



**avocatul
poporului**
OMBUDSMAN

SHADOW REPORT
submitted by the
People's Advocate
Office of the Republic of
Moldova to the
UN Human Rights
Committee under the
International Covenant
on Civil and Political
Rights for the
145th session



SHADOW REPORT
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for the 145th session

"This report has been prepared by the People's Advocate Office (Ombudsman Institution) of the Republic of Moldova, in its capacity as a National Human Rights Institution, accredited with 'A' status."

2025



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Abbreviations

art. - article

CPT - Council for the Prevention of Torture

GANHRI - Global Alliance of National Human Rights Institutions

NHRI - National Human Rights Institution

PAO – People’s Advocate Office

OSCE - Organization for Security and Cooperation in Europe

NPERHR - National Program on Ensuring Respect for Human Rights

etc. - et cetera



About the People's Advocate Office of Moldova

The People's Advocate Office (Ombudsman Institution) is the National Human Rights Institution (NHRI), which also has a constitutional mandate.¹ The PAO has an autonomous status from other public authorities and institutions, regardless of their type and structure. The mission of the Ombudsman Institution is carried out on the basis of constitutional provisions and special laws² regulating its mandate, organization and functioning.

The OAP operates in accordance with the Principles Relating to the Status of National Institutions (the Paris Principles), which establish the powers, responsibilities, composition and guarantees of National Human Rights Institutions. In 2023, the Ombudsman Institution was reaccredited with the "A" status³, which reconfirmed the compliance of the NHRI with all the standards and requirements set out in the Paris Principles.

In addition to the tasks of preventing human rights violations, promoting the assurance and observance of human rights, the Ombudsman's role is to monitor the implementation of the highest international standards in the realization of fundamental rights and freedoms at the national level. To this end, the Ombudsman prepares independent reports and submits them to international and regional human rights institutions and organizations.

Context and structure of the Report

The Ombudsman submits the Shadow Report to the UN Human Rights Committee under the International Covenant on Civil and Political Rights for the 145th session of the Committee. In this connection, the Ombudsman has examined the List of Issues prior to the submission of the fourth periodic report of the State of the Republic of Moldova⁴ and has presented the information in the order of the subjects described in the List. The report reflects an analysis of the most pressing issues and problems in the field of human rights to which the Office of the Ombudsman intervened by examining individual applications, *ex officio* complaints, drafting special and thematic reports in the field of human rights, conducting preventive, unannounced and monitoring visits to the territory to monitor the observance of human rights and freedoms, as well as publishing opinions and proposals for the adjustment of the normative framework and practices in the field.

¹ Constitution of the Republic of Moldova, art. 59¹ Status and role of the People's Advocate Office.

https://www.legis.md/cautare/getResults?doc_id=136130&lang=ro

² Law no. 52 of 03.04.2014 on the People's Advocate (Ombudsman) and Law 164 of 31.07.2015 approving the Regulation on the organization and functioning of the Office of the People's Advocate.

³ Report and Recommendations of the Session of the Sub-Committee on Accreditation (SCA) Online, 25-29 September 2023 Geneva, 23-27 October 2023 <https://ganhri.org/wp-content/uploads/2023/11/SCA-Report-Second-Session-2023-EN.pdf>

⁴https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FMDA%2FQPR%2F4&Lang=en



General information on the national human rights situation, including new measures and developments related to the implementation of the Covenant

National Council for Human Rights

The Ombudsman notes that in order to develop and evaluate policy documents in the field of human rights, as well as to ensure the implementation of international standards, the National Council for Human Rights was established on the basis of Government Decision 65/2019⁵. In addition to the Council, several specialized commissions coordinated by the State Chancellery and ministries are established. Thus, the specialized commissions ensure the monitoring of the implementation of regional and international human rights conventions. As mentioned in the State Report⁶, the Ministry of Justice coordinates the specialized commission responsible for monitoring the implementation of the International Covenant on Civil and Political Rights. The representative of the People's Advocate's Office is a member with observer status of this committee, having the right to propose topics for the agenda, to comment on the topics discussed in the meetings, as well as to present the position of the institution. Moreover, at the request of the People's Advocate, the last meeting of the Council was held on 15 July 2025⁷, on the premises of the Government, bringing together representatives of central public authorities and civil society organizations. The topics under discussion were: the situation of persons with mental disabilities and the need to improve institutional intervention protocols, as well as the issue of ensuring the rights of persons from the Transnistrian region and the importance of creating a strategy and support mechanism for people who choose to settle on the right bank of the Dniester.

Regarding the implementation of the European Court of Human Rights' judgments, the Ombudsman noted that the Republic of Moldova was sanctioned in 17 cases during 2024, the main violations being the prohibition of degrading, inhuman treatment and torture, poor conditions and failure to provide adequate medical care in detention, the right to a fair trial⁸.

The People's Advocate draws attention to the fact that the Government Agent of the Republic of Moldova is responsible for contributing to the execution of court decisions. In addition to the Government Agent, an Advisory Council is also created, the composition of which was revised following the adoption of Government Decision No. 824 of October 27, 2023. Thus, the Council is composed of representatives of public authorities, academia, the National Institution for Human Rights, respectively the PAO and civil society. In this regard, the Council contributes to ensuring the proper representation of the country before the ECtHR and the enforcement of the judgments and decisions of the European Court.

⁵ https://www.legis.md/cautare/getResults?doc_id=136828&lang=ro

⁶ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FMDA%2F4&Lang=en

⁷ <https://ombudsman.md/avocatii-poporului-au-participat-la-sedinta-consiliului-national-pentru-drepturile-omului/>

⁸ <https://crjm.org/republica-moldova-la-curtea-europeana-a-drepturilor-omului-in-anul-2024/25070/>



Specific information on the implementation of Articles 1-27 of the Covenant, including on the Committee's previous recommendations

Human rights situation in the administrative-territorial localities on the left bank of the Dniester and mun. Bender (Transnistrian region)

Since the last report drafted by the People's Advocate on May 25, 2023⁹, to date, constant efforts have been made to obtain free, unconditional and systematic access to the Transnistrian region. However, such access is not guaranteed neither for the People's Advocate nor for other relevant institutions, which severely limits their ability to effectively monitor, promote and protect human rights in the Transnistrian region. In the context of these efforts, the People's Advocate, through its Representation in Varnița, continues to maintain a dialogue with the representative appointed by the *de facto* authorities in Tiraspol for Human Rights. This dialog aims at identifying and resolving major social cases, as well as ensuring access to persons in illegal detention.

A case of success of this cooperation is the participation of the head of the Varnița Representation, for the first time, between March and July 2024, in the court sessions held in the so-called Tiraspol court, as well as in the session of the "supreme court" on July 23, 2024. These interventions were decisive for the release of the Moldovan citizen Dudnic Vladimir¹⁰ on August 15, 2024, after more than two years of illegal detention. This process was efficiently coordinated by the People's Advocate Office, in close cooperation with the Bureau for Reintegration Policies, the OSCE Mission to Moldova and international partners, demonstrating the importance of dialog and cooperation, even under restrictive conditions.

In parallel, government authorities have stepped up efforts to achieve the country's reintegration goal. To this end, sectoral working groups met in 13 sessions during 2024, addressing topics such as health, transportation, economy, agriculture, education and social issues. Discussions focused on access to medicines for economic agents, improving medical services and health protection on both banks of the Dniester. It is to be appreciated that the recommendation of the People's Advocate regarding the inclusion of PAO representatives as observers is being implemented and they are invited to some meetings. However, the Human Rights Working Group did not meet again in 2024 due to excessive politicization by Tiraspol of the proposals put forward by the Chisinau authorities.

In support of reintegration efforts, 31 development projects in the Security Zone have been financed through the Program of Reintegration Activities (PART) for 2024, with a total budget of 19.6 million lei. Of these, 4.6 million lei was allocated to farmers in the Dubasari district to compensate for the expenses generated by illegal fees imposed by Tiraspol at unauthorized checkpoints.

⁹https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FIFR%2FMDA%2F52930&Lang=en

¹⁰<https://ombudsman.md/eliberarea-cetateanului-moldovean-dudnic-vladimir-din-detentia-ilegala-in-tiraspol-cu-suportul-oficiului-avocatului-poporului/>



In the Annual Report on Respect for Human Rights and Freedoms in the Republic of Moldova in 2024¹¹, the Ombudsman emphasized the need to step up efforts to protect the rights of Transnistrian residents, while highlighting some progress in the field of official documentation. Thus, in 2024, the number of Moldovan driving licenses issued to Transnistrian residents increased by 20% to 6,727, indicating that about half of the drivers on the left bank of the Dniester River hold recognized national documents. Also, in August 2024, the process of documenting means of transportation in Tiraspol and Ribnitsa resumed after a period of blockades imposed by the *de facto* authorities.

Thus, from September 1, 2018 to June 30, 2025, according to data from the State Register of Transportation, 13,676 non-commercial vehicles from the Transnistrian region were documented with neutral model plates at the registration points of means of transport in the cities of Tiraspol and Ribnitsa. Compared to the year 2024, an increase of 12% or +1 470 transport units on last year's figure of 12 206 was set¹². Although this mechanism does not replace the basic process of documentation with national model plates, it nevertheless allows for provisional registration, monitoring in road traffic and alignment with the legal framework of drivers residing in the area not controlled by the constitutional authorities.

Another significant step forward is the maintenance of the mechanism for apostilization of educational documents in the Transnistrian region, in force since 2017. By the end of 2024, a total of 621 neutral-model diplomas had been apostilled, facilitating young people's access to higher education in countries such as the European Union, the United States, Israel and the United Kingdom.

In parallel with this progress, particular attention was also paid to access to justice for the inhabitants of the left bank of the Dniester and Bender municipality, especially in the context of the process of revising the judicial map. The People's Advocate pointed out the risks that the reorganization of the courts, in particular the merger of the Anenii Noi and Causeni Courts, could have on the accessibility of the justice system for the citizens of the Transnistrian region. Following the steps taken by the People's Advocate, the legislature took into account the recommendations made and the new law provides for the maintenance of the seat of the Causeni Court in Bender (Varnița) until 31 December 2030¹³. This provision guarantees an essential access point for citizens of the Transnistrian region, ensuring access to justice for the inhabitants of the region. Moreover, according to the data provided by the Public Services Agency, as of June 30, 2025, the number of inhabitants of the Transnistrian region included in the State Population Register was 375 044.¹⁴

¹¹ [raport-anual-privind-respectarea-drepturilor-si-libertatilor-omului-in-anul-2024.pdf](#)

¹² https://gov.md/ro/comunicate-de-presa-bpr/13-676-de-autovehicule-necomerciale-din-regiunea-transnistreana-poseda?fbclid=IwY2xjawLod0NleHRuA2FlbQIxMABicmlkETFRNExwYXE1Rnk0UWUxSXZQAR6yQjNKYzjcmVmoz97Yxv7wmCyf6DhWTugOB-GFyjkjeICZKX2ayuU-zwKXg_aem_IUUIqh-pjkUMMYOOi5Q3sg

¹³ https://www.legis.md/cautare/getResults?doc_id=143818&lang=ro

¹⁴ https://gov.md/ro/comunicate-de-presa-bpr/347-161-de-locuitori-din-regiunea-transnistreana-poseda-cetatenia?fbclid=IwY2xjawLod0pleHRuA2FlbQIxMABicmlkETFRNExwYXE1Rnk0UWUxSXZQAR7B0YUcKrJXnp8FOKxa_n-19fpTjbw5QYGb6P3YwhoIgDEz63HqWHYNAgF6iA_aem_E2Hpw5OKz7HGH636JB27Tw



Although the national authorities are constantly working to ensure that the rights of Transnistrian residents are respected, the situation remains worrying.

In 2024, the monitoring of the human rights situation in the localities on the left bank of the Dniester and the municipality of Bender revealed an intensification of the practice of forced recruitment of young people into the paramilitary structures of the *de facto* regime in Tiraspol. The most vulnerable are boys from the age of 16, who are automatically included in the databases of the military commissariats as early as secondary school. They are subject to compulsory procedures, such as military medical examination and the issuing of Transnistrian military passbooks, even in the absence of personal or family consent. Young people who have permanent residence outside the region and hold Moldovan citizenship are not exempt from these measures. If they are in the region for more than 90 days, they are forcibly registered and are liable to severe sanctions if they refuse to fulfill the required military service. Refusal entails serious consequences, including criminal prosecution under the so-called "Transnistrian criminal code", as well as exclusion from public life through employment bans or travel restrictions.

At the same time, the right to freedom of expression in the region is severely restricted by a set of measures imposed by the *de facto* authorities, which aim to suppress any form of opposition and censor access to alternative information. Under the pretext of ensuring information security and preventing extremism, Tiraspol has adopted the "Information Security Doctrine of the Transnistrian Transnistrian region for 2020-2026", approved by decree No. 121 of March 26, 2020 by the region's leader Vadim Krasnoselsky. This so-called doctrine legalizes censorship, restricts freedom of the press, restricts the right to assembly and creates a climate of intimidation for civil society and human rights defenders.

The human rights problems in the Transnistrian region were also exacerbated by the energy and humanitarian crisis triggered in December 2024, when the region began to receive a reduced volume of natural gas. In the 2024-2025 cold season, there were massive and long-lasting disruptions in electricity and gas supplies, which led, among other things, to the cessation of the work of educational institutions. In this context, the Ombudsman initiated a special report on the impact of this crisis on human rights. At the same time, the socio-economic situation of the population in the region has worsened, incomes have been significantly reduced and the budget of the so-called local authorities no longer fully covers the payment of salaries and pensions. Although the available data is limited, this topic needs to be properly reflected in the National Report.

In the light of the above, the Ombudsman makes the following recommendations, which are also mentioned in the Annual Report on the Observance for Human Rights and Freedoms in the Republic of Moldova 2024:

- The Ministry of Foreign Affairs and the Bureau for Reintegration Policies to intensify diplomatic demarches, including with the support of international partners, to ensure regular access of the Ombudsman to the Transnistrian region for human rights monitoring purposes.



- **Parliament to adopt a clear legislative framework for the recognition of the status of internally displaced persons for persons who are forced to leave the Transnistrian region due to persecution, forced incorporation or other human rights violations. The law should provide for measures of financial support, access to social housing, integration into the labor market and legal protection.**

About the National Program on Ensuring Respect for Human Rights (NPERHR)

NPERHR from 2024-2027 represents a significant progress compared to the previous program (2018-2022) being approved by Government Decision No. 164 of March 6, 2023. The document aims to ensure the continuity and development of the national human rights policy by implementing the recommendations made by international, regional and national mechanisms. It provides a clearer structure for implementation and monitoring, is better aligned with international commitments, and places greater emphasis on the protection of vulnerable groups and on alignment with the *acquis* communautaire. It should be noted that the year 2023 lacked a human rights program and was dedicated to the elaboration of the new document. The results of the implementation of the actions in the current NPERHR for the first year of implementation - 2024, reflect that about 42% were realized, partially realized - about 9%, about 29% - in the process of realization, and 20% were not realized.¹⁵

The previous NPERHR (2018-2022), like the one from 2011-2014, faced significant challenges in the implementation process. Only 27.5% of the actions and indicators were fully achieved and 37.4% partially achieved. However, the level of achievement of impact indicators was much lower: only 10.5% achieved and 25.4% partially achieved. The biggest gaps were identified in the areas targeting minorities and vulnerable groups (young people, Roma, other ethnic, linguistic and religious minorities, elderly, etc.), and actions dedicated to the protection of LGBT people were completely missing. In addition, the plan was not flexible enough to incorporate international recommendations and the annual reports of the Office of the Ombudsman and the Equality Council. **For this reason, the Ombudsperson has recommended activity-oriented budgeting, rigorous monitoring and mainstreaming of international recommendations, with a focus on the rights of vulnerable groups, for the new NPERHR.**

Consolidation measures and challenges for the People's Advocate Office - National Human Rights Institution

During 2024, positive changes were introduced in the context of PAO staff salaries, which were adjusted twice. Thus, with the adoption of Law No. 418 of December 22, 2023 on the state budget for 2024, the salaries of PAO employees were increased by about 30%. In addition, following the adoption of Law no. 305 of December 19, 2024 amending Law no. 270/2018 on the unitary salary system, Annex 3 was adjusted, which increased the salary grades for the civil service positions within

¹⁵ [https://gov.md/sites/default/files/users-media/media-15/Raport%20privind%20implementarea%20ac%C8%9Biunilor%20din%20PNADO%20\(2024-2027\)%2C%20pentru%20anul%202024.pdf](https://gov.md/sites/default/files/users-media/media-15/Raport%20privind%20implementarea%20ac%C8%9Biunilor%20din%20PNADO%20(2024-2027)%2C%20pentru%20anul%202024.pdf)



the PAO. Thus, as of January 2025, OAP employees started to be remunerated with 25% more salary. The adjustment partially complies with the recommendations of the GANHRI Subcommittee on Accreditation and the Venice Commission to ensure an adequate salary level.

With regard to the restoration of the PAO premises, we would like to note that the Medium Term Budget Framework for the years 2025-2027 foresees continued funding for reconstruction and related activities, emphasizing the urgent need to complete them. However, the budget for 2024-2026 did not include the necessary resources to fully carry out the activities of the mandate, such as the promotion of human rights or the hiring of experts in specialized areas. The PAO therefore has to rely on the support of external donors and experts, which does not always cover all the needs of the institution.

A persistent challenge remains the lack of effective safeguards for the exercise of the mandate of the Ombudsman. The introduction of regulatory amendments in 2023 to Law No. 52 of 03.04.2014 on the People's Advocate (Ombudsman) in art. 4, para. (2) on the inviolability of the Ombudsman, allowed the detention, arrest and search of the Ombudsman without the consent of the Parliament in cases of *flagrante delicto* and for certain offenses under the Criminal Code (money laundering, active and passive corruption, etc.).

In this regard, the Ombudsman continues to advocate a return to the previous provisions, which expressly stipulated the need to obtain the consent of the Parliament in order to initiate criminal prosecution or to prosecute for unlawful acts. The return to the previous provisions was also supported by the GANHRI Accreditation Subcommittee, noting the need to restore stronger provisions on the Ombudsman's functional immunity for actions taken in good faith in his official capacity.¹⁶ Moreover, ensuring guarantees of independence are necessary for a prevention of acts of interference in the work of the PAO. In this regard it is necessary to mention that in March 2025, the Ombudsman strongly condemned the attempt of the Prosecutor General to discredit the PAO by requesting the amendment of a special report highlighting systemic and individual problems¹⁷. This action was perceived as a form of pressure and intimidation designed to influence the content of future reports. A similar case of meddling occurred in 2024¹⁸, when the Chief of the General Inspectorate of Police, challenged a special report of the PAO, demanding to change the content and remove the public releases, under threat of legal action.

¹⁶ <https://ganhri.org/wp-content/uploads/2023/11/SCA-Report-Second-Session-2023-EN.pdf>

¹⁷ <https://ombudsman.md/avocatul-poporului-ceslav-panico-condamna-acuzatiile-si-limbajul-utilizat-de-procurorul-general-in-raport-cu-institutia-ombudsmanului/>

¹⁸ <https://ombudsman.md/reactia-avocatului-poporului-privind-imixtiunea-in-activitatea-sa-si-subminarea-garantiilor-de-independententa/>



Following the above, the Ombudsman recommends:

- **Strengthening the guarantees of independence of the Ombudsman and the staff of the institution in line with international standards by reverting to the previous provisions until the 2023 legislative amendments to Article 3 of Law No. 52/2014 on the Ombudsman.**
- **Ensuring adequate salaries in line with the recommendations of the GANHRI Sub-Committee on Disrepute and the Venice Commission, in order to guarantee the recruitment and retention of qualified staff and professional efficiency of the PAO employees.**

Anti-corruption measures (Art. 2 and 25)

In 2023, the Parliament of the Republic of Moldova adopted Law No. 165/2023 on whistleblowers¹⁹, representing an important step in harmonizing the national regulatory framework with European standards and strengthening the protection of persons who report violations of the law. However, the effective application of these provisions continues to be hampered by institutional gaps and lack of effective enforcement mechanisms.

In this context, during 2024, the PAO received seven requests for protection from individuals who identified themselves as whistleblowers. The analysis of these cases revealed the existence of retaliation and intimidation practices, such as unlawful dismissal, interference with professional activities and pressure on whistleblowers. Although the legislation provides a general framework of protection, its application raises significant problems of interpretation and intervention. A major obstacle identified is the fact that the granting of whistleblower protection depends on the whistleblower being recognized by the currently competent authority, the National Anti-Corruption Centre. In the absence of such recognition, other institutions, including the Ombudsman, have limited powers to act. Also, a frequently encountered problem is the formal cessation of reprisals, while their effects such as deterioration of the professional environment or marginalization continue to affect the whistleblower in the long term.

However, the Ombudsman points out that at national level the Republic of Moldova has made progress in the protection of whistleblowers. Thus, according to the Republic of Moldova's evaluation report on the fight against corruption, prepared in the context of the 5th monitoring round of the Istanbul Anti-Corruption Action Plan published by the Anti-Corruption Network for Eastern Europe and Central Asia of the Organization for Economic Cooperation and Development (OECD)²⁰, The Republic of Moldova scored 16.8 points higher compared to the 2023 assessment,

¹⁹ https://www.legis.md/cautare/getResults?doc_id=138148&lang=ro

²⁰ <https://ombudsman.md/progres-remarcabil-in-protectia-avertizorilor-de-integritate-moldova-avanseaza-in-evaluarea-acn-oecd/>



anti-corruption policies were rated 9.9 points higher, independence of the judiciary 6.1 points higher, thus moving from "medium" to "high" performance in these areas.

It is also necessary to highlight the results of the adoption of national policy documents in the field of combating corruption: the National Integrity and Anti-Corruption Program for 2024-2028 and the Action Plan for the implementation of the Progra²¹m. The Program is in line with the priorities reflected in the UN Convention against Corruption (adopted in New York on October 31, 2003, signed by the Republic of Moldova on September 28, 2004 and ratified by the Parliament of the Republic of Moldova through Law No. 158/2007), which commits the signatory states to develop, implement and ensure effective and coordinated anti-corruption policies, with those reflected in the Association Agenda between the Republic of Moldova and the European Union for the years 2022 - 2027, as well as other international instruments and legal acts, thus ensuring the strengthening of national legislation in this field. At the same time, the document is based on the commitments formulated in the National Development Strategy "European Moldova 2030", approved by Law No. 315, including the objectives of the Sustainable Development Agenda Moldova - 2030.²²

During the reporting period there was an improvement in the corruption perception index in the Republic of Moldova. Thus, according to Transparency International assessments, Moldova is among the top three countries with the most significant progress in fighting corruption and improving the perception of corruption in society. In the 2024 Corruption Perceptions Index (CPI), Moldova has seen a significant improvement in its score, increasing by 13 points overall since 2016.²³

Also, according to the 2024 report, the Group of States against Corruption (GRECO) assessed the Republic of Moldova and found that 13 of the 18 recommendations adopted in 2016 have been satisfactorily implemented and four recommendations have been partially implemented. However, GRECO emphasized that no progress has been made on the composition of the Superior Council of Prosecutors, as the Minister of Justice and the President of the Superior Council of Magistracy continue to be ex-officio members until 2026.^{24,25}

GRECO also expressed concern about the frequent use of the extraordinary procedure for the adoption of legislation. It also underlines the need to strengthen the capacity of the National Integrity Authority to ensure effective and thorough monitoring of compliance with the rules on conflict of interest, incompatibility and declarations of assets and interests. In turn, the segment on prevention of corruption among judges GRECO recommendations on judges have been implemented. The vetting process of candidates for judges yielded favorable results. The Superior Council of Magistracy has started its work and continues to take informed decisions on the appointment, transfer

²¹ https://www.legis.md/cautare/getResults?doc_id=141920&lang=ro

²² Parliament Decision no. 442/2023 approved the National Integrity and Anti-Corruption Program for the years 2024 - 2028 and the Action Plan for the implementation of the National Integrity and Anti-Corruption Program for the years 2024 - 2028. [On-line]: [HP442/2023](#).

²³ Corruption Perception Index. [On-line]: [2024 Corruption Perceptions Index - Explore... - Transparency.org](#).

²⁴ Moldova among the top 3 countries in the world with the greatest progress in corruption perceptions measured by Transparency International. [On-line]: [Moldova în topul celor 3 țări din lume cu cel mai mare progres în percepția corupției măsurată de Transparency Internațional | Procuratura Anticorupție a Republicii Moldova](#).

²⁵ Corruption prevention in respect of members of Parliament, judges and prosecutors. Evaluation Report of Republic of Moldova. [On-line]: [FOURTH EVALUATION ROUND](#).



and career of judges. Among other positive measures, the national authorities have introduced measures to assess the integrity of candidates for the positions of auditors of the National Institute of Justice by requiring them to submit declarations of assets and interests. They also eliminated delays in solving cases and published information on court activities. Progress has been made in amending the legislative framework on disciplinary proceedings against judges and annual activity reports contain statistics on disciplinary proceedings.²⁶

Gender equality (Art. 3, 25 and 26)

The Ombudsman notes that women's access to the labor market has increased from 34.3% in 2019 to 40.8% in 2024, thanks to measures to make work more flexible.²⁷ At the same time, according to data from the National Bureau of Statistics, 55.7% of all women aged 25-54 are economically inactive due to family responsibilities, which is the main cause of female inactivity.²⁸ In this context, the Ombudsman supports the initiative of the National Confederation of Trade Unions of Moldova to promote the ratification of the International Labor Organization (ILO) Convention No. 156, which aims at equal opportunities and equal treatment for workers with family responsibilities. The Convention recognizes the additional difficulties faced by workers who have to combine family and work responsibilities.

The Ombudsman draws attention to the fact that women with disabilities face multiple discrimination, both on the basis of gender and disability. They are also more at risk of domestic violence and exclusion from the labor market.

Women continue to be under-represented in decision-making positions. At the end of 2024, 40 out of 100 members of parliament were women. While this is higher than the European average (31.8%) and the global average (27.2%), in some areas the gender imbalance persists and in others it is smaller. Respectively, the share of women in the total number of employees of police bodies, including civil protection and border guards, at the beginning of 2024 was 26.1%. At the same time, the share of women in the total number of judges at the beginning of 2025 was 52.0%²⁹.

Similarly, the Ombudsman appreciates the fact that the Republic of Moldova was included for the first time in the top 10 of the overall ranking of the Global Gender Gap Report 2025³⁰, published by the World Economic Forum, ranking 7th. This performance reflects significant progress, as the overall gender parity score increased to 81.3%, an improvement of +2.3 points and a jump of six positions compared to the 2024 ranking. **The Ombudsperson encourages the maintenance and consolidation of this positive trajectory through sustainable and inclusive public policies that ensure gender equality in all areas of life.**

²⁶ Council of Europe's anti-corruption body publishes follow up report on the Republic of Moldova. [On-line]: [Council of Europe's anti-corruption body publishes follow up report on the Republic of Moldova - Council of Europe Office in Chisinau.](#)

²⁷ <https://social.gov.md/comunicare/cea-mai-mare-rata-de-ocupare-a-forței-de-munca-in-randul-femeilor-in-ultimii-6-ani/>

²⁸ https://statistica.gov.md/ro/portretul-statistic-al-femeilor-si-barbatilor-in-republica-moldova-9617_61689.html

²⁹ https://statistica.gov.md/ro/portretul-statistic-al-femeilor-si-barbatilor-in-republica-moldova-9617_61689.html

³⁰ <https://www.weforum.org/publications/global-gender-gap-report-2025/>



State of emergency (Art. 4)

In March 2025, the Office of the Ombudsman published the Thematic Report: Evaluation of the national legal framework on the regulation of the state of emergency in the Republic of Moldova³¹. The report reflects the level of compliance of the national regulatory framework in the field of state of emergency with the standards of good governance, rule of law and human rights. According to the data presented in the document, in the last 5 years in the Republic of Moldova, the state of emergency has been established 6 times³², the last time in December 2024, and extended 12 times. The grounds for this included the COVID-19 pandemic (which prompted the first use of this regime in our country in 2020), the energy crisis, the war in Ukraine (February 24, 2022) and the massive influx of refugees/tees that immediately followed and the energy crisis again. In the terms used by the human rights conventions, each of these situations had to be of sufficient gravity to "threaten the life of the nation" and justify additional executive powers and derogations from fundamental human rights.

In this regard, the Report mentioned a number of legal loopholes that allow, in the absence of explicit regulations, the application of derogating measures in a potentially discriminatory or disproportionate manner, without adequate control mechanisms. **As a result, the Ombudsman formulated a series of recommendations to strengthen the legal regime of the state of emergency, including: the inclusion in the Constitution of clear provisions on the grounds, limits and constitutional guarantees of emergency powers; the amendment of Law no. 212/2004 in order to ensure a clear, transparent and controllable procedure for the establishment, extension and application of the state of emergency; the establishment of an effective parliamentary and judicial control mechanism, whereby the provisions of the Commission for Emergency Situations (CES) are subject to review and, if necessary, repeal by Parliament; the revision of the composition of the CES, including, with observer status, representatives of the Office of the Ombudsman, the Council for Equality and independent human rights experts from civil society.**

At the same time, on April 30, 2025, the Report was presented at public hearings jointly with the Human Rights and Interethnic Relations Committee and the National Security, Defense and Public Order Committee of the Parliament.³³

³¹ <https://ombudsman.md/post-document/raport-tematic-evaluarea-cadrului-legal-national-privind-reglementarea-starii-de-urgenta-in-republica-moldova/>

³² To be considered, including the Decision of the Parliament of the Republic of Moldova no.49 of 31.03.2021 on declaring a state of emergency: https://www.legis.md/cautare/getResults?doc_id=125901&lang=ro, declared unconstitutional on

28.04.2021, <https://www.constcourt.md/libview.php?l=ro&idc=7&id=2172&t=/Media/Noutati/Hotararea-adoptata-de-Parlament-referitoare-la-declararea-starii-de-urgenta-neconstitucionala>

³³ <https://ombudsman.md/raportul-tematic-privind-regimul-starii-de-urgenta-audiat-in-parlamentul-republicii-moldova/>



Violence against women and domestic violence (Articles 2, 3, 6, 7 and 26)

According to the data of the National Bureau of Statistics, 926 people suffered as a result of domestic violence offenses recorded in 2024, of which 70.5% of the victims were women.³⁴

In line with the recommendation in the previous report on intensifying efforts to bring national legislation in line with the standards of the Istanbul Convention, we note the transposition of the Istanbul Convention, which led to the amendment of the Criminal Code, the Criminal Procedure Code and the Family Code, as well as the establishment of a mechanism of guaranteed legal aid for victims of domestic violence. Moreover, the People's Advocate estimates that in the part related to the strengthening of the national legal framework on combating domestic violence, on July 10, 2025 the Parliament of the Republic of Moldova adopted Law No. 252 on the amendment of some normative acts (Law No. 45/2007 on preventing and combating violence against women and domestic violence and Law No. 1069/2000 on informatics).

It should be noted that the proposals to amend and supplement certain legislative acts, contained in Annex No. 1 to the [Report on the analysis of the compatibility of the legislation of the Republic of Moldova with the provisions of the Istanbul Convention](#), were based on the provisions of the Istanbul Convention, GREVIO General Recommendation No. 1 on the digital dimension of violence against women, as well as the observations in the GREVIO Evaluation Report on the legislative and other measures taken at national level to implement the Istanbul Convention.³⁵ In this regard, the new amendments introduced femicide in the Criminal Code, recognized as a serious form of violence against girls and women. In addition, digital violence will be criminalized and victims of this form of violence will benefit from protection measures, including restraining orders. The Parliament also voted to extend the protection order from 3 to 6 months in order to avoid the risk of recidivism.

On May 22, 2025, the Parliament of the Republic of Moldova adopted Law No. 114 on the amendment of some normative acts (exemption from state tax and stamp duty for victims of domestic violence in certain cases and implementation of the Constitutional Court Decision No. 20/2024). This will facilitate access to justice for victims of domestic violence through financial support.

Similarly, in order to strengthen the protection of fundamental rights and to ensure an effective response to the alarming phenomenon of gender-based violence and domestic violence in the Republic of Moldova, the National Agency for the Prevention and Combating of Violence against Women and Domestic Violence was institutionalized by Government Decision No. 926 of 29 November 2023³⁶. The Agency's mission is to implement public policies to prevent and combat violence against women and domestic violence; to ensure the national implementation of the Istanbul Convention, adopted on May 11, 2011 and ratified by Law No. 144/2021, and other relevant international instruments that promote the protection of women's rights against all forms of violence. The People's Advocate also appreciated the adoption of the National Program for preventing and combating violence against women and domestic violence for the years 2023-2027.³⁷

³⁴ https://statistica.gov.md/ro/portretul-statistic-al-femeilor-si-barbatilor-in-republica-moldova-9617_61689.html

³⁵ Women and girls will benefit from better protection against violence, based on the new draft law no. 70, adopted by the Parliament of the Republic of Moldova. [On-line]: [Femeile și fetele vor beneficia de o protecție mai bună împotriva violenței, în baza noului proiect de lege nr. 70, adoptat de Parlamentul Republicii Moldova - CDE](#).

³⁶ https://www.legis.md/cautare/getResults?doc_id=140357&lang=ro

³⁷ https://www.legis.md/cautare/getResults?doc_id=140367&lang=ro#



Following the topic addressed, the Ombudsman makes the following recommendations:

- **The Government to support the effective functioning of the National Agency for Preventing and Combating Violence against Women and Domestic Violence and to ensure sufficient resources for the implementation of measures to protect victims of domestic violence, in accordance with the Istanbul Convention.**
- **The Ministry of Education and the Ministry of Labor to include mandatory modules on the prevention of gender-based violence, gender equality and respect for human rights in school curricula and vocational training programs, starting from primary school.**

Sexual and reproductive rights (Art. 2, 6 and 7)

With regard to reproductive health and family planning, national policies have not yet been complemented by a clear and effective strategy, which limits access to essential sexual and reproductive health services. Rural women in particular face difficulties in accessing these services, and the development of appropriate policies in this regard would be an important step in promoting the right to health.

In the Republic of Moldova, abortion is permitted on request up to 12 weeks of pregnancy and is generally permitted up to 28 weeks for a variety of reasons set by the Ministry of Health - up to 22 weeks in cases of health risk, fetal malformation, when the pregnancy is the result of a crime or for social reasons, and up to 28 weeks if the fetus has severe malformations or congenital syphilis. Abortions must be performed in medical facilities authorized by obstetricians and gynecologists. However, since the beginning of the COVID-19 pandemic, telemedicine abortions have been legally performed in Moldova to address the problem of limited access due to closures, limited mobility and movement, and closed health services. Telemedicine abortions continued after the end of the pandemic until they were banned in early 2025.³⁸

In the context of the regulation of the procedure of termination of pregnancy, on January 23, 2025 the Ministry of Health of the Republic of Moldova issued Order No. 45 on the amendment of Order No. 766/2020 "On the approval of the Standard on safe termination of pregnancy". As a result, it was ordered to stop the performance of medical abortion through telemedicine by healthcare providers, regardless of the type of ownership and legal form of organization.³⁹

³⁸ [Moldova: Submission to the UN Committee on the Elimination of Discrimination against Women. 93rd Pre-Sessional Working Group, 7-11 July 2025, list of issues.](#) [On-line]: [Moldova: Submission to the UN Committee on the Elimination of Discrimination against Women. 93rd Pre-Sessional Working Group, 7-11 July 2025, list of issues - Amnesty International.](#)

³⁹ Order no. 45 of January 23, 2025 on the amendment of Order no. 766/2020 "On the approval of the Standard on safe termination of pregnancy". [On-line]: [45-23.01.2025.pdf](#)



Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (Art. 7)

In 2024, the General Prosecutor's Office registered and examined 319 complaints, down from previous years (485 complaints in 2022, 397 complaints in 2023), concerning allegations of ill-treatment and torture. According to the prosecutors, in 147 cases the alleged unlawful actions were committed in the streets/public places, 39 cases of alleged ill-treatment took place on the premises of Police Inspectorates; 37 cases took place in educational institutions; 35 referrals came from the penitentiary system; 27 cases allegedly occurred in the homes of victims of domestic violence; 17 cases - on the premises of police districts and police stations; 7 cases - on the premises of remand isolators; 6 cases were registered in psychiatric institutions and 4 referrals concerned violence committed in military units. An essential decrease can be observed in the case of referrals alleging inhuman/ degrading treatment (paras. 1 and 2, art. 166/1 of the Criminal Code): from 373 cases in 2023 to 306 cases in 2024. Respectively, 7 cases were reported for acts of torture, an increase by 3 cases compared to 2023 (4 cases in 2023). Violence against military personnel decreased from 13 cases in 2023 to only 3 cases in 2024.

Also this year, the lower courts handed down 14 sentences to 18 people. 3 people were sentenced to imprisonment, 3 - suspended, 1 - fined and 8 acquitted. All sentences were for inhuman or degrading treatment and none for torture. Although the criminal law does not provide for fines or suspended sentences for torture/ inhuman or degrading treatment, the Ombudsman notes that the courts continue to impose such punishments.

The Code of Criminal Procedure of the Republic of Moldova provides for the exclusive competence of the prosecutor to prosecute crimes of torture, but also crimes related to attempts on the lives of police officers, criminal investigation officers, intelligence and security officers, prosecutors, judges in the exercise of their duties. Moreover, prosecutors may have difficulty in deciding whether to *prefer* to prosecute in a case in which there are both components of the offense: torture and attempts on the life of law enforcement/justice officials. In 2024, 54 prosecutors responsible for examining cases of torture, inhuman and degrading treatment and one deputy in each prosecutor's office were appointed.

In 2024, Act 114/2024 on Mental Health and Mental Welfare was passed⁴⁰, which makes some improvements in the regulation of the mental health system. One of the main changes aims to strengthen judicial control over involuntary admissions. The new law provides for an immediate examination of the person by a psychiatrist and, within 24 hours, the person can opt for voluntary admission or outpatient treatment. In case of refusal, hospitalization can be decided by a specialized commission, subject to court approval within 24 hours.

⁴⁰ https://www.legis.md/cautare/getResults?doc_id=143550&lang=ro



It also introduced the possibility to request a second independent medical opinion at the stage of the court's consideration of the application for committal. A significant step forward is the reduction of the review interval for non-voluntary treatment from six months to every two weeks. The law also guarantees the right of patients to a translator or interpreter, which helps to ensure fair access to justice and healthcare.

At the same time, the law does not provide specific details on the proportionality and justification of restrictive measures, running the risk that patients may be subjected to restraint measures without proper justification. There is a lack of regulations on staffing regulations, salary facilities or complaint handling mechanisms for the protection of medical staff. However, implementation of this legislation remains problematic and the mental health system remains weak in many aspects. **As a result, the Ombudsman comes with the recommendation to ensure the effective and fair implementation of Law No. 114/2024 by strengthening due process guarantees for involuntarily committed persons.**

Trafficking in human beings (art. 2, 7, 8 and 26)

In the context of the escalation of the armed conflict in Ukraine and the increasing migration flows in the region, the phenomenon of trafficking in human beings continues to represent a serious violation of human rights and fundamental freedoms. At the same time, it is a complex and sensitive issue in terms of the trends that are changing and influencing the social, political and economic context at national or even regional level.

In this regard, it may be mentioned that during the reporting period the Government of the Republic of Moldova by Decision No. 715 of September 26, 2024 approved the Program for Preventing and Combating Trafficking in Human Beings for the years 2024 - 2028. The Program will ensure the continuity of the national policy in this field and the efforts to achieve the results obtained following the implementation of the National Strategy for Preventing and Combating Trafficking in Human Beings for 2018-2023. The program was also developed in accordance with the recommendations of the mechanisms for monitoring and evaluation of state efforts in the field of preventing and combating trafficking in human beings, received through various platforms: the Council of Europe's Group of Independent Experts on Action against Trafficking in Human Beings (GRETA); the Universal Periodic Review; the US Department of State; the United Nations Office on Drugs and Crime (UNODC); the Organization for Security and Cooperation in Europe (OSCE).⁴¹

⁴¹ Program for preventing and combating human trafficking for the years 2024 - 2028 (Government Decision no. 715 of September 26, 2024). [On-line]: [HG715/2023](#).



Treatment of aliens, including migrants, refugees and asylum seekers (Articles 7, 9, 13 and 24)

The legal and institutional framework in the Republic of Moldova on migration, asylum and integration of foreigners is regulated by a series of laws, regulations and procedures aimed at ensuring the protection of the rights of migrants and refugees. Law No. 200/2010 on the Regime of Foreigners in the Republic of Moldova regulates the status and rights of foreigners on the territory of the country, including procedures for obtaining visas and residence permits. Law No 270/2008 on Asylum in the Republic of Moldova lays down the conditions for granting refugee status and temporary protection, ensuring access to a protection regime for persecuted or endangered persons. In addition, national legislation includes rules on the integration of foreigners, establishing mechanisms for access to education services and the labor market. The key institutions in the implementation of this framework are the Ministry of Interior, the General Inspectorate for Migration and the Border Police, which coordinate the implementation of the legislation, the management of migration flows and the protection of those in vulnerable situations.

In the context of the implementation of temporary protection and the need to guarantee the right of access to work for the beneficiaries of this status, the Office of the Ombudsman has carried out a detailed assessment in a thematic report on access to the labor market for persons enjoying temporary protection⁴². The Ombudsman identified several structural obstacles which make it difficult for beneficiaries of temporary protection to access the right to work. These include: the discrepancy of the legal framework with international standards; difficulties in the process of recognition and equivalence of professional qualifications; low wages and the existence of gender pay gaps; the restrictive nature of domestic and care work, which limits integration into the labour market; discriminatory practices; and restricted access to entrepreneurial patents.

According to Article 4 of Law No 274/2011 on the integration of foreigners in the Republic of Moldova, the process of integration of foreigners is based on the principles of non-discrimination and equal treatment. However, persons enjoying temporary protection and intending to engage in self-employment face legal restrictions in obtaining an entrepreneur's license. According to the provisions of Law No. 93/1998 on the entrepreneur's patent, the right to hold a patent is limited exclusively to foreign citizens who have a permanent residence permit in the Republic of Moldova. This restriction obliges the beneficiaries of temporary protection to go through complex administrative procedures, thus hindering their economic integration and indirectly favoring activities in the informal economy.

In addition, the legislative changes introduced by Law no. 98/2024 create problems of equity and differential treatment of the different categories of foreigners who need access to compulsory health insurance. While beneficiaries of temporary protection and asylum seekers are included in the system, for them this right is conditional on employment, which may lead to the exclusion of

⁴² <https://ombudsman.md/post-document/raport-privind-monitorizarea-respectarii-drepturilor-persoanelor-refugiate-in-contextul-conflictului-armat-din-ucraina-pentru-perioada-ianuarie-iunie-2024-2/>



vulnerable persons who are unable to obtain employment (e.g. disabled persons, elderly, single parents, victims of violence, etc.). This conditionality is disproportionate as it does not take into account the vulnerable status of beneficiaries of temporary protection and asylum seekers, putting them in a disadvantaged position compared to other foreigners in the Republic of Moldova.

In 2024, the Office of the People's Advocate assessed⁴³ the procedures for handling asylum applications at the State Border Crossing Point "Chisinau International Airport" and the respect for the rights of asylum seekers in the accommodation center of the General Inspectorate for Migration. The study identified a number of issues related to the regulatory framework. According to the Ombudsman's opinion, the provision stipulated in Art. 54 of Law No. 270/2008, which requires obtaining permission from the General Inspectorate for Migration before allowing asylum seekers access to the territory of the Republic of Moldova, may have a negative impact on the right to immediate access to the asylum procedure. This condition may generate administrative delays and barriers, thus creating the risk of arbitrary decisions by the representatives of the General Inspectorate of Border Police, violation of the principle of non-refoulement, as well as limiting the access of asylum seekers to essential services

Access to justice, independence of the judiciary and the right to a fair trial (Art. 2 and 14)

The Republic of Moldova has continued the process of reforming the judicial system, with notable progress in strengthening the legal and institutional framework. However, the practical implementation of the reforms and the effective guarantee of the right to a fair trial remain major challenges that require sustained attention by the authorities.

According to the data of the Annual Report on the observance of human rights and freedoms in the Republic of Moldova⁴⁴, the year 2024 was marked by the promotion and adoption of important legislative initiatives, including Law No. 135 of June 13, 2024, amending some normative acts (on the revision of the judicial map)⁴⁵, Law No. 284 of December 5, 2024, amending some normative acts (on the electronic form of the attorney's mandate)⁴⁶, Law No. 136 of June 6, 2024, amending some normative acts (amending the Criminal Code and the Contravention Code)⁴⁷, Law No. 271 amending the Contravention Code of the Republic of Moldova No. 218/2008 (procedure for applying the warning sanction)⁴⁸.

⁴³ <https://ombudsman.md/post-document/raport-special-privind-evaluarea-procedurilor-de-preluare-a-cererilor-de-azil-in-punctul-de-trecere-a-frontierei-de-stat-aeroportul-international-chisinau-si-asigurarea-drepturilor-s-2/>

⁴⁴ <https://ombudsman.md/post-document/raport-anual-privind-respectarea-drepturilor-si-libertatilor-omului-in-republica-moldova-in-anul-2024/>

⁴⁵ https://www.legis.md/cautare/getResults?doc_id=143818&lang=ro

⁴⁶ https://www.legis.md/cautare/getResults?doc_id=146142&lang=ro

⁴⁷ https://www.legis.md/cautare/getResults?doc_id=144652&lang=ro

⁴⁸ https://www.legis.md/cautare/getResults?doc_id=146241&lang=ro



Similarly, in 2024, the state-guaranteed mediation mechanism⁴⁹, introduced by amendments to Law no. 198/2007 on state-guaranteed legal aid, entered into force. It aims to expand access to alternative dispute resolution for vulnerable persons, including children, young people under 21 and people with disabilities. However, according to the report of the National Council for State-Guaranteed Legal Aid⁵⁰, only one request was registered, which was rejected, which highlights the need for better information and implementation of the new mechanism.

The adoption of Government Decision No. 748 of 6 November 2024⁵¹ marked an important step in the modernization of justice by establishing the Agency for Digitalization in Justice and Judicial Administration, resulting from the merger of two existing agencies. The People's Advocate welcomes this initiative, underlining its contribution to the digitalization of the judicial system and improving citizens' access to justice through innovative solutions.

At the same time, the Decision of the Superior Council of Magistracy No. 274/19 of May 28, 2024⁵², approving the Regulation on the selection and evaluation of judges, was adopted. This measure represents an important step towards strengthening transparency and meritocracy in the judicial system.

In the context of the implementation of the Action Plan for the Strategy on the Independence and Integrity of the Justice Sector (2022–2025), the Ombudsman notes significant progress, which reflects the commitment of the authorities to the justice reform process. Notable achievements include the establishment and functioning of the Superior Council of Magistracy and Prosecutors, the appointment of judges to the Supreme Court of Justice, the appointment of the Prosecutor General, as well as the completion of the selection, evaluation and disciplinary structures for judges and prosecutors.

The year 2024 also represented a landmark moment in the transformation of the judicial system in the Republic of Moldova, with a particular emphasis on strengthening the integrity of judges and increasing trust in the act of justice. In this context, the vetting process of judges, carried out by the Vetting Commission (judges evaluation commission), played an essential role, while also being an intensely debated topic in the public space. The implementation of this process, limited in time, recorded some progress, but was not without challenges, which demonstrated the complexity and impact of the reform on the entire justice system.

However, the analysis of the cases examined by the People's Advocate identified significant deficiencies in ensuring the right to a fair trial, including the failure to enforce decisions, the delay of cases and limited access to justice for vulnerable persons. Problems related to the inefficiency of public defenders, which affects trust in the defense system, were also reported.

⁴⁹ Law No. 395 of December 15, 2023 amending certain normative acts (state-guaranteed mediation).

⁵⁰ https://www.legis.md/cautare/getResults?doc_id=140995&lang=ro

⁵¹ https://www.legis.md/cautare/getResults?doc_id=149213&lang=ro#

⁵² https://www.legis.md/cautare/getResults?doc_id=145852&lang=ro

⁵² https://www.legis.md/cautare/getResults?doc_id=148023&lang=ro



Right to privacy (art. 17)

The NPERHR for 2024-2027 reflects the international commitments of the Republic of Moldova assumed through accession to UN and Council of Europe conventions, as well as those towards the OSCE, the European Union and the US Department of State.⁵³

According to the analysis of the situation in the segment "*Right to private and family life and to recognition of personality/legal capacity*" following a detailed examination of the issue with the parties involved (public authorities in the fields of health, social protection, education, public order, community mediators) and affected groups, several sensitive aspects for interventions were identified which, being legally and practically grounded, will increase the level of registration of newborn children. In particular, the issue of implementing some standards of the UN Convention on the Rights of Persons with Disabilities was emphasized in terms of strengthening the national regulatory framework on support in decision-making, with a focus on persons with intellectual and psychosocial disabilities.

In this context, the NPERHR includes as a specific objective no. 10.1. The right to privacy respected in birth registration. The purpose of this objective is to modify the regulatory framework for the inclusion of the community mediator in the process of identifying and facilitating birth registration with the support of public authorities in the fields of health, social protection, education and public order.⁵⁴

Certainly, the 2024–2027 NPERHR represents an important step in strengthening the legislative and practical framework in the Republic of Moldova, in line with the international commitments undertaken. By identifying and addressing specific issues related to the right to privacy and recognition of legal personality, especially in relation to birth registration and support for persons with disabilities, the program aims to align the national regulatory framework with relevant international standards. Moreover, there is a presumption that by integrating community mediators in the birth registration process, it reflects an inclusive and collaborative approach, which can significantly contribute to the respect and promotion of human rights at the national level.

The right to peaceful assembly (art. 21)

Freedom of assembly in the Republic of Moldova was generally respected by the authorities, although certain worrying practices and trends were identified. Thus, there were situations in which law enforcement agencies resorted to disproportionate measures – limiting access to public space, intervening in the conduct of assemblies and dispersing them. Although isolated, these cases mainly concerned assemblies with political content, critical of the government and those organized by opposition political forces.⁵⁵

⁵³ National Program on Ensuring Respect for Human Rights 2024 – 2027. [On-line]: [HG164/2024](#).

⁵⁴ Ibidem, [On-line]: [HG164/2024](#).

⁵⁵ How was freedom of assembly respected in the Republic of Moldova in 2024? [On-line]: [Cum a fost respectată libertatea întrunirilor în Republica Moldova în 2024? - Promo-LEX](#).



In the chapter of normative regulation of the field of freedom of assembly, a reference point would be the commitment of the Republic of Moldova assumed through the general objective of the NAP: 11. Freedom of assembly, association, conscience and religion respected, protected and facilitated with a focus on specific objectives such as:

- Specific objective 11.1. The normative framework regarding the rights to expression, association and religion complies with international standards;
- Specific objective 11.2. The capacities of law enforcement agencies in the field of respecting and protecting the rights to peaceful assemblies are strengthened.⁵⁶

As a result, the Ombudsman concludes that freedom of assembly in the Republic of Moldova is, in principle, respected. However, there are some concerns about possible disproportionate interventions by law enforcement agencies in the case of assemblies with political content, especially those critical of the government. This could increase in the context of the parliamentary elections expected for autumn 2025. Such trends would underline the need to strengthen the regulatory framework, and the commitments undertaken by the authorities within the NPERHR, in particular through the specific objectives regarding the respect of the rights of expression, association and religion, reflect the desire to align national legislation with international standards. Moreover, strengthening the capacities of law enforcement agencies in protecting the right to peaceful assembly remains a priority for guaranteeing a democratic and safe environment.

Child rights (art. 23, 24 and 26)

The Ombudsman for the Rights of the Child has noted that the most common violations of a child's right to name and nationality are often due to the negligence of both parents and authorities. The authorities fail to intervene promptly and sufficiently cooperate, usually claiming ignorance of the situation, uncertainty about how to intervene, or that it is beyond their competence or jurisdiction.

Regarding the participation of children and adolescents in democratic life, the Ombudsman for the Rights of the Child advocates for the possibility of exercising the right to vote starting from the age of 16. The recognition of this right would represent an important step in strengthening active citizenship and civic responsibility among adolescents. In this context, the Ombudsman encourages public debate and the analysis of opportunities to expand the political participation of young people, as an essential part of the decisions that directly influence their lives.

Generally, the participation of children in decision-making processes is limited. A group of Children Human Rights Defenders pointed out the following challenges:

- Lack of recognition and support – many adults do not take children's voices seriously regarding human rights, and institutions do not always provide safe platforms where children can express their views;
- Discrimination and stereotypes – some Children Human Rights Defenders are marginalized due to their age, being told they are “too young” to understand serious issues;

⁵⁶ National Program on Ensuring Respect for Human Rights for the Years 2024 – 2027. [On-line]: [HG164/2024](#).



- Risk of intimidation and reprisals – children may be targets of harassment or threats from adults (including their own families or peers), who discourage them and perceive activism as dangerous;
- Limited access to information and resources – Children Human Rights Defenders often struggle to understand laws and mechanisms for the protection of human rights, which need to be age-appropriate, friendly, and accessible to children;
- Psychological and emotional pressure – children may face stress and emotional exhaustion, especially when they do not see immediate changes. Sometimes they may feel excessive responsibility or even guilt if their efforts are unsuccessful.

Although Law No. 26/2008 on assemblies grants this right to everyone, it does not explicitly recognize children as rights holders. In the context of the Republic of Moldova (characterized by low awareness and recognition of children's rights), this lack of clarity leaves room for interpretations for decision-makers (authorities and anyone else who has the power to influence children's lives), which may compromise the exercise of this right by children.

In addition, the right to organize assemblies is granted only to children over the age of 14 and only if they are accompanied by a person with full legal responsibility. Denying this right to children under the age of 14 and making it conditional on adult support for children over 14 is problematic from a human rights perspective, as set out, for example, in the UN Convention on the Rights of the Child, the International Covenant on Civil and Political Rights and the Declaration on Human Rights Defenders, and is inconsistent with the position expressed by the Human Rights Committee or the Special Rapporteur on peaceful assembly. This issue was also pointed out in the 6th Report on Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States.

In 2024, the Ombudsman for Children's Rights developed the thematic report: Mechanisms for submitting complaints by children in case of violation of their rights, which found that, although the civil legislation and the Administrative Code of the Republic of Moldova provide for the right of children to submit complaints, there are no clear procedural regulations regarding the examination, the involvement of the legal representative or ex officio lawyer, informing the child about the decision and the ways of appealing.

Another deficiency is the lack of legal requirements regarding the involvement of children in making decisions that are issued as a result of the examination of the submitted complaints, as well as regarding the content of the response that is presented directly to the petitioner. The current mechanisms are not adapted to children. The response and the decision taken are to be brought to the attention of the child not only formally, but also need to be explained in relation to the child's level of understanding, and based on his/her best interest, there is a need to provide for the obligation to communicate the result of the examination of the application to the persons who, by virtue of their obligations (his/her legal representatives, the guardianship and trusteeship authority), can make decisions regarding the satisfaction of the submitted claims or the need to contest the adopted decision. At the level of rural communities, children have limited access to information and assistance services in the application submission process, because most of them are concentrated in urban areas, and high transportation costs do not allow them to access them. Roma children also face problems with accessibility to services, who are not always informed about these mechanisms and



do not benefit from services to realize their rights, based on individual needs, because they do not know how to read or write or are not documented.

Although amendments have been made to Law no. 198/2007 on state-guaranteed legal aid regarding the granting of the possibility to benefit without the consent of the parents or guardian/curator from the right to qualified legal aid, at the request of the child or the guardianship authority. However, in practice children do not make use of this right due to insufficient knowledge of the mechanism for granting state-guaranteed legal aid.

Child-friendly justice remains a key area of intervention for the Ombudsman for the Rights of the Child. Besides poor diversion measures and use of alternatives to detention, the Special Report on the safety and security of detainees in the penitentiary system of the Republic of Moldova: realities and perspectives⁵⁷, carried out in 2024 by the Ombudsman for the Rights of the Child, highlighted multiple deficiencies in the penitentiary system, including the lack of adequate safety and security measures for detained children, poor detention conditions and the insufficiency of rehabilitation and reintegration programs.

⁵⁷ <https://ombudsman.md/post-document/raport-tematic-siguranta-si-securitatea-detinutilor-in-sistemul-penitenciar-al-republicii-moldova-realitati-si-perspective/>