

**HUMAN DIMENSION IMPLEMENTATION MEETING OSCE / ODIHR
WARSAW, 02-13 OCTOBER 206**

EQUALITY OF OPPORTUNITIES FOR WOMEN AND MEN IN MOLDOVA

Thank you, Madam Chair,

First of all, I would like to express my gratitude for invitation to participate in this meeting.

I am Valentina Bodrug-Lungu, from Moldova and I speak on behalf of Gender-Center, a national NGO which contributed to the elaboration and promotion of Draft Law on Prevention and Combating Violence in Family.

Once again I would like to mention the efforts of the Government of the Republic of Moldova on Gender Equality field, but the same time I would like to raise two critical areas of discrimination against women:

1. Legislation to address Gender Equality

In February 2006 the Parliament of Republic of Moldova has adopted the Law regarding assurance of Equal Opportunities for Women and Men. Among the positive parts of this document there can be mentioned: introduction of basic definitions (gender mainstreaming, gender discrimination, sexual harassment etc.); stipulated National Mechanism; specification of non-discriminatory actions; definition of discriminatory actions of the employer; introduction of the gender statistics gathering etc..

At the same time, the gaps of this document can be pointed out: non-acceptance of the quota (in the draft law there has been proposed a quota of at least 30% of the gender representation); non-acceptance of an ombudsman on gender equality (the reason being the lack of resources); exclusion from the document of the procedure of filing and examination of complaints regarding gender based discrimination actions; exclusion of the procedure of sanctioning the cases of gender discrimination.

Moreover, an obstacle in the Law implementation is the lack of human and financial resources. 6 months after the Gender Equality Law adoption the Government did not adjusted the current legislation to mentioned Law.

All this makes us to conclude that the law in Republic of Moldova remains to be declarative on the chapter of functioning of the state mechanism aimed at securing the chances for women to actually participate in the decision-making process and for excluding the gender based discrimination.

Women's participation in decision making process remains insignificant¹. The need for affirmative action should be accepted as an enabling condition for women's representation in public and political life.

The provisions of Law regarding the assurance of equal opportunities for women and men and Law on Parties and other Social and Political Organizations regarding the assurance of gender equality are declarative and formal, and do not contain sanction for not following them.

We recommend that:

- **Adjusting the national legislation according to the Law regarding assurance of Equal Opportunities for Women and Men**
- **Elaboration and implementation of Gender Mainstreaming Strategy**
- **Strengthening Institutional Mechanisms by assurance financial and human resources**
- **Introducing affirmative actions** (to institute some quota in order to ensure a balanced representation of women and men at all levels of decision making processes)

¹ According to the census data from October 2005, women constituted 51.2% and men 48.2% of the population, in Parliament of R. Moldova there are only 21 women (20,8%), in Government: there are 1 minister-woman (6,7%), 1 vice-prime minister-woman, 5 vice-minister-women (19,2%), and 14,8% - mayors of local levels, among 32 heads of the country administrations there is only 1 woman

- Adoption appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women

2. Violence against women

In contravention of articles 1, 2 CEDAW and general recommendation 19 of Committee on the Elimination of Discrimination against Women, of Recommendation Rec(2002)5 of the Committee of Ministers of Council of Europe to member states on the protection of women against violence and others documents, violence against women continues to be a significant barrier to the full realization of women's rights in Moldova. Data provided in the government report focuses on domestic violence, rendering only the most complicated cases and leaves invisible the existence of other recognized forms of violence against women.

According to the “Women At-Risk in the Republic of Moldova” National Survey (2005), 41% of the respondents (out of the 1 030 women interviewed, 16-35 years old) recognized that they are victims of violence in their families.²

Around 70% of victims of trafficking of human beings recognised that their were victims of domestic violence.

During 2004-2006 years it was realized hard work addressed to elaboration and lobby of Draft Law regarding prevention and combating violence in family. I would like to mention the efforts of NGOs in this field with support of different international organization: Soros Foundation, UNFPA, and especially of ODIHR Human Rights department and OSCE Mission in Moldova. Among good practice it is necessary to mention: round tables, public debates regarding the importance and content of the Draft Law, exchange of experience of other countries (for example, Romania' positive experience), trainings with policemen, meetings with MPs etc.

In July 2006 the Moldovan Parliament adopted in the first reading the Draft Law on Prevention and Combating Violence in Family. There is a danger that the document would not be approved or it might remain a declarative one. Promotion of the document is impeded by the lack of funding and human resources. Some deputies expressed themselves against rehabilitation services for victims given that the traditional problem of violence is discussed within the family. The social perception is that Domestic Violence refers to particular issues and is not a violation of Human Rights.

We recommend Government and Parliament that:

- **Urgent adoption of the Draft Law on Prevention and Combating Violence in Family;**
- **Development of program on prevention of Domestic violence**
- **Development of services of victims' assistance and abusers rehabilitation.**
- **Elaboration of data base on domestic violence.**

We address to OSCE the following proposals:

- **to press the Parliament to adopt the Draft Law on Prevention and Combating Violence in Family;**
- **to support the programs in order to combat domestic violence and provide redress and rehabilitation to victims,**
- **to support the programs addressed to law enforcement bodies to work with perpetrators,**
- **to support the efforts of civil society in combating DV through joint initiatives on awareness-raising and education**
- **to monitor and evaluate the Government measures in order to prevent and combat Domestic Violence.**

I thank you for your attention.

² “Women At-Risk in the Republic Moldova”, Winrock International, USAID, Chisinau, 2005

Valentina Bodrug-Lungu, President of Gender-Center, Moldova