostitution in Turkey, Russia, Cyprus, the United Arab Emirates (UAE), Bulgaria, Kosovo, Israel, Indonesia, Malaysia, Lebanon, Italy, Greece, Ukraine, the Czech Republic, Romania, Poland, Slovenia, Spain, and Tajikistan. Women, and children are subjected to conditions of forced labor in Russia, Ukraine, Turkey, UAE, Israel, Greece, and the United States in the construction, agriculture, and service sectors. Women, and children are also subjected to conditions of forced labor and sexual exploitation in Slovenia, Spain, the Netherlands, and Ukraine. Children from Moldova are subjected to conditions of forced begging in some neighboring countries. Victims of forced prostitution found in Chisinau include Ukrainian women and Moldovan girls and women from rural areas. Moldovan women are subjected to forced labor in Moldova. Moldovan victims of trafficking have been subjected to re-trafficking after their return to Moldova from foreign countries.

Unfortunately, there are hardly any statistics available about trafficking of Romani women and girls in Moldova. The available reports by Terre des Hommes from 2010 indicate that Romani children from Moldova are trafficked especially to Russia. According to Terre des Hommes, in the period of January 2005-December 2007, 45 Romani children, ages 1-15, were intercepted in Russia, mainly in Moscow and St. Petersburg. Most of the children were found begging in the streets while fewer children were forced into labour.

The current research however revealed that Romani women and girls seem to be trafficked also in Italy, Turkey followed by Poland, Ukraine, Germany and even Israel, apart from Russia. To a lesser extent, Chisinau was also pointed as a destination for internal trafficking. Among the Romani women interviewed, the ones that seemed to have more information about trafficking in Romani women and girls were the community mediators through their extensive work in the field.

The lack of accurate data regarding the extent of traf-

ficking in Romani women and girls underpins the lack of preventive and protective measures against trafficking in Romani women and girls, which makes Romani women and girls highly vulnerable to trafficking and re-trafficking. The cycle of poverty, exclusion and discrimination Romani women and girls find themselves makes them even more vulnerable.

## 7.3. CHILD LABOR

Research findings indicate that child labor is present among Romani boys and girls with a greater impact on Romani girls.

Although it may seem harmless to some of Romani parents, child labor reinforces intergenerational cycles of poverty and impedes a healthy growth at individual level. Many children, especially girls become more vulnerable to school dropout or health deprivation.

### Box 25: Village Carpineni

In focus group discussion in Carpineni, 4 Romani women confirmed that there are Romani girls in the village who are begging. One Romani woman stated that: "There are a few. Their parents are very poor and this is the only possibility they have: to beg." One Roma leader stated that: "If there is no solution or if the parent is very sick, she is forced by circumstances to send the child to beg".

Other statements by Romani women and men indicate that children are involved in activities not suitable for their age, such as taking the animals to pasture, land working, working at farms and sheepfolds, cutting wood, cutting corn plants, hard cleaning and household work for the whole day.

For many traditional Romani families in Soroca, household labor by Romani girls has even a greater symbolic value. It signifies that the girl respects traditional norms while her diligence in household responsibilities impacts on the family's pride as well as on her value at marriage. Thus, knowing how to clean, cook and take care of the house may be many times more important than attending school or being a good student. This archaic view is rarely contested by members of traditional Romani families who believe that the

<sup>78</sup> Trafficking in Persons Report 2012, U.S. Department of State, available at: <http://www.state.gov/j/tip/rls/tiprpt/2012/>



role of girls and women is to be obedient and protect the well being of the family, which many times translates into unequal powers and relationships with men.

## 7.4. CHILD MARRIAGE

It is very difficult to get accurate data on the true extent of child and early marriage in Romani families in Moldova. This is because child marriages are not officially registered, and because no studies looked at this issue in particular. The current research however indicates that there are cases in which girls get married at 15 year-olds or possibly earlier in certain communities. Although most Romani men interviewed reported that child marriages are not performed anymore, deeper discussions revealed that girls continue to get married at 15-17 years.

Preventing child marriage among Romani community members is very complex in itself as it requires multiple and inter-related approaches. Unfortunately, according to reports by Romani women, it is not customary for authorities to intervene in a child marriage process. In a few cases where school authorities inquired about girls dropping out of school because of getting married, none of them returned to school after the school authorities' home visits. Similarly, the local police officers refrain from taking action on their own initiative to prevent or accuse the child marriage, claiming that they cannot act without a complaint received from the victim. Some police officers hold that Roma have their "own law", precluding intervention on the part of public authorities.

There are strong positive obligations on public authorities to end child and early marriage wherever it exist, arising from a multiple human rights law sources, including those set out under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Romani women interviewed in the course of this research stated that child marriage should be prevented through discussions with children about marriage and responsibilities or the involvement of other actors and actions such as police

intervention and fines, parents' arrest, doctors' advice, child protection authorities, local authorities' engagement, awareness raising through training, flyers by NGOs, community mediators.

### Box 28: City Hincesti

In Hincesti, 6 Romani women of various age groups stated that early marriage impede young women to have a good life and pursue happiness. One Romani woman declared that although in her early times arranged marriage was the norm, in modern times early marriage cannot be justified any longer. She wishes for her granddaughters to be able to choose their partners and have a good life. She could see how children grow differently when they are let to go to school and mix with their children. She concluded that: "They are young, they should enjoy their youth and be able to see the world and understand life."

The consequences of child marriage are severe for the women and girls affected. When Romani girls get married, their education and entire childhood development process are disrupted. They are forced to give up their childhood and think and behave as adults. In addition, the early marriage is soon accompanied by pregnancy. Many young Romani lose their chances to achieve autonomy in making decisions regarding their education, employment opportunities or household needs. These in turn make them more vulnerable to accepting abusive relationships, but also to poverty and social exclusion.

## 7.5. VIRGINITY AT MARRIAGE

Romani girls' virginity at marriage is still highly valued in Romani communities. Depending on the region, the girl who has not revealed that she was not virgin before the marriage risks to be left by her husband after the consumption of the sexual act, sent away from home and or beaten. If the husband continues to live with her, she is forever denigrated by her husband.

Box 29: Village Ursari

In Ursari, 3 of Romani women interviewed stated that virginity at marriage is important in the Romani family. One Romani woman stated that: “It is important that girls are virgins when they get married so that they can find a good man and have a good marriage. If she is not virgin it’s harder, the man can bit her or treat her bad. Also his family can treat her bad.”

Box 30: Village Ciocilteni

One man in Ciocilteni recounted that while he was working in a neighboring village, his 16 year-old daughter was “stolen” by a boy, “as per tradition”. By the time he was able to find her, the boy had already had sexual relations with his daughter, so he was forced to marry his daughter with that boy. Since, they have been living together in the boy’s house.

Demanding virginity from Romani women perpetuates stereotypes and reinforces the position of women at the lower part of community hierarchy through regulating their sexual behavior, advocating abstinence before marriage and confining them to stereotypical views of the female and male sexual and social roles. Romani women’s virginity is viewed as an indicator of men’s reputation, one of the dominant qualities desired and required of a Romani woman partner in a marriage. It promotes a system of honor and shame, whereby women are made to feel guilty and even punished if they commit pre-marital sex. Thus Romani women are dehumanized and reduced to their sexuality, which in turn provides men with control over their bodies, social interactions and freewill.

## VIII. PARTICIPATION IN POLITICAL AND PUBLIC LIFE



## VIII. PARTICIPATION IN POLITICAL AND PUBLIC LIFE

### 8.1. INVOLVEMENT IN CIVIC AND COMMUNITY BASED ORGANIZATIONS

According to findings of the current study, there is only one Romani women's NGOs at national level, which however lacks financial resources to help carry out activities benefiting Romani women. In recent years, a network of Romani women community mediators have active informally to facilitate community members' access to local authorities and local services. Pursuant to the Roma Action Plan 2011-2015, adopted by the Government, 48 Romani community mediators are to be hired and covered from the state budget by the end of 2014. Discussions with Romani women revealed that, if given the opportunity, they would choose to be part of a Romani women's NGO or at least a school committee. Many Romani women declared that their husbands would support them in pursuing this goal.

#### Box 31: Village Carpineni

In Carpineni, 8 Romani women in focus group discussions declared that they would like to be part of a women's NGO. One woman stated that: "I would like to be part of a Romani woman's NGO! Of course I would! I would be able to leave behind all these problems and do something for myself and help my family."

### 8.2. PARTICIPATION IN ELECTORAL PROCESSES AND PUBLIC LIFE

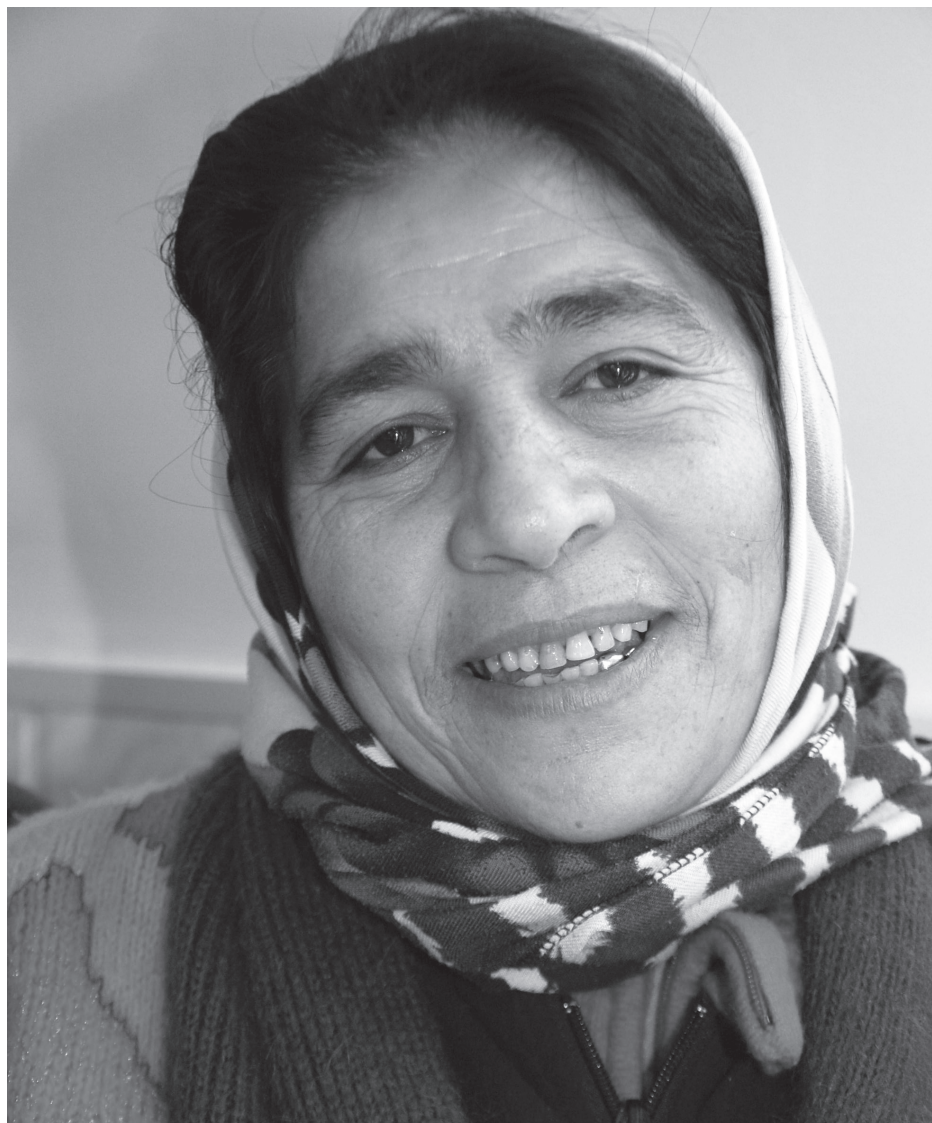
Romani women are almost completely excluded from political life, particularly as candidates and in electoral management structures. There are few Romani women employed in public functions while they are also excluded from elected and civil service positions in the local and regional administration.

Although current study findings indicate that Romani women cast their ballot in the last local or and parliamentary elections, there are currently no Romani women in any elected position anywhere in the Republic of Moldova.

Economic hardship, family responsibilities and lack of confidence in assuming public roles represent obstacles to Romani women's participation and representation in political and public life. Above all, it appears that no mainstream party has ever placed any Romani women candidates at any electable position on a party list, in either local or national elections.



## IX. GENDER RELATIONS



## IX. GENDER RELATIONS

Equal rights and opportunities for women and men are central to human development. The empowerment and autonomy of Romani women and the improvement of their political, social, economic and health status is a highly important end in itself.

### 9.1. GENDER RELATIONS IN THE FAMILY

Although Romani families in Moldova seem to share a lot of the household responsibilities, there are still many gender-ascribed roles among Romani partners that Romani women end up assuming or embracing since early age. Thus, without questioning, Romani women regard men as the “head” of the family while they see themselves as the ones taking care of children and household.

Romani women interviewed tend to believe that women have fewer rights than men. At the other end, Romani men interviewed consider that women are not and cannot be equal to men because “a man has to be superior to a woman” and “a woman should know her place”. The most spread perception is that women must be submissive and listen to what men have to say; “she is one step below the man”.

#### Box 32

##### Village Mingir

In Mingir, one older Romani woman stated that: “Women are lower than men. You have to endure. If you try to oppose him, you will not get far”. A younger woman however added that: “we have to act in such a way that we are at the same level”. “At the end of the day, the woman has to respect the man and the man has to respect the woman”. One Romani man concluded that: “if you allow your wife to be equal to you, she might override you one day”.

##### Village Ursari

In Ursari, a 60-year-old Romani woman stated that she always lived in harmony with her husband and that: “We always loved, respected and protected each other as equals. Every family problem we resolved it through discussions and negotiations.”

### 9.2. GENDER DIVISION OF CHILDCARE

There are marked inequalities in the division of parenting responsibilities for supporting children’s education. In the majority of cases the mother is the only person who maintains the relationship with the school, and attends the meetings organized by the school. The mother is also the main provider of help with children’s homework.

**Box 33: Village Carpineni**

In Carpineni, 8 Romani women interviewed stated that mothers are usually taking children to school, watching kids do their homework or speaking to the teachers. One Romani mother declared that: “Men help sometimes to take children to school or with the homework, but mothers spend usually more time with the kids. The fathers are waking up early to go to work and don’t have the time for it.” Another woman stated that: “If there are problems with the kids in school or I need his help, I tell him and he intervenes, but otherwise I take care of the children.”

**Box 35: Village Ursari**

In Ursari, in focus group discussions, women from 3 Romani families did not seem to be always comfortable to playing the roles of obedient wives who take care of the household. One Romani woman stated that: “My husband waits to be welcomed with food when coming home from work, washed, ironed and caressed with a good word.” The expectation is that “a woman has to be good hearted, hard-working, careful to take care of children and her husband and to support him in everything.”

### 9.3. GENDER DIVISION OF HOUSEHOLD RESPONSIBILITIES

Most Romani women and men interviewed in this study seem to agree about gender roles in the division of household responsibilities. Thus, they tended to agree about what constitutes “female” work versus “male” work. While women’s most frequent responsibilities relate to cooking, cleaning, washing, taking care of children, men engage with land working, building, cutting wood, feeding animals, and perform other “man’s activities”.

**Box 34: Village Schinoasa**

In Schinoasa, 4 Romani families declared that each woman and man does her/his work in the household, while they help each other. One Romani woman stated that: “We are too poor to argue about it. Why should we argue?! He is doing his man’s work outside and I do mine. Sometimes he helps me with mine too.”

It does not mean however that while gender roles seemed to be pre-established in many families, all Romani women comply or agree to these roles.

When asked whose role was to bring more money at home, both Romani women and men interviewed answered that men should earn more money. The reality however is many times different, especially for those Romani families that struggle to find an earning source wherever possible. Thus gender plays a smaller role in Romani families when it comes to “who should bring more money home”.

### 9.4. GENDER DIVISION IN FAMILY DECISIONS

Decisions by consensus usually include decisions about children’s education. Otherwise, when deciding about building something, digging a well etc., women do not participate in the decision. Women can decide on refurbishments in the house, decorations, buying carpets, etc, although many times they have to run their choices by their husbands before buying. In the same time she will need man’s final approval for that.

In case of disputes or decisions that are considered important by partners, men have usually the final word. Romani women do not always see this as a negative thing, nor do they try to challenge it: sometimes they submit to it because this has always seemed to be the order of things, knowing they will not succeed to change the outcome even if they tried or other times

they expect the man to take this responsibility because they trust his judgment and wisdom. Lack of education, financial independence and role models make Romani women less empowered to trust themselves that they can challenge their men or that they are able to take important decisions.

#### Box 36

##### Village Huzun

In Huzun, an old Romani woman stated that: "We never argue when we need to take a decision. We have been married for 45 years and we have never had a dispute. If it is an important decision, I let him decide. He knows better than me and this is how we got used to."

##### Village Carpineni

In Carpineni, 4 women from Romani families answered that men have the final say in big decisions. One young Romani woman married to a Roma man stated that: "If I need to buy something I talk to my husband and we decide together, but if it is something important, he has the final word...because he is the man."

#### Box 37: Village Carpineni

In Carpineni, 8 Romani women interviewed stated that they would like to be part of a women's NGO and do things for the community. One woman stated that: "Of course I would want to work with other women and do something for my family and our village. Like this it will be easier to speak to the mayor to help us. Me alone with 3 children what can I do? I don't even know what to ask." Another woman stated that: "We try to have a mediator to help us with the social aid. She told us she would help us."

The current field research shows that there are still many inequalities between Romani women and men. The low status of Romani women in the family and society can be explained by a number of economic and social constraints. Thus, the lack of formal employment, increased number of children and limited education may affect their decision-making role in the family and position in the society. The lack of education and decent employment and stable income increases their dependency on the family members and husband/partner.

## 9.5. GENDER RELATIONS IN THE COMMUNITY, SOCIETY

According to Romani men interviewed, women are equally involved in problems affecting the community. This is confirmed by Romani women who declared that they often participate in meetings together with their husbands about community issues or by themselves, especially when their spouses are not at home. In villages where Roma mediators activate, they are a driving force in mobilizing women (Schinoasa, Parcani, Chetrosu). Romani women talked about cases where jointly, they pushed mayors into solving the lack of running water, gas, paved road, etc.

Everybody in the family, regardless of their gender attends community events. Romani families participate together at popular meetings, weddings, christenings, school celebrations, concerts and dancing events. In several cases however women are not allowed to go somewhere without their husbands, except for situations where the events are exclusively attended by women and if a group of women attend also.

Supporting Romani women's empowerment is therefore central to improving gender relations in the Romani families and larger communities. It can be achieved by supporting Romani women's education and entrepreneurship, including improved access to property, training, microfinance and markets. But in order for Romani women to achieve autonomy, a more comprehensive approach should be considered that would raise their gender consciousness, enable them to access community resources, provide support for challenging traditional norms and take equal part in decision-making processes in the household. Enabling them to establish and realise their rights are essential means to empower Romani women to be more autonomous in decision-making.



## X. CONCLUSIONS



## X. CONCLUSIONS

The findings of this study illustrate that Romani women and girls in the Republic of Moldova are currently extremely disempowered through experiencing extreme poverty, social exclusion, discrimination and the continuing legacy of long-term gender inequality. Unchallenged racism significantly heightens the exclusion which Romani women face as women, and render Romani women and girls among those persons most severely threatened with social exclusion in the Republic of Moldova. The regular denial that discrimination exists constitutes a significant challenge to ending it.

The lack of specific policies on Romani women and girls reinforces social exclusion of Romani women and girls in the society and traditional gender roles in the Roma community. Thus, data on the situation of Romani women and girls remains essential in identifying gender and ethnic based inequalities suffered by Romani women and girls and in developing concrete measures for the improvement of their status. This year's national population census constitutes an opportunity to begin remedying the lacuna of good data on the situation of Romani women in access to key goods and services necessary for the realization of fundamental rights. However, it remains the case that other tools, such as household survey data, will remain important for assessing and redressing the exclusion of Romani women and girls.

Recent developments at European level in the area of gender equality and Romani women's rights by the European Commission, Council of Europe, Fundamental Rights Agency and United Nations bodies have provided broad impetus for new legislative and policy developments in Moldova in the area of Roma policies. The Government of the Republic of Moldova can draw on this political momentum through ensuring political and technical support in adequately mainstreaming Romani women and girls' concerns in national policies and programmes.

The reality of Romani women and girls in Moldova indicates that long-term sustainable policies supported by implementation and monitoring mechanisms are required to achieve notable progress on improving the situation of Romani women and girls in Moldova. This should not be an obstacle for the Government to design a short-term priority plan while investing in the full realization of Romani women's socio-economic, civil and political rights. The increased vulnerability of Romani women and girls to deep poverty and social deprivation manifested through the lack of labor opportunities, low level of education and labor qualification calls for urgent measures aimed at the economic empowerment of Romani women.

Investing in Romani women's capacities to perform lucrative activities can increase household income and begin to reverse the process of social exclusion and disempowerment. Indeed, there are manifold opportunities to strengthen the inclusion of Romani women and begin work leading to genuine empowerment. As Moldova embarks on a period leading to national and general elections, opportunities for communities to come together and think seriously about the steps needed to secure the inclusion of Romani women and girls abound.

It is hoped that this study can help foster discussion at all levels to improve community development as well as capacity building of Romani women and girls in the Republic of Moldova. Non-exhaustive recommendations as to possible actions to improve the human rights situation of Romani women and girls in the Republic of Moldova follow below. In the development of policy measures and initiatives to strengthen the inclusion of Romani women and girls, Romani women and girls should themselves be included in consultation and implementation.

## XI. RECOMMENDATIONS



## XI. RECOMMENDATIONS

### 11.1. EDUCATION

1. Amend the general curriculum to improve information on Romani history, language and culture, so that all children in the Republic of Moldova learn of the valuable contributions made by Roma – including Romani women and girls – to European and Moldovan history and culture; the curriculum should also include information on troubled aspects of Moldovan Romani history, including the Romani Holocaust.
2. Where segregated schooling arrangements exist, these should be ended without delay.
3. Identify the underlying causes that might prevent Romani girls from exercising their right to have access to quality education, including extreme poverty, living in remote areas or spatial segregation, cultural issues, early marriage and pregnancy, security issues in order to address this root causes systematically. The Government should implement specific programmes to address the underlying causes.
4. Undertake measures for preventing and combating stereotypes, prejudice, and discrimination experienced by Romani children in schools and ensure that Romani children are educated in an environment free of discrimination and harassment.
5. Take appropriate measures to combat absenteeism and dropout among Romani children, in particular Romani girls, while reintegrating those who have already dropped out; Awareness raising schemes should be implemented to support Romani parents in their efforts to secure equal quality education for their children, in particular girls.
6. Address the problem of Romani children left behind by migrant parents, by ensuring enrollment, attendance and academic performance, as well as the necessary psycho-social and reintegration assistance and other support to them as needed.
7. Improve access by Romani children to kindergarten or zero-classes, as well as to after school programming and summer camp.
8. Ensure adequate transport for all Romani children to attend school.
9. Heighten positive measures to increase the number of Romani children attending and completing post-secondary and university education. Increase the number of Romani girls and women studying in universities and colleges through scholarship schemes and other positive action measures. Catch up educational and long life learning programs for Romani women are also needed.
10. Increase the training and recruitment of Romani women as teachers and teaching assistants. Training of all teachers should include anti discrimination, anti-bias, gender-sensitivity and intercultural training.
11. Collect data on education disaggregated by ethnicity and gender to indicate the participation and performance of Romani girls. This will alert governments to any shortcomings or obstacles affecting Romani girls and allow them to focus on issues of particular relevance to Romani girls as opposed to Romani boys and non-Romani pupils, and take remedial action to meet their needs.

### 11.2. EMPLOYMENT

1. Ensure that national legislation provides full and effective protection against discrimination in employment of Romani women to ensure that Romani women have equal opportunities for recruitment.
2. Allocate resources to expand the employment opportunities available to Romani women, includ-



ing through education, literacy (including in minority languages), vocational training (including skills to run small businesses), credit and market access.

3. Ensure that public labour offices challenge all forms of discrimination; develop and implement programmes for Romani women's employment.
4. Promote the employment of Romani women at all levels of the public sector and establish partnerships with Roma NGOs, in order to develop to improve the employment potential of Romani through training.
5. Encourage the Council for Preventing and Combating Discrimination and Ensuring Equality to engage with large- and middle-sized employers to include Romani women in their work force.
6. Grant tax relief to private-sector employers who offer work experience and placement opportunities to Romani women.
7. Provide Romani women with opportunities to gain access to income-generating and self-employment activities.
8. Enable the development of Romani women or family enterprises by offering incentives to encourage public services to sign contracts with Romani women's businesses.
9. Create community-based and community-run programs to create work opportunities for Romani women in rural areas.
10. Increase the number of Romani women community mediators, teaching and medical assistants and social workers employed and achieve sustainability of their position, but not limit their access to labor market to such positions.
11. Public administration institutions at all levels (local, regional, and national) should be encouraged to employ Romani women.
12. Develop programs fostering agriculture and farming activities for rural Romani women.
13. Develop awareness-raising campaigns to provide Romani women with information about their rights and responsibilities in the employment field, about the different forms of help available from administrative bodies and about the functioning of social protection systems.
14. Provide additional measures and positive action programmes to support and facilitate access of Romani women to the labor market by developing training programs, qualification, requalification courses and vocational training.

### 11.3. SOCIAL PROTECTION AND HEALTH

1. Ensure that existing social protection and social services are equally accessible in practice to Romani women and children. Actions to that end may include targeted outreach to Romani families, provision of birth certificates and other necessary documents for children and parents, and eliminating discriminatory practices by local authorities with respect to Roma.
2. Identify, assess and review barriers faced by Romani women in accessing social benefits, including health insurance. Social security and health insurance programmes should be accessible to Romani women in the informal economy.
3. Implement fully and effectively comprehensive anti-discrimination legislation that includes the express prohibition of direct and indirect discrimination in access to health care and related public services. Ensure the enactment, monitoring, and enforcement of prohibition against discrimination on the part of health care workers and institutions.
4. Ensure access to preventive health information and services throughout the life cycle, in part through access to free or reduced-cost care for eligible Romani women.
5. Ensure access to identity cards, birth certificates, and other official documents through provision of adequate information, reduced or no-cost registration for low-income persons, and monitoring of local authority discretion.
6. Take positive measures to ensure that no financial or administrative hindrance impedes the access of Romani women and girls to health care and medical treatment.
7. Ensure access to health care of Romani women and girls, including emergency care, through the provision of adequate roads, communication, and services. Ensure that access to health care of Romani women is not hindered by increased physical distance.
8. Reduce infant mortality, maternal mortality, and early births through ensuring coverage and monitoring of Romani pregnant women and girls and maternity consultations.
9. Increase the number of Romani women with health insurance, with the objective to achieve universal coverage of Roma in the health insurance system.
10. Provide health education and conduct public information campaigns in order to inform Rom-

ani women about their rights and obligations; increase their health awareness about diseases and risk factors, including those related to early marriages and births and enhance their access to health services.

11. Provide training to health care personnel to improve their attitudes, understanding and abilities in working with Romani communities.
12. Strengthen its capacity to collect gender-disaggregated and gender specific health data from Romani communities. The involvement of Romani women themselves is crucial for developing this capacity.
13. Establish and consolidate Roma community mediator programmes to ensure increased access to health of Romani communities, especially Romani women and girls.

#### 11.4. FREEDOM FROM ALL FORMS OF VIOLENCE

1. Expand the access of Romani women to shelters and protection and support services for victims of domestic violence; ensure proper monitoring of cases by social assistants and police.
2. Ensure training for officials to combat all forms of violence against Romani women – including law enforcement, criminal police officials, judges, health and education professionals and victim support staff, social welfare, child welfare and healthcare.
3. Organise and implement awareness raising campaigns on the legal consequences and social and psychological harms provoked by domestic violence.
4. Support work with victims and aggressors to reduce violence in the home.
5. Provide effective protection, rehabilitation and re-integration services to all trafficked persons regardless of whether or not they participate in criminal proceedings against traffickers.
6. Provide equal access to general social services of Romani women, including through the use of positive action, as a significant measure to reduce vulnerability to trafficking;
7. Increase efforts to prevent child trafficking and punish adults who engage in it while avoiding the criminalization of children involved. Improve child protection services to reduce the vulnerability to trafficking of Romani children.
8. Increase prevention campaigns and efforts in Romani communities, with a focus on segregated, socially excluded communities.
9. Strengthen efforts to protect all children and women from trafficking and sexual exploitation, including through bilateral, regional and international cooperation. Strategies should range from primary prevention (namely, changing the conditions that make children vulnerable to trafficking) to law enforcement targeting traffickers.
10. Foster relations between law enforcement authorities, general social service providers, anti-trafficking services and Romani organisations to improve trafficking prevention measures against Romani women and children.

#### 11.5. CHILD AND EARLY MARRIAGE

1. Comply with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women in the area of child marriages in Romani communities.
2. Develop and enforce measures against adults who facilitate and consent to sexual relations between minors.
3. Support awareness-raising and public information programmes about the negative effects of child marriage, in particular targeting Romani parents. This may include organizing campaigns in Romani communities to open discuss and debate child marriage practices and impact;
4. Strengthen research and data collection systems. Data should be up to date, reliable, and reflect the voices and needs of child brides. Research findings need to be disseminated at all levels to support policy and programme development.
5. Improve support for Romani girls who escape child marriages through the creation of safety nets, such as the provision of shelters, education and health services that can address the specific needs and fears of married children.
6. Ensure universal access to reproductive health services for all young people, in particular Romani girls and young Romani women. Provide access to family planning and contraceptive services and information, and specialist services and care.
7. Support health professionals to promote anti-child-marriage messages, and help them to mobilize at the community level, as these workers may be highly respected by communities.

8. Teachers in primary and secondary schools can help create an enabling environment for increased school enrolment of girls. Ensure that policies and programmes to improve school environments and the safety and retention of girls have full support from teachers.
  9. Introduce scholarships and other incentives to enable girls from poor and vulnerable communities to access education. Review and amend school policies that discriminate against married and pregnant girls and ensure that the content of education is empowering and improves gender equality. In addition, train teachers to deal sensitively with at-risk girls and provide assertiveness advice for girls and support parents to send girls to school.
  10. Provide support for economic and livelihood opportunities for Romani girls and young women in rural communities. This can help ensure that marriage is not seen as the only option available to poor families. Credit schemes should be considered such that they provide genuine alternatives to marriage and do not inadvertently encourage families to marry off girls in order to access credit schemes targeted only at married women.
  11. Empower young Romani women and girls, including married young women, and improve access to leadership programmes.
  12. Strengthen the role of Romani community-based organizations, especially women's and young people's organizations, to enable them to engage better with community leaders.
  13. Increase collaboration between Roma civil society and national programmes to support, in particular, community-based efforts to reduce child marriage.
  14. Invest in measures that support the establishment of young Romani women's/youth networks at regional and national level.
- home-based, street-based and illicit work. Interventions should be evaluated, and good practices and lessons learned should be widely disseminated.
  3. Ensure that domestic work is decent work, where Romani children are protected from the range of hazards and exploitative labor conditions.
  4. Child domestic workers must be protected from unduly long hours that are routine in domestic work.
  5. Child protection systems should be involved in monitoring children domestic work in order and to guarantee their well being through household visits and private dialogue with both child workers and employers.
  6. The monitoring systems should include prompt response procedure, including investigation and prosecution in cases physical or sexual violence, unlawful confinement, or other abuses against domestic workers.

## 11.7 PARTICIPATION IN POLITICAL AND PUBLIC LIFE

1. Encourage all political parties to place Romani women candidates in winnable seats on the electoral lists, in national and local elections.
  2. Support the creation of a pool of young Romani women's political leaders and activists trained and skilled in political campaigning and Roma advocacy that can contribute directly to the improvement of their own lives.
  3. Significantly heighten the participation of Romani women in decision-making, through the development and implementation of formal and informal consultation mechanisms at all levels.
  4. Assist Romani women to create their own NGOs and have a strong civil society voice that allow them to set their own agendas, make their own plans, seek the needed resources, and take responsibility and credit for the success or failure of their projects.
  5. Assist Romani women in creating national and regional networks in order to be able to represent the interest of greater groups of Romani women as well as create partnerships with other women's networks and relevant stakeholders.
  6. Promote positive examples of successful Romani women.
1. Uphold working children's rights to education, health and social services. Working children should be encouraged and enabled to leave work and attend school or vocational training by transitional education programmes and other initiatives.
  2. Vulnerable children, including Romani children should be targeted for research, including those in





# ANNEX:

**CONCLUDING OBSERVATIONS OF THE  
UNITED NATIONS COMMITTEE ON THE  
ELIMINATION OF DISCRIMINATION  
AGAINST WOMEN (CEDAW) ON THE  
COMBINED FOURTH AND FIFTH PERIODIC  
REPORTS OF THE REPUBLIC OF MOLDOVA  
(OCTOBER 2013)**





**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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

**Concluding observations on the combined fourth and fifth periodic reports of the Republic of  
Moldova<sup>79</sup>**

1. The Committee considered the combined fourth and fifth periodic reports of the Republic of Moldova (CEDAW/C/MDA/4-5) at its 1159th and 1160th meetings on 1 October 2013 (CEDAW/C/SR.1159 and 1160). The Committee's list of issues and questions is contained in CEDAW/C/MDA/Q/4-5, and the responses of the Government of the Republic of Moldova are contained in CEDAW/C/MDA/Q/4-5/Add.1.

**A. Introduction**

2. The Committee expresses its appreciation to the State party for its combined fourth and fifth periodic reports. It also expresses its appreciation to the State party for its written replies to the list of issues and questions raised by its pre-session working group, and the further clarification to the questions posed orally by the Committee.
3. The Committee commends the State party for its delegation, which was headed by Deputy Minister of Labour, Social Protection and Family, Mr. Sergiu Sainciuc, and also included representatives of the Ministry of Foreign Affairs and European Integration, the General Inspectorate of the Police, as well as the Permanent Mission of the Republic of Moldova to the United Nations at Geneva. The Committee welcomes the constructive dialogue that took place with the delegation.

**B. Positive aspects**

4. The Committee welcomes the establishment of the Council on Preventing and Combating Discrimination and Ensuring Equality in 2013 ("Anti-Discrimination Council").
5. The Committee welcomes the adoption of Law No. 121 on Ensuring Equality in 2012 and Law No. 45-XVI on Preventing and Combating Family Violence in 2008.

<sup>79</sup> Adopted by the Committee at its fifty-sixth session (30 September to 18 October 2013).

6. The Committee notes with appreciation the adoption of:
  - (a) The Strategy of the National Referral System for the protection and assistance of victims and potential victims of human trafficking for the period 2009-2016, and its national plan of action, 2009-2011; and,
  - (b) The National Programme on Ensuring Gender Equality and its associated National Action Plan (2010-2015).
7. The Committee welcomes the State party's acceptance of the amendment to article 20, paragraph 1 of the Convention, in 2012, as well as the declaration made in 2013 under article 14, paragraph 1 of the International Convention on the Elimination of All Forms of Racial Discrimination that recognizes the competence of the Committee to receive and consider communications, and the ratification of the following international treaties:
  - (a) The Convention on the Rights of Persons with Disabilities in 2010;
  - (b) The Optional Protocol to the International Covenant on Civil and Political Rights, in 2008;
  - (c) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2007; and,
  - (d) The Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty in 2006.

### C. Principal areas of concern and recommendations

Parliament

8. **While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of Government and invites the State party to encourage its parliament, in line with their procedures and where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations between now and the next reporting period under the Convention.**

#### **Constitutional and legislative framework and discriminatory laws**

9. The Committee expresses its concern about:
  - (a) The slow progress of the State party's legal reform aimed at harmonizing its national legislation with the Convention, as well as the delay and the lack of a clear time frame for the adoption of a number of important draft laws;
  - (b) The insufficient implementation of laws aimed at the elimination of discrimination against women;
  - (c) The limited budget allocated to the Anti-Discrimination Council;
  - (d) The lack of awareness by the judiciary of women's rights and relevant domestic legislation and the lack of systematic training on the Convention and national legislation that promote gender equality.
10. **The Committee calls upon the State party to:**
  - (a) **Expedite its efforts to conclude the process of harmonizing its national legislation with the Convention. In doing so, the State party is encouraged to involve the civil society;**
  - (b) **Design strategies, including sensitization of parliamentarians to overcome obstacles to the adoption of pending draft laws, and move towards their adoption in a planned time-frame between now and the next reporting period;**

- (c) **Ensure the effective implementation and enforcement of existing legislation aimed at eliminating discrimination against women, with a view to reducing structural disadvantages which hampers effective realization of substantive gender equality;**
- (d) **Provide the Anti-Discrimination Council with adequate human and financial resources so as to ensure it discharges its role effectively; and,**
- (e) **Provide systematic training to judges, prosecutors and lawyers on the Convention, the Optional Protocol thereto and relevant domestic legislation.**

### **Applicability of the Convention**

11. The Committee takes note of the information provided by the State party's delegation during the dialogue that the Transnistria region is part of the Republic of Moldova and that it is exploring ways to implement the 2013 report of the United Nations Senior Expert Mr. Thomas Hammarberg.<sup>80</sup> However, the Committee remains concerned that women in the Transnistria do not enjoy the same equality protections as women elsewhere in the Republic of Moldova.
12. **The Committee notes the State party's intention to implement the recommendations in the Hammarberg Report, and recommends that it accelerate its efforts to achieve this goal, in line with the recent pledge made by the Prime Minister of the Republic of Moldova to the United Nations General Assembly. The Committee also encourages the State party to abide by its undertaking made during the Universal Periodic Review in 2011 to work on the promotion of human rights in the region of Transnistria. To this end, it should also initiate cooperation with the *de facto* authorities of Transnistria and other relevant stakeholders to afford women in Transnistria greater protection and enjoyment of their human rights.**

### **National machinery for the advancement of women**

13. While noting the information provided by the State party on the re-introduction of gender focal points in the local administration, the Committee is concerned about:
  - (a) The limited cooperation between existing gender equality bodies and relevant Ministries at all levels; frequent staff turnover; insufficient gender mainstreaming within Ministries at all levels; and the insufficient inclusion of disadvantaged women in the formulation of policies and programmes;
  - (b) The limited decision making power, as well as human, financial and technical resources of the national machinery; and,
  - (c) The lack of information on the implementation of the National Gender Equality Programme and its associated National Action Plans (2010-2015) and on the results achieved so far.
14. **The Committee reiterates its recommendation (CEDAW/C/MDA/CO/3, para. 12) that the State party expeditiously strengthen the national machinery for the advancement of women. To this end, it should establish effective cooperation mechanisms between the gender equality bodies and the relevant ministries in order to enhance gender mainstreaming at all levels and in all areas covered by the Convention, including with regard to disadvantaged groups of women. The Committee also calls on the State party to strengthen the Governmental Committee for equality between men and women by giving it greater visibility and authority vis-à-vis relevant ministries, and providing it with the necessary human, financial and technical resources to improve its effective functioning and to enable it to contribute to building of a sound knowledge and expertise on the situation of women in all areas under the Convention. Finally, the State party should implement the Gender Equality Programme, and provide, in its next periodic report, detailed information in this regard.**

<sup>80</sup> Hereinafter "Transnistria" or "Transnistria region". Reference to the *de facto* authorities does not amount to the Committee's recognition of their legitimacy, nor should it be interpreted to confer recognition of any legal status of the disputed territory.



### Temporary special measures

15. While noting that some temporary special measures have been inserted in the proposed amendment to the Law on Government to encourage the participation of women in political life, the Committee is concerned that similar legislative attempts to introduce quotas for women candidates on political parties' lists have failed. The Committee is further concerned about the lack of understanding of article 4, paragraph 1, of the Convention, and that temporary special measures are not being used in other areas covered by the Convention to accelerate the achievement of de facto equality of women and men.
16. **The Committee urges the State party to expedite its efforts to adopt the proposed amendment to the Law on Government and to sensitize parliamentarians on the importance of women's engagement in public life. The Committee further recommends that the State party adopt temporary special measures, in accordance with article 4, paragraph 1, of the Convention, where women, including women from ethnic minorities and women with disabilities, are underrepresented or disadvantaged, and evaluate and publish gender impact analyses of these measures.**

### Stereotypes

17. The Committee reiterates its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society (CEDAW/C/MDA/CO/3, para. 18). It notes that such attitudes and stereotypes are root causes of (1) women's disadvantaged position in the State party in political and public life; (2) violence against women in the State party; and (3) gender segregation as reflected in women and girls' educational choices and employment options. In addition, the Committee is concerned about the persistent stereotyping of older women and women with disabilities, as well as about the existence of sexist advertisements. Lastly, it is concerned that although the State party is a secular state, religious institutions often perpetuate traditional gender roles in the family and in society and influence state policies with an impact on human rights.
18. **The Committee urges the State party to:**
  - (a) **Eliminate all forms of gender-based discrimination throughout the education system and in informal education programmes with a view to removing gender stereotypes from educational materials; incorporating human rights education in school curricula; and, introducing mandatory courses in all teacher training programmes on ways and which schooling reproduces gender inequalities;**
  - (b) **Develop a comprehensive strategy across all sectors targeted at women and men, girls and boys, to overcome patriarchal and gender-based stereotypical attitudes concerning the roles and responsibilities of women and men in the family and in society;**
  - (c) **Develop public awareness programmes and training programmes for decision-makers, employers, youth, and disadvantaged groups of women, including older women and women with disabilities, on women's rights in all areas covered by the Convention;**
  - (d) **Expediently adopt the Law on Publicity that aims, among other things, to prohibit the use of sexist advertisement and ensure its effective implementation; and,**
  - (e) **Ensure that local authorities promote policies based on gender equality principles, without interference of religious institutions.**

### Violence against women

19. While welcoming the adoption of the Law on Preventing and Combating Family Violence in 2008 which introduced new protection measures, as well as the amendment to the Criminal Code in 2010 criminalizing domestic violence and marital rape, the Committee reiterates its serious con-

cern about the high prevalence of domestic violence, including against older women, which is coupled with a lack of a comprehensive data collection on the magnitude and forms of violence against women. The Committee further expresses its concern at the following:

- (a) The inconsistent application by the courts, prosecutors and police of laws aimed at combating domestic violence, which undermines women's trust in the judicial system, as well as the lack of awareness among women of existing legal remedies;
- (b) The failure of the police and prosecutors to give attention to low level injuries and that it often takes repeated acts of violence to initiate criminal investigations; and the reluctance of the police to intervene in cases of domestic violence within the Roma community;
- (c) The ineffectiveness of protection orders against alleged perpetrators which are either not issued by courts or issued with delays; the failure of police officers to enforce protection orders; the lack of sufficient support services to victims from rural areas and the Transnistria region, including shelters; and the non-coverage by the State system of legal aid to victims of gender-based violence;
- (d) The low rate of reporting of sexual violence cases, including rape, and the ineffective investigation and prosecution in such cases; and,
- (e) Reports concerning some Moldovan migrant women who upon return to the country are stigmatized and at risk of sexual violence.

**20. Recalling its General Recommendation No. 19 (1992) on violence against women, the Committee urges the State party to:**

- (a) Strengthen the enforcement of the Criminal Code and the Law on Preventing and Combating Family Violence, and other relevant domestic law, and ensure that all women and girls, including in particular older women, Roma women and girls, women and girls with disabilities, are protected from violence and have access to immediate means of redress; launch ex-officio investigations in all such crimes and ensure that perpetrators are prosecuted and punished commensurate to the gravity of the crime;**
- (b) Expedite its efforts to amend the Law on Preventing and Combating Family Violence to supplement the court-ordered protection with a system of police-ordered protection so as to enable the issuance of police emergency protection orders;**
- (c) Remove any impediments faced by women in gaining access to justice and ensure that legal aid is made available to all victims of violence; encourage women to report incidents of domestic and sexual violence by raising awareness about the criminal nature of such acts; provide adequate assistance and protection to women victims of violence, including Roma women; and increase the number and funding of shelters and guarantee national coverage extending to women from rural areas and the Transnistria region;**
- (d) Ensure that all investigations of acts of sexual violence, including those committed against Moldovan migrant women, are carried out in line with international standards of investigation, including by amending the existing guidelines on investigation of rape and other sexual assaults;**
- (e) Enhance the system of data collection to ensure that data are disaggregated by type of violence and by the relationship of the perpetrator to the victim, support research in this field and ensure that the information and collected data are made available to the public; and,**
- (f) Ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence.**

### **Trafficking and exploitation of prostitution**

21. While acknowledging the State party's efforts to combat trafficking, the Committee is concerned that the State party remains a country of origin for trafficking in persons for purposes of sexual and labour exploitation, and that sentences of trafficking offenders are lenient. The Committee is particularly concerned that children whose parents have migrated abroad as well as women who have experienced domestic violence are particularly vulnerable to trafficking. The Committee is further concerned about insufficient rehabilitation and reintegration services for women and girls who are victims of trafficking, particularly in the Transnistria region of the Republic of Moldova. Lastly, the Committee is concerned that while prostitution is illegal in the State party according to the Administrative Offences Code, only women in prostitution and not their clients are subject to punishment.
22. **The Committee calls upon the State party to:**
  - (a) **Ensure the timely prosecution and commensurate punishment of traffickers, as well as review its sentencing policy in trafficking cases;**
  - (b) **Provide mandatory and gender-sensitive training for judges, prosecutors, police officers and other law enforcement officers on legal provisions related to trafficking;**
  - (c) **Effectively implement the National Action Plan attached to the National Referral System Strategy aimed at early identification and referral of victims of trafficking, and undertake preventive measures such as raising awareness on the risks of trafficking for disadvantaged and marginalized groups of women; and,**
  - (d) **Review its laws on prostitution in order to ensure that women in prostitution are not discriminated or penalized by administrative fines, and intensify its efforts to support women who wish to leave prostitution, and implement measures to decrease the demand for such acts and consider introducing sanctions for sex buyers.**

### **Participation in political and public life**

23. The Committee notes the proposed amendment to the Law on Government that provides for a mandatory 40% quota of female candidates on political parties' lists, as well as the proposed amendment to the Law on Financing Political Parties that provides for monetary incentives to political parties promoting female candidates. The Committee is particularly concerned at the continued low representation of women in Parliament and in government positions at the State, national and local levels. The Committee is further concerned that disadvantaged groups of women, including Roma women and women with disabilities, are, in practice, almost completely excluded from political and public life.
24. **The Committee recommends that the State party:**
  - (a) **Study the root causes that prevent women from participation in public and political life and design strategies to overcome obstacles, and take effective measures to ensure that the proposed temporary special measures aimed at advancing women in political life and in leadership positions are swiftly adopted;**
  - (b) **Increase its efforts to provide training and capacity-building for women to enable them to enter public office and enhance awareness-raising campaigns on the importance of women's full and equal participation in political and public life; and,**
  - (c) **Introduce procedures to ensure effective participation of Roma women and women with disabilities in elected offices and appointed bodies.**

## Education

25. While noting the high level of education of women and girls in the State party, the Committee remains concerned about the persistent segregation of women and girls into traditionally female dominated fields of study at the post-secondary level and their underrepresentation in engineering, technological and other fields of education, which negatively impact their chances of integration into higher paying sectors in the labour market. The Committee further expresses concern about the limited access to mainstream and inclusive education by Roma girls and girls with disabilities which result in their low enrolment rates and the high drop-out rates at the primary school level, as well as at the negative attitudes towards Roma among teachers and school administrators.
26. **The Committee recommends that the State party:**
- (a) **Encourage young women to choose non-traditional fields of study and professions, including through the adoption of temporary special measures, and implement programmes aimed at counselling boys and girls on the full range of educational choices; and,**
  - (b) **Promote access by Roma girls and girls with disabilities to quality mainstream and inclusive education and their retention at all levels of education, by tackling anti-Roma sentiment, and raising awareness on the importance of education as the basis for the empowerment of women, and strengthening the implementation of re-entry policies enabling such drop-out girls to return to school.**

## Employment

27. The Committee is concerned about the continued occupational segregation and over-representation of women in the lowest-paid sectors which also result in low pensions for women; the lack of implementation of the principle of equal pay for work of equal value and the persistent gender wage gap; and the exclusion of Roma women and women with disabilities from the formal labour market. The Committee is further concerned that women working in the informal sector, including rural women and older women, are not covered by social and legal protection. The Committee reiterates its concern about overprotective maternity leave in the Labour Code and the lack of parental leave that reinforces the unequal division of family responsibilities between women and men, and may drive women into unemployment and poverty. The Committee also expresses its concern at the different mandatory retirement ages for men and women (57 years for women as compared to 62 years for men) as well as at the impact that early, unequal retirement has in reinforcing stereotypes and driving many older women into poverty.
28. **The Committee recommends the State party to:**
- (a) **Strengthen efforts to eliminate occupational segregation including through the adoption of temporary special measures, and adopt measures to implement the principle of equal pay for work of equal value and to narrow and close the gender wage gap by applying job evaluation schemes in the public sector connected with wage increases in sectors dominated by women;**
  - (b) **Increase access by Roma women, rural women, women with disabilities and older women to formal employment, inter alia, by ensuring the effective implementation of the Gender Equality Strategy (2010-2015);**
  - (c) **Intensify its efforts to review the provisions of the Labour Code on maternity and paternity leave and engage trade unions and women's organizations, with a view to enabling women and men to reconcile professional and family responsibilities;**



- (d) **Raise the retirement age for women and equalize it with that for men, and expand pension schemes so as to ensure at least the minimum subsistence level for women and men; and,**
  - (e) **Consider ratifying ILO Convention No. 189 (2011) concerning Decent Work for Domestic Workers.**
29. While noting the existing prohibition of sexual harassment in the Law on Equal Opportunities between Men and Women, the Committee regrets the lack of enforcement measures. The Committee notes the insertion of article 173 in the Criminal Code that criminalizes sexual harassment, but regrets the lack of information on court cases applying this provision. The Committee is particularly concerned that in practice, women who have suffered from sexual harassment often resign from their jobs and that perpetrators often enjoy impunity.
30. **The State party is urged to disseminate and effectively implement the laws prohibiting and criminalizing sexual harassment at the workplace; ensure that women are aware of those laws and have access to effective civil and criminal law remedies; and collect sex-disaggregated data on the number and outcome of labour inspections, court cases and administrative complaints related to sex-based labour discrimination and sexual harassment in the workplace.**

### Health

31. The Committee is concerned about the high rate of abortion and the low use, availability, affordability and accessibility of modern forms of contraception, particularly in the Transnistria region and rural areas, which indicate that abortion is used as a method of birth control. The Committee is particularly concerned about reports of practices of coercive sterilization, including in particular women with disabilities, rural women, and Roma women. The Committee notes with concern that the current Ministry of Health regulation on sterilization specifies mental disability as an indicator for sterilization. The Committee is further concerned about the lack of education programmes on sexual and reproductive health and rights in schools, and the lack of sex-disaggregated data. The Committee is also concerned at the limited access and affordability of health care for older women.
32. **The Committee urges the State party to:**
- (a) **Ensure availability, accessibility and affordability of modern methods of contraception for girls and women;**
  - (b) **Expand the availability of medically safe modern methods of abortion, including in Transnistrian region and rural areas;**
  - (c) **Raise awareness about the importance of using contraceptives for family planning, and consider including abortion as well as contraceptives in the basic insurance package;**
  - (d) **Amend and develop the regulatory framework as well as guidance provided to medical practitioners to ensure that sterilization is only carried out in conformity with international law, in particular with the free and informed consent of the women concerned;**
  - (e) **Introduce age-appropriate education on sexual and reproductive health and rights in the school curricula, including on responsible sexual behaviour;**
  - (f) **Ensure access and affordability of health care to older women and train health workers on geriatric care; and,**
  - (g) **Integrate a gender perspective in all health interventions and policies and collect and analyse sex-disaggregated data.**

**Rural women**

33. The Committee is concerned about the situation of women in rural areas who are more vulnerable to violence and poverty, and who have limited access to land, credit, health and social services, and participation in decision-making processes at the community level.
34. **The Committee recommends the State party to:**
- (a) **Take immediate steps to implement effective measures to eliminate discrimination against rural women in all areas covered by the Convention, including through the use of temporary special measures in line with article 4, paragraph 1, of the Convention and the Committee's General Recommendation No. 25 (1992);**
  - (b) **Intensify efforts to enhance the economic and political empowerment of women in rural areas; and,**
  - (c) **Include in its next periodic report information and gender-disaggregated data on rural women's access to land, credit, social and health services, and to the formal labour market, and integrate a gender perspective in the draft law on Land.**

**Disadvantaged groups of women**

35. While noting the adoption of the Action Plan to support the Roma population for 2011-2015 and the on-going establishment of Roma Community Mediators at the community level, the Committee is concerned about the inadequate financial resources allocated to the implementation of the Action Plan, and that only 15 Mediators have been appointed so far.
36. **The Committee urges the State party to implement and allocate adequate funding to national action plans and strategies aimed at eliminating all forms of discrimination against Roma women and girls, and appoint, without delay, qualified Roma Mediators in all Roma communities and allocate adequate funds to this post.**
37. The Committee notes the limited information and data available on other disadvantaged groups of women, such as older women and women with disabilities. The Committee is concerned about the marginalization of these women and their vulnerability to intersecting forms of discrimination. The Committee is particularly concerned about the situation of women with disabilities in residential institutions, where they are at high risk of abuse, including sexual assault. The Committee is further concerned that such acts are often unreported and that perpetrators are rarely brought to justice. Lastly, the Committee is concerned about the discriminatory guardianship system for women with intellectual and psychosocial disabilities permitting the removal of their legal capacity.
38. **The Committee calls upon the State party to:.....**
- (a) **Collect comprehensive statistical data in its next census disaggregated by sex and age on the situation of disadvantaged groups of women, including Roma women, women with disabilities, rural women and older women, in all areas covered by the Convention;**
  - (b) **Take effective measures, including temporary special measures, with a view to accelerating the realization of substantive equality for such disadvantaged groups of women;**
  - (c) **Disseminate and ensure implementation of the 2012 Law on Social Inclusion of Persons with Disabilities, including by creating mechanisms to enforce quotas concerning employment of persons with disabilities;**

- (d) Effectively investigate all cases of sexual assault against women with disabilities in residential institutions; facilitate access to quality reproductive health care to such women; and ensure that all medical interventions are based on informed consent; and,
- (e) Reform the guardianship system so as to bring it in conformity with Article 12 of the Convention on the Rights of Persons with Disabilities.

#### **Marriage and family relations**

- 39. The Committee is concerned about reports of child marriage within some Roma communities and about the lack of systematic action taken by the State party to address this harmful practice, despite the legal prohibition of early marriage. The Committee is also concerned about information received that following divorce or death of the husband, women are, in practice, often denied their right of inheritance.
- 40. **The Committee recommends that the State party, ensure that the social welfare and other state agencies, take measures to combat the practice of child marriage and effectively implement the law prohibiting early marriage. The Committee also recommends the State party to raise awareness among Roma communities about the legal prohibition of child marriage, as well as on their negative effects on girls' health and education, in cooperation with community leaders. The Committee urges the State party to ensure the full implementation of the provisions on inheritance/succession contained in the Civil Code and to close the gap between the law and practice, in line with paragraphs 51-53 of the Committee's General Recommendation No. 29 on Economic consequences of marriage, family relations and their dissolution (2013).**

#### **Beijing Declaration and Platform for Action**

- 41. **The Committee calls upon the State party to utilize the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.**

#### **Millennium Development Goals and the future framework**

- 42. **The Committee calls for the integration of a gender perspective in accordance with the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals as well as in the new development framework as of 2015.**

#### **Dissemination and implementation**

- 43. **The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests the timely dissemination of the concluding observations, in the official language of the State party, to the relevant State institutions at all levels, in particular to the Government, the ministries, the Parliament, and to the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organizations, universities and research institutions, media, etc. It further recommends that its concluding observations be disseminated in an appropriate form at the local community level, to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, its Optional Protocol and jurisprudence, and the Committee's general recommendations to all stakeholders.**

### Ratification of other treaties

44. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>81</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the treaties to which it is not yet a party, i.e., the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.

### Follow-up to concluding observations

45. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 20(a, b, c and d) and 28(b) above.

### Preparation of the next report

46. The Committee invites the State party to submit its sixth periodic report by October 2017.
47. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).
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<sup>81</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.