

**Universal Periodic Review  
(12<sup>th</sup> session, 3-14 October 2011)**

**Contribution of UNESCO**

**REPUBLIC OF MOLDOVA**

**I. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	17/03/1993	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. 1989	-			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	23/09/2002			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	24/03/2006			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	05/10/2006			Right to take part in cultural life

## II. Promotion and protection of human rights on the ground

### 1. Right to education<sup>1</sup>

2. Constitutional framework: The Constitution of Moldova, adopted on 29 July 1994, recognizes the right to education in Article 35 (1) which states that “the right of access to education is put into effect through the compulsory comprehensive public school system, lyceal (public secondary school) and vocational education, as well as the higher education system, and other forms of instruction and training.” Paragraph 4 adds that “State public education is free” and “the admission to lyceal, vocational and higher education institutions is based on personal merit.” “The priority right of choosing an appropriate educational background for children lies with the parents”, and “the State will enforce under the law the right of each person to choose his/her language in which teaching will be effected.” Nevertheless, “in all forms of educational institutions the study of the country's official language will be ensured.” “The State [also] ensures under the law the freedom of religious education.”

3. Article 51 on protection of the disabled persons, stipulates that the State shall ensure that normal conditions exist for medical treatment and rehabilitation, education, training and integration of disabled persons.

4. Legislative framework: The main legislative instruments governing education in the country are the following: the Conceptual Framework for the Development of the Education System adopted by the Parliament on 15 September 1994; the Law on Education No. 547 of July 1995 and subsequent amendments.

5. Among other instruments are:

a) Law N° 1275 of July 1997 and Law No. 423 of June 1999 regulate the evaluation and accreditation process of educational institutions in the Republic of Moldova.

b) In April 2003, the approval of the Concept of Training of Pre-university Education Teaching Staff by Resolution N° 6 of the Ministry of Education provided for the decentralization of the system giving more autonomy to educational institutions, municipalities and local Education Departments.

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<sup>1</sup> Sources:

- i) International Bureau of Education, Profile of the education system in Republic of Moldova, <http://www.ibe.unesco.org/fr/dans-le-monde/europe-et-amerique-du-nord/republique-de-moldova/profile-of-education.html> (accessed 24/02/2011);
- ii) Official Website of Republic of Moldova, <http://www.president.md/const.php?lang=eng> (accessed 24/02/2011).
- iii) Official Website of the UNESCO Moscow Office: [http://artsandaids.ru/project\\_unesco/49-proekty-yunesko-po-profilaktike-vich-i-spida-v-respublike-belarus.html](http://artsandaids.ru/project_unesco/49-proekty-yunesko-po-profilaktike-vich-i-spida-v-respublike-belarus.html)

c) Law N° 71 of May 2005 regarding amendments to the Law on Education launched the National Programme for Educational Development and the Strategic Directions concerning the Modernization of the Education System and it put in place a new two-cycle structure of the higher education system in line with the Bologna process.

d) The Government has elaborated, with UNESCO's technical assistance, a draft Education Law (Code), which was made public by the Ministry of Education in Moldova on April 2010. The draft integrates many official documents of the Government of Moldova related to education.

6. Policy Measures: In order to accomplish the MDG in the field of education, the Republic of Moldova assumed the commitment of ensuring universal access to primary education. This task was later extended to preschool and lower secondary education as well.

7. Achievements, best practices, challenges and constraints: The project "Mobilizing Cultural Resources for HIV and AIDS Preventive Education in the Republic of Moldova", aiming at sensitizing young people on HIV/AIDS prevention and HIV-related stigma and discrimination, was carried out in the Republic of Moldova by AIDS Foundation East-West Moldova with the technical and financial support of UNESCO and in collaboration with the National Commission of the Republic of Moldova for UNESCO, Ministry of Health and Ministry of Culture of the Republic of Moldova in 2009.

## 2. Right to take part in cultural life<sup>2</sup>

8. Normative framework to respect, protect and fulfil the State's obligations related to the right to take part in cultural life of the community consists of the following main legal instruments: (a) Law on Culture N° 413-XIV from May 27 1999; (b) Law on Protection of Monuments N° 1530-XII from June 22, 1993; (c) Law on Museums N° 1596-XV from 27 December 27 2002; (d) Law on Fundamentals of the Republic of Moldova N° 880-XII from 22 January 1992; (e) Law on Libraries N° 286-XIII from 16 May 1994; (f) Law on the Principles of Urban and Town Planning N° 835-XIII from 25 February 1998.

9. Institutional framework of the Republic of Moldova in the field of culture is based on the following structures: the Ministry of Culture, national museums, museum-reserves and monuments, music academies and colleges, the National Academy of Music, Theatre and Fine Arts, the National Academy of Sciences, the Tourism Agency, the National Library, the National Centre of Handicrafts, the National Librarian Council, the Agency on Inspection and Restoration of Monuments.

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<sup>2</sup> Source: UNESCO Country Programming Document "The Republic of Moldova 2009-2011"  
<http://unesdoc.unesco.org/images/0018/001874/187484e.pdf>

10. Policy measures: The strategic policy framework for advancing the right to take part in cultural is contained in the National Development Plan for 2008-2011. Other important policy documents that guide the elaboration of policies in this field also include: the 2005 European Union-Moldova Action Plan, the 2004-2008 National Human Rights Action Plan and the 2002 First National Communication on Climate Change.

11. Cooperation: The Republic of Moldova actively cooperates with UNESCO and other UN system organizations through the related governmental bodies and civil society organizations. UNESCO implements various projects in the Republic of Moldova in the Organization's strategic priorities in the field of culture. Among the main stakeholders of these projects are governmental and non-governmental organizations, *inter alia* ministries (the Ministry of Culture and the Ministry of Education) and museums and research institutions, including the National Academy of Sciences. Cooperation between the Republic of Moldova and UNESCO is enhanced and supported by the National Commission of the Republic of Moldova for UNESCO.

12. Work with civil society: Civil society is involved into the implementation of the ratified Conventions through its participation in the related projects, including UNESCO's projects on the protection and promotion of cultural and natural heritage. Local communities are engaged into the activities aimed at making up national inventory of intangible cultural heritage within the pilot project currently implemented by the UNESCO Moscow Office.

8. Achievements, best practices, challenges and constraints: With the aims of developing intercultural dialogue, harmonizing interethnic relations, supporting multilingualism and promoting the diversity of cultural expressions closely related to ethnic, cultural and linguistic identity, the authorities of the Republic of Moldova undertake many activities which address the integration of the international legislative-normative framework with national legislation. Within this framework one of the main objectives in cultural development of the Republic of Moldova was the ratification of UNESCO Conventions: the Convention concerning the Protection of the World Cultural and Natural Heritage (ratified in 2002), the Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the Convention on the Safeguarding of the Intangible Cultural Heritage (both ratified in 2006). The Republic of Moldova has one heritage site on the World Heritage List - Struve Geodetic Arc.

9. Capacity-building and technical assistance provided and/or recommended by UNESCO: To ensure effective implementation of the Convention concerning the Protection of World Cultural and Natural Heritage, UNESCO provided assistance to the Ministry of Culture and Tourism of the Republic of Moldova in the preparation of the Nomination File for the inclusion of the Cultural and Historic Reserve Orheiul Vechi on the UNESCO World Heritage List under the title "The Cultural Landscape Orheiul Vechi."

10. UNESCO has also provided assistance for: a) carrying out awareness-raising activities on the implementation of three major Culture Conventions of 1972, 2003 and

2005, b) undertaking analytical studies with a view to elaborate policy recommendations to improve cultural legislation and arts education system, c) organizing capacity-building workshops and training seminars for museum specialists, heritage preservation specialists, and intangible cultural heritage professionals, d) for supporting preparation of nominations under the 1972 and 2003 Conventions, e) facilitating restoration, safeguarding, management and promotion activities.

### **3. Freedom of opinion and expression**

11. Achievements, best practices, challenges and constraints: The media landscape in Moldova is varied and engenders competition. However, freedom of expression is still limited. Broadcast outlets are prone to being politicized. Certain papers depend on the state's printers for publication, which has caused controversy when editions critical of the government are delayed or not printed.

12. Following the legislative elections in April of 2009, members of the press were attacked. International media seeking to cover the elections were prevented from entering the country. In the past, social networking sites have been blocked for several days as well.

13. In Transnistria region, the media environment is restrictive. All outlets are controlled by the authorities. Journalists practice self-censorship. A positive point, however, is that there is no filtering of the internet.

14. Capacity-building and technical assistance provided and/or recommended by UNESCO: Consistent with its mandate, UNESCO collaborates at different levels with Moldova to reinforce the right to freedom of expression. In November 2008, the UNESCO Information and Documentation Centre opened in the Republic of Moldova. UNESCO used the project to promote a greater emphasis on providing universal access to information. In December of 2009, UNESCO participated in organizing the media campaign to promote the Millennium Development Goals in the Republic of Moldova. Its overall goal was to develop community media, enhance professional capacity and promote media pluralism. In the summer of 2010, Moldovan journalists participated in the Summer School on Multimedia Journalism held in Moscow, Russian Federation. This training summer school course was funded by the International Programme for the Development of Communication (IPDC). It strengthened capacities of media specialists to contribute to media pluralism in the Commonwealth of Independent States countries.

## **III. RECOMMENDATIONS**

### **Right to education**

14. The Republic of Moldova should be encouraged to ratify the 1989 UNESCO's Convention on Technical and Vocational Education.

### **Right to take part in cultural life**

15. The Republic of Moldova should be also encouraged:

- i) To continue its efforts to align the existing legislation with the international legislative norms and regulations in the field of cultural rights. With this aim new legislative acts are to be developed and adopted by the Government;
- ii) To enhance co-operation between the ministries, in particular the Ministry of Culture and the Ministry of Education that should be interacting more closely;
- iii) To further increase participation of local communities and civil society organizations in the implementation of UNESCO Culture Conventions and strategic priorities based on the currently developing interaction between governmental bodies and local communities.

#### **Freedom of opinion and expression**

15. There are several opportunities for developing and protecting freedom of expression in Moldova. UNESCO recommends:

- i) to continue to promote media pluralism in print, radio, and broadcast;
- ii) to encourage opening of media market in the region of Transnistria.