



Vulnerability Study

Taxonomy and possible decentralization policy implications for vulnerable groups in Moldova

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Vulnerability Study

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Table of Contents

1. Introduction	4
2. Vulnerability Criteria and Groups Characteristics.....	7
2.1 <i>Vulnerability and Human Rights</i>	7
2.2 <i>Vulnerability criteria</i>	8
2.3 <i>The choice for vulnerability approach</i>	12
2.4 <i>Vulnerable Groups Justification and Characteristics</i>	12
3. Evidence of and recommendations on vulnerable groups from international bodies.....	22
4. Review of good practices and policies to address causes and consequences of vulnerability	34
4.1 <i>Types of vulnerability and severity</i>	34
4.2 <i>Evidence from international sources on the causes of groups' vulnerability</i>	38
4.3 <i>Evidence of good policies and development programs</i>	39
5. Implications for decentralization	43
5.1 Evaluation of implication of decentralization on the vulnerable groups.	43
5.2 Decentralization and its possible impact on vulnerable groups.....	45
6. Conclusions and recommendations.....	47
6.1 Analysis	47
6.2 Recommendations	48
7. References	51
8. Annexes.....	54

1. Introduction

Scope and Objectives

This paper aims at providing of an account of the vulnerable groups and outlines how the process of decentralisation can have potential consequences on them. The research develops a classification of the vulnerable groups based on the vulnerability criteria. It systematizes existing evidence from the national and international sources on the factual existence of the groups, discusses the concerns led to their vulnerability identification and reviews possible underlying causes behind these groups' status of vulnerability. It tries to make an expert assessment on the potential positive and negative implications for the decentralization on these groups.

Background

Over the period 2000–2008 the economy of Moldova registered cumulative growth of 67.2%, although this only represented 56.9% of total output in 1990. In 2009, deepest economic crisis experienced since the beginning of transition—the GDP collapsed by 6.5%. The economic growth occurred by 2009, driven by migration and remittances, contributed to a reduction in poverty and an increase in the population's income; thus helping to establish improved access to healthcare and education. With a per capita GDP of 1800 USD, Moldova has the lowest incomes in Europe. The poverty trend realized in 2008, people whose consumption was less than 4.3 dollars per day and the absolute poverty rate by 2010. In regards to extreme poverty, in 2007 and 2008, Moldova succeeded in achieving a reduction in the level of extreme poverty.

Moldova is paving its way towards European integration. EU and Moldova negotiate comprehensive bilateral agreement that upon successful completion will open perspectives for Moldova institutional integration. The decentralization of the power and bringing the decision-making process closer to citizens is one of the cornerstone principles of the European democracy. Social coherence and better integration of the various groups of the society represents one of the pillars of the European inclusive democratic societies.

European integration is the process for all citizens of Moldova, not for the groups that enjoy dominant or privileged position in the society. Important processes such as the decentralization are deemed to be evaluated against its possible impact on the vulnerable groups as part of the society.

Methodology and constraints

The key approach of the paper in identifying the vulnerable groups is the de facto, their real existence and their real situations and problems of the segments and groups of population that are consequently classified as vulnerable groups. The groups are further analyzed from the perspective of the causes of the vulnerability, the existing current policies and the negative effects produced by these policies. We also produce an account of the good practices and policies relevant to the existing situations and provide some detailed recommendations that could be taken aboard in the process of the decentralization.

The research is produced based on the thorough review of the existing trustful secondary sources. The definition of the vulnerability and the recognition of the vulnerable groups are approached from the practical and pragmatism terms. The existing evidence, information and data on the groups could not be

negated. Substantial amount of evidence produced by national and international sources make the foundation of these findings.

The paper has not undertaken first hand collection of data and information, qualitative or quantitative.

Earlier drafts of the paper have been reviewed and have been subject of the several public consultations. The first draft of the paper has been circulated to smaller group of experts and knowledgeable people and their comments and recommendations have been taken aboard for next versions. Paper's approach, methodology, preliminary findings, conclusions and recommendations have been discussed during a workshop organized with the wide spectrum of the representatives of the civil society, this workshop comments have been inputted into the prefinal draft of the research. The pre-final draft of the research has been presented to a core group of experts, consultants from within the Government of Moldova, UNDP, UN Women, UNICEF, SIDA and other donor organizations as well as to the representatives of the civil society. Additional individual reviews have been received. All these comments have been at best incorporated and reflected upon in the current version of the paper.

Conclusions and recommendations

Moldova, as other European countries, does have segments and groups of its society that find themselves in the particularly vulnerable situation. Embrace of the European values of social cohesion, solidarity, responsibility for everyone, imposes first frank recognition of the reality about the fate and lives of less favored of our society. This frank and open recognition of the real and defacto existence of the vulnerable groups is primarily and necessary an act of self-awareness and country's approachment to its European future. Most vulnerable groups situations are a legacy of the past, are results of the policies that kept Moldova at distance from its historical belonging to the wider modern Europe's values.

The second comes the intelligence and informed acceptance of the required change regarding these vulnerable groups that Governmental policies should undertake consistently and systematically to bring social cohesion, integration and opportunities for everyone real. The type and severity of vulnerability differs from one group to another, unfortunately, some groups face most severe and deep state of multiple exclusions, discrimination and marginalization and the societal efforts required to reverse the situation should be bold and systematic.

Generic recommendations for the vulnerable groups in the process of decentralisation should imply principles of: 1) participation and representation of these groups, 2) transparency and accountability before and for the relevant decisions, 3) subsidiarity and devolution in the interest of the vulnerable groups.

On participation and representation part generic recommendations are: a) election process in local councils should include quota (reserved place) for participation of vulnerable groups conditioned with a certain percentage (starting 5-7%) of vulnerable group population; b) non-elected public servants positions should be subject of affirmative action program of better representation of vulnerable groups representatives or at least appointed responsible persons handling interests of the vulnerable groups as paid or non-remunerated positions; c) introduction of quota places for the participation and representation of the vulnerable groups in the local councils, by reserved places (when proportion of vulnerable groups reach certain percent, say 5-10% and election process does not yield vulnerable group representation) or proportionate places;

On transparency/accountability part generic recommendations are: a) governmental policies elaboration process and regional authorities decisions should encompass the component of the

Vulnerability Study

vulnerable groups impact analysis (or more generically Human Rights Impact Analysis); b) central authorities decisions affecting local communities are subject to impact on vulnerability; c) decisions of local authorities are subject of publication and availability for review by the interested parties and vulnerable groups, including designing and redesigning of territorial borders related to use and exploitation of assets and resources;

On subsidiarity part generic recommendation are: a) decentralization of certain percent of the educational curricular (and linguistic) content, local curricular (up to 30%), for the decision of rayon and local authorities with matching funds from central authorities for innovation; b) decentralization of the determination of the eligibility of the social cash programs, while the criteria set by central government; c) accessibility of local authorities to central government grants and subsidies for the creation of the local community centers to serve the needs of the vulnerable groups; d) local authorities of first level accessibility to establishment of centers for family doctors and medical points with matching funds from central government.

Paper roadmap

The Study is structured into 5 substantive chapters. Chapter on Vulnerability criteria and vulnerable groups' characteristics provides account of the vulnerable groups, their key characteristics based on the publicly available credible evidence and information. The next chapter on Evidence of and recommendations on vulnerable groups from international bodies reviews UN, CoE and other specialized international bodies conclusions and policy recommendations (these recommendations refer to general situation and also relevant for the process of decentralisation); this chapter reaffirms the legitimacy of the de facto existence of the vulnerable groups from the perspective of the recognition of the violations of individual and groups' human rights. The following chapter on Review of good practices and policies, brings a synthesis information on the relevant research understanding of the causes of the negative impact of the vulnerability and the policies and practices, individually or as a mixture that prove to work, change and reverse the negative impact of the vulnerability.

The chapter on the implication of the decentralization provides an expert analysis of the possible decentralization policies and how these possible decentralization options could affect positively or negatively the vulnerable groups' rights. The final substantive chapter on conclusions and recommendations brings a set of generic recommendations in the process of the government's proposed decentralisation process and list these recommendations with regard to the identified vulnerable groups.

These recommendations are based on the earlier chapters reviewed good practices and only those selected that are proper for the process of the decentralisation.

2. Vulnerability Criteria and Groups Characteristics

2.1 Vulnerability and Human Rights

This research reviews a number of secondary sources and studies that prove that vulnerable groups' neglect resulted into the violation of these groups and their individual members' human rights. A view that states that violation of human rights requires a formal constation by authorities to be recognized as a situation of the violation of human rights and then measures are to be undertaken is not only conservative but is also not in compliance with the human rights standards and principles. Weak or undeveloped institutional structures, inadequate skills and absence of adequate representation rarely capture and respond to the cases and even fail to capture series of types of cases of the violation of human rights. This only means that authorities formal recognition of the human rights violations (capturing only part) should not be taken as the only true basis for the understanding of the many other situations and cases of the violations of human rights.

Various international specialized bodies and specialized organizations provide findings on the types of violations that have not been captured by the government, based on the rigorous research, wealth of experience and expertise. These findings help understand better a reality and a de facto situation of the society. In the fate of absence of the comprehensive and reliable government generated data on the situation of various groups, the efforts of the specialized bodies and organization is invaluable contribution for the country to develop and apply relevant policies.

Violations of human rights in behalf of the groups and individuals who are characterized as vulnerable based on one or several vulnerability criteria are observed in strong correlation. Therefore, understanding the real situation groups' vulnerability prompts better understanding of the possible and actual human rights violations, of which many are not captured and formally recognized. The thinking and analysis of the human rights based approach in the development interventions refers to the vulnerable groups based on some criteria and de facto situations of the groups and segments of the society.

Vulnerability frequently linked to the fault lines. Fault lines are those characteristics that divide formally the society along some criteria as language, societal status, income, age, etc. Fault lines might trigger vulnerability status for some groups depending on the real situation state of these groups. Generally, fault lines characteristics transform into vulnerability criteria and subsequently groups become characterized as vulnerable groups when we authoritatively find violations of these groups' rights and also in comparison with other groups. It is not always that fault lines transform into vulnerable criteria, yet depending on the exact societal situation and the underlining causes, we can state that human rights of some vulnerable groups are violated and it is given the groups belonging to these particular criteria.

The constation of the act of violation of human rights is an action that requires efforts to qualify and establish as well as to bring individual evidence, the later capacities might be missing, therefore, the approach of the vulnerability suits better in the society development interventions. At the same time, the analytical instrumentaria of human rights (normative setting particularly) is a strong and powerful approach for the countries that aline themselves with the principles of human rights values, human rights are codified well in international standards and become mandatory for the countries. Human rights offer comprehensive guidance in societal development and also represent the targets for the societal developments. As one authoritative source stated:

The Committee wishes to point out that the principle of equality sometimes requires States parties to take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination prohibited by the Covenant. For example, in a State where the general conditions of a certain part of the population prevent or impair their enjoyment of human rights, the State should take specific action to correct those conditions. Such action may involve granting for a time to the part of the population concerned certain preferential treatment in specific matters as compared with the rest of the population. However, as long as such action is needed to correct discrimination in fact, it is a case of legitimate differentiation under the Covenant¹.

Therefore, governmental policies and foreign assistance should aim at the improvement of the situations of the vulnerable groups to prevent and addresses created conditions for the de facto and real violations of human rights.

2.2 Vulnerability criteria

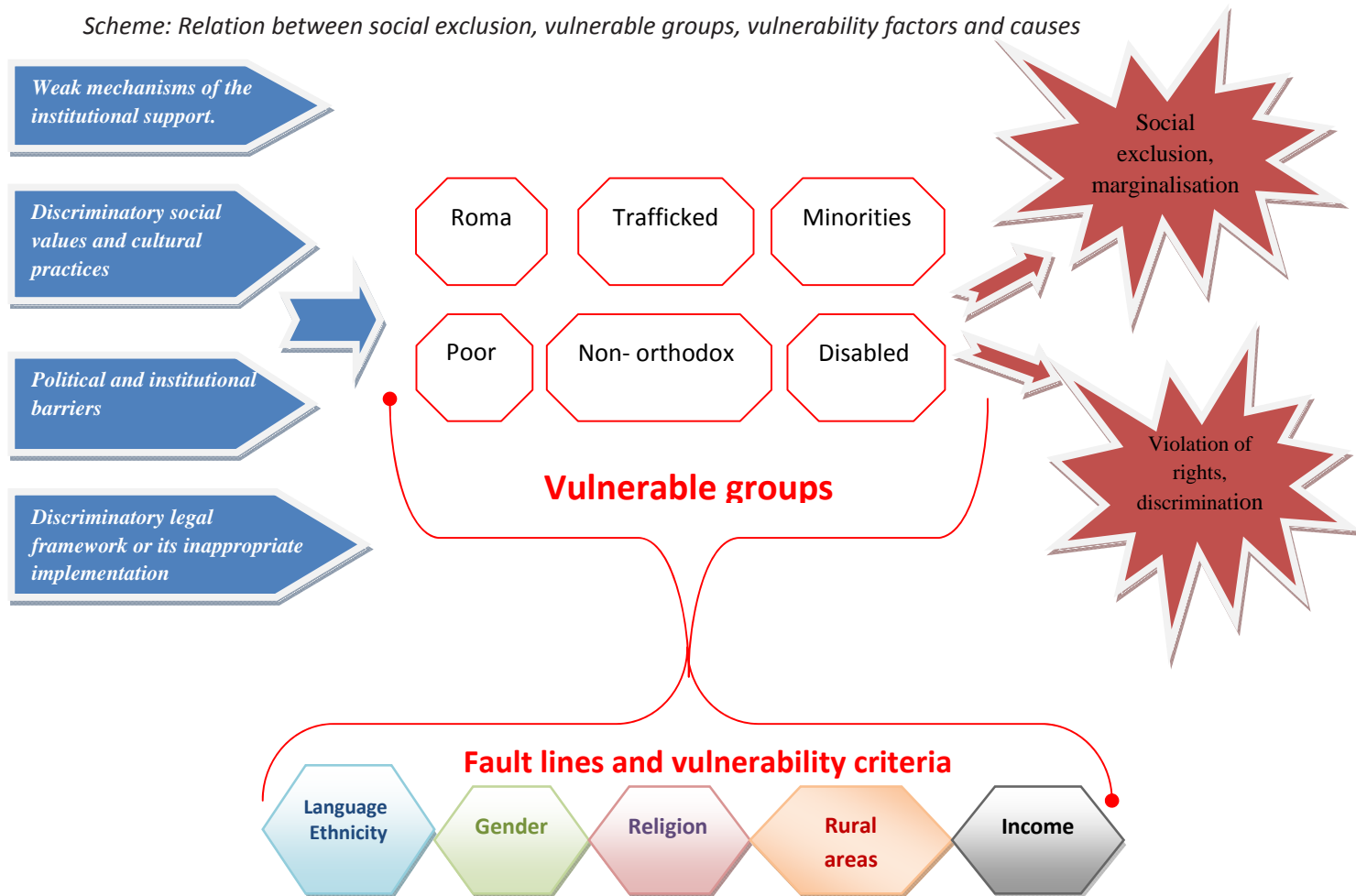
Various approaches exist to identify and characterize vulnerable groups, excluded groups, and discriminated groups. This paper argues that there should be pragmatic approach when recognizing the situations of the real groups facing exclusion, discrimination, and marginalization.

Vulnerability is not commonly accepted concept. The concept has interlinks with the notion of social exclusion, poverty, discrimination and marginalization. The social exclusion is the result of interplay of some determining factors. The social exclusion represents the effect of series of the interrelated problems that are, in sequence, determined by some root causes, or interplay of factors. The interplay of the determining factors are associated and manifested along some specific lines and characteristics that make up the vulnerability characteristics. We present the link between social exclusion, vulnerability and causes as follows:

¹ OHCHR, 1989, CCPR General Comment No. 18, p. 10

Vulnerability Study

Scheme: Relation between social exclusion, vulnerable groups, vulnerability factors and causes



The Eurostat Task Force for Statistics on Poverty and Social Exclusion has separated *social exclusion* from poverty and views it "as a dynamic process that shows itself on descending levels: certain disadvantages lead to exclusion that, on its turn, leads to an even worse situation [...] and ends up with a range of multiple and long-term disadvantages. Individuals, households can be excluded from the access to resources, such as employment opportunities, healthcare, education and political and social life".

European Commission states² that *social exclusion* is a process whereby certain individuals are pushed to the edge of the society and prevented from participating fully to the social life by virtue of their 1) poverty, 2) lack of basic competencies and lifelong learning opportunities, or 3) as a result of discrimination. Respectively, this distances them from job, income and education opportunities, as well as social and community networks and activities. They have little access to power and decision-making bodies and thus often feeling powerless and unable to take control over the decisions that affect their day to day lives.

The excluded are individuals and/or groups of individuals deprived of full participation in economic, social, cultural and political life of the society they live in. Individuals can be excluded for various reasons: 1) *given their personal characteristics* (elderly people, ill people, people with disabilities, poor, immigrants, vulnerable women and children); or 2) *given their social/cultural characteristics* (such as religion, race, ethnicity, class, language, etc.). Therefore, the majority of vulnerable groups are usually excluded on at least one dimension of the aforementioned is much higher if certain components of social exclusion interact, influencing each other and creating thus a chain of multiple deprivations.

Social exclusion is a multi-dimensional process that involves and combines a number of factors. Researches in this area tried to summarize the multiple forms of exclusion³:

- Exclusion from the *economic life* as a result of and resulting in the inequity in holding goods and incomes, as well as the decrease in employment opportunities.
- Exclusion from *social services* as a result of unequal access to a range of services – education, healthcare and housing, social protection, etc. – generating visible effects on human outcomes (education, healthcare, nutrition).
- Exclusion from the *political participation* as a result of and resulting in inequalities of distribution within the group of political opportunities and power at all levels (including political, bureaucratic and military power) and unequal access to justice, liberty and institutions.
- *Cultural exclusion* as a result of and resulting in differences in acknowledgement (de facto) of the ranking of cultural norms, traditions and customs of various groups.

In order to determine what represent vulnerable groups in Moldova, some advanced the approach of the understanding of the vulnerability criteria or so called fault lines. The *vulnerability criteria or fault lines* are the characteristics along which the vulnerability of groups is determined. These are related to:

- *Class, well-being and access to resources*;
- *Gender relations*, formal and informal rules for women and men, boys and girls on equal opportunities in decision making, control over resources and participation, including their impact on social status of these people;
- *Ethnic background* (how social norms and practices of dominant ethnic groups define the degree and forms of discriminatory practices that the disadvantaged groups are subject to);
- *Language* (how the communities speaking the dominant language have more opportunities for inclusion and how this results in inequality between the people speaking the languages of the minority and the majority of population);

² P.10, European Commission.DGMPL, Joint report on social inclusion. 2004.

³ Silver, H., Social exclusion and social solidarity: three paradigms, International Labour Review, vol. 133, no. 5-6, 1994 ss. 531-578.

Vulnerability Study

- *Religion* (how dominant religious groups define the attitudes and behaviors towards other religions that could include discriminatory practices);
- *Place of residence* or geographical access (how the place of residence influences the access and exclusion. For example, the access of the population from the capitals of different countries in comparison with the rural areas, etc.), and others.

Discussing the causes of the problems, one can summarize them into categories:

- *Weak mechanisms of the institutional support.* They can be inadequate, have a poor functioning, have a low quality and incapacity to respond and thus unable to create opportunities for those who are at risk to fall into social exclusion. Private institutions, civil society organizations, as well as certain private financial institutions and service providers can contribute to social exclusion due to the fact that they do not develop programmes targeted at excluded groups or services that would meet their needs.
- *Discriminatory legal framework or its inappropriate implementation.* Imperfect legislation can boost the exclusion of social groups. Sometimes, legislation can be appropriate, it can provide measures of protection for disadvantaged groups, but the reduced capacities for its enforcement make it useless.
- *Discriminatory practices resulting from the act of favouring certain people.* Preconceptions and discrimination resulted from social and political privileges can also lead to social exclusion. For example, giving preference to certain groups and the discrimination based on ethnicity and gender can produce social exclusion of certain categories of people from the labour market, etc. In extreme cases, direct hostility and violence against certain groups can generate social exclusion.
- *Political and institutional barriers.* The public institutions can contribute to social exclusion through the lack of understanding of the dynamics of vulnerability, poverty and exclusion or through a formal monitoring. The decision-making process can be inefficient for the protection of the excluded groups mostly due to the lack of involvement and shortage of resources.
- *Discriminatory social values and cultural practices.* Social exclusion can persist also at cultural and traditional levels. In this respect, cultural exclusion as the differentiated access of social groups to the benefits of material and social welfare, when causes are not structural. Respectively, individuals, families and community, as well as State institutions can generate, through their actions, exclusion processes within the vulnerable groups.

Some groups qualify under several vulnerability criteria, others meet only one criterion. Some groups' vulnerability is explained by several underlining causes, yet in practice there is one particular cause. The manifestation of the negative consequences and impacts on the groups can take multiple forms and for some groups they might be firmly and deeply entrenched into groups' societal environment. There could not be a hierarchy among vulnerable groups.

2.3 The choice for vulnerability approach

Of its 4.26 mln population, proportion of population under 18 is about 25% and the proportion of population above 60 is 15%, 55% of population is rural.

In Moldova, the vulnerability of groups has been identified along the lines of: 1) income, 2) age, 3) disability, 4) language/ethnicity, 5) religion, 6) rural regions 7) gender, 8) occupation. Empirical data and research show the availability of hard and soft data and multiple sources of information, including non-governmental sources of information.

Classification of the vulnerable groups by evidence generated on the basis of the fault lines, include:

- Poverty: a) elderly, b) large households, c) children;
- Age (subject of exclusion from participation, stigma, unemployment): a) elderly, b) young people, c) children;
- Disability (subject of exclusion, stigma, inadequate participation): a) persons with mental disability, b) Children with disability,
- Language/ethnicity (inadequate access to education, stigma,): a) Roma, b) Bulgarians, c) Ukrainians, d) Gagauz, e) Moldovans in Transnistria.
- Religion (registration difficulties, religious services, stigma): a) Muslims, b) Non-orthodox Christian, c) Jews.
- Rural regions (inadequate access to infrastructure, high unemployment): a) children of educational age, b) active part of population.
- Gender (stigma, employment, level of pay): a) women, b) LGBTI, c) trafficking, domestic violence.
- Occupation (inadequate access to markets): a) agricultural entrepreneurs.

2.4 Vulnerable Groups Justification and Characteristics

This section provides a short account of the identified vulnerable groups and their description based on the described criteria. The description and identification is done as per available data and information.

2.4.1 Income criteria/poverty

2.4.1.1 Poverty remains an important factor for the vulnerability.

More than 100 000 people are under the extreme poverty. The poverty is concentrated in small towns. The poverty rate has diminished over the last few years given the economic growth in the country. Households with low income, under poverty make up 26% of the society; most of them concentrate in rural towns and in rural areas⁴, and 5% under extreme poverty⁵. In 2006, 30.2% of the population was living in absolute poverty and 4.5% in extreme poverty. Despite these gains, starting from 2008, absolute poverty increased for the first time in the previous three years, reaching 26.4%, compared to

⁴ World Bank (2006). Moldova: Poverty update. Report No. 35618-MD.

⁵ <http://www.undp.md/mdg/MDG1/poverty.shtml>

25.8% in 2007, mainly due to its extension into rural zones and a drop in remittances.⁶ The most relevant option to identify the poor persons is through the new program of social aid, which is partly implemented by the local authorities that identify those eligible and needed. Therefore in each locality, persons that have less than 740 lei per member of household per month are screened by local authorities.

2.4.1.2 Children affected by poverty.

Children make up an important segment of the earlier mentioned population. Children more deeply affected by poverty and particularly in rural areas, the share of underweight children aged 0–5 years fell from 14.3% in 2006 to 11% in 2008⁷.

2.4.1.3 Large households with children

The poverty rate increases with the number of children, and this is an enduring pattern over the data period, since families with four or more children have experienced an increase in their average poverty rate.⁸ Belonging to the households with children and pensioners influences negatively the well-being.⁹ Among the households with children, the most difficult situation is of the households with more than 2 children. Each household member receives only 859,7 lei monthly in 2009, which is the lowest rate.

2.4.2 Age (subject of exclusion from participation, stigma, unemployment)

2.4.2.1 Orphan children, socially abandoned children.

2006 give an estimate of around 177,000 children fewer than 18 left behind by parents working abroad. About 37.1% are 10 to 15 years old, 50.8% are female and 49.2% are male¹⁰. One third (31 percent) of children under age 15 years do not live with both parents. Seven percent of Moldovan children do not live with either of their parents. Overall, the median age of children left behind is 11 years old. The majority of these children (79.5%) live in rural areas. One fifth of them are under 5 and one quarter or more are age 15 and above. Among children under the age 9, there are proportionally more left behind in rural households than in urban households. 44% of households with a member living abroad are caring for at least one child left behind. This proportion is higher in rural than in urban areas: 47 and 40%, respectively. 37% of migrants from urban areas and 45% from rural areas left at least one child behind and 40% left two or more children behind.

2.4.2.2 Young people

Young people in Moldova suffer clear labor market disadvantage. There is a negative correlation between age and the risk of being unemployed and those in the 15-24 age group face more than twice the

⁶ P.16, Report of the Republic of Moldova on the implementation of the IADGs and MDGs. Annual Ministerial Review Meeting of ECOSOC. 2010

⁷ P.16, Report of the Republic of Moldova on the implementation of the IADGs and MDGs. Annual Ministerial Review Meeting of ECOSOC. 2010,

⁸ P.10, World Bank, Report No. 35618-MD MOLDOVA: Poverty Update, June 12, 2006

⁹ P. 11, E.Gorelova, A.Rojco, *Center for Strategic Studies and Reforms*, Influența prețurilor asupra bunăstării populației prin prisma indicatorilor statistici, 2010

¹⁰ The Impacts of Migration on Children in Moldova, UNICEF, 2008

risk of being unemployed than the next age segment (25-34). In the first quarter of 2009, most of the young unemployed had only secondary education or less, which places them at a disadvantage in the country whereby there are pay-offs to education in terms of labour market outcomes. Youth unemployment is higher in rural areas (17%, first quarter 2009, urban areas 15%), while migration has been mainly from rural areas⁵ and substantially involves young people.¹¹ In the first quarter of 2009, youth unemployment (i.e. involving those in the 15-24 age groups) rose to 16% (compared to previous trends where youth unemployment fell from 17% in 2006 to 14% in 2007). The unemployment rate amongst young males (nearly 18%) is higher than for women (14%), although the employment rate for young males is also higher (17% for men, 15% women). Youth unemployment rate is higher in rural areas (17%, first quarter 2009, urban areas 15%).

Young people with good education and training background cannot find employment since the lack of the work experience or limited available vacancies. After leaving the educational system and before finding their first significant job¹², more than half of young people (57%) did not have a job and were looking actively for one¹³. Only 22% of young people found a job immediately after leaving the educational system. Over one quarter left the first job because of low salaries, while 17.7 per cent left abroad¹⁴. Migration from Moldova is also mainly from rural areas and substantially involves young people. Thus, while the average age of migrants in 2006 was nearly 35 years, over 37% were below 30. Youth in towns and municipalities achieve better results in finding permanent employment compared to those in villages (75% compared to 54%). Most young people found their first significant job through *relatives/friends* (41%) and by contacting the employer/employer's staff responsible for recruitment directly (32%)¹⁵. Young and educated people leave the country in search for a job, even unqualified one. In 2008 over 11% of young 15 – 24 year old people from households covered by the survey left the country for a job or in search for a job¹⁶.

2.4.2.3 Elderly abandoned.

Poverty incidents in households of the elderly people were over 37.2% in 2008, which is by over 10% points higher than the average for the country. Allowances amounts to less than 70% of the subsistence minimum. Retired people are extremely vulnerable due to limited resources that would allow them to ensure normal living standards. The expenses necessary for the healthcare of elderly people further contribute to their vulnerability.

2.4.3 Disability (subject of exclusion, stigma, inadequate participation)

2.4.3.1 Persons with disabilities

Persons with disabilities officially represent about 5% of the population, yet it is considered to be underreported the real figures standing at more than 10%, the situation of persons with disabilities in rural areas presents most concern. In 2009 the number of people with disabilities exceeded 176, 7

¹¹ Nick Maddock, Lovita Ramguttee, Youth Unemployment and Poverty in Moldova: Current Situation and Possible Response, unpublished paper, 2009

¹² A job is considered significant when a person was employed for at least three months. NBS (2010). Youth Entry on the Labor Market.

¹³ <http://www.statistica.md/newsview.php?l=ro&idc=168&id=2830&parent=0>

¹⁴ NBS (2010). Youth Entry on the Labor Market. The Study carried out in IInd quarter 2009, applied on people aged between 15-34 years.

¹⁵ NBS (2010). Youth Entry on the Labor Market.

¹⁶ Young People in the Republic of Moldova, 2009, NBS

thousand, increasing by 2.1% compared to 2008¹⁷. Over 90 per cent of people with disabilities are adults, about 60% living in rural areas. The share of women with disabilities is 49%, while men account for 51%. The disability concept that emphasizes the medical and health component rather than the social integration one, for some severe forms even bans access to labor market, for the rest creates a framework of dependency¹⁸. The insufficient access of people with disabilities to the labor market makes them vulnerable to the risks of marginalization, poverty and exclusion¹⁹. In 2009 poverty of households with people with disabilities was 28.6%. People with disabilities face an increased risk of persistent poverty, accounting for 22.4% compared to 17.5% of the other households^{20, 21}.

2.4.3.2 Persons with mental disability

Moldova has 3 psychiatric institutions, 35 psychiatric offices for adults and 10 for children, 1 dispensary in Chisinau and 2 Community mental Health Centers, 2 residential hospital institutions for children and adolescents, 2 community-based psychiatric inpatient units and 3 day treatment mental health facilities²². Little less than 80 000 persons, of which 21% are children being treated in these institutions. About 80% are treated in residential care. Generally conditions for the treatment in residential care are considered grossly inadequate for both adults and children.

2.4.3.3 Children with disabilities

The majority of children with disabilities are enrolled in specialized schools. In 2009, 35 existed specialized schools had 3 550 children. Their number decreased by 6.4%, compared to previous year and by 21.7%, compared to 2005²³. Most pupils of these schools claimed to have: a) deficiencies in intellectual development - 80.5%, b) poor hearing - 6.6%, c) with poliomyelitis and cerebral palsy consequences - 6.6%; d) deaf children - 2.6%; e) weak sight - 2.8%; and f) behavior disturbances - 1.9% of all children with deficiencies²⁴. Unadapted infrastructure resistance to change of some school managers and teachers. Thus, according to the data of the Education Institutions Mapping System, spaces for creation of rehabilitation rooms are available only in 280 education institutions (18.6% of all schools); only 775 educational institutions (51.5%), within which there are no medical offices, can provide rooms for their establishment; elevators for pupils with motor disabilities could be installed only in 22 educational institutions (1.5%)²⁵.

2.4.4. Language and ethnicity (exclusion, education, employment, stigma, participation, access to...)

¹⁷ <http://mpsfc.gov.md/file/rapoarte/RAPORT%20PROGRAM%202007-2009%20Final%202009.pdf>.

¹⁸ MSPF (2008). Draft Strategy for the Inclusion of People with Disability in the Republic of Moldova.

¹⁹ Resolution of the European Parliament of January 14, 2009 on situation concerning the fundamental rights in the European Union during 2004–2008, (2007/2145(INI)), <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0019+0+DOC+XML+V0//RO>

²⁰ NBS/UNDP/UNICEF/UNIFEM/UNFPA (2009). Multiple Approaches to Social Exclusion (Methodological and Analytical Aspects), calculations based on HBS 2009

²¹ Review of the Disabled Related Policies in Moldova, 2008, Resource Center for Human Rights (CReDO), <http://credo.md/arhiva/documente/DisabilityWelfareEn.pdf>

²² WHO, Ministry of Health and Social protection, Who aims report on Mental Health System of Moldova, 2007

²³ NBS (2010). Education in the Republic of Moldova in 2009-2010.

²⁴ NBS. Activity of institutions of primary, secondary and general educational at the beginning of 2009/2010. Statistical information.

²⁵ UNDP/IPP (2010). Education and Human Development: Actual and Future Challenges.

2.4.4.1 Roma communities access to water, basic infrastructure.

According to census data of 2004, the share of Roma makes up only 0.4% of the total population of the country. However, regional experience shows that regional censuses tend to underestimate the real number of Roma. The distribution of social benefits share is around equal for both Roma households - 13%, as well as for non-Roma ones - 12%, although there are more emphasized trends of Roma households to receive social assistance benefits more than social insurance benefits. Social assistance benefits make up 6% in Roma households income (being mostly shaped of children benefits), as compared to 4.7% of non-Roma households. Meanwhile the share of social assistance benefits is much lower among Roma, fact being explained by low rates of Roma activity and salaries and from which social insurance contributions are charged²⁶. Every second Roma lives in extreme poverty and six out of ten Roma in absolute poverty²⁷. The unemployment rate of Roma is 50% higher than for the majority population. 61% of Roma live on under 2 US \$ a day (international poverty line) and almost a fifth of Roma household incomes depends on remittances from families working abroad. Roma is officially reported under 1%, yet the real claimed to be several times higher, According to the 2004 census, there are around 12 200 Roma in Moldova, although according to some estimates, there could be more than 20 000 Roma in the country. It was observed a limited access to medical insurance system of households (which includes migrants and Roma) – 40.9%²⁸. Only 23% of Roma households have medical insurance policy, this being 2 times less compared to the rest of population²⁹. Negative stereotypes assigned to Roma by the majority population, reduced access to employment, education, health care and other spheres are the main vulnerability factors of this group.

2.4.4.2 Roma children access to education

The level of enrolment of Roma children in primary schools is below 70% and in secondary schools below 50%. Every fifth Roma can not write and even read; three of ten Roma people have at most primary education and other three (of ten) have only secondary education (including incomplete or vocational education). Higher education is rare for this ethnic group, making up only 4% of the total Roma population, compared to 38% of non-Roma. Cases of school dropout are frequent among Roma. The contributing reasons are: (i) high costs of education; (ii) early marriage; (iii) migration abroad of entire families in search for work opportunities; and (iv) discrimination in schools³⁰.

In Roma communities there are state supported primary schools in Romanian language hosting from 20 to 50 children of various years studying together in one or two rooms. In most cases the allocation from local budgets for schools is incomparably less then to schools and schooling for non-Roma communities. Children in most cases have no books and other schools requisites. Libraries contain just some hundred outdated books, majority in Cyrillic alphabet (prior to 1989) and only some 10-20% in Latin alphabet. Teachers come in the community school from other non-Roma communities or nearby villages as rarely there would be a local person able to be a teacher or qualify for that. Children stay most of their childhood in the community not knowing where they live, what is the country they live in, etc. Only few adolescents could read. Kindergartens or other facilities were inexistent in those communities, while in non-Roma communities, there would be state supported facilities³¹.

²⁶ UNDP. Report on Roma in the Republic of Moldova, 2007

²⁷ UNDP: Report on Roma in the Republic of Moldova, 2007

²⁸ NBS (2008). Ad-hoc Health module data.

²⁹ UNDP (2007). Situation of Roma in the Republic of Moldova.

³⁰ UNDP (2007). Roma in the Republic of Moldova

³¹ Report on Human Rights Concerns of Roma Rural Communities in Moldova, Resource Center for Human Rights and Moldovan Helsinki Committee, 2003

2.4.4.3 Bulgarian/Ukrainian/Gagauz children right to education in mother tongue, assimilation and linguistic non-integration.

In 2009, 25% of the population represents ethnic linguistic national minorities. Of which 8% Ukrainians, 6% Russians, 4% Gagauz, 2% Bulgarians, 0,4% Romani; 11% stay their native language is Russian, 6% Ukrainian, 4% Gagauz, 1,6% Bulgarian³². Education system in Moldova stands on the monolingual education principle. School language education for minorities is carried out in Russian language. Only 374 children study in Ukrainian as language of instruction, which is 0,06% of all Ukrainian children. 171 children study partially in Bulgarian, which is 0,02% of total. Ukrainian language as a separate subject is studied in 37 schools (5 984 children) and Bulgarian in 30 schools (7 925 children). National law provides that public pre-school, school and other education where there is a "sufficient demand" of a substantial number of minorities³³. The situation of Ukrainians and Bulgarians are a clear example for that.³⁴

2.4.4.4 Moldovans/Bulgarian/Ukrainian/Gagauz children right to education in mother tongue, assimilation in Transnistrian region.

Moldovan children have limited access to education in their mother tongue, in the Cyrillic and Latin script. In most Transnistrian schools - 82% of the curriculum is provided in Russian. There are only about 20% of schools in the region where children can study in their mother tongue³⁵. In Tiraspol, from 29 schools, there is only one school where the teaching is in Romanian and one in Romanian with Cyrillic alphabet, set given the proportion of the population there should be about 5-6 institutions. Ukrainian children can study only in two schools teaching in Ukrainian, which is only 1% of the primary education system of Transnistria. In 2009, in Transnistria there were 6 lyceums and 15 colleges which enrolled 8606 children; the teaching language was in 93.6% Russian. Only 3.7% of children from lyceums and 4.2% of students from colleges studied in "Moldovan" language with Cyrillic script. The textbooks are mainly in Russian, only a small part of them were translated into Moldovan language with Cyrillic script.³⁶

2.4.5 Religion (registration denial, services prevented, public harassment)

Adherents of other religious groups, constituting less than 10 percent of the population, include Roman Catholics, Baptists, Pentecostals, Seventh-day Adventists, Muslims, Jehovah's Witnesses, Baha'is, Jews, members of the Unification Church, Molokans (a Russian group), Messianic Jews, Lutherans, Presbyterians, and evangelical Christian groups.

2.4.5.1 Muslims groups' right to worship, registration, harassment by police, stigma in society-

³² <http://en.wikipedia.org/wiki/Moldova>

³³ Art. 14 of the European Framework Convention on Protection of National Minorities, art. 16 of the European Charter for Regional and Minority Languages, etc

³⁴ Evaluation of Linguistic Educational Policies of Moldova, 2009, Resource Center for Human Rights (CReDO) <http://credo.md/arhiva/documente/MoldovaMultiLingualEducationConciseTitle%20v2.3%20abridged.pdf>

³⁵ IPP (2009). Education in Transnistrian region of the Republic of Moldova. Public policy research done by Tiron, S.

³⁶ Shadow report on the Implementation of the Framework Convention on National Minorities, 2007, Resource Center for Human Rights (CReDO), <http://credo.md/arhiva/documente/AlternativeFrameConvEn2ndCycle.pdf>

Non-orthodox religious communities, including Muslim community make up less than 7%; Active church believers are around 25%; Muslim community stands at 20-30 thousands, according to Muslim representatives there are around 30 000 Muslims in Moldova, while they account only for 1 667 in the 2004 census. Muslims groups report decade long unsuccessful registration. Denial of registration was reverted by the Court of Appeals, however Supreme Court of Justice upheld non-registration by the Government.³⁷ Muslims are refused allocation of separate sections in cemeteries and are required to buy two plots in cemeteries so the body can be oriented towards the Kaaba, as opposed to the east-west orientation used in Orthodox burials. Individual Muslims, as private individuals, could buy plots.³⁸

2.4.5.2 Nonorthodox Christian (building of place for worship, free dissemination of belief) and other groups (public manifestations)

Jehovah's Witnesses reported numerous cases of religious restriction of their activity, including eight cases of prosecution for objection to military service in Transnistria.

During the days of Hanukkah, group of demonstrators led by Orthodox priests vandalized and disassembled a menorah that had been authorized and placed in the main park in Chisinau. The group erected a cross in the menorah's place and carried the pieces of the menorah down the street to another section of the park where laid them upside down at the feet of a statue of Stefan the Great. Prosecutors, concluding no violent crime committed but fined the priest with the maximum amount permitted under the law.³⁹

Seventh-day Adventists public event for a "Bible Concert" scheduled on the main national square in Chisinau has been protested with threats from Orthodox priests leading people. Avoiding confrontation, the concert organizers moved the event to a suburban Seventh-day Adventist Church, where it took place without incident.

Two performances by Shen Yun Performing Arts, an organization that artistically presents Chinese culture through music and dance and speaks about the Chinese government's mistreatment of Falun Gong. The theater cancelled both scheduled performances reportedly succumbing to pressure from the Government.⁴⁰

2.4.6 Rural regions (access infrastructure, employment, education,)

2.4.6.1 Poor quality of education for children.

In 2008, the enrolment rate of children aged from 3–6 years represented 74.4% compared to 44.1% in 2000, which is close to the target for 2015 of 75%. Children from the rural area are enrolled in kindergarten, but in fact during the cold period of the year they stay at home, because their parents prefer to keep children at home when they are not involved in agricultural labor, in order to save money. Therefore, about 1/3 of pre-school age children in urban area and more than a half of them in rural area do not attend pre-schools institutions⁴¹. A research⁴² conducted for rural settlements showed

³⁷ US Department of State, Freedom of Religion Report, 2010, <http://www.state.gov/g/drl/rls/irf/2010/148963.htm>

³⁸ Shadow Report on the Implementation of ICCPR by Moldova: 2003-09, 2009, Resource Center for Human Rights (CReDO), <http://credo.md/arhiva/documente/AlternativeICCPR%20v3.pdf>, Shadow report on the Implementation of the Framework Convention on National Minorities, 2007, Resource Center for Human Rights (CReDO), <http://credo.md/arhiva/documente/AlternativeFrameConvEn2ndCycle.pdf>

³⁹ US Department of State, Freedom of Religion Report, 2010, <http://www.state.gov/g/drl/rls/irf/2010/148963.htm>

⁴⁰ US Department of State, Freedom of Religion Report, 2010, <http://www.state.gov/g/drl/rls/irf/2010/148963.htm>

⁴¹ IDIS Viitorul. Pre-school education in the Republic of Moldova in terms of social inclusion and equity. 2008

⁴² ISE (2007).

that parents pressured by the school and the authorities send their children to school from time to time, yet absenteeism is frequent.

2.4.7 Gender (stigma, employment, level of pay)

2.4.7.1 Women stereotyped for their role in society, inadequately represented in political parties and decision-making.

Somewhat more than 20% of women are members of the Parliament in 2009, while in 2010 already 30%, yet all are in lower places of the parties' lists. The Cabinet representation of women has decreased in the last two years, going from 22% to much less. Women make up half of the employment in the country⁴³. Women are paid in general 30% less than men, especially in the public sector.

2.4.7.2 Women pay level discrepancy against men

Women and men's unequal incomes, domestic unpaid work is documented⁴⁴. Discrepancies between the salaries of women and men have decreased in recent years, with the average female salary standing at 76.4 percent of the average male salary in 2009. The gap remains because women, in most cases, either work in lower-paid sectors (traditionally considered feminine occupations) – education, healthcare or services - or occupy lower-paid positions. In rural areas, women are mostly employed in the service sector, agriculture, or non-managerial administrative positions. It is important to note that although more men are employed in paid agricultural activities than women (52.5 and 47.5 per cent, respectively), more women than men are involved in non-paid agricultural activities (57 and 43 per cent in 2006). The share of women is higher in activities with lower productivity that generate non-essential revenue, often just to satisfy the need of the household with agricultural or animal products.⁴⁵ As a result of these and other phenomena, there is a significant difference between the salaries of men and women.

2.4.7.3 LGBTI stigmatized, harassed by police, denied freedom of assembly

Lesbian, gay, bisexual, and transgender (LGBT) persons face legal challenges and have been marred by [human rights](#) violations against the freedom of association for homosexuals to have Gay Pride demonstrations. During last 3 years, local city authorities banned LGBT pride demonstrations. Virulent homophobic statements are casually made by politicians and lesbians and gays are routinely discriminated against. Violence towards the lesbian and gay community is not unknown⁴⁶. Police treatment of LGBT group remains of concern, cases of harassment reported by specialized organizations and media. Some church related groups express publicly hatred and virulent messages against LGBT identity and LGBT rights organizations⁴⁷. Sociological surveys dated 2008 show that part of the society (about 41%) express intolerance towards this group⁴⁸.

2.4.7.4 Domestic violence of women

⁴³ Women & Men in the Republic of Moldova, NBS, 2008

⁴⁴ http://www.un.md/UNIFEM/programme_areas/statistics/training/index.shtml

⁴⁵ Victoria Trofimov, "Men and Women in the Republic of Moldova: Analytical Report", 2007

⁴⁶ See public address of Thomas Hammarberg, CoE Commissioner on Human Rights, http://commissioner.cws.coe.int/tiki-view_blog_post.php?postId=42

⁴⁷ <http://www.lgbt.md/rom/story.php?sid=534>

⁴⁸ Page 37, S.Rusnac and S.Clivada, Social Norms related to persons with sexual minorities and societal awareness. GenderDoc-M, 2008, <http://lgbt.md/files/sexmshinstva.pdf>

One in four women in Moldova aged 16 and 35 suffers from domestic violence⁴⁹. According to the Ministry of Internal Affairs, there were 47 cases of family-related murders between 2009 and 2008. Around 20% surveyed women report domestic violence⁵⁰. The main aggressors were the husbands (69%) and to a lesser extent the fathers/stepfathers and mothers/stepmothers⁵¹. The survey also revealed that women with multiple children were more likely to become victims of violence. The situation in the Transnistrian region is little known, and the information that we possess is based on the activity of civil society in the region⁵².

2.4.7.5 Trafficked persons for sexual purposes⁵³

In the early 2000s, Moldova became a major source of trafficked persons in South-Eastern Europe, predominantly girls and women of whom 14% were under 18 and more than a half were in the 19–24 age group⁵⁴. There are no absolute figures on the phenomenon of trafficking since many victims are not identified in either destination countries or Moldova due to changing trafficking patterns, stigma-related fears, low levels of self-esteem and little confidence in law enforcement bodies. Over 2000–2008 the total number of assisted persons was 5,183, including 2,443 victims of trafficking and 1,016 children of the victims of trafficking, 50 stranded migrants and 1,674 'at-risk' cases⁵⁵.

The main forms of exploitation were: sexual (85.5%), labour (6.5%), and beggary (3.1%). The main destination countries were: Turkey (31%), Russia (22.8%), Moldova (20.2%), the United Arab Emirates (5.7%), and Cyprus (4.4%). Data made available shows⁵⁶ that at least 70% of trafficked victims are from families defined as “poor” or “very poor”, 65% cite unemployment as the main reason for fleeing abroad, and 70–95% suffered from domestic violence prior to being trafficked⁵⁷. According to IOM data, 80% of the trafficked Moldovan girls and women were subjected to domestic violence after their return as well as before being trafficked. Another problem is internal trafficking in Moldova, in particular from the Transnistrian region. Trafficking is a phenomenon that affects as victims children and also young men. The extent of this is still to be evaluated, notwithstanding the societal stigma persisted on community level related to this group that makes them hard to reintegrate into the society.

2.4.8 Persons with HIV/AIDS

Around 9 000 of HIV registered in Moldova⁵⁸. Over the period 1987–2008, of the 4,996 HIV aids carriers officially registered in the country, 3,461 cases were from Transnistria. By the end of 2009, the number of people living with HIV/AIDS in Moldova amounted to 5625 people, this figure being about 5 times

⁴⁹ p.17, Report of the Republic of Moldova on the implementation of the IADGs and MDGs. Annual Ministerial Review Meeting of ECOSOC. 2010

⁵⁰ www.unece.org/stats/.../Moldova/Moldova_Domestic_Violence.pdf

⁵¹ “Women at Risk in the Republic of Moldova: *National Representative Survey*”, Winrock International (2005), p. 63.

⁵² Circa 40 protection orders by courts since September 2009 – if you like, this is evidence that the Government is capable of making inroads into serious human rights issues, where the political will exists. There is a huge amount which remains to be done, but this is one area where policy- and lawmaking moves positively.

⁵³ This is an attempt to define a broader group of trafficked persons as a vulnerable group. It includes beyond UN definition also persons returning from sexual slavery or sex job, etc.

⁵⁴ Trafficking As It Is—A Statistical Profile, 2005–2006 Update, IOM Moldova, 2007

⁵⁵ IOM Moldova, FAQ about Moldova, Migration, Trafficking.

⁵⁶ Information provided by IOM and La Strada,

⁵⁷ Second Annual Report on Victims of Trafficking in South-Eastern Europe, Country Report, Republic of Moldova, August 2006.

⁵⁸ <http://aids.md/monitoring-evaluation/statistics/hiv-cases-1000-tested-people/#help>,
<http://hivinsite.ucsf.edu/global?page=cr03-md-00>

higher compared to 2000⁵⁹. Compared to the aggregate incidence of HIV/AIDS, the incidence of this disease among 15–24 year-olds fell in 2008. However, HIV continues to have the most dramatic effect on the young and fertile population. Moreover, a trend has emerged towards ‘feminization’ of the infection, where, at the beginning of the epidemic the majority of HIV positive persons were men, (84.0%) in recent years, women have contributed to a growing share of the number infected. Over 2003–2007, the proportion of pregnant women tested for HIV rose from 96% to 99.4% and HIV prevalence among this group continued to rise: 0.1% in 2005; 0.21% in 2006; and 0.23% in 2007.

2.4.9 Occupation (living conditions and inadequate access to markets): rural households and agricultural entrepreneurs.

Farmers and employees in agriculture are at a high risk of economic exclusion, as their incomes depend on weather and access to markets. In 2009, the average nominal salary of an employee in the national economy amounted to 2747.6 lei, the lowest values were recorded in agriculture (1468.2 lei). About 45% of the population in 2008 was affected by the fact that there was insufficient agricultural production. The most vulnerable in this context are self-employed in agriculture (26.4%). HBS 2008 shows that the households, where the main source of income was their own agricultural land, were at the highest risk of absolute poverty (36.9%). In 2009, the share of these households increased to 47%. This means that one of the major factors influencing the upward trend of poverty in rural areas in 2008 was the exhaustion of crops stocks by the end of 2007⁶⁰. Another factor which influenced the living standards of the rural population was the decreasing income from agricultural production as a result of lowering prices. Statistics show that during 2008 the prices for fruit decreased by 10% and for vegetables by 25%. As a result of these factors, the highest poverty rates were recorded for employees in agriculture (42.8%) and self-employed in agriculture (36.9%), with poverty incidence increasing in 2009 to 48.1% and 47.0% for these groups respectively.

⁵⁹ UNAIDS (2009) . Mid-term evaluation report of the National Program for HIV/AIDS/ITS 2006-2010 Control and Prevention.

⁶⁰ Poverty and Policies Impact Report 2008, Chisinau, Ministry of Economy

3. Evidence of and recommendations on vulnerable groups from international bodies

This section contains concise review of the key conclusions and recommendations of the specialized UN and CoE bodies related to vulnerable groups in Moldova. The classification of the international organizations is done based on the same criteria along the lines of: 1) income, 2) age, 3) disability, 4) language/ethnicity, 5) religion, 6) rural regions 7) gender, 8) occupation.

Income criteria

Poverty, poor households

Feminization of poverty, particularly among vulnerable groups of women such as rural women, single women heads of households, women belonging to ethnic groups, in particular Roma women, disabled women and elderly, women. [Policies should aim at] improving the economic situation of women, particularly those belonging to vulnerable groups such as rural women, single women heads of households, women belonging to ethnic groups, in particular Roma women, disabled women and elderly women⁶¹.

Current policies do not specifically address child poverty and that poverty has been given lower priority under the strategy⁶². Concern that budgetary allocations for children, in particular for children living in rural areas, are insufficient and that often resources allocated do not correspond to the needs identified⁶³.

Age

Unemployment and young people

Concerned about the high rates of unemployment, particularly among young people, women and the Roma population, the lack of employment opportunities and low salaries have prompted massive emigration of people in the active and working age, a majority of whom work abroad illegally without social insurance and legal protection.⁶⁴

It has been recommended to strengthen its efforts to reduce the number of children living in institutions, including by strengthening family support measures and by developing alternative forms of family care. The State party should ensure that children in institutions as well as all other children deprived of their natural family environment grow up in an atmosphere of emotional and material security⁶⁵.

Children as social orphans

Large number of children affected by the migration of one or more parents seeking better employment opportunities abroad, and the negative effects of this migration on the children involved. Particular concern for children left in the custody of caregivers *in loco parentis* do not always receive the education

⁶¹ P.20, 22 CEDAW/C/MDA/CO/3, 25 August 2006

⁶² p.13, CRC, CRC/C/MDA/CO/3, 20 February 2009

⁶³ p.17, CRC, CRC/C/MDA/CO/3, 20 February 2009

⁶⁴ p.14, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

⁶⁵ p.43, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

and moral support they need, that they are neglected, forced to take on adult responsibilities, and are more susceptible to exploitation and juvenile delinquency. Parent-training programs for parents in vulnerable families have not been introduced and funded by national and local authorities.⁶⁶ Concerns about the large number of children placed in institutions, especially those with slight mental disabilities, children left in the care of relatives or other persons while their parents travel abroad in search of employment are at risk of abuse and neglect⁶⁷.

Recommendations provide for the financial support to vulnerable families, conduct a comprehensive evaluation of the areas in which families are particularly vulnerable, implement appropriate remedial strategies, allocate necessary resources and extending social services at the local level through the introduction of parent-training⁶⁸. It is needed to mitigate the effects of migration on the welfare of affected children, including, in particular, through the provision of support at the local level, the training of caregivers and through improved social and psychological support to affected children.⁶⁹

Children from rural areas and schooling

Concerns of high rates of non-attendance and high dropout rates in primary and secondary education, the main reason for non-attendance is acute family poverty, lack of pre-school education.⁷⁰

Recommendation to ensure a more balanced distribution of resources throughout the country and prioritize budgetary allocations to ensure implementation of the rights of all children, including those belonging to economically disadvantaged groups⁷¹. Ensure that children are not prevented from attending school because of poverty in the family, establishing new pre-school educational institutions.

Trafficking in human beings

Moldova continues to be a country of origin and transit for trafficking in human beings, particularly women⁷² and children^{73, 74, 75}.

Recommendations should concert efforts to prosecute offenders and to protect trafficking victims, broaden the implementation of measures to assist the social reintegration of victims and to provide genuine access to health care and counseling⁷⁶, social reintegration of victims and provide genuine access to health care and counseling⁷⁷.

Combat the phenomenon of trafficking in persons, including by ensuring the effective implementation of anti-trafficking legislation and programs and raising awareness of the problem, and training of law enforcement personnel and other relevant groups.

⁶⁶ p.42, CRC, CRC/C/MDA/CO/3, 20 February 2009

⁶⁷ SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

⁶⁸ p.41, CRC, CRC/C/MDA/CO/3, 20 February 2009

⁶⁹ p.43, CRC, CRC/C/MDA/CO/3, 20 February 2009

⁷⁰ p.29, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

⁷¹ p.18, CRC, CRC/C/MDA/CO/3, 20 February 2009

⁷² p.10, CCPR A/57/40 vol. I (2002)

⁷³ p.18, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

⁷⁴ p.19, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

⁷⁵ p.10, CCPR A/57/40 vol. I (2002)

⁷⁶ p.18, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

⁷⁷ p.22, CAT, 43rd session, Geneva, 2 - 20 November 2009

In this part recommendations formulated by specialized international bodies aim at improving job possibilities and assistance to women living in poverty⁷⁸ by addressing the root causes, in particular women's economic insecurity. Additionally, enhanced measures should be taken for improving of the social and economic situation of women, in particular in rural areas, so as to eliminate their vulnerability to traffickers, and put in place services for the rehabilitation and reintegration of victims of trafficking⁷⁹

Language/ethnicity

Roma in rural communities

Roma continue to suffer serious discrimination, notably in rural areas⁸⁰. Living conditions of the Roma greatly vary in different regions of Moldova. If some families enjoy good living conditions, in particular in the Soroca and Otaci regions, others reportedly continue to live in extreme poverty and to be isolated from society, notably in villages in rural areas.

Roma remain socially and economically marginalized, with restricted access to social services such as health care, employment, education and housing, concerns about discriminatory attitudes towards the Roma in wider society as evidenced, *inter alia*, by their *de facto* exclusion from participation in public life⁸¹. The majority of Roma have to contend with numerous difficulties, resulting in the marginalization of Roma communities in Moldova. Large number of Roma still lives in extremely difficult conditions.⁸²

Roma children are still victims of discriminatory treatment and have reduced access to education, health and an adequate standard of living, national medical insurance scheme is designed to assist children from families living in poverty or from families with special needs, these families do not enjoy equal access to health services⁸³.

Discrimination against Roma resulting in unequal opportunities for them in various fields, such as access to employment, housing, health care, education and access to land as a result of the past privatization process. Roma suffer from a general lack of information, including on their rights, and lack of access to justice. Cases of non-registration of Roma children at birth are still reported, for various reasons ranging from lack of means to cover the late registration fees to birth while the family is working abroad. The lack of registration, resulting in lack of identity documents, has serious consequences for those concerned and it can *inter alia* lead to exclusion from health care and social protection.

Roma and some action taken locally, many of the Roma continue to live in isolated settlements in substandard housing and extreme poverty conditions, and have low rates of participation in the education system. Their participation in public affairs also remains limited.⁸⁴ Roma, are often confronted with intolerance, at times fuelled by the media, and instances of racially-motivated insults and acts⁸⁵.

⁷⁸ p.41, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

⁷⁹ P.25, CEDAW/C/MDA/CO/3, 25 August 2006

⁸⁰ p.19, CCPR A/57/40 vol. I (2002)

⁸¹ p.27, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

⁸² P.60, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

⁸³ p.25, CRC, CRC/C/MDA/CO/3, 20 February 2009

⁸⁴ Resolution CM/ResCMN(2010)6, Framework Convention for the Protection of National Minorities by Moldova

⁸⁵ Resolution CM/ResCMN(2010)6, Framework Convention for the Protection of National Minorities by Moldova

Roma continue to often be victims of stereotyping, intolerance and sometimes racially-motivated insults and acts, even though very few complaints are recorded.⁸⁶ The media are said to play a role in the negative climate against Roma among the general population. Some press articles tend to perpetuate racist prejudices and stereotypes against Roma, although there is also some other press reports which try to draw the attention of the public to the problems of the Roma in a positive manner.⁸⁷

Measures to ensure equal basis with all other social groups, including those aimed at their inclusion and integration into broader society, at the effective enforcement of the ban on racial discrimination, and at raising public awareness⁸⁸, take steps to promote a better representation of the Roma at all levels⁸⁹, measures to assist members of Roma communities in obtaining employment, for Roma to be accompanied by measures to prohibit any discriminatory conduct by employers who refuse to take on Roma on the grounds of their ethnic origin⁹⁰. Awareness-raising on their rights should be undertaken and measures should be taken to improve their access to justice. Lack of identity documents among persons belonging to the Roma minority and ensure that effective and swift measures are taken to remedy such problems as a matter of priority.⁹¹ Ensure that resources are allocated for the provision of social housing, especially to the disadvantaged and vulnerable groups, including the Roma⁹².

Schooling. Extreme poverty prevalent in the Roma community is due to a lack of education and skills. The extremely poor living conditions of some Roma families make it difficult for them to send their children to school and to pay for the necessary school material, clothes, food and means of transportation⁹³. Part of the difficulties, notably the drop-out and non-enrolment problems are in some cases connected to the fact that many Roma families work abroad and migrate with their children. However, it also notes worrying allegations that in some localities (such as Schinoasa), Roma children are officially enrolled at school but do not, in reality attend school, and that not much is done to ensure their effective presence at school⁹⁴. It is regretted the absence of possibilities to learn Romani at school and the very limited opportunities to have minority languages (other than Russian) as languages of education.⁹⁵ Reported low school attendance and high drop-out rates among Roma children, as well as about reports that only very few Roma students have received State scholarships for higher education and that none has been admitted under the 15-percent quota of the total number of places in higher education⁹⁶. Racist stereotypes and prejudice sometimes exists among teachers or non-Roma parents, and which discourage Roma children from attending mainstream schools. There is a problem of *de facto* school segregation: there are schools located in Roma villages that are mainly – or even exclusively – attended by Roma children.⁹⁷

⁸⁶ Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

⁸⁷ p.61, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

⁸⁸ p.27, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

⁸⁹ p.77, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

⁹⁰ p.66, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

⁹¹ p.51,p.52, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

⁹² p.24, p.21 SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

⁹³ p.109, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

⁹⁴ p.92, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

⁹⁵ p.135, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

⁹⁶ p.19, p.21, CERD, CERD/C/MDA/CO/7, 72nd session, 2008

⁹⁷ p.109, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

Improve the enrolment of Roma children at school and their integration in the education system. These included preparatory classes - which ease the access for Roma children to the first grade of primary education -, and various other forms of support at school and through extra-curricular activities. It welcomes the fact that these activities seem to bring about positive results locally⁹⁸. Roma in the education system persist: lower enrolment in education, where only 70% of Roma children attend primary education, higher drop-out rates, notably of girls, much lower educational attainments and that the illiteracy rates among the Roma remain much higher than in the majority population.

Policies should aim at providing financial support to Roma families to cover the cost of school books, transport and other indirect costs of schooling, offer special Moldovan language classes for Roma children, cater for the needs of Roma pupils whose parents work as seasonal workers abroad, include Roma language and culture in school curricula, and continue and intensify its efforts to raise awareness among Roma families about the importance of education starting from pre-school. It also recommends to make full use of available scholarship schemes and quota to increase Roma participation in higher education persistence of negative societal attitudes and stereotypes against Roma and other persons of minority ethnic origin, increase its efforts to combat prejudices, including among government officials, against Roma and other persons of minority ethnic origin, and to strengthen and promote tolerance and foster intercultural dialogue among the different ethnic groups⁹⁹.

Representation. Roma are not represented in Parliament and that, apart from the police force, there are no quotas for the recruitment of Roma in the public service, despite the right of national minorities to an “approximately proportionate representation” in the executive, the judiciary¹⁰⁰. Adopt special measures such as statutory electoral and public service targets, as well as specific training programs, to ensure an “approximately proportionate representation” of the Roma and of other under-represented minorities in Parliament and in the public service, including at senior levels and in the judiciary, intensify its efforts to train unemployed Roma for the labor market, including through specifically targeted vocational training, retraining and language training programs, and by creating favorable conditions for investment and private entrepreneurship among Roma communities, including infrastructural measures and loans for micro businesses.¹⁰¹

Education in minority language and for social integration

Teaching of minority languages continues to be provided only at the schools having Russian as the main language of education. This results in persons belonging to national minorities often having a poor command of the State language (which is their third language), even though teaching of the State language is compulsory for all schools. Increased the tendency of some persons belonging to national minorities to identify with the Russian-speaking minority and set aside their distinct identity. Ukrainians live in substantial numbers, most of the teaching is provided in Russian. Consequently pupils belonging to the Ukrainian minority do not always have access to teaching of the Ukrainian language. Teaching of the minority languages at preschool education level is also, reportedly, insufficient. We welcome the development of “experimental schools”, in which part of the teaching is provided in the minority

⁹⁸ p.124, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

⁹⁹ p.19, p.21, CERD, CERD/C/MDA/CO/7, 72nd session, 2008

¹⁰⁰ p.16, p.17, CERD, CERD/C/MDA/CO/7, 72nd session, 2008

¹⁰¹ p.16, p.17, CERD, CERD/C/MDA/CO/7, 72nd session, 2008

languages (Ukrainian and Bulgarian so far) and where multilingualism is promoted¹⁰². It is regretful that the possibilities to learn the Gagauz language is limited and that Romani are not taught at all.¹⁰³

Ukrainian, Gagauz and Bulgarian languages and cultures are taught as subjects only in a limited number of schools where the language of instruction is Russian, that Ukrainian or Bulgarian are the language of instruction only in certain classes in a few experimental schools, that there are no schools where the Roma, Azeri or Tatar language and culture are taught, and that the quality of Moldovan language education for minority children is reportedly poor¹⁰⁴.

Teaching of the state language to persons belonging to national minorities continues to be insufficient, reduced opportunities to effectively participate in public affairs and in socio-economic life. Schools where instruction is partly given through the medium of another language do not attain sufficient command of Moldovan by the end of their schooling, which undermines equality of access to public-sector and private-sector employment.¹⁰⁵ The system of teaching of and in minority languages is hampered by a general lack of means, notably of textbooks and adequate teacher training¹⁰⁶.

Linguistic integration of persons belonging to national minorities is a substantial problem as they do not have an adequate command of the State language. Promotion of the learning of State language goes hand-in-hand with measures to protect and develop the languages and cultures of national minorities¹⁰⁷. It also notes with interest that the Bulgarian University of Taraclia is now providing teaching to about 300 students, in particular in the fields of history, culture and language of the Bulgarian minority.¹⁰⁸

Tatars find it difficult to carry out activities to preserve their language. Representatives of the Gagauz minority claim that the efforts made to preserve and promote the Gagauz language and culture are inadequate. It is needed that the national minorities, including numerically smaller groups, in the field of preservation and development of their culture and language¹⁰⁹.

Not sufficient to meet the needs of persons belonging to national minorities. This was especially case for the Ukrainian minority, as well as for numerically smaller minorities. There was also lack of programmes in minority languages in the rural areas where persons belonging to national minorities live in substantial numbers.¹¹⁰ TV continues to broadcast programmes in various national minority languages (Ukrainian, Gagauz, Bulgarian, Romani and Russian as far as TV is concerned) as well as a programme in Russian on all national minorities.

¹⁰² p.112, p.113, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹⁰³ p.139, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹⁰⁴ p.18, CERD, CERD/C/MDA/CO/7, 72nd session, 2008

¹⁰⁵ p.113, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹⁰⁶ Resolution CM/ResCMN(2010)6, on the implementation of the Framework Convention for the Protection of National Minorities by Moldova

¹⁰⁷ P.149, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹⁰⁸ p.136-138, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹⁰⁹ p.70, p.72, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹¹⁰ p.111, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

Furthermore, public debates should be initiated, notably through the media, on issues of tolerance and intercultural dialogue and the need to combat intolerance and hatred, involving both persons belonging to the majority population and to minorities.¹¹¹

Recommendations refer to intensify its efforts to provide adequate opportunities for minority children to receive instruction in their native language, as well as in Moldovan, and/or study their language and culture throughout the entire cycle of education, including by (a) extending the teaching of Ukrainian, Gagauz and Bulgarian to schools where the language of instruction is state language; (b) increasing the number of schools where these languages are the language of instruction; and (c) introducing languages of numerically smaller minorities as school subjects whenever there is sufficient demand. The State party should also continue and further intensify its efforts to improve the quality of state language education for minority children. It is encouraged to proceed with its planned accession to the European Charter for Regional and Minority Languages, and to consider applying it also to numerically smaller minorities¹¹².

It is recommended to develop a system of multilingual education, including education in minority languages. Make every effort to improve substantially the availability and quality of teaching of the state language,¹¹³ reinforce its efforts to promote inter-ethnic dialogue and tolerance among the different ethnic groups living within its jurisdiction with a view to eliminating discrimination.¹¹⁴ All Moldovan citizens have the opportunity to learn Moldovan so as to be able to integrate into society and have genuine equality of opportunities; at the same time, it should avoid any assimilation which would deprive national minorities of the possibility or capability of using their own language.¹¹⁵

Civil servants are to acquire more skills in the minority languages concerned.¹¹⁶

Concerns are raised of the violations by the self-proclaimed authorities in Transnistria of children's rights to have access to education in their mother tongue following the closure of schools teaching the state language in the Latin script¹¹⁷.

Religion

Minority religious groups, including Jews

Moldovan society is often described as being tolerant but some issues covered in this report indicate that there is a problem of general awareness of what constitutes a racist or otherwise intolerant statement or act. Racism is often perceived in Moldova as a notion covering only the most blatant abuses of human rights such as state-sanctioned segregation, apartheid or Nazism. However, racism and racial discrimination are continually evolving, taking form such as the targeting of groups on the grounds not only of race but also of skin color, language, religion, nationality and national or ethnic origin, or a combination of these grounds, and can occur in more subtle, but nonetheless harmful, forms

¹¹¹ p.88, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹¹² p.18, CERD, CERD/C/MDA/CO/7, 72nd session, 2008

¹¹³ Resolution CM/ResCMN(2010)6, on Framework Convention for the Protection of National Minorities by Moldova

¹¹⁴ p.34, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

¹¹⁵ p.84, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹¹⁶ p.119, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹¹⁷ p.24, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007,

experienced in everyday life. Occurrence of racist verbal abuse encountered by immigrants from African and Asian countries³⁵ or police harassment against Muslims is reported¹¹⁸.

Stereotypes, prejudices and sometimes hate speech against Jews and foreigners continue to be disseminated by the media, even though the supervisory organs of the media have not registered any complaints¹¹⁹. Cases reported of the circulation of material and literature inciting to hatred and in particular to antisemitism, and reports concerning the desecration of Jewish cemeteries.¹²⁰

Existing legislation on racial hatred and racially-motivated acts is rarely applied, non-traditional religions are reportedly subject to widespread intolerance, and isolated incidents of anti-Semitism have also been recorded, such as hate speech and desecration of Jewish monuments and cemeteries.¹²¹ Jewish communities are concerned, on cases of desecration of Jewish cemeteries and tombstones, even though they consider that it is difficult to establish whether they should be qualified as mere vandalism or as antisemitic acts. Jewish communities but which also concerns other minority religious groups is the issue of restitution of religious properties confiscated by previous regimes.¹²² General lack of awareness of the importance of racist offences as an issue may result in a failure to treat racist offences as such. It considers that specific training for all those involved in the criminal justice system – police, prosecution and judiciary – is needed to raise officials' awareness of issues of racism, discrimination and intolerance and to ensure that the relevant cases are treated appropriately.¹²³ Sources report allegations of racial discrimination on the part of some private parties, particularly discrimination against immigrants from African and Asian countries, these cases are not brought to justice.¹²⁴

Muslim organizations have not succeeded in having Islam recognized as a religion, it prevents them from effectively exercising their right to manifest their religion and establish religious institutions, organizations and associations.¹²⁵ Muslim burials of Muslim ethnic minorities have repeatedly asked to be assigned separate burial site¹²⁶. Police and other authorities sometimes interfere in religious activities of religious groups on the grounds that they are not registered, even though registration should not be a precondition for running these activities. Members of Muslim communities have been unduly prosecuted by law enforcement officials for practicing their faith in private premises, a right which does not depend on registration.¹²⁷ They are subject to harassment on the part of members of the majority population or members of the majority church, particularly in rural areas.¹²⁸

Muslim minority representatives complain facing unjustified and disproportionate administrative obstacles in their attempts to have their confession registered and that the authorities refuse to engage in a dialogue with them on this issue.¹²⁹ Muslim believers complain about frequent and unjustified police raids at their places of worship. Police misconduct does not seem to be systematically investigated and

¹¹⁸ p.88, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹¹⁹ p.80, p.84, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹²⁰ p.26, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007,

¹²¹ Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹²² p.77-78, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹²³ p.27, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007,

¹²⁴ p.32, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹²⁵ Resolution CM/ResCMN(2010)6, on the implementation of the Framework Convention for the Protection of National Minorities by Moldova

¹²⁶ p.14 CERD, CERD/C/MDA/CO/7, 72nd session, 2008

¹²⁷ p.72, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹²⁸ p.73, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹²⁹ p.103, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

sanctioned as necessary and there is at present no independent body monitoring the conduct of the police and investigating complaints. Disproportionate occurrences of controls, including fiscal. Muslims also stress the difficulty to find premises to practice their religion, due *inter alia* to the lack of official registration¹³⁰.

Recommendations refer that racially-motivated or anti-Semitic acts should be effectively investigated and sanctioned as necessary. Systematic monitoring of these acts should be carried out by the authorities. Comprehensive anti-discrimination legislation should be adopted. Resolute measures to combat all forms of intolerance, including in the media and in political life, and promote mutual respect and understanding. [Actions should be taken] at facilitation of the registration of Muslim ethnic minorities such as the Tatars as religious communities¹³¹. Members of Muslim ethnic minorities such as the Tatars can be buried in accordance with their beliefs and preferences¹³².

Ensure that Muslim believers, and persons belonging to other religions, can effectively enjoy the right to manifest their religion or belief and establish religious institutions, organizations and associations.¹³³ Measures to combat all forms of intolerance and promote understanding and mutual respect, including respect for religious diversity. Measures should, in particular, be taken to prevent and combat intolerance and hate speech in politics¹³⁴.

Implement a training programme for all those involved in the criminal justice system – police, prosecution and judiciary – in order to raise these officials' awareness of issues of racism, discrimination and intolerance.¹³⁵ A complementation of the existing provisions by adopting comprehensive legislation prohibiting racial discrimination in a precise and exhaustive manner to ensure that all areas of life such as education, access to housing, public services and public places and contractual relations between individuals are covered¹³⁶. Authorities to look into means of setting up a full and coherent system of data collection so as to evaluate the situation regarding the different minority groups in Moldova and determine the extent of manifestations of racism and racial discrimination.¹³⁷ General lack of reference to the history and culture of national minorities, to only children belonging to these minorities and who study in minority schools – are made aware of the history and culture of the different national minorities living in the country such as for instance the Ukrainians, the Bulgarians, the Gagauz, the Roma and the Jews¹³⁸. Human rights education and particularly the principle of non-discrimination and the need to combat racism and intolerance should be taught at all levels and across all disciplines.¹³⁹

Gender

Discrimination and hatred against LGBTI persons

¹³⁰ p.91, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹³¹ p.25, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

¹³² p.14 CERD, CERD/C/MDA/CO/7, 72nd session, 2008

¹³³ Resolution CM/ResCMN(2010)6, on the implementation of the Framework Convention for the Protection of National Minorities by Moldova

¹³⁴ p.79, Advisory Committee on Framework Convention for the Protection of National Minorities, 3rd Opinion on Moldova, 26 June 2009

¹³⁵ p.28, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007,

¹³⁶ p.35, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹³⁷ p.99, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹³⁸ p.125, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

¹³⁹ p.120, ECRI, CRI(2008)23, 3rd Report on Moldova, 14 December 2007

Discrimination based on sexual orientation appears to be widespread, violence and hatred against homosexuals¹⁴⁰ is a concern.

[Actions should be ensured to] punish hate crimes as acts of intolerance and incitation to hatred and violence based on sexual orientation continue to be vigilant in ensuring that the relevant existing legal and administrative measures are strictly observed and that training curricula and administrative directives constantly communicate to staff the message that incitation to hatred and violence will not be tolerated and will be sanctioned¹⁴¹. Measures to combat discrimination based on sexual orientation should be adopted including training programs for police officers and health-care professionals¹⁴².

Gender inequality

In Moldova, while women in general face gender-based discrimination, certain groups of women face additional forms of discrimination, social exclusion and marginalization based on additional grounds such as race, ethnic or religious identity, disability, or other factors. Yet even the discrimination they face due to such factors is gender specific. Thus, in 2006 the UN Committee on the Elimination of Discrimination against Women expressed concern on a number of issues, including:

- increased feminization of poverty, particularly among vulnerable groups of women such as rural women, single women heads of households, women belonging to ethnic groups, in particular Roma women, disabled women and elderly women¹⁴³;
- prevalence of domestic violence and the lack of provision for legal remedies in case of violations¹⁴⁴ widely spread patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and society¹⁴⁵;
- the limited availability of statistical data disaggregated by sex, ethnicity and age, and by urban and rural areas¹⁴⁶.

Participation of women in the employment market remains considerably lower than that of men and that a significant gender wage gap persists as a result¹⁴⁷. Gender inequality persists¹⁴⁸, the gap in wages between women and men despite the Remuneration Act No. 847 of 14 February 2002, which prohibits discrimination on the grounds of sex in determining remuneration¹⁴⁹.

Situation of women in the labor market, which is characterized, in spite of women's high level of education, by increasingly high female unemployment, the concentration of women in low-paid sectors of public employment such as health, social welfare and education, and the wage gap between women and men in both the public and private sectors¹⁵⁰. Number of women in decision-making positions in political and public life remains low, including in the parliament, the civil service and the judiciary. It is also concerned about the low representation of women in decision-making positions in the Foreign Service.

¹⁴⁰ p.27, CAT, 43rd session, Geneva, 2 - 20 November 2009

¹⁴¹ p.27, CAT, 43rd session, Geneva, 2 - 20 November 2009

¹⁴² p.14, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

¹⁴³ P.20 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁴⁴ P.22 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁴⁵ P.18 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁴⁶ P.34 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁴⁷ p.15, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

¹⁴⁸ p.13, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

¹⁴⁹ p.15 SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

¹⁵⁰ P.28 CEDAW/C/MDA/CO/3, 25 August 2006

Recommendations establish concrete goals and timetables to accelerate women's equal participation in public and political life at all levels. Importance to society as a whole of women's full and equal participation in leadership positions at all levels of decision-making for the development of the country¹⁵¹, ensure that women enjoy equal access to the labor market and receive equal pay for work of equal value¹⁵².

Equality of opportunities for women and men in the labor market through, inter alia, temporary special measures, efforts are to eliminate occupational segregation, both horizontal and vertical, and to narrow and close the wage gap between women and men through, inter alia, additional wage increases in female-dominated sectors of public employment¹⁵³ and ensuring equal pay for work of equal value¹⁵⁴.

Domestic violence against women

Concerns of prevalence of violence, including domestic violence, against women, lack of availability of updated sex-disaggregated data on all forms of violence against women.¹⁵⁵ Violence against women remains widespread, existing legislation does not define "domestic violence" as a specific offence. Persistence of violence against women and children, including domestic violence, the rarity of intervention measures by the judiciary.

Lack of crisis centers for victims of domestic violence is also a cause for concern¹⁵⁶, victims of domestic violence do not have access to immediate means of redress and protection, including protection orders, and access to a sufficient number of safe shelters and legal aid¹⁵⁷, ¹⁵⁸. There is limited number and capacity of shelters for victims of domestic violence, and at reports that domestic violence is deemed to warrant the intervention of the police only in cases where it has resulted in serious injury.

Authorities should aim at establishment of additional shelters, the provision of free counseling services and such other measures as necessary for the protection of victims. It is needed the provision of training on the handling of domestic violence to all professionals involved in such cases, including police officers, prosecutors, judges and social workers, with emphasis on the gender aspects of domestic violence¹⁵⁹.

Persons with HIV/AIDS

Concerns have been expressed that persons infected with HIV/AIDS face discrimination and stigmatization including in the fields of education, employment, housing and health care¹⁶⁰ as well as the rising incidence of HIV/AIDS and sexually transmitted diseases. The high percentage of women with anemia and the increase in HIV/AIDS infection rates and in sexually transmitted diseases¹⁶¹ is confirmed.

It has been recommended that efforts to combat the spread of HIV/AIDS and other sexually transmitted diseases, including through public information campaigns and by ensuring that sex education is also

¹⁵¹ P.26 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁵² p.15, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

¹⁵³ p.28 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁵⁴ p.37, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

¹⁵⁵ p.22 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁵⁶ p.20 SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

¹⁵⁷ p.23 CEDAW/C/MDA/CO/3, 25 August 2006

¹⁵⁸ p.23 CAT, 43rd session, Geneva, 2 - 20 November 2009

¹⁵⁹ p.16, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

¹⁶⁰ p.12, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

¹⁶¹ p.30, CEDAW/C/MDA/CO/3, 25 August 2006

introduced to schools in rural areas¹⁶², ensure the effective implementation of programmes to prevent and combat drug abuse, especially among young people¹⁶³ and adopt measures to address the stigmatization of HIV/AIDS sufferers through, among other things, awareness raising campaigns on HIV/AIDS, including removing the prohibition on the adoption of children with HIV/AIDS, as well as any other discriminatory laws or rules pertaining to HIV/AIDS¹⁶⁴.

Persons with mental disabilities

Concerned have been raised about the treatment of psychiatric patients, including lack of legal safeguards and poor living conditions in places where persons are held for involuntary treatment, as well as about the lack of independent monitoring of such places of deprivation of liberty¹⁶⁵. Moldova was recommended to improve the living conditions for patients in psychiatric institutions and ensure that all places where mental health patients are held for involuntary treatment are regularly visited by independent monitoring entities to guarantee the proper implementation of the safeguards set out to secure their rights, and that alternative forms of treatment are developed.

¹⁶² p.48, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

¹⁶³ p.50, SCER, 31st session, 10-28 November 2003, E/C.12/1/Add.91

¹⁶⁴ p.12, HRC, CCPR/C/MDA/CO/2, 29 October 2009, 97th session

¹⁶⁵ p.26 CAT, 43rd session, Geneva, 2 - 20 November 2009

4. Review of good practices and policies to address causes and consequences of vulnerability

4.1 Types of vulnerability and severity

In this section we attempt to synthesize and systematize the vulnerable groups identified. We develop matrix on degree/severity of vulnerability and the corresponding rights affected of the vulnerable groups. There could be several ways to classify the causes of the perpetuation of the vulnerability: 1) systemic vs non-systemic, 2) social vs. economic vs political causes. Or the classification from the rights-based perspective: 1) existence vs development rights, 2) rights from state obligation perspective: protection, promotion and fulfillment.

Systemic vs nonsystemic causes from policy perspective distinguish systemic as value-based in the society and non-systemic that depends on the forces of market, access to resources political system. Value-based causes called systemic as they sit deeply in the society dominant groups or in the society substantially. System causes are difficult to change and requires leadership, examples, courage and information, they are reproduced by conventional and main-stream media and opinion makers. Setting different norms and adopting laws are less effective in this case. Non-systemic causes related to scarcity resources, failure of market, political considerations, if not related to also systemic (value-based), are easier to address as require basically comprehensive understanding of the situation and technical knowledge to design the policies that work that revert the situation. Some situation face unfortunately both systemic and non-systemic causes, these are very difficult to change.

Classification of the causes according to the social, economic and political criteria helps first to recognize the type intervention is required and second recognize that the need for a multidimensional intervention to improve the situation. Most of the situation requires intervention in the two dimensions, and the success of the action depends largely on the multidimensional character of the action.

Social: stigma/perception, behaviors, social tradition, absence of adequate information, conservative pastoral value framework, conservative education, prevalence of aging society, inherited soviet value system (authoritarian, dependence); Economic: scarcity of resources, narrow labor market (economy of scale), undeveloped infrastructure/utility, monopolization/oligopolisation, absence of economy of scale, reliance on state/institutional control, regulatory intervention; Political: non-representation in political party system, political instability, economic interest-based parties.

From the rights perspective, we can distinguish existence rights and development rights. Existence rights are right to life, dignity, identity, discrimination. While development rights: barriers to integration, advancement for well-fare in society, state obligation is evaluated against the concept of: protection¹⁶⁶, promotion¹⁶⁷ and fulfillment¹⁶⁸ of the human rights.

¹⁶⁶ Obligation of state to protect from and not to intervene in

¹⁶⁷ Obligation of state to take measures to inform and provide assistance for the realization of right

¹⁶⁸ Obligation to take concrete steps and measures to ensure the rights

Vulnerability Study

Matrix of vulnerability

	Vulnerable group	Vulnerability	Causes	Possible decentralization impact	Rights affected	State obligation
1.1	Poor households (page 6), 100 thous	Income Extreme forms are severe	Economic: tight labor market; low productivity in agricultural sector; Social: social policies are not effective and not targeting the most needed;	Decentralized management of the identification of eligibility improves coverage and targeting	Right to decent life; Right to development;	Obligation to fulfill
1.2	Poor children (page 6),	Income Extreme forms are severe	Social: social policies are not effectively targeting; undeveloped social services;	Decentralized management of the identification of eligibility improves coverage and targeting; Local authorities matched with community-based social services improves living conditions;	Right to decent life; Right to development;	Obligation to fulfill
1.3	Large households with children (page 7)	Income	Social: social policies are not effectively targeting; undeveloped social services;	Decentralized management of the identification of eligibility improves coverage and targeting; Local authorities matched with community-based social services improves living conditions;	Right to decent life; Right to development;	Obligation to fulfill
2.1	Orphan children, abandoned (page 7), 177 thous	Age, social status	Economic: parents migrate for income consideration living behind children, Social: poor households better off with children institutionalized; per capita financing of residential care stimulates institutionalization; outbalance direct family support;	Local authorities matched with community-based social services improves living conditions; Reform of centralized institutional care provides for support of community-based care switching institutional care centralized money to local authorities;	Right to family; Right to development;	Obligation to fulfill
2.2	Young people (page 7),	Age, social status	Economic: tight labor market to integrate the young; Social: inadequate skills acquisition;	Decentralization has no impact	Right to development	Obligation to promote
2.3	Elderly abandoned (page 8)	Age	Social: undeveloped social services to care;	Local authorities matched with community-based social services improves living conditions;	Right to decent life	Obligation to promote
3.1	Persons with disabilities (page 8)	Disability, Extreme forms when poor	Economic: tight labor market; banning access to labor market for some categories; Social: medical concept prevails stimulating withdrawal from integration; costly institutional forms of care; undeveloped community-based services Presence of systemic causes	Reform of centralized institutional care provides for support of community-based care switching institutional care centralized money to local authorities;	Right to decent life	Obligation to fulfill

Vulnerability Study

3.2	Persons with mental disability (page 9)	Disability	Social: costly institutional forms of care; undeveloped community-based services	Reform of centralized institutional care provides for support of community-based care switching institutional care centralized money to local authorities;	Right to decent life	Obligation to fulfill
3.3	Children with disability (page 9)	Disability	Social: costly institutional forms of care; undeveloped community-based services Presence of systemic causes	Reform of centralized institutional care provides for support of community-based care switching institutional care centralized money to local authorities;	Right to development Right to decent life	Obligation to fulfill
4.1	Roma (other than poor households) (page 10)	Ethnicity, multiple forms: income, Extreme forms coupled with poverty	Political: nonrepresentation in decision-making process; Economic: absence for decades investment into Roma community infrastructure; inadequate skills for effective labor market integration; Social: deep stereotypes and stigma; absence and unenforcement of effective anti-discrimination policies; Presence of systemic causes	Quotas in local decision-making might improve political representation; Decentralization might have no effect or even adverse effect	Right to development Right to decent life	Obligation to fulfill
4.2	Roma children (other than poor households) (page 10)	Ethnicity. Language, extreme forms with poverty	Social: quality of education is poorer than non-roma; deep stereotypes and stigma; absence of teaching of mother tongue and bilingual education; absence of adequate quota system to enter professional education and graduate schooling Presence of systemic causes	Decentralization of curricular from language perspective might create opportunities if supported by state run grants;	Right to self-identity; right to development;	Obligation to promote and to fulfill
4.3	Bulgarian/Ucr/Gag minorities (page 11)	Ethnicity. language	Social: absence of teaching of mother tongue and bilingual education; low integration due to absence of state language skills; incentive to emigrate	Decentralization of curricular from language perspective might create opportunities if supported by state matching funds and incentives;	Right to self-identity and education	Obligation to promote and fulfill
4.4	Moldovans in Td (page 11)	Ethnicity. language	Social: absence of teaching of mother tongue and bilingual education; low integration due to absence of state language skills; incentive to emigrate		Right to self-identity and education	Obligation to promote and fulfill
5.1	Muslims (page 12)	Religion	Social: deep stereotypes and stigma; absence and unenforcement of effective anti-discrimination policies; Presence of systemic causes	Decentralization has no effect	Right to self-identity Right to religion	Obligation to protect
5.2	Nonorthodox Christian (page 12)	Religion	Social: deep stereotypes and stigma; absence and unenforcement of effective anti-discrimination policies; Presence of systemic causes	Decentralization has no effect	Right to self-identity Right to religion	Obligation to protect

Vulnerability Study

6.1	Children education (page 13)	Rural region	Social: formula-based financing disfavors education in rural area; teachers under-paid migration; low education investment	Decentralization by improving pay system and matched by state grants could play good role	Right to education	Obligation to promote
7.1	Women stereotypes in society (page 13)	Gender	Economic: pay system bias; Social: deep stereotypes and stigma; absence and unenforcement of effective anti-discrimination policies; Presence of systemic causes	Decentralization has no effect	Right to equality	Obligation to promote
7.2	LGBTI (page 13)	Gender	Social: deep stereotypes and stigma; absence and unenforcement of effective anti-discrimination policies; Presence of systemic causes	Decentralization has no effect	Right to expression, non-discrimination	Obligation to protect and to promote
7.3	Domestic violence women (page 14)	Gender	Social: deep stereotypes and stigma; absence and unenforcement of effective anti-discrimination policies; Presence of systemic causes	Decentralization of community services by matched by state grants could play good role	Right to physical integrity	Obligation to protect
7.4	Trafficking women (page 14)	Gender	Economic: tight of labor market; Social: mafia type systems; absence of victim referral system and reintegration support	Decentralization of community services by matched by state grants could play good role	Right to physical integrity	Obligation to promote and protect
8.1	HIV/AIDS (page 15)		Social: deep stereotypes and stigma; absence and unenforcement of effective anti-discrimination policies; Presence of systemic causes	Decentralization has no effect	Right to life; right to adequate health services	Obligation to fulfill
9	Agricultural entrepreneurs (page 15)		Economic: barriers to access sells markets; low productivity; costly access to credits;	Decentralization has no effect		Obligation to promote

4.2 Evidence from international sources on the causes of groups' vulnerability

Research carried out on this topic provides useful insight on various causes for the groups' vulnerability that leads to individual or systematic violations of human rights. In a number of cases they are intertwined and have complex nature.

Some groups have consistently inferior opportunities—economic, social, and political—than their fellow citizens. Such disparities violate a sense of fairness, particularly when the individuals affected can do little about them. This is consistent with the teachings of much political philosophy and with the International system of human rights. There is also experimental evidence suggesting that many—but not all—people behave in ways consistent with a concern for fairness, in addition to caring about how they fare individually¹⁶⁹.

With imperfect markets, inequalities in power and wealth translate into unequal opportunities, leading to wasted productive potential and to an inefficient allocation of resources. Markets often work, whether because of intrinsic failures—such as those associated with asymmetric information—or because of policy-imposed distortions. If capital markets worked perfectly, there would be no relation between investment and the distribution of wealth: anyone with a profitable investment opportunity would be able to either borrow money to finance it, or to sell equity in a firm set up to undertake it. But capital markets, including through policies, are very far from perfect: credit giving depends on the prospective clients, and interest rates differ, where marginalized have no access or are barred by higher credit rates.

The market for human capital is also imperfect, because parents make decisions on behalf of their children and because the expected returns to investment are influenced by location, contacts, and discrimination—on grounds of gender, caste, religion, or race. Discrimination and stereotyping—mechanisms for the reproduction of inequality between groups—have been found to lower the self-esteem, effort, and performance of individuals in the groups discriminated against. This reduces their potential for individual growth and their ability to contribute to the economy.

Economic and political inequalities are associated with impaired institutional development. The second channel through which inequity affects long-run processes of development is the shaping of economic and political institutions. Institutions determine the incentives and constraints people face and provide the context in which markets function. Different sets of institutions are the outcome of complex historical processes that reflect the interests and structure of political influence of different individuals and groups in a society. From this perspective, market imperfections may arise not by accident but because they distribute income or power in particular ways. In this view, there will be social conflict over the institutions of society and incentives for people who control power to shape institutions in ways that benefit them.

The unequal power leads to the formation of institutions that perpetuate inequalities in power, status, and wealth—and that typically are also bad for the investment, innovation, and risk-taking that underpin long-term growth. Good economic institutions are equitable in a fundamental way: to prosper, a society must create incentives for the vast majority of the population to invest and innovate. But such an equitable set of economic institutions can emerge only when the distribution of power is not highly unequal and in situations in which there are constraints on the exercise of power by officeholders.

¹⁶⁹ P.8-10, World Bank, Equity and Development, World Development Report, 2006

4.3 Evidence of good policies and development programs

Attention to the vulnerable groups and minority rights is also critical to the fulfillment of a Human Rights-Based Approach (HRBA) to development programming¹⁷⁰. The HRBA necessitates programming practices that include:

- 1) Identification of human rights claims and the corresponding obligations of all the stakeholder groups involved, *including those of minorities*.
- 2) Analyzing the underlying and structural causes of the non realization of rights; assessing the capacities of both rights holders and duty bearers, and supporting capacity development measures, *including examining the causes of non-realization of rights for minorities and building capacity to exercise and fulfill these Rights*.
- 3) Monitoring and evaluating both processes and outcomes, guided by international Human rights standards and principles, *including monitoring impact on minorities and their particular rights to recognition, non-discrimination, protection of identity and participation*.

More resources to prudent problem and policy analysis¹⁷¹

Wrongly formulated problem statements lead to wrong or inadequate policy responses. First step is to understand the problem, the causes, and the dynamics, and to reframe the problem statement according to the results. Awareness about the importance of giving opportunity to all groups and members of society to fully realize their potential is at the core of comprehensive mix of desired policies.

Raise awareness and promote social inclusion

Inform decision makers of the multiple weaknesses and vulnerabilities of the groups as well as their suffering. In democratic societies, deprivation and exclusion cannot be contained in small areas.

Create and implement integrated community-based approaches

All these groups whose life opportunities have been analyzed in the studies clearly fell through the holes in the social safety net and mainstream public policies. For them, help can come only from a deeper understanding of their problems and possibilities, and from a more or less complex and integrated strategy for improving their opportunities. For vulnerable groups suffering from multiple deprivations, there is a need for complex and integrated policy packages that respond to specific needs and constraints.

The poor generally have less voice, less income, and less access to services than most other people. When societies become more equitable in ways that lead to greater opportunities for all, the poor stand to benefit from a “double dividend.” First, expanded opportunities benefit the poor directly, through greater participation in the development process. Second, the development process itself may become more successful and resilient as greater equity leads to better institutions, more effective conflict

¹⁷⁰ p.31 Marginalized Minorities in Development, A UNDP Resource Guide and Toolkit, Democratic Governance Group Bureau for Development Policy, May 2010,

¹⁷¹ p. 12, Development, Planning, Services, and Vulnerable Groups, Edited by Katalin Pallai, by Local Government and Public Service Reform Initiative, Open Society Institute–Budapest, OSI/LGI, 2009

management, and a better use of all potential resources in society, including those of the poor. Resulting increases in economic growth rates in poor countries will, in turn, contribute to a reduction in global inequities.

Best policies for poverty reduction involve redistributions of influence, advantage, or subsidies away from dominant groups

Highly unequally distributed wealth associated with unduly concentrated political power can prevent institutions from enforcing broad-based personal and property rights, and lead to skewed provisioning of services and functioning of markets. This is unlikely to change unless voice and influence, and public resources, shift away from the dominant group toward those with fewer opportunities

Equity-enhancing redistributions (of power or access to government spending and markets) can often be efficiency-increasing, possible tradeoffs need to be assessed in the design of policy

At some point, higher tax rates to finance spending on more schools for the poorest will create so much disincentive to effort or investment (depending on how the taxes are raised), that one should stop raising them. When making a policy choice along such tradeoffs, the full value of the benefits from equity enhancement should be considered. If greater spending on schools for lower-caste children means that, over the long term, stereotyping will decline in society, with attendant increases in performance that are additional to the specific gains from greater schooling today, these gains should not be ignored.

Dichotomy between policies for growth and policies specifically aimed at equity is false

The distribution of opportunities and the growth process are jointly determined. Policies that affect one will affect the other. This does not mean that each policy needs to take equity into account individually: for example, the best way to deal with inequitable effects of a particular trade reform is not always through fine-tuning trade policy itself (which might make it more susceptible to capture) but through complementary policies for safety nets, labor mobility, and education. The overall package and the fairness of the underlying process are what matter.

Overcoming the marginalization of the vulnerable groups and minorities has direct benefits for national development processes and the achievement of inclusive growth. Discrimination against the vulnerable groups and minorities is a major factor in poverty and inequality; addressing discrimination can make poverty reduction strategies more effective. Knowledge of the negative effects of discrimination on development and the particularities of cultural and religious traditions of marginalized groups can better equip them to create more flexible, effective and well-informed strategies for poverty reduction¹⁷².

Overcoming marginalization of minorities usually means addressing existing inequalities in power and entrenched structures of discrimination. It is important to highlight the negative impact that inequality has upon overall development and to support those in power to make changes that enable the full participation of even the most excluded in society. Conduct a mapping and analysis exercise to determine: the situation of each marginalized minority group; the impact on minorities of

¹⁷² p.1, Marginalised Minorities in Development, A UNDP Resource Guide and Toolkit, Democratic Governance Group Bureau for Development Policy, May 2010,

marginalization and exclusion (e.g. the impact on cultural or religious life); the root causes of inequality and exclusion; and the existence and nature of CSOs that articulate the concerns of minorities.

*Policies in education*¹⁷³

Educational attainments among minority groups are often lower; curriculum reform that takes account of minority cultures, languages and tackles discrimination will contribute towards achieving education for all. Markets that are unfairly manipulated to benefit only the dominant groups and discriminate against minorities achieve suboptimal growth and discourage minorities from investing fully in their human capital potential for production.

Affirmative action in various forms is an option for addressing discrimination in access to education. This may be in the form of reserved places in educational institutions for minorities, designated scholarships for minorities, or investment of additional resources into education in regions where minorities reside. The provision of minority culture education may take many forms. While long-established minorities with large populations may have a greater claim to public resources for minority education, there are benefits to providing similar services to new minority groups. This helps to ease immigrant children into the mainstream education system and language, and builds a multi-lingual constituency in the country. Financial assistance through inter-state cooperation for the provision of education is also encouraged by international standards (e.g. OSCE Lund Recommendations). Overcoming inequality in access to education might require the provision of culturally-adapted education.

*Effective participation*¹⁷⁴

The right to effective participation for minorities can be divided into three key aspects: the right to participate in public life and decision-making, especially on issues that affect them; the right to participate in the life of their own community; and the right to participate in the benefits of economic progress and development. The key message in all these provisions is *effective* participation. Any mechanisms for participation should be genuine and inclusive. Opportunities for consultation should be provided *before* decisions are made. Consultation process includes wide participation from within the minority community. Problems may arise if such engagement only deals with select community leaders who may not represent the community as a whole. Community leaders or spokespersons are often older men and may not reflect the opinions or priorities of women or other marginalised groups in the community. Such consideration is to be balanced with due recognition of any traditional leadership structures that exist in the minority community.

Policy responses to ensure the right to participate in decision-making that affects minorities may be taken at the central, regional or local levels. At a minimum, minorities should have the right to vote and to stand for office without discrimination. Consideration may be given to the shape of electoral systems. Factors such as proportional representation, candidate selection and the boundaries of electoral districts can impact upon minority participation. Designated seats for minorities in the legislature may be created. Minorities have the right to form their own political parties as well.

¹⁷³ p.21 Marginalised Minorities in Development, A UNDP Resource Guide and Toolkit, Democratic Governance Group Bureau for Development Policy, May 2010,

¹⁷⁴ p.24-25 Marginalised Minorities in Development, A UNDP Resource Guide and Toolkit, Democratic Governance Group Bureau for Development Policy, May 2010,

Providing infrastructure equitably

Access to infrastructure—roads, electricity, water, sanitation, telecoms—is typically highly unequal across groups. For many people in developing countries, lack of access to affordable infrastructure services means living in isolation from markets and services and having intermittent or no supply of power or water for productive activities and daily existence. This often results in a significant curtailment of economic opportunities. Policymakers can improve the equitable provision of infrastructure services by focusing on expanding affordable access for poor people and poor areas—which often means working with informal providers and targeting subsidies—and strengthening the governance of the sector through the greater accountability of providers and the stronger voice of beneficiaries.

5. Implications for decentralization

5.1 Evaluation of implication of decentralization on the vulnerable groups.

Current degree of decentralization of policies

Pre-university - education services: implemented by schools (founders are rayon, primaria authorities), kindergartens. 70% finance comes from transfers from central government, rest from local government. Indirect support comes from primaria and rayon's authorities while methodological support comes from rayon authorities. Content of education and curricular, number of personnel are established by Ministry of Education, local authorities have degree of discretion of 5% of the curricular.

Welfare policies are present through *cash benefits transfers and social services*. Ministry of Labour, Social Protection and Family and Ministry of Finance determine the policy. Cash benefits are paid out and their eligibility are assessed by de-concentrated National Social Insurance House (NSIH) rayon agencies. Exception constitutes social aid program (law nr.133 implemented in 2009), where eligibility is assessed by social assistants from primaria, who are paid from the money from state budget. Provision of social services is done by rayon, primaria social workers who are financed in share from local authorities and central authorities.

Health services are provided by rayon hospitals (local authorities are founders of hospitals, licensed by central specialized state agency) and centers for family doctors. The 95% of finances come from central budget by NHIC contracts, where rayon hospitals manage finances for family doctors centers. Rayon authorities pay for some indirect costs of the rayon hospitals. Rayon based epidemiological centers of preventive medicine are financed directly from the state budget.

Police services are provided by the Police commissariats in all towns and rayon level as well as by police sector in each primaria. The rayon police and police commissariats are financed by 70% from the state and the rest from rayon authorities. Police is subordinated to the Ministry of Internal Affairs.

Implementation of fiscal policies are done by rayon Fiscal authorities (de-concentrated agencies) and for local taxes by tax collector at primaria level, paid by primaria. Rayon authorities and primaria has some limited authority over setting local taxes. The fiscal basis of the local authorities is limited to personal income tax, corporate tax (percentage is set by annual law on Budget).

Environmental policies are implemented by Ecological Agency, de-concentrated agency.

Construction, building implementation policies are shared by primaria and rayon authorities. Permits are given by primaria and designs are approved by the rayon based architectural units in rayon authorities, with a number of certificates to be obtained from the de-concentrated agencies (Ecological, Construction Inspection, etc).

Road, infrastructure policies for the territory of rayon and local authorities are determined by rayon and primaria. Local roads maintaining is the responsibility of rayon and local authorities.

Justice policies are the subject of the elaboration and implementation by the central authorities. No role of the local authorities is envisioned.

Table of provision of services and policies at local level

Vulnerability Study

Service	Degree of decentralization	Role of rayon, primaria	Conclusion
1.Pre-university education: schools, kindergarten	<i>Delegated</i> tightly regulated delivery, financed and oversight by central government	Founders of schools, kindergartens, provides overheads, determines 5% of curricular,	Feasible option to decentralize further curricular, further deregulation on oversight. Narrow fiscal basis makes impossible further decentralization. <i>Capacity limited (only elements of regulation, limited subsidy). Role of central authorities' determinative on outcomes of the educational policies.</i>
2.Welfare: cash, services	<i>De-concentrated</i> delivery and eligibility of <i>cash programs</i> (one exception social aid means-tested assessment by local authorities). <i>Services are delegated</i> and tightly regulated and oversight. Services are provided by share of state financing and local provision.	Local authorities support social assistants at primaria (overheads), rayon authorities	Feasible option to decentralize further regulation of social services and their oversight. Narrow fiscal basis makes impossible cash programs and low administrative capacity their administration. Cash eligibility administration could be improved. <i>Capacity limited, yet availability of premises, overhead and political support exists. Role of central authorities' determinative on outcomes of the social welfare policies.</i>
3.Health services	<i>De-concentrated</i> delivery.	Rayon authorities are founders of rayon hospitals.	Feasible option to extend the overheads support and delegated role of rayon authorities, yet privatization and liberalization are better choice. <i>Local authorities have very limited role. Central authorities have determinative role.</i>
4. Police services	<i>De-concentrated</i> delivery.	Primaria provides overheads for sector policemen.	No feasibly roles for the extension of local authorities. <i>Role of central authorities is a key one.</i>
5. Fiscal policies	Centralized. Annual budget sets the type and quantum of local taxes.	Rayon authorities collect local taxes, set the waivers for local taxes.	Extending fiscal basis for local authorities could be an option. Transfer of assets to local authorities, including for taxable purposes could be an option as well. <i>Role of local authorities could increase, yet, it is quite complex, and thus help other types of policies.</i>
6. Construction, building	Decentralized regulated.	Primaria issue permits for construction.	Role of local authorities is substantial in support of local roads. <i>Infrastructure development by local authorities should be vulnerability sensitive</i>
7. Environmental	De-concentrated.	No role	No possible role for local authorities.
8. Roads, water	Decentralized for local roads.	Keep up local roads.	Narrow fiscal basis hinders role of local authorities. <i>Infrastructure development by local authorities should be vulnerability sensitive</i>
9. Justice policies	Centralized	Absence or identification by collection of information or support	Role of central authorities is substantial.

5.2 Decentralization and its possible impact on vulnerable groups

Possible decentralization may shift the role of the local authorities. Local authorities (rayon level) could become more involved in the delivery of the policies by delegation or by delivery based on the greater fiscal capacity. At the same time, the delegation, decentralization in most case means more resources to manage and administer the services.

The current version of the draft Government Decentralization Strategy does not provide for the specific understanding of the decentralization efforts in each area¹⁷⁵. It sets out principles and important definitions of the decentralization and key areas for the intervention. Possible evaluation of the impact of the decentralization strategy could be only realized once the specific provisions of the decentralization will be outlined. The Descentralisation Strategy can also provide for the centralization of some services, yet this is another subject of study.

Research on the possible impact of descentralisation of the impact of vulnerable groups is diverse. Generally the process of decentralization includes mostly the process of sharing competences and coparticipation of central and local government rather than total decentralization. Some core considerations for this are: 1) requirement for a higher *efficiency* of local government services, improved management techniques or developing new rules of modern administrative ethics 2) concerns of a higher *public participation*, more transparent operation of municipalities and the establishment of direct contacts to citizens are high priority goals of reform, 3) needed professionalization of local government staff and municipal service organization¹⁷⁶.

Descentralisation processes in education in Central European context¹⁷⁷ shows that at local level there is insufficient information and skills to manage the process, systems and approaches for the evaluation and monitoring is also absent frequently, the relationships among local and central authorities remains formal rather than cooperative, in the course of transformation support mechanisms are absent, central government should still be involved and provide regulatory support and balance the possible inequalities.

Descentralisation in health care in European context¹⁷⁸ appear to reflect a growing pattern of the retreating from the core concepts of decentralization, recentralizing important functions of financing, quality supervision, given pressure of the need to innovation, introduction of more efficient technologies and finally that a mix policy of central-local government participation in delivery is the most adequate approach.

Descentralisation of services for disabled persons¹⁷⁹ shows that the process can have deep uncertainty attitudes and distrust on behalf of the people with disabilities. In local context this type of reforms for this type of services would require substantial investment and long-term engagement from the central government to create community-based care.

¹⁷⁵ Strategia de Descentralizare. Draft 2 (not for public distribution), 1st draft September 2010, revised October, 2010

¹⁷⁶ Decentralization: Experiments and reforms, eds Thomas Horvath, LGI, 2000,

<http://lgi.osi.hu/publications/books/decentralization/EntireBook.pdf>

¹⁷⁷ Gabor Halasz and Herbert Altrichter, Comparative Snalysis of Decentralization Polices and their results in CEE countries, 1999, <http://www.oki.hu/oldal.php?tipus=kiadvany&kod=descentralisation>

¹⁷⁸ European Observatory on Health Systems and Policies, Decentralization in Health care, Open University Press, 2007 http://www.euro.who.int/_data/assets/pdf_file/0004/98275/E89891.pdf

¹⁷⁹ J.Agosta, B.Blaney, Decentralization of Services for people with Disabilities in CEE, 1995,

[http://www.hsri.org/files/uploads/publications/630 Decentralization of Services for People With Disabilities in Central Europe.pdf](http://www.hsri.org/files/uploads/publications/630%20Decentralization%20of%20Services%20for%20People%20With%20Disabilities%20in%20Central%20Europe.pdf)

One research conclude that in very centralized countries where central government controls strictly budget and expenses, the needs of the local communities are poorly addressed in terms of education, access to resources, etc¹⁸⁰. Other sources underline that decentralisation comes with challenges of local authorities perceived as inefficient and lack enthusiasm in carrying out their duties due to: a) local administration may not necessarily be able to expand its existing sources of income; b) even with increase revenue for local administrations, local governments still lack the authority and powers to determine their own sources of revenue; c) lack of capable personnel to manage local budgets; d) devolution occurred without the appropriate mechanisms to help support the process; e) persistence of the bias at local level against some groups within the communities with absence of the adequate instruments to address¹⁸¹. Adequate underresourcing is likely to be among the key problem with some types of decentralisation, where central government required providing support¹⁸².

A study in a local context finds¹⁸³ that decentralisation have both positive and negative consequences. It can: 1) reinforce local prejudices and marginalization of local vulnerable groups; 2) decentralization, if not regulated properly, does not provide adequate greater participation in education and had almost no effect on accountability, 3) in social/health service provision, if not matched with government roles, no progress could be noticed, 4) local administration cannot attract adequate staff for service delivery. This research demonstrates the need for the central government stay-on and facilitation approach role in the service delivery of services by local authorities.

¹⁸⁰ Asha Elkarib, Impact of Decentralization Policies on Women Rights in Sudan: A case study on the Impact of decentralisation on Health, Education and use of Natural Resources http://www.idrc.ca/uploads/user-S/12442114291Final_Report_Sudan.pdf

¹⁸¹ UNDP Thailand, Improving Local Administrative Structure, <http://www.undp.or.th/resources/documents/ExecutiveSummaryImprovingLocalAdmStructure.pdf>

¹⁸² Eugene Mniwasa and Vincent Shauri, Review of the Decentralization Process and it's Impact on Environmental and Natural Resources Management in Tanzania, <http://www.tanzaniagateway.org/docs/decentralization.pdf>

¹⁸³ Bernard Bashaasha, Margaret Najjingo Mangheni, Ephraim Nkonya, Decentralisation and Rural Service Delivery in Uganda http://ugandassp.files.wordpress.com/2010/06/uganda_literature-review_-decentralization-_bashaashamargaret-final.pdf

6. Conclusions and recommendations

6.1 Analysis

In this section we provide an expert opinion on the possible impact of the decentralisation strategy on the vulnerable groups identified in the study. We discuss the proposed decentralization strategies against: causes of the vulnerability (e.g causes are reinforced or diminished), relevance of complementary measures to reinforce the rights of the vulnerable groups where decentralisation is an opportunity, relevant compensatory measures to ensure that decentralisation does not have adverse effects (while otherwise justified). We provide and structure the analysis for each group. This is a sort of Human Rights Impact Analysis (HRIA) of the vulnerable groups carried out for the policy of decentralization.

The table below represents hypothetical situations and analysis. Concrete details of the possible decentralization impacts very much the situation of the vulnerable groups. The impact also depends on the type of vulnerable group. It will be recommendable to do a targeted social impact analysis for each group separately based on the proposed decentralizing policy.

Scheme: HRIA decentralisation impact matrix

Best option for decentralisation proposed	Vulnerable groups affected (as per groups identified)	Complementary measure (opportunity to improve vulnerable situation)	Conclusion
Health services: Primary health liberalized, managed by rayon authorities. Health programs run by Ministry of Health and CNAM to involve family doctors	Poverty: a) elderly, b) large households, c) children; Age: a) elderly, b) young people, c) children; Disability: a) persons with mental disability, b) children with disability	CNAM to stimulate by performance indicators targeted services to these vulnerable groups; Government targeted programs for these vulnerable groups in cooperation with local authorities and through CNAM run programs	Health services decentralisation are unlikely. Yet, suggested measures will have good impact on vulnerable groups
Social services Provision and run of social services by local authorities Management of determination of eligibility for social services	Poverty: a) elderly, b) large households, c) children; Age: a) elderly, b) young people, c) children; Disability: a) persons with mental disability, b) children with disability Rural regions: a) children of educational age, b) active part of population.	Government programs providing matching funds for local authorities to create social services and vulnerability indicators attached Social assistants mapping out community charts with the vulnerable groups representation.	Social decentralisation is viewed positively
Educational services Provision of educational services by decentralized school network Partly decentralization of content and linguistic content	Rural regions: a) children of educational age, Language/ethnicity: a) Roma, b) Bulgarians, c) Ukrainians, d) Gagauz, e) Moldovans in Transnistria. Disability: b) children with disability	Government to provide matching funds and regulatory oversight of their use for the promotion of integration and identity development Mapping out community charts with the vulnerable groups representation.	This decentralization seem to be unlikely, yet, the proposed measures would have positive impact on the vulnerable groups
Policing services Community policing entrusted to municipal authorities Policing is fair and sensitive to human rights needs	Gender: b) LGBTI, c) trafficking, domestic violence. Religion: a) Muslims, b) Non-orthodox Christian, c) Jews.	Elaboration and adoption of a detailed guidelines and rules for the human rights sensitive policing Mapping out community charts with the vulnerable groups representation.	The proposed measure is not likely, yet will have good impact on the vulnerable groups

6.2 Recommendations

In this section, the elaboration of the recommendations is confined only to the dimension of the decentralisation process. In chapter 3 and in chapter 4 we have collected a wide set of possible policy recommendations from international organizations and from the evidence that works in development projects, among those also UNDP successful projects.

In this section we select out only recommendations that are relevant for how the process of decentralisation should be done so that the situation of the vulnerable groups is improved!

6.2.1 Generic proposals

- 1) (participation/representation) election process in local councils should include quota (reserved place) for participation of vulnerable groups conditioned with a certain percentage (starting 5-7%) of vulnerable group population;
- 2) (participation/representation) non-elected public servants positions should be subject of affirmative action program of better representation of vulnerable groups representatives or at least appointed responsible persons handling interests of the vulnerable groups as paid or non-remunerated positions;
- 3) (accountability/transparency) governmental policies elaboration process and regional authorities decisions should encompass the component of the vulnerable groups impact analysis (or more generically Human Rights Impact Analysis)¹⁸⁴, central authorities decisions affecting local communities are subject to impact on vulnerability;
- 4) (accountability/transparency) decisions of local authorities are subject of publication and availability for review by the interested parties and vulnerable groups, including designing and redesigning of territorial borders related to use and exploitation of assets and resources;
- 5) decentralization of certain percent of the educational curricular (and linguistic) content, local curricular (up to 30%), for the decision of rayon and local authorities with matching funds from central authorities for innovation;
- 6) decentralization of the determination of the eligibility of the social cash programs, while the criteria set by central government;
- 7) introduction of quota places for the participation and representation of the vulnerable groups in the local councils, by reserved places (when proportion of vulnerable groups reach certain percent, say 5-10% and election process does not yield vulnerable group representation) or proportionate places;
- 8) accessibility of local authorities to central government grants and subsidies for the creation of the local community centers to serve the needs of the vulnerable groups;
- 9) local authorities of first level accessibility to establishment of centers for family doctors and medical points with matching funds from National Health Insurance Company (NHIC);
- 10) Improved data disaggregated by multiple vulnerability parameters/dimensions: territory, ethnicity, age, sex, disabilities and others should be applied for decentralization policy

¹⁸⁴ See example in Arkadi Troitin, OSI/LGI, UNDP *Ex-ante* policy impact assessment vis-à-vis vulnerable groups in South Eastern Europe: Guide for Practitioners, july 2009

formulation, implementation, monitoring and evaluation. Data on various vulnerable groups could be collected through official statistics, different types of administrative sources including Household Registry (National Bureau of Statistics), socio-economic indicators on living conditions of communities and SADI (Ministry of Economy), social assistance and disability databases (Ministry of Labor, Social Protection and Family) as well as through qualitative research and selected in-community quantitative research, particularly through the use of Household Budget Survey, Labor Force market Review etc. Capacity of the National Bureau of Statistics, line ministries and LPAs should be developed accordingly.

6.2.2 Specific vulnerable group proposals in the context of decentralisation

1) Roma in rural communities faces multiple vulnerability factors. Roma children face unequal access to adequate education, higher degree of poverty, unequal access to health services, and absence of the opportunities for cultural development. Roma rural population faces unemployment and poor access to governmental benefits:

- decentralization of certain percent of educational curricular language content for the decision of local authorities matched with central government programs,

Rural Roma population is likely to be poorer than other ethnic groups and communities:

- decentralization of determination of eligibility for the social cash programs to reduce the cost of documents preparation by Roma,

- introduction of quota places to improve Roma elected representatives (a reserved place beyond a certain percentage of representation), creation of self-governance bodies in some areas.

2) Persons with particular severe forms of disability, especially children face multiple vulnerability regarding exclusion from society, poverty, stigma and access to public services:

- decentralization of decision on the introduction of personal assistants to help children integration into mainstream schools, decision to be have accessibility to central government matching funds,

- decentralization of determination of eligibility for the social cash programs to reduce the cost of documents preparation,

- accessibility of local authorities to central government grants and subsidies for the creation of the local community centers to serve the needs.

3) Ethnic linguistic minority face vulnerability regarding access to integrative linguistic education, lacking state language skills:

- decentralization of certain percent of educational curricular language content for the decision of rayon authorities matched with governmental programs.

4) Elderly people face vulnerability of better integration into society and some face poverty situation:

- decentralization of determination of eligibility for the social cash programs to reduce the cost of documents preparation,

- support for the creation of the community social centers supported by matched funds from local authorities and central authorities.

Vulnerability Study

5) Trafficking in children and women face vulnerability of poverty, stigma for reintegration and abandonment by society and family:

- support for the creation of the community social centers supported by matched funds from local authorities and central authorities to reintegrate victims and inform on consequences.

6) Children in difficult situation as socially abandoned:

- support for the creation of the community social centers supported by matched funds from local authorities and central authorities to help social integration and coping with difficulties.

7) Women face cases of domestic violence:

- support for the creation of the shelter centers and legal assistance supported by matched funds from local authorities and central authorities to help victims to cope with the reintegration protection.

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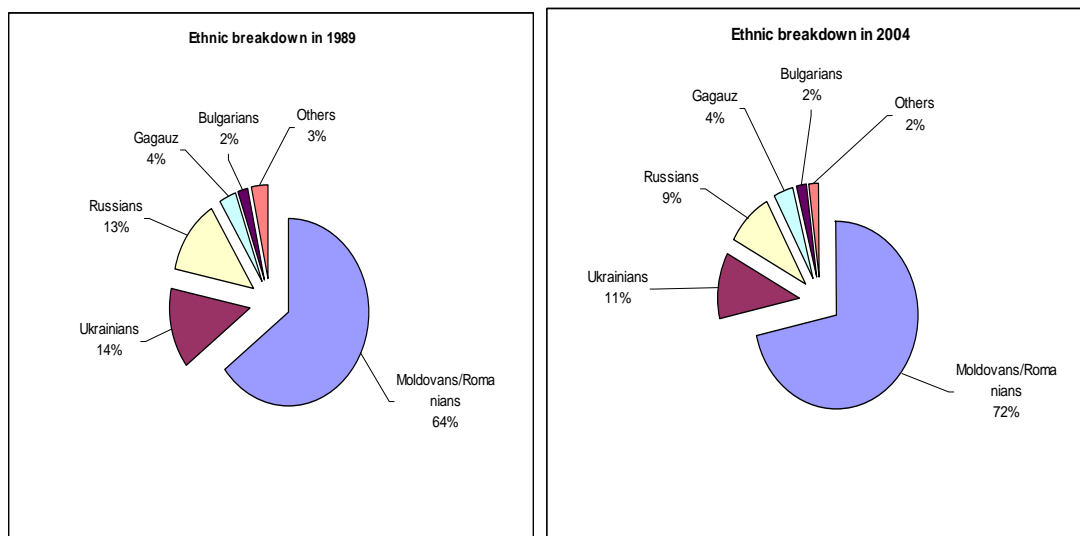
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8. Annexes

8.1 Ethnic background of Moldova¹⁸⁵

Ethnic composition of Moldova has changed over the period of the last 15 years. In 1989, with 4,5 mln, ethnic break down was: Moldovans (Romanians) made up 64% of the total population, followed by Ukrainians with 14%, Russians with 13%, Gagauz with 4% and Bulgarians with 2% of the total population. In 2004, 15 years later, with only, 4.2 mln, the ethnic breakdown has changed: Moldovans (Romanians) make up 72%, followed by Ukrainians with 11%, Russians with 9%, Gagauz with 4%, and Bulgarians with 2%.



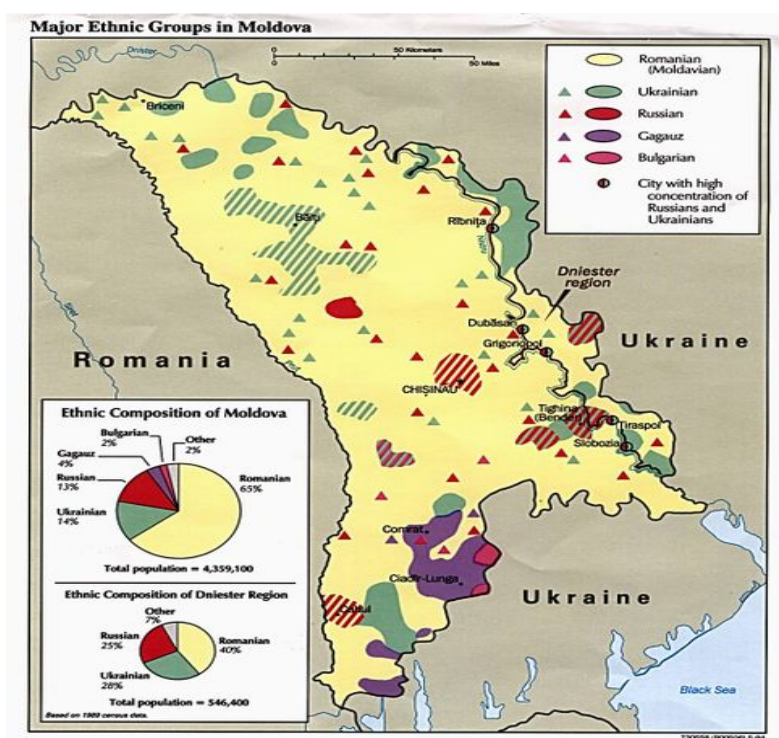
Source: Census 1989, 2004, National Bureau of Statistics

Ethnic map of Moldova in 1989 shows the geographical coverage of the minorities across the country. The map shows important pockets of Ukrainian minorities across the country, specifically in the north and in the South nearing the border with Ukraine. In the South, one can see compact population of the Gagauz and of the Bulgarians. While looking at Transnistria region, the Ukrainians live compactly in the North and with some pockets in the South of the region. In both cases, with just few exceptions, Russians is concentrated in the cities and urban areas.

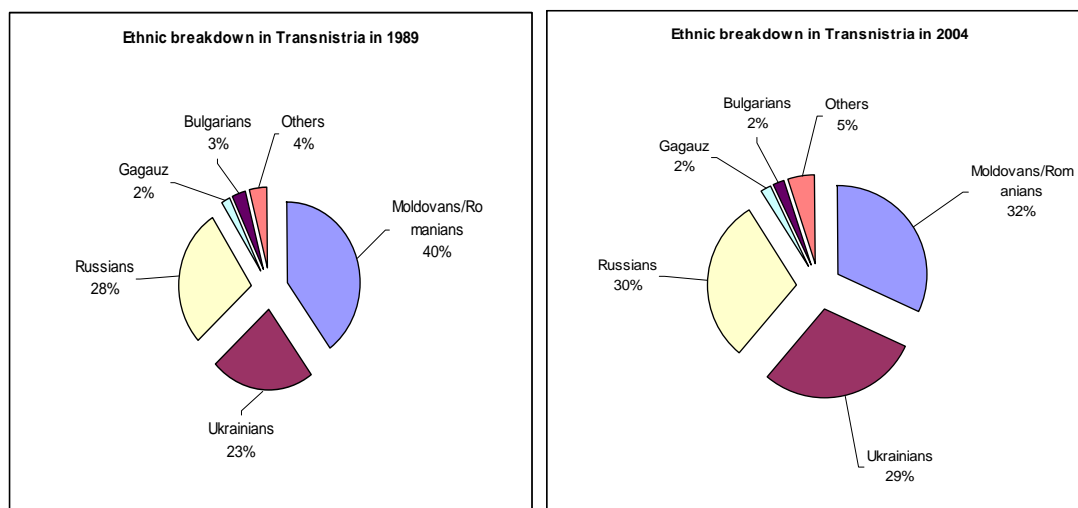
Graph

¹⁸⁵ <http://credo.md/arhiva/documente/MoldovaMultiLingualEducationConciseTitle%20v2.3%20abridged.pdf>

Vulnerability Study



A similar analysis of the evolution of the population of ethnic groups in Transnistria region shows the following situation: in 1989, with 0.7 mln populations, Moldovans (Romanians) make up the largest group of 40%, followed by Ukrainians with 23%, Gagauz with 2% and Bulgarians with 4%. In 2004, with 0,5 mln, Moldovans (Romanians) still make up the largest group with 32%, followed by Ukrainians with 29%, Russians with 30%, Gagauz with 2% and Bulgarians with 2%.

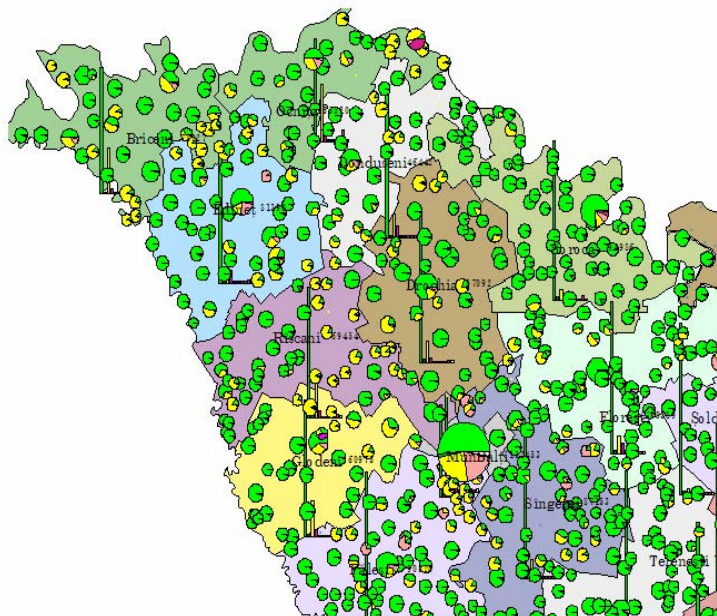


Source: Census 1989, 2004, National Bureau of Statistics and data from regional authorities

The following graphs show the changes occurred in each ethnic group. Overall, one can see, that all ethnic groups decreased. Gagauz and Moldovans registered least of decrease as compared with the 1989 population stand. Moldovans are down to 90%, Gagauz down to 93%. The next group that registered decrease is Bulgarians, down to 75%. The two mostly losers of population are: Russians and Ukrainians, down to 35% and 45% of population as compared to 1989.

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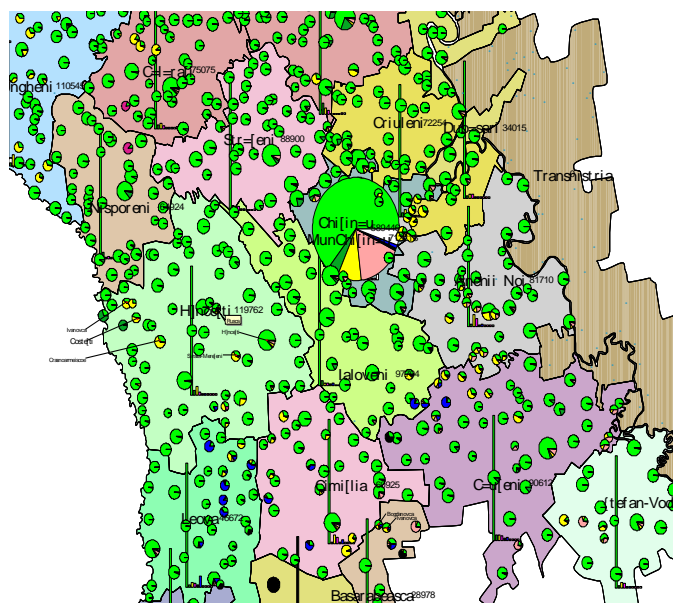
Graph. North of Moldova (exception of Transnistria)



Source: Census 1989, 2004, National Bureau of Statistics, author GIS representation of data

The central part of Moldova ethnic pattern is very different from the northern one. There are just few Ukrainian villages in the east and an important presence in the municipality of Chisinau.

Graph Center of Moldova (exception of Transnistria)

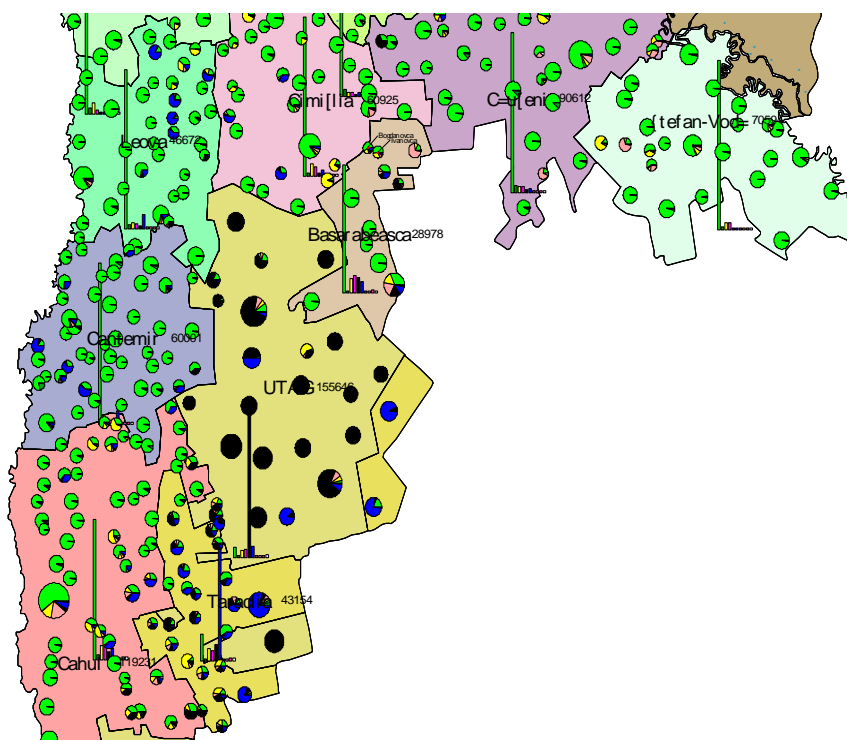


Vulnerability Study

Source: Census 1989, 2004, National Bureau of Statistics, author GIS representation of data

Ethnic Map of the Southern part of Moldova¹⁸⁶, is quite different from the other two. Apart from the Gagauz (that live in the Gagauz autonomy), one can find Bulgarians living compactly in Taraclia rayon (more than 70% are Bulgarians) and a number of villages in Cahul, Cantemir and Leova rayons. Overall, there are 3-5 villages in the preponderantly Moldovan rayons. There are just few Ukrainian villages in the South.

Graph South of Moldova (exception of Transnistria)



Source: Census 1989, 2004, National Bureau of Statistics, author GIS representation of data

8.2 Language and Education

Education system in Moldova stands on the monolingual education principle. School language education for minorities is carried out in Russian language. Only 374 children study in Ukrainian as language of instruction, which is 0,06% of all Ukrainian children. 171 children study partially in Bulgarian, which is 0,02% of total. Ukrainian language as a separate subject is studied in 37 schools (5 984 children) and Bulgarian in 30 schools (7 925 children).

The provisions of Law on protection of national minorities use the condition for public school. It fails to conform to international standards to provide public pre-school, school and other education where there is a “sufficient demand” of a substantial number of minorities¹⁸⁷. The situation of Ukrainians and Bulgarians are a clear example for that.

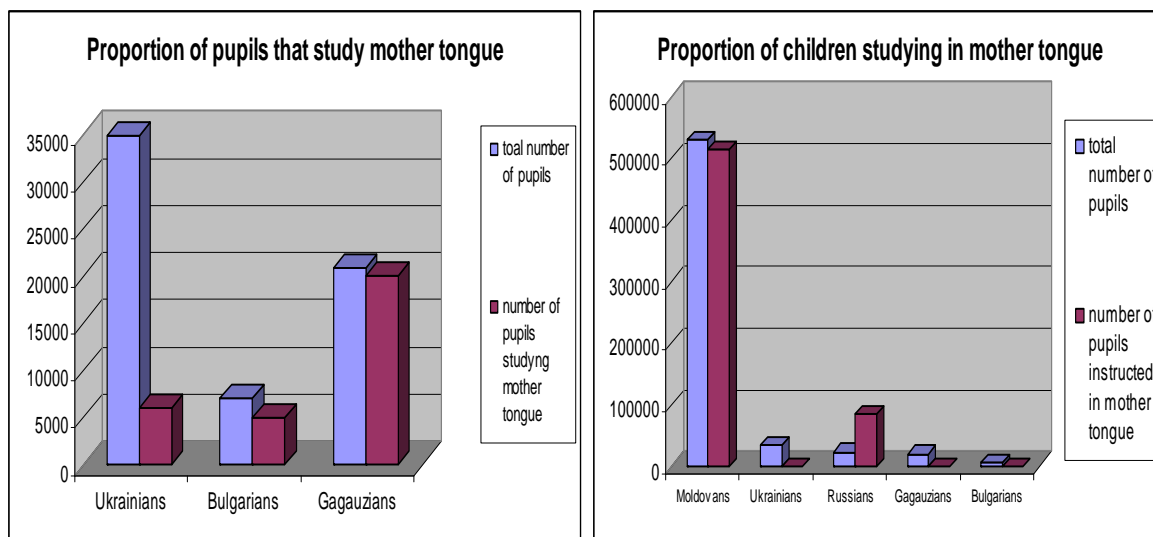
¹⁸⁶ Executed in GIS, Green color is representative for the Moldovans/Romanians, blue is representative for Bulgarian, yellow color is representative for Ukrainians, black is for Gagauz, pink color stands for Russians

¹⁸⁷ Art. 14 of the European Framework Convention on Protection of National Minorities, art. 16 of the European Charter for Regional and Minority Languages, etc

Vulnerability Study

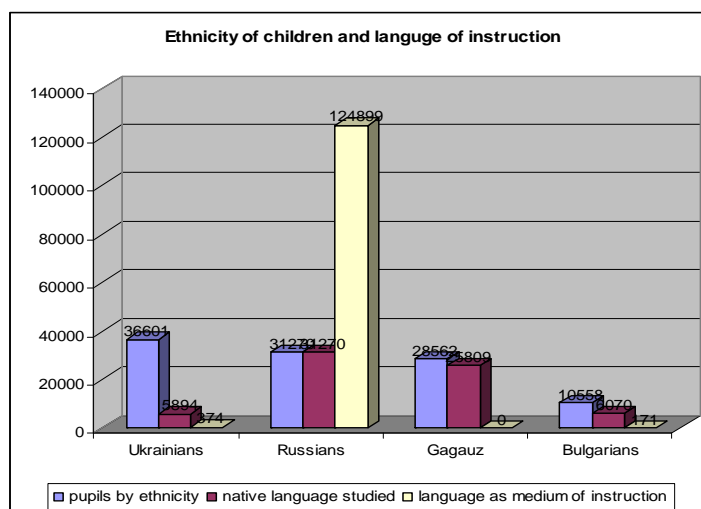
Pupils belonging to ethnic minority and who study mother tongue

Graphs



The curriculum for the national minorities (Ukrainians and Bulgarians) is a generic one. All the subjects are taught in Russian, the Russian is considered the language of instruction from the kindergarten to high education (Universities). Ministry of Education and Youth (MET) passed the decision that in the areas where national minorities desire so, a national minority language could be studied as a discipline for 2-3 hours per week. Moreover, additional disciplines of national history and the culture of national minority could be studied having up to 2-3 hours per week. MET has drafted the respective educational plans for this subjects and elaborated methodological support books for the teachers.

Graph

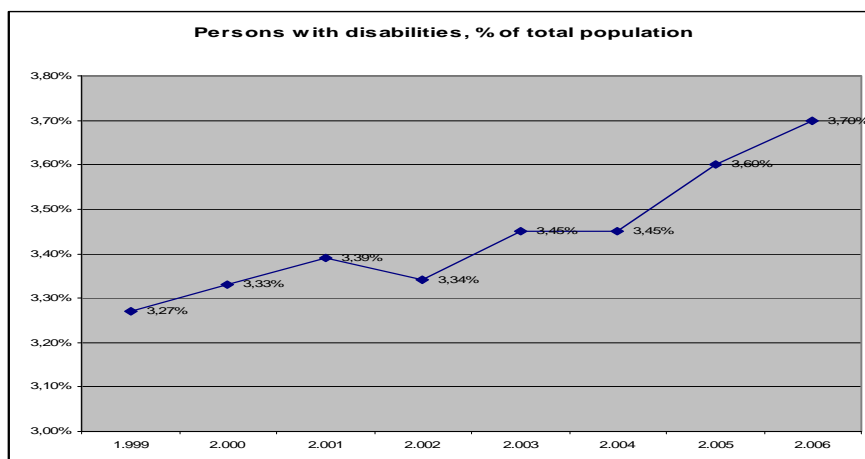


Educational policies are very much centralized; the role of the local authorities is limited. MET sets out 95% of the content of the educational program content. Local authorities together with the school administration can decide on the rest 5% of the educational curriculum in terms of the disciplines. The curriculum is very much centralized and is subject of rigorous inspection from the rayon educational inspectorates and the MET. Local authorities, namely rayon council's educational administration can provide for the educational variations within 5% limit. This means effectively, 2-3 hours of the educational curricular per week only.

8.3 Persons with disabilities in Moldova¹⁸⁸

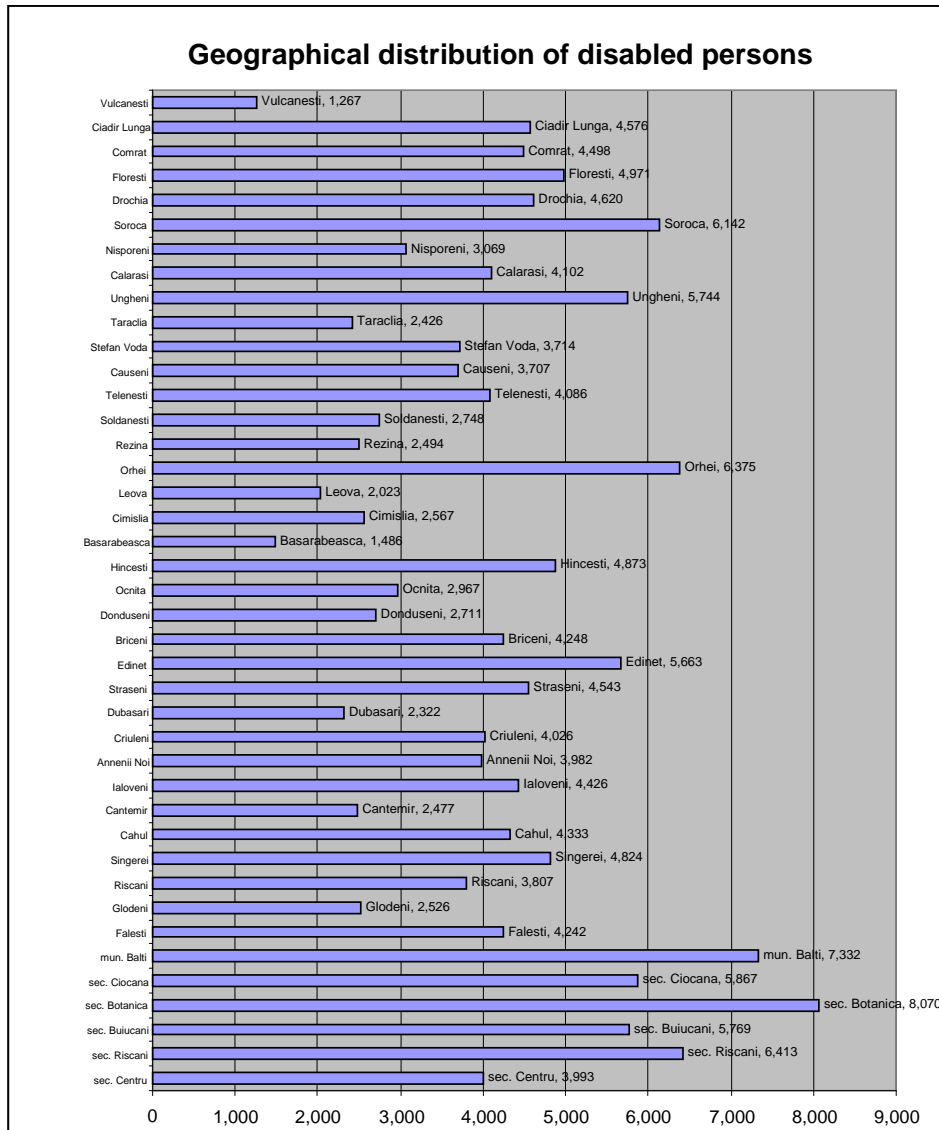
The tendency of increase in the total number of disabled persons is evidenced by a larger number of disabled persons from rural area (about 60%) and a higher incidence among men (56%).

The chart below shows us a geographical distribution of disabled persons. The number of persons per district oscillates from 1.2 thousand of persons (Vulcanesti) to 6.4 thousand in Orhei. The correlation of the number of disabled persons with the total population per region reveals that the percentage of disabled population remains constant within 5-6%.



¹⁸⁸ <http://credo.md/arhiva/documente/FesStudyDisability%20final.pdf>

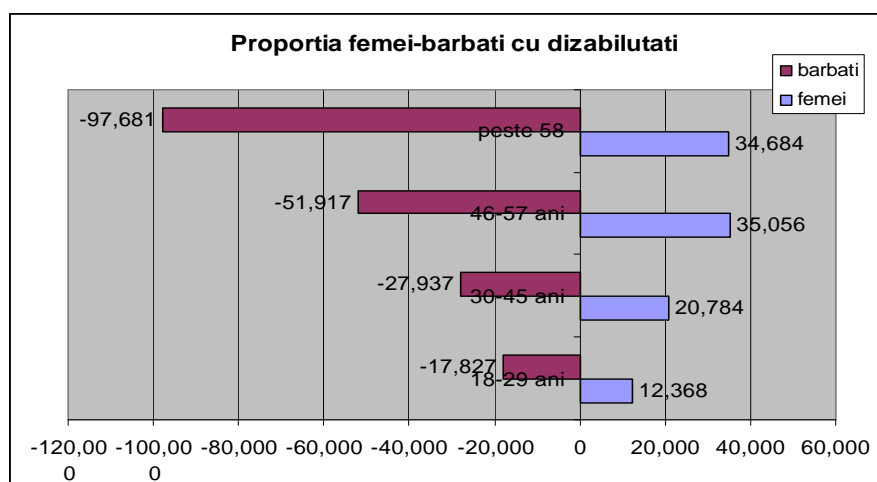
Vulnerability Study



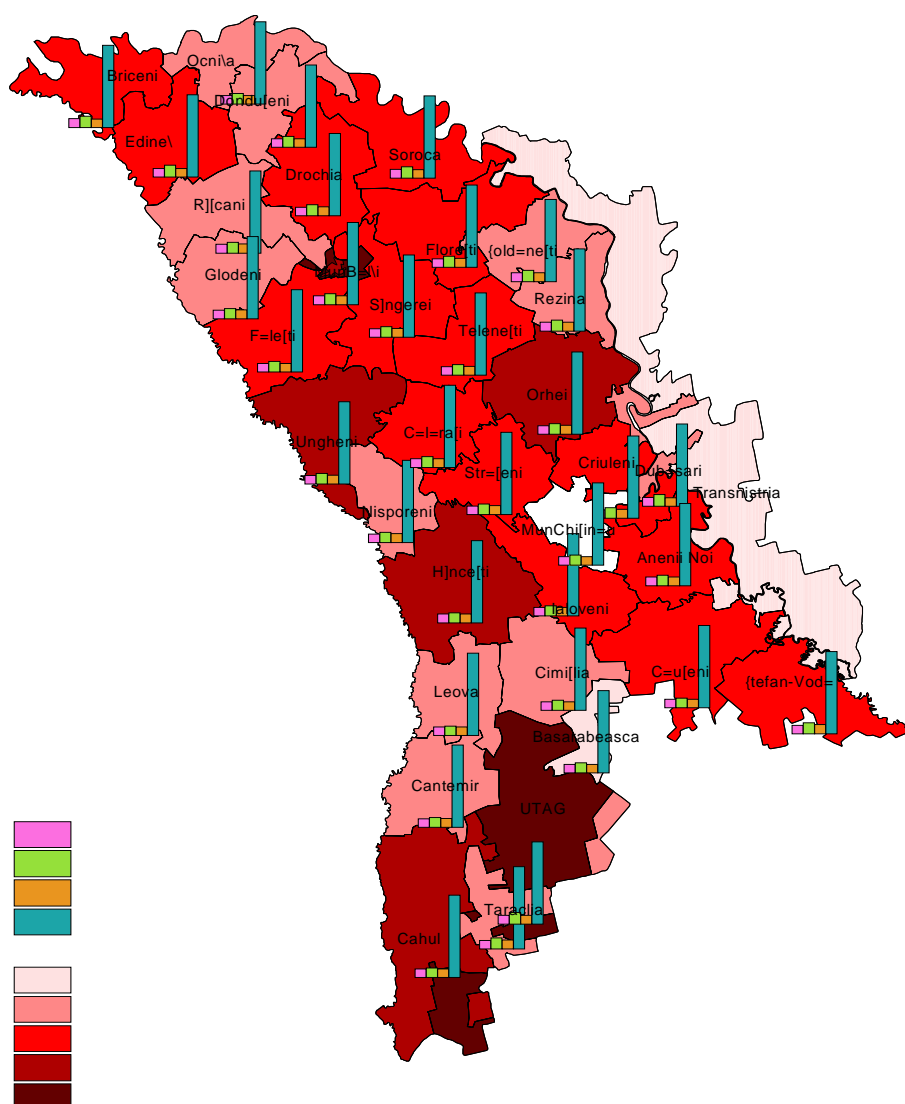
A more detailed analysis by age groups demonstrates that the number of men with disabilities increases with aging. Excess of men increases with aging. Difference in segment of 18-29 years old makes up 5 thousand of persons, in segment of 30-45 years old – over 7 thousand of persons, in segment of 46-57 years old – over 15 thousand of persons.

Chart

Vulnerability Study



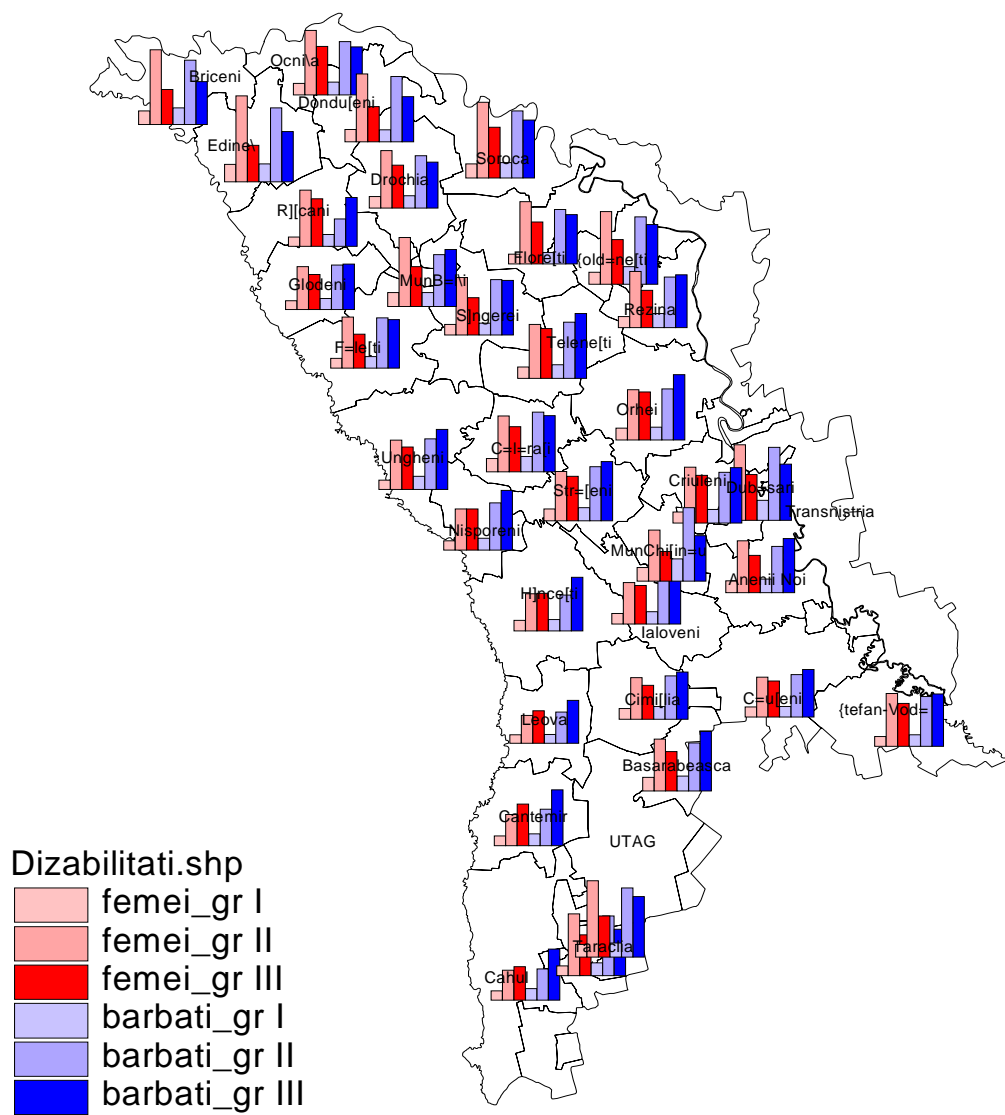
Vulnerability Study



The following 3 charts provides for distribution of disabled persons on the basis of gender, disability and age groups. We may note that in some districts, the share of women by certain groups is lower than of men's, in some districts the number of disabled persons of a certain group is higher than of another group.

Vulnerability Study

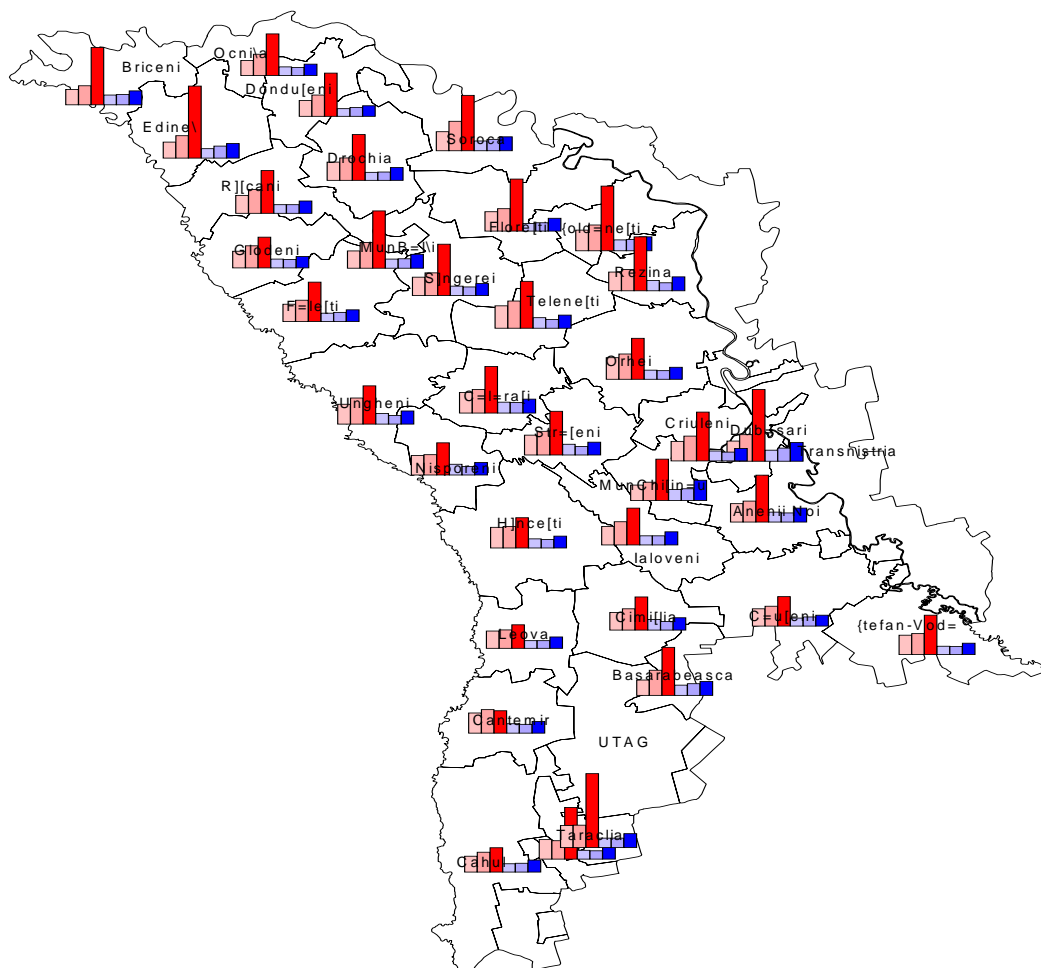
Chart 1.7



Vulnerability Study

The given chart demonstrates us that the number of women with 3-group disability is much higher than in all districts and for all ages than of men's.

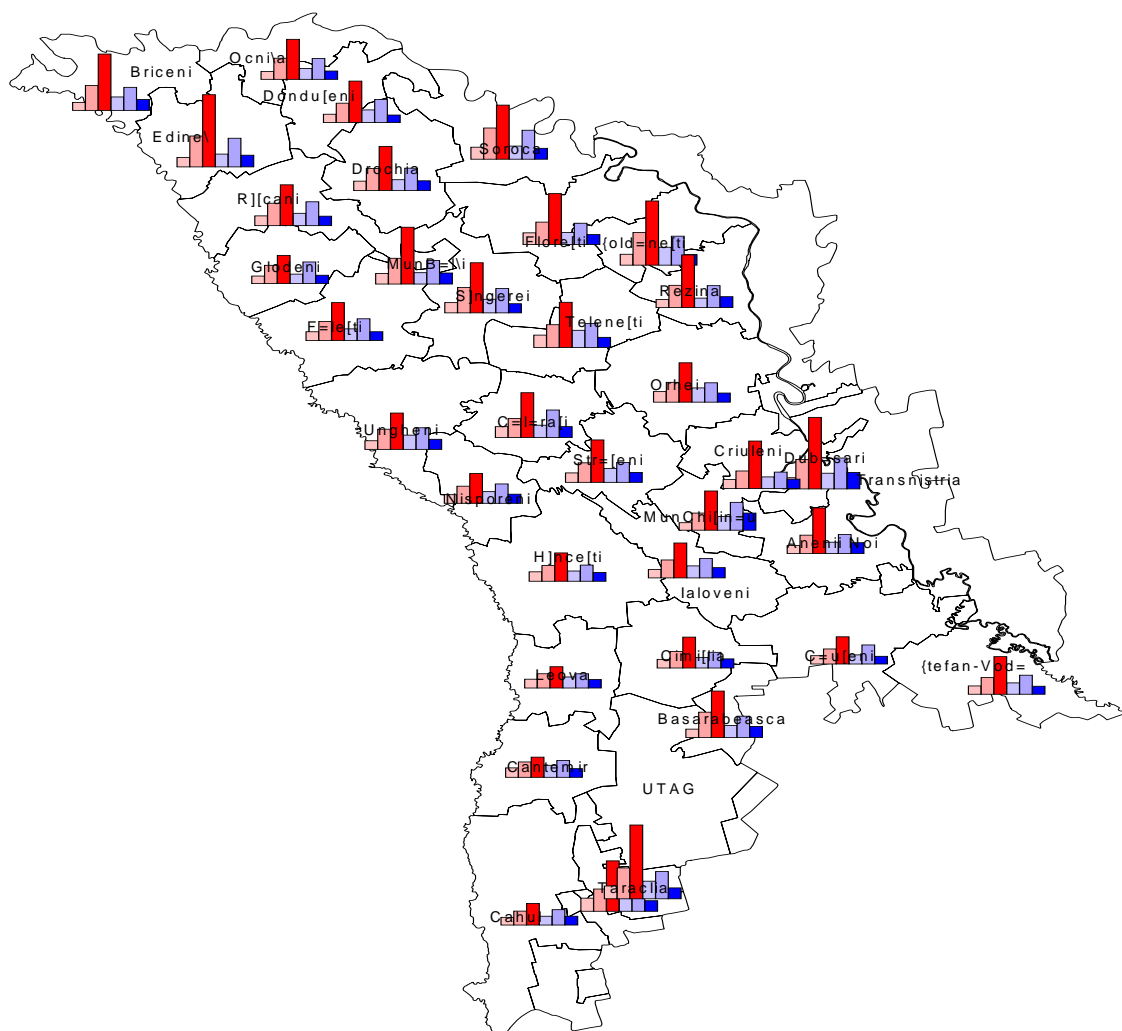
Chart



The chart below demonstrates us that the number of women with 2-group disability is much higher than the number of men from the group of age of 50 years old and over, especially, in north districts.

Vulnerability Study

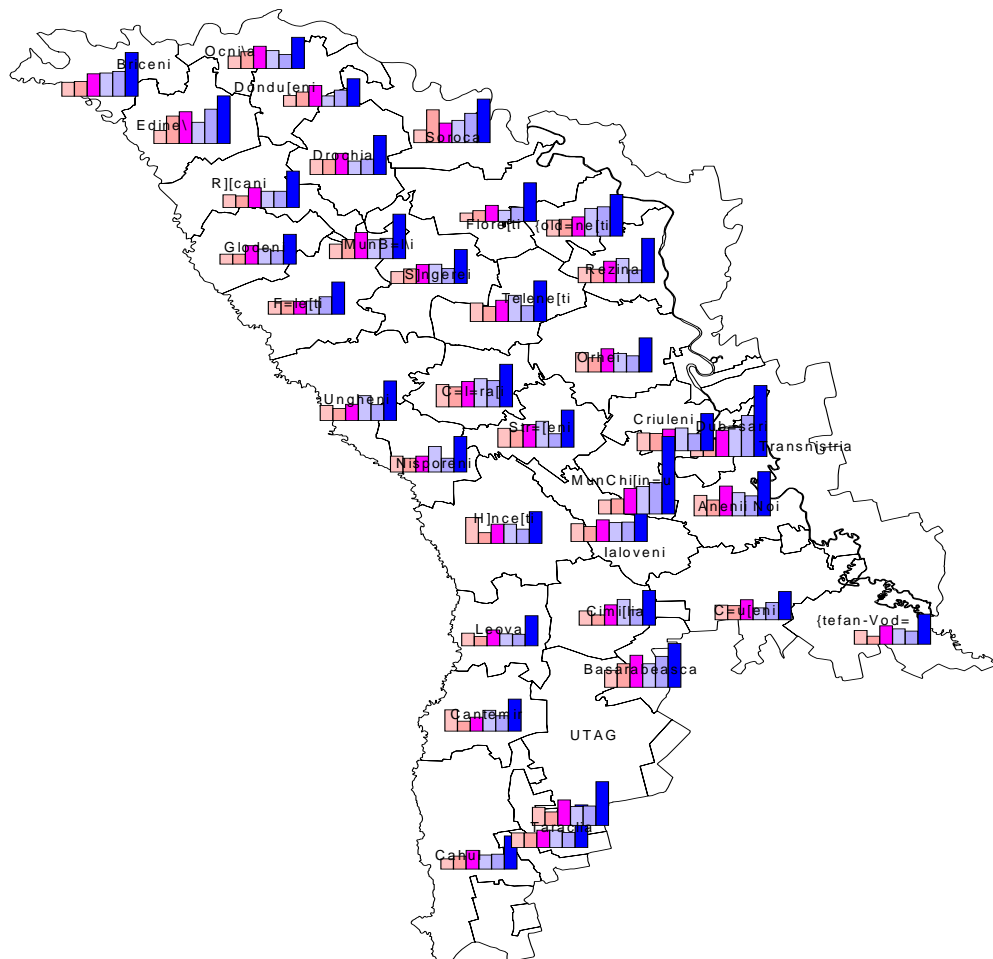
Chart



As for I group of disability, elderly men obviously prevail over women from the same age category, while in other age categories the number of persons is approximately equal.

Chart

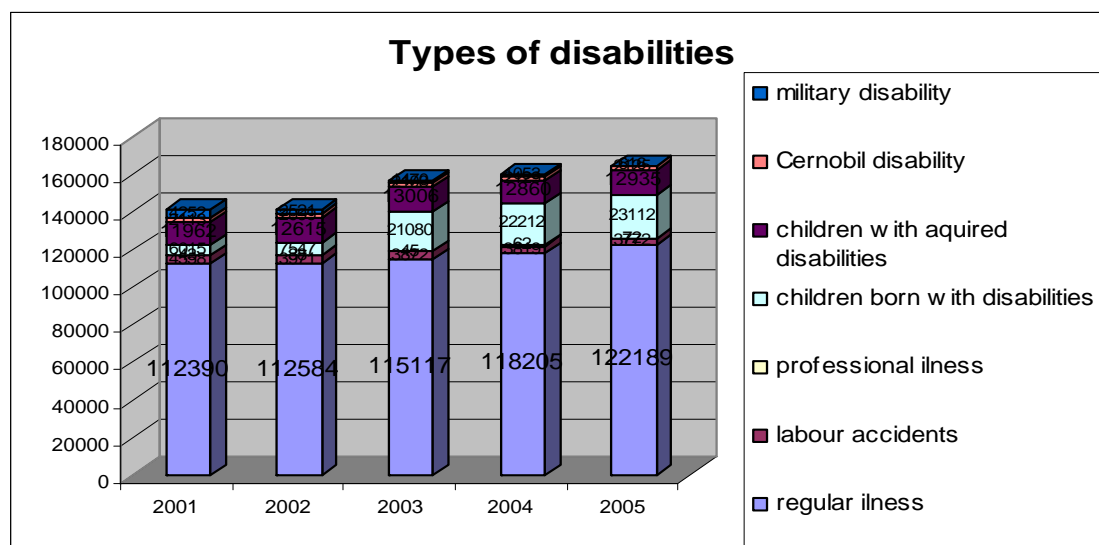
Vulnerability Study



The chart below provides for the situation regarding disability cases in Moldova. The biggest part is related to illness, the second place – children born with disabilities and the third place – children with acquired disabilities.

Chart

Vulnerability Study

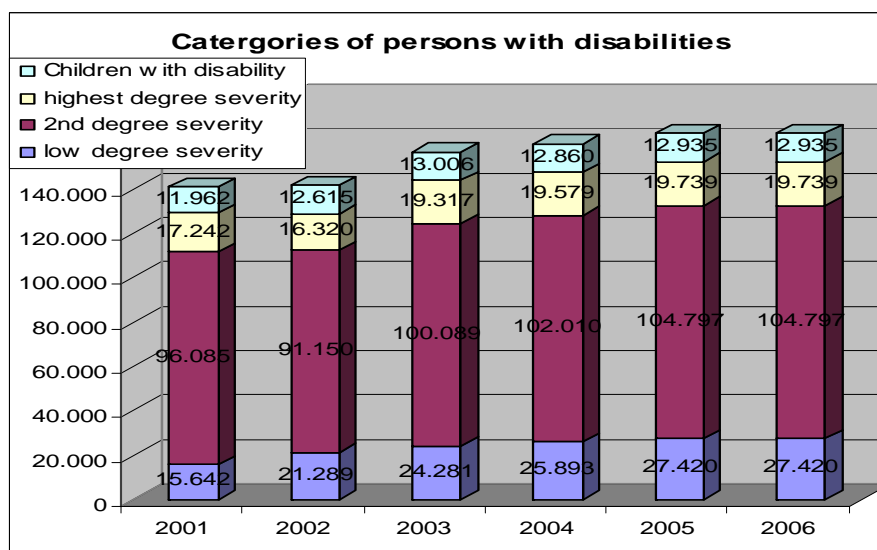


Source: Statistical Yearbook of Moldova, 2006,

Causes of gradual increase in this sense cannot be deduced very clearly from the national statistics. Subsequently, morbidity rate is presented according to causes of mental and behavioral disorders.

Out of the total number of disabled persons, children make up about 100% of the total number of disabled persons. The number of persons with the most serious form of disability (I group) and the number of persons with the less serious form of disability (III group) make up up to 10% each. The number of persons having II group is the most numerous, about 65-70%. The chart below shows that the biggest part of disabled persons is composed of 2 grade disabilities, making up over 100 thousand persons. Persons with III grade disability make up the lowest share of all persons with working age. Children make up the less numerous segment among all, less than 12 thousand of persons.

Chart

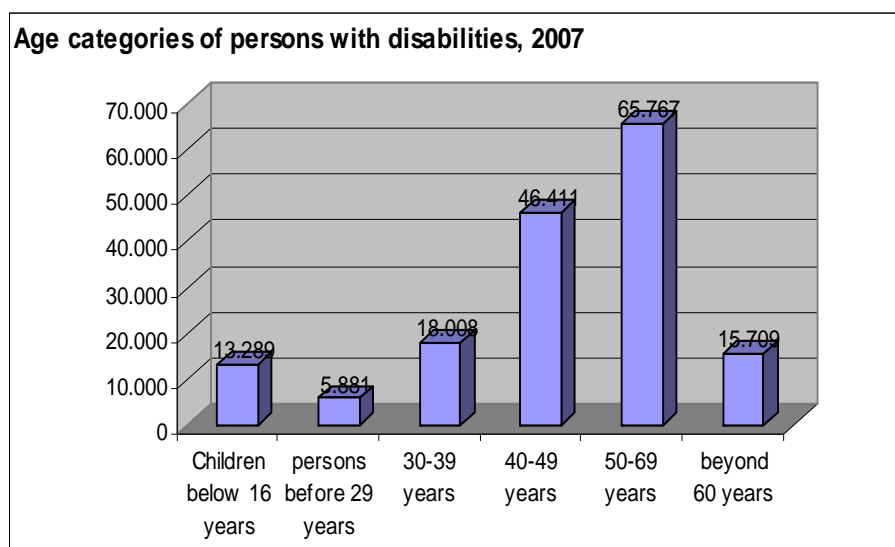


Source: Statistical Yearbook of Moldova, 2006

The chart below provides for the information regarding the number of disabled persons basing on each age segment.

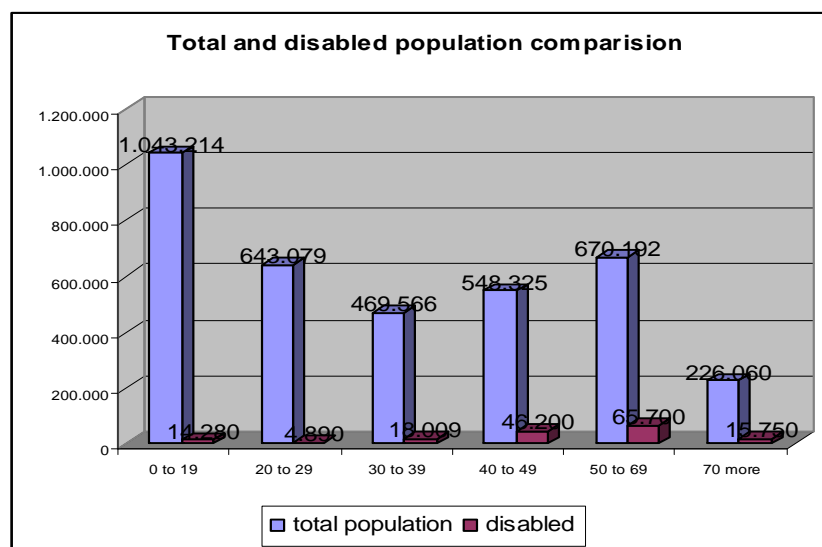
Vulnerability Study

Chart



A more representative chart provides for correlation of the total population and of disabled persons according to age segment.

Chart



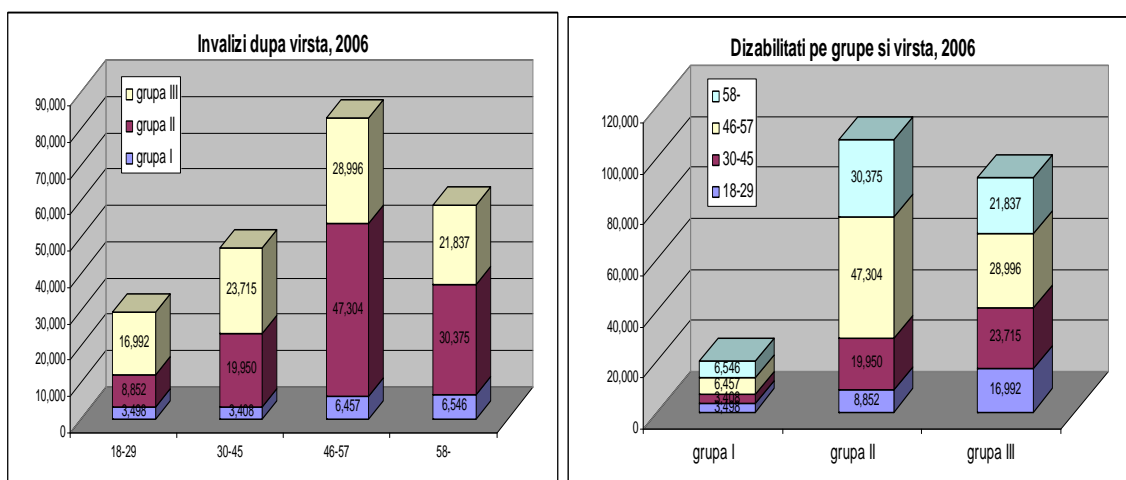
Source: Calculations based on statistical Yearbook of Moldova, 2006

An interesting observation can be made on the basis of the structure of disabled population's age as compared to the general population. Charts 1.15, 1.16 demonstrate an increase in incidence of disability at the age of 50 years old, thus, at the age of 50 years old, the probability to be a disabled person is 10 times higher as compared to 20-29 years old and 3 times higher as compared to 30-39 years old. As compared to the period of 40-49 years old, the incidence of disability is 2 times higher. Thus, the given age is the most vulnerable.

The charts below provide for age and disability distribution. The most numerous age segment is 46-57 years old and persons with 2 grade disability – 47 thousand of persons.

Charts

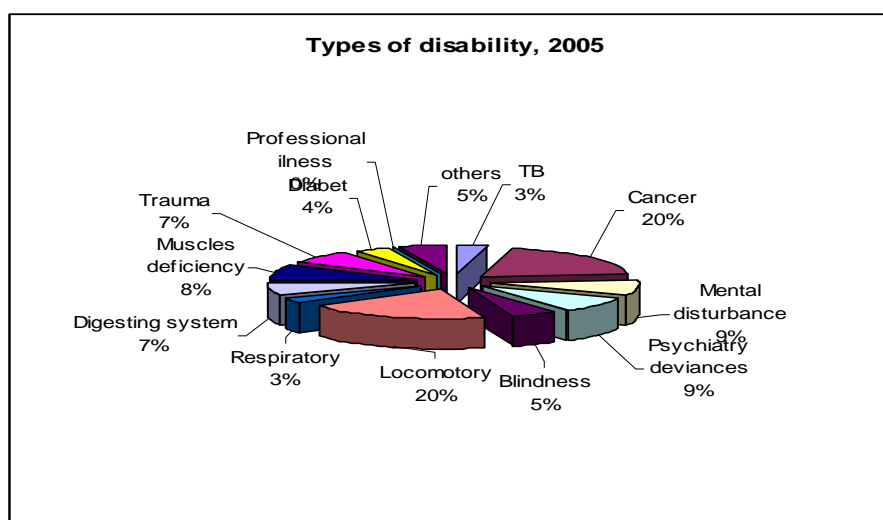
Vulnerability Study



Statistical data presented must be filled with information regarding distribution of disabled persons according to disability category. The chart below provide for this information. Locomotory disabilities is the most spread form of disability – 20%, together with muscles deficiency, these forms of disability make up about one third (28%) of all forms of disability. Category of persons with mental disturbances (9%) and psychiatry deviances (9%) together make up 18%. Persons with blindness make up to 5%.

These categories of persons with disabilities would require services of social adaptation.

Chart



Source: Medical Statistics, 2006, Center for Sanitary Management

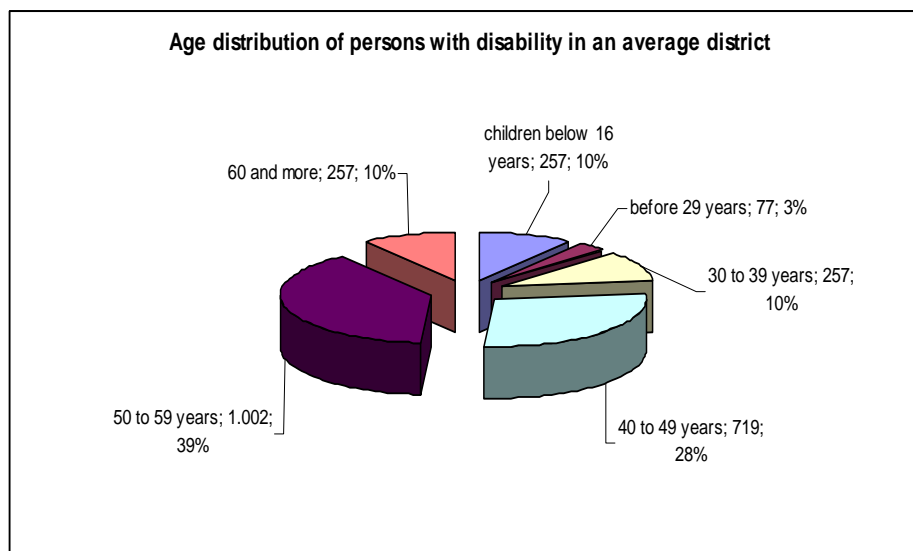
Other forms of disability have a uniform distribution from 3 to 7 %. A virtual district with total population and medium population of disabled persons are represented, for example, by districts: Ocnita, Stefan Voda, Cainari, Riscani with 3 500 of disabled persons¹⁸⁹. On average, the most numerous segment of 1 thousand of persons includes category of age from 50 to 59 years old. Together with persons aged over 60, these make up about 50% of

¹⁸⁹ As regards the population with disabilities, the lower limit is represented by Vulcanesti (1 300 persons), Basarabasca (1 460 persons), while the superior limit is represented by Orhei (6 400 persons), Balti (7 300 persons), Soroca (6 400 persons), Botanica sector (8 000 persons).

Vulnerability Study

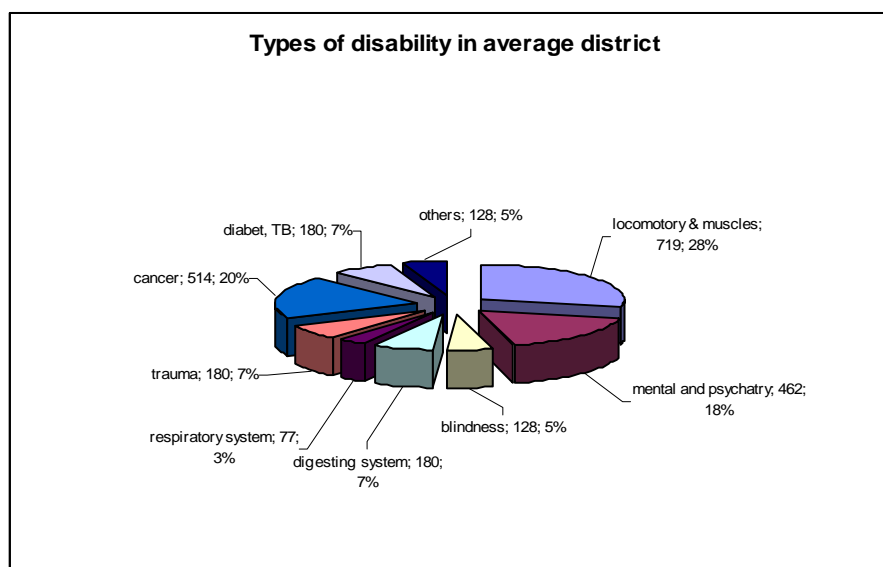
all disabled persons in the district of 1 300 persons. Children make up 10% of the total number of disabled persons (that is about 260 children), the rest (40% or 1 200 persons) make up the segment of 29-49 years old.

Chart



Locomotory disabilities and muscles deficiencies make up over 700 persons, persons with mental disturbances and psychiatry deviances make up about 460 persons. Persons with blindness make up about 130 persons.

Chart



Source: Medical Statistics, 2006, Centre for Sanitary Management and author's calculations

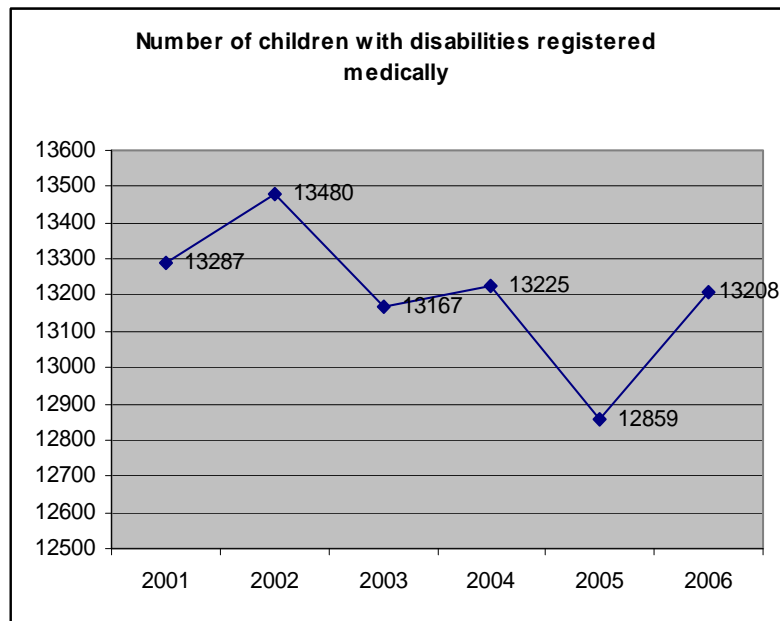
8.4 Children with disabilities¹⁹⁰

The number of children with disabilities oscillates about 13 000 persons.

¹⁹⁰ <http://credo.md/arhiva/documente/FesStudyDisability%20final.pdf>

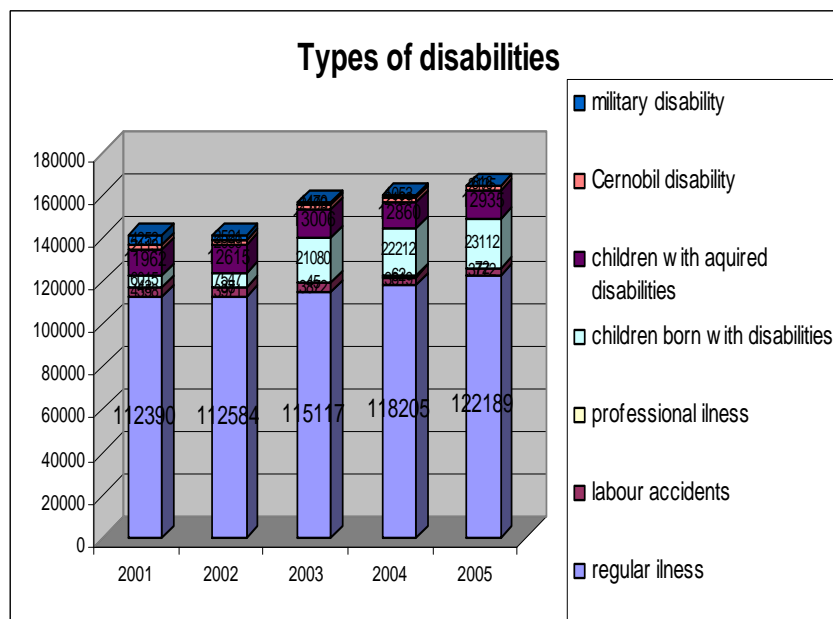
Vulnerability Study

Chart



As compared to the total population of disabled persons, children make up about 10% of the total population of disabled persons.

Chart

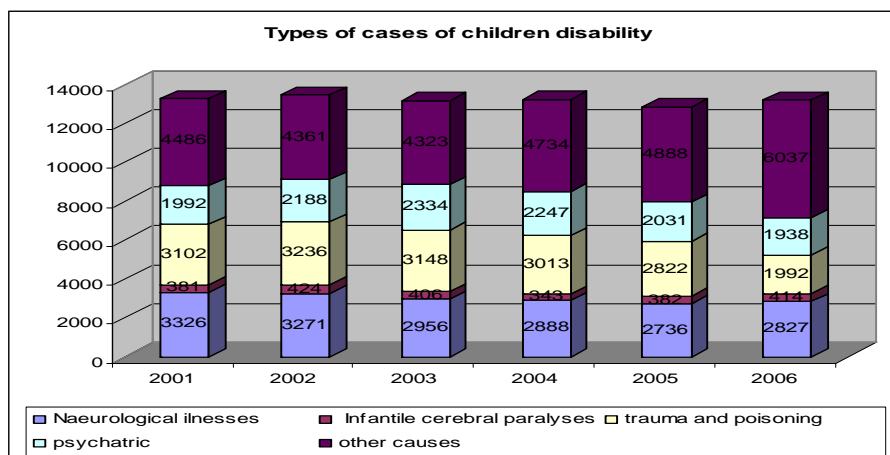


Sources: Calculated from Medical Statistics

Causes of gradual increase in the number of children with disabilities are not quite known. At the same time, structuring of the information regarding causes of disability. The biggest part include causes of neurological illnesses, the second place being taken by traumas and poisoning, while psychiatric illnesses are on 3 place.

Chart

Vulnerability Study

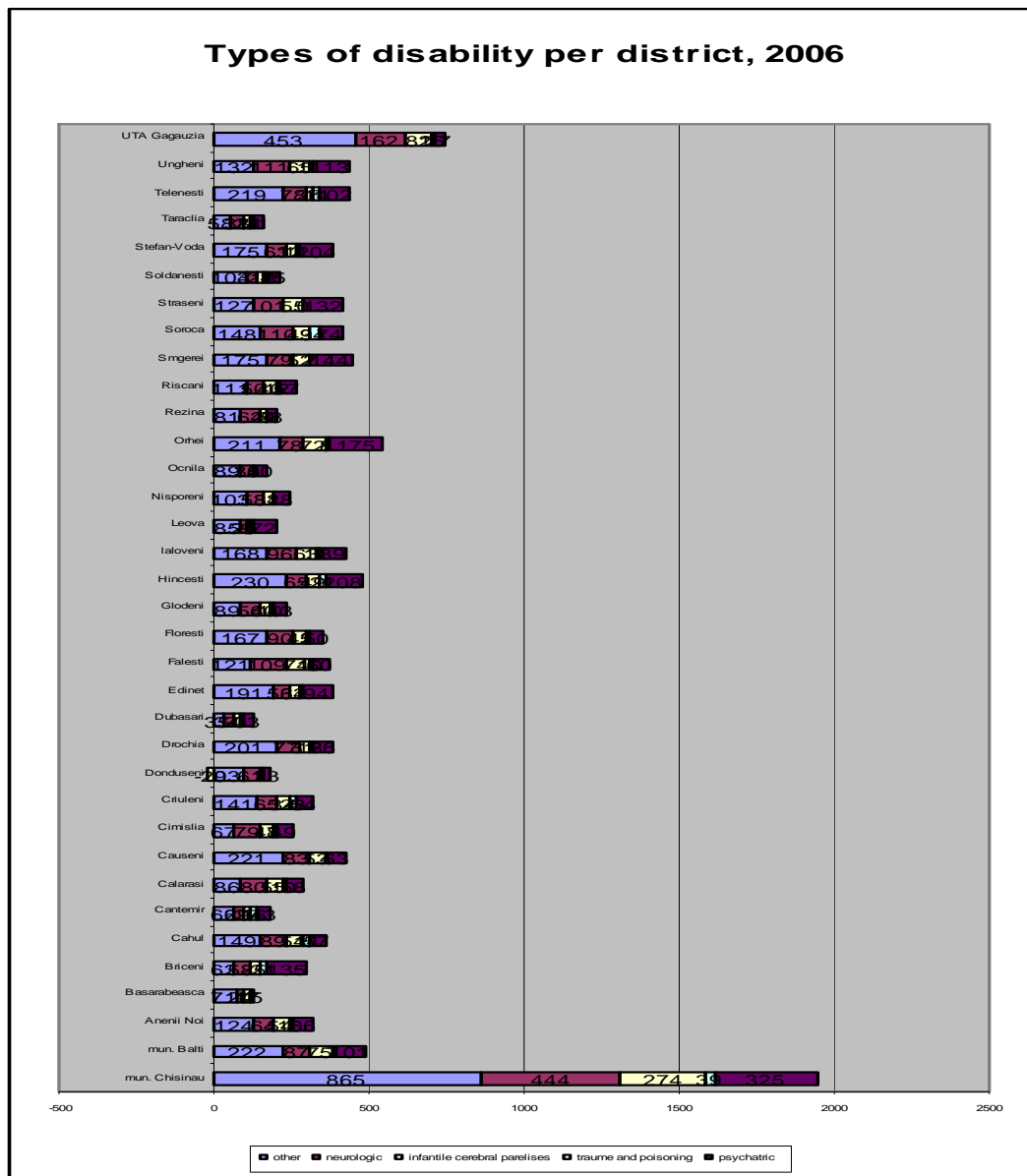


Source: National Statistics Bureau

The break down of geographical distribution per districts of children with the disability and the reasons for the disability is shown. The knowledge of the geographical distribution of the children with disabilities is important in order to provide the supply of the social services based in the communities.

Chart

Vulnerability Study



The comparative analysis of information from the medical statistics regarding the number of children with disabilities and administrative statistical data found within the jurisdiction of the Ministry of Education and Youth and the Ministry of Social and Family Protection produces a better understanding of the grade of coverage of children with disabilities by various services. Surprisingly, only 10-12% of children with disabilities are covered by some services, including in the form of non-residential services. The rest of children are not covered by any service.

Chart

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