



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Moldova and welcome the constructive engagement of the Government of Moldova during the 40th session of the UPR Working Group in January/February 2022.

As the final outcome report on the review of Moldova was recently adopted by the Human Rights Council at its 50th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Moldova – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 72 delegations and the presentation made and responses provided by the delegation of Moldova. I have also considered the actions taken by the Government of Moldova to implement the 190 recommendations fully supported as well as those that were partially supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the adoption by Parliament, in May 2022, of the Law on the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, as well as the establishment of the national programme for child protection for 2022–2026. I also welcome that a road map for the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence, or Istanbul Convention, is being developed jointly with development partners and civil society.

I encourage the Government to intensify efforts within the framework of the new Strategy for Ensuring the Integrity and Independence of the Justice Sector in order to address the lack of independence in the justice sector. I also encourage the Government to improve prison conditions in line with international standards and address the issue of persistent overcrowding in the penitentiary system.

I welcome the current development of the fourth National Human Rights Action Plan for the coming 5 years, as stated by the Republic of Moldova at the adoption of its UPR outcome, and encourage the Government to implement it effectively in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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H.E. Mr. Nicu POPESCU
Minister of Foreign Affairs and European Integration
Republic of Moldova

I encourage Moldova to make further efforts to strengthen and ensure the functionality of the National Human Rights Council and the Permanent Secretariat for Human Rights for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

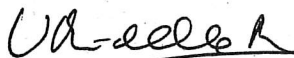
http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of Moldova to consider submitting a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

My Office looks forward to discussing with you ways in which it may assist Moldova in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc.: H.E. Mr. Iulian RUSU
State Secretary, Ministry of Justice
Republic of Moldova

Mr. Simon SPRINGETT
United Nations Resident Coordinator
Republic of Moldova

Ms. Bea FERENCI
Human Rights Adviser of the United Nations High Commissioner for Human Rights in
the Office of the United Nations Resident Coordinator
Republic of Moldova

Ms. Birgit VAN HOUT
Regional Representative of the United Nations High Commissioner for Human Rights
OHCHR Regional Office for Europe
Belgium

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention on the Rights of Persons with Disabilities, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Strengthening anti-discrimination legislation to ensure the prohibition of all forms of discrimination on all grounds.
- Fighting hate speech and hate crimes.
- Intensifying efforts to guarantee equality and non-discrimination of lesbian, gay, bisexual, transgender and intersex persons, persons with disabilities and ethnic minorities.

Development, the environment, and business and human rights

- Developing a national action plan in line with the Guiding Principles on Business and Human Rights.

B. Civil and political rights

Right to life, liberty and security of person

- Ensuring that all complaints of acts of torture and ill-treatment are promptly, impartially and effectively investigated in accordance with international human rights standards, including the Istanbul Protocol.
- Ensuring that victims of torture and ill-treatment have access to redress, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.
- Providing torture-prevention training to law-enforcement personnel and setting up procedures to properly investigate allegations of ill-treatment.
- Ensuring that the Council for the Prevention of Torture can regularly and unexpectedly visit all places where persons are deprived of their liberty, including psychiatric hospitals, psychoneurological institutions and establishments for minors.
- Improving conditions in prisons and detention facilities.

Administration of justice, including impunity, and the rule of law

- Continuing efforts undertaken in the fight against corruption and for the independence, efficiency and impartiality of the judiciary.

Fundamental freedoms

- Ensuring a safe and enabling environment for human rights defenders.
- Taking the necessary measures to strengthen media freedom.
- Ensuring that journalists are able to carry out their professional activities without fear of harassment.

Prohibition of all forms of slavery

- Strengthening efforts to prevent and combat human trafficking, including by providing accessible and inclusive support and assistance to victims.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Continuing to improve occupational safety and health and strengthening labour inspections.
- Increasing the minimum wage to a level that provides workers and their families with a decent living and regularly adjusting the minimum wage to the cost of living.

Right to social security

- Raising public awareness of social security programmes and their application procedures and providing Roma and persons in rural areas with assistance to apply for social benefits and the necessary identity documents.

Right to an adequate standard of living

- Stepping up efforts to combat poverty.
- Taking all measures necessary to address malnutrition among children, women and persons in rural areas.
- Improving access to safe drinking water and sanitation, with a particular focus on rural areas.

Right to health

- Improving the availability and accessibility of health services, including in rural areas.
- Addressing discrimination faced by disadvantaged and marginalized individuals and groups in accessing health-care services, particularly Roma, persons with disabilities, persons living with HIV/AIDS, refugees and asylum seekers.

Right to education

- Improving access to education, in particular for Roma children and children from poor families.
- Ensuring inclusive education for all children with disabilities.

D. Rights of specific persons or groups

Women

- Combating domestic violence and ensuring the effective investigation of all complaints and prosecution of perpetrators.
- Providing essential and specialist support services for victims of gender-based violence.
- Eliminating the gender pay gap and adopt a legislative framework to enforce the principle of equal pay for work of equal value.

Children

- Continuing efforts to enhance the protection of children from all forms of violence, including sexual violence.
- Providing an accessible mechanism for children, including children with disabilities, and others to report cases of abuse and neglect, including within institutions and schools.
- Enforcing the legislative prohibition of corporal punishment in all settings.
- Abolishing disciplinary solitary confinement for juveniles and bringing the juvenile justice system in line with the Convention on the Rights of the Child.
- Stepping up efforts to combat child labour, including by strengthening labour inspections and enforcing the relevant legal and administrative measures.

Persons with disabilities

- Expediting the process of deinstitutionalization of persons with disabilities.
- Ensuring that persons with disabilities have access to health, education and social services and ensuring their full integration in society.

Minorities

- Continuing efforts to promote the social inclusion of minorities, especially the Roma, and combat discriminatory practices against them.
- Improving access by Roma to health care, housing, education and employment.

Stateless persons

- Strengthening efforts to ensure that all births are registered, including of Roma children, children born at home, children born to adolescent mothers and children born out of wedlock.



E. Specific regions or territories

- Continuing the efforts in view of promoting human rights in the Transnistrian region.