

Honorable Mrs/Mr Committee President!

Honorable Committee members!

Ladies and Gentlemen!

The Republic of Moldova welcomes the members of the Committee and expresses its gratitude for the opportunity to present the initial country report (presented in 2012) on the implementation of the UN Convention on the Rights of Persons with Disabilities.

The Republic of Moldova had ratified the UN Convention on the Rights of Persons with Disabilities in 2010 (by Law no.166-XVIII of 09.07.2010), showing interest in developing and promoting the policies in the field of social inclusion of persons with disabilities and the adjustment of the national legislation in the field of disability to international legal provisions.

The ratification of the Convention has meant a significant change in the field of disability in the Republic of Moldova, that introduced a new concept approach, addressing persons with disabilities not only from the perspective of social protection and health condition, but first of all, from the perspective of human rights and social inclusion, recognizing the human value of this category of persons, providing that they are enjoying the same civil, political and cultural rights as other citizens.

Since 2010, a number of legislative acts and norms have been developed and approved, regulating the reforming process in this field. The approved acts include: the Strategy on Social Inclusion of Persons with Disabilities (2010-2013) and the Law on Social Inclusion of Persons with Disabilities; has been reformed the institution in charge for determination of disability and working capacity; various types of social services for persons with disabilities have been regulated and developed, etc. Thus, the efforts of the State are aimed on integrating the model of human rights in the legislative and regulatory acts, as to ensure the observance of the rights and the social inclusion of persons with disabilities.

The **Law on social inclusion of people with disabilities (nr.60/2012)** represents a key framework in the field of rights protection of persons with disabilities, defines the basic concepts, including *“person with disabilities”*, *“disability”*, *“social inclusion”*, *“universal design”* and *“reasonable accommodation”* etc.

Based on these definitions, it should be stated that the law stipulates that persons with disabilities are defined from the perspective of obstacles they meet in the process of their participation in the social life, as well as other citizens. Also, the Law stipulates the rights of people with disabilities, to the same extent as other citizens, to: social protection, healthcare, rehabilitation, education, labor, public life, physical environment, transportation, information technologies and systems, communication and other utilities and services, to which the general public has access to.

An important aspect for the ensuring social inclusion of persons with disabilities is the **reformation of the disability determination institution** that started in 2013. The main results of the reform were:

- the shifting from the medical model to the medical-social model in the process of determination of disability,
- the employment of the professionals in social domains (social work, psychology) in the teams of experts,
- the development of the new methodology and the new criteria for disability determination,
- the development of a set of recommendations in healthcare, social assistance, occupational activity and the educational process, in case of children, stipulated in the individual program of rehabilitation and social inclusion, etc.

In order to adjust the disability determination system to the international standards, in the next period the Government of Republic of Moldova will focus on the continuation of reform in this area. The main objectives and further steps are stipulated in a Concept of Reformation national system of disability determination that will be approved by the Prime Minister.

To ensure the access of a larger number of persons with disabilities to **employment and labour market**, in 2011 were introduced changes to the national legal framework on employment in order to ensure the rights of persons with disabilities to work and the services of National Employment Agency (until 2011 this right was proper only to persons with disabilities with medium degree). The right to work is realized based on the recommendations of the National Council on Disability and Working Capacity Determination. The active measures on stimulating employment: information, professional consultation, labour mediation, professional guidance and training, are delivered by the National Employment Agency. To assist and provide the necessary support to persons with disabilities in accessing the above mentioned measures, in 2012 and 2013, 86 persons were additionally employed (*2 persons in each Territorial Employment Agency and the NEA*). In same time, one of the latest realization in employment domain is the approval, in December 2016, of the new Strategy on employment for 2017-2021, that includes active measures oriented to persons with disabilities, employers support for workplace adaptation and creation/reservation jobs for people with disabilities. All these measures are included in the new Law project on employment.

To enforce the rights of persons with disabilities to independent living in the community, in the context of preventing the institutionalization, and to promote their integration into society, the Regulations and minimum quality standards on the operation of a number of social services were developed and approved, as: *“Supported Living”, “Community Home”, “Mobile Team”, “Personal Assistance”, “Respiro”, “Family Placement for Adults”*, that are developed by the Local Public Administration. In 2014, was established the *Service of Interpretation into Sign Language for Persons with Hearing*. The delivery of the Service is ensured by the Association of the Deaf of Moldova from the state budget, where the funding is realized via the Ministry of Labor, Social Protection and Family.

The latest services for persons with disabilities, approved by the Government in March 2017, is the *professional rehabilitation services* that will be offered by the Republican Experimental Center for Protheses, Orthopedia and Rehabilitation. In this context, the Government is oriented to develop and to extend the professional rehabilitation services through different/new institutions for different kind of disabilities (for example, sensorial and mental disabilities).

Deinstitutionalization remains a priority of the Government of the Republic of Moldova. In order to prevent institutionalization and facilitate deinstitutionalization of people with mental disorders, could be mentioned the following undertaking actions by Ministry of Labour, Social Protection and Family:

- the establishing in 2015 of 2 Working groups on preventing and monitoring the institutionalization process (one for children, one for adults). The members of working groups are representatives of MLSPF, Ministry of Health, Ministry of Education, non-governmental associations (“Keystone Moldova”, “Children.Community.Family Moldova”, IDOM),
- the assessment of persons placed in residential institutions, based on it were elaborated and approved the plans for transformation of residential institutions (November-December 2016),
- by ministerial order, were approved news regulations of organization and functioning of residential institutions (for adults with mental disabilities and children with mental disabilities) (November-December 2016). The relevant changes consist in: 1) a new procedure for admission of people with disabilities in placement, 2) review or extension of the period of the placement of the people with disabilities in the residential care system, 3) the possibility to create and provide community social services for people with disabilities placed in these institutions in context of transformation institutions from residential to community services providers.

- in the process of implementation of the Plans for transformation of residential institutions for people with disabilities, from saved money of residential institutions budget, three residential institutions (Hinesti, Orhei, Badiceni) have bought 4 houses for developing community services (Community House, Supported Living).

For 2017, the Government of the Republic of Moldova aims to elaborate a National Program on deinstitutionalization of people with mental disorders from the institutions subordinated to the Ministry of Labour, Social Protection and Family. In this context, 4 experts were contracted for drafting the Program mentioned above.

This action requires additional funds to cover the costs of supporting the institutions in the transition period and the most important is the development of community social services and training the staff which will be employed in the social services for people with disabilities.

The prevention of discrimination and **promotion the gender equality**, including persons with disabilities, are stipulated in the legal and policy framework. In 2016, the Parliament adopted the Law no.71 on amending certain legislative acts, with a view to promote gender equality and increase women's participation in decision making by eliminating discrimination against women and promoting their involvement in politics.

In March 2017, was approved by the Government a New strategy for ensuring gender equality in Moldova for 2017-2020 years. The purpose of the Strategy is to empower women and achieve de facto equality between men and women in Republic of Moldova. The main objectives of the strategy are to ensure complex approach to equality between men and women through women's participation in decision-making, strengthen the institutional mechanism for ensuring gender equality, eliminate stereotypes in society, promote nonviolent communication and ensure gender equality in the security and defense sector.

In order to **prevent and combat domestic violence**, the draft of a new Strategy on preventing and combating violence against women and domestic violence was elaborated. The strategy will be focused on informing the public about the consequences of this phenomenon, promoting zero tolerance towards all forms of violence, eliminating the stereotypes and prejudices related gender equality, improvement of legislative and regulatory framework in line with international standards, strengthen institutional mechanism and multi-sectorial cooperation through capacity building and development of specialized services for victims of domestic violence. The strategy will ensure the implementation of the new amendments proposed in the context of harmonization of national legislation with the Istanbul Convention. The draft Strategy is in process of consultations with relevant stakeholders.

In order to **ensure accessibility for people with disabilities** according to the Law on social inclusion of people with disabilities, in 2014 were developed the 2 standards („General security requirements of building objectives for usability and accessibility of people with disabilities”; „Building and construction design with consideration of accessibility of persons with disabilities”), in 2016 were adopted 3 international standards („Building construction - Accessibility and usability of your built environment” (Accessibility of constructions) (MS ISO 21542-2011), „Assistive products for blind and vision-impaired persons- Tactile Walking surface indicators” (Tactile walking surfaces for persons with visual disabilities) (SM ISO 23599-2012); „Accessible design-Auditor guiding signals in public facilities” (Audio signals in public spaces) (SM ISO 19029-2016).

Currently, 4 normative documents in construction, which concerns the accessibility and creating favorable conditions for people with disabilities, are in the process of being finalized („The environment with elements of construction accessible for persons with disabilities. Rules of design.”; „Social buildings and constructions. The accessibility for persons with disabilities. Rules of design.”;

„Buildings and rooms with job opportunities for persons with disabilities. Rules of design.”; „Urban environment. Buildings and rooms with work places. Rules of design for persons with disabilities.”).

In the same context, the draft of Code of Urbanism and Construction was approved in the first reading in Parliament, and provides the inclusion in the commissions of final reception of the social objects of the representatives of persons with disabilities.

At the same time, it should be mentioned that the representatives of persons with disabilities were included in the structure of Technical Committees that monitor the process of elaboration of the normative documents related to the accessibility problem and reasonable adaptation of the objects and spaces for people with physical problems.

In May 2016 has been issued the Order of the Minister of Regional Development and Construction regarding to the establishment of the working group, which was enabled for the purposes of monitoring the enforcement of legislation in the field of construction in the framework of local public administration authorities.

At the moment, the Ministry is preparing a **new Action Plan for the implementation of measures to ensure the accessibility for people with disabilities** for the period of 2017 - 2020 and it will be submitted to the Government for approval, in the first semester of 2017.

In **education area**, including education for children and young people with disabilities, under the Inclusive Education Development Program for 2011-2020, the following actions have been taken:

- the creation of the Republican Center for Psycho-Pedagogical Assistance subordinated to the Ministry of Education and the district/municipal services of psycho-pedagogical assistance;
- the creation of resource centers for inclusive education;
- the employment of the supporting teaching staff;

- the deinstitutionalization of children from residential and special institutions and their inclusion in mainstream education settings;
- the development and implementation of individual educational programs for children with special educational needs;
- the creation of the adequate conditions for graduates with special educational needs, related to passing the graduation exams according to the adapted tests.

In **health** area the main realization is the reformation of mental health system, being included in the National Health Policy 2007-2021. In line with international and national legal framework, the Ministry of Health promotes the development of mental health services at community level and the integration of mental health in primary healthcare.

In terms of **guardianship for persons with disabilities** Republic of Moldova envisages the adjustment of the national legislative framework to Art.12 of the UN Convention, especially the provisions of the Civil Code and Civil Procedure Code.

At the moment, a draft law on amending certain legislative acts including the Civil Code, in the context of reforming the guardianship system, was approved in the first reading in Parliament. The law promotes a few measures for establishing new support mechanisms in decision-making for persons with mental disorders at community level.

In the context of adjustment of legal framework to the UN Convention and the Law on the social inclusion of people with disabilities, on July 2016, the Parliament of Republic of Moldova adopted a Law (no.201 amending and supplementing certain acts), for amending **50 legislative acts**. According to the above mentioned law, the legal framework, the concepts and the broad terms in the field of rights of people with disabilities from Republic of Moldova were updated and adjusted according to the UN Convention and the Law on social inclusion of people with disabilities.

In order to monitor the implementation of the UN Convention, the Government of the Republic of Moldova approved in September 2016 "**The set of indicators to monitor implementation of the UN Convention on the Rights of Persons with Disabilities**" (by Decision no.1033).

The approval of indicators is important for Republic of Moldova from certain reasons: to ensure the reporting process at the national and international level on implementation of the UN Convention to the UN Committee, to organize the data collection process from different authorities, institutions and organizations, to ensure the implementation the UN Convention in all domains.

In order to facilitate and to improve the process of social inclusion of persons with disabilities, the Government of Republic of Moldova started the process of the signing the **Optional Protocol to the UN Convention**. In this context was developed and consulted with central and local public authorities, civil society, the public body, etc. the package to examine the possibility of the signature the Optional Protocol to the UN Convention (it was drafted a Presidential Decree). The project was completed and sent for examination to the Ministry of Foreign Affairs and European Integration to initiate the procedure of signing the Optional Protocol, in accordance with applicable law.

In the process of developing policies, regulatory and legislative acts, all developed drafts are consulted with the authorities in charge and the civil society, inclusively they are posted on the online governmental platforms (www.particip.gov.md) for being consulted by the public, including persons with disabilities.

The Government is efficiently collaborating with a number of non-governmental associations that are members of the Alliance of the Organizations of Persons with Disabilities of the Republic of Moldova (about 23 NGOs). Another platform of collaboration used by the central/local public authorities is the organization and participation in meetings, workshops and working groups, for discussion of the draft

legislative and regulatory acts (strategies, policies and plans, etc.) on the rights of persons with disabilities.

At the national level, the consultation of the drafts of legislative and regulatory acts in the field is also carried out in the meetings of the National Council for the Rights of Persons with Disabilities, that is a consultative collegial body, including central/local public authorities, non-governmental organizations and representatives of the community-based organizations, the area of activity of which includes issues related to persons with disabilities.

The Government of Republic of Moldova activity **is and will be oriented** on implementation of the UN Convention and improving the legal and policy framework of social protection for people with disabilities. In this context, one of the main priorities is the elaboration and approval of a new National Program on Social Inclusion of Persons with Disabilities for 2017-2022. It will represent a policy document that will focus on promotion the rights of people with disabilities to social protection, healthcare, rehabilitation, education, labor, public life, physical environment, transportation, information technologies and systems, communication and other utilities and services, and raising awareness on it.

Honorable Mrs/Mr Committee President, Committee members, I can assure you that your remarks and recommendations will be taken into account by the Government of Republic of Moldova in its further work in promoting the rights of persons with disabilities to ensure its social inclusion.

Thank you for attention!