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**Alternative information on
Moldova's implementation of the UN Convention on the Elimination of All Forms
of Discrimination Against Women
in connection with the review of the state report by the UN Committee on the
Elimination of All Forms of Discrimination against Women**

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“Exercise of the right to labor”

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ADC Memorial welcomes amendments to Moldovan laws regarding the broadening of women's access to hundreds of previously banned professions and the lifting of superfluous restrictions on their employment. After implementing recommendations made by international bodies and bringing national norms into line with previously enacted equality laws,¹ in the summer of 2017 Moldova amended a number of articles of its Labor Code.² For example, the ban on women working in certain professions was replaced with restrictions for certain categories of women in need of additional measures of protection (pregnant women, new and nursing mothers) (Article 248), who are now allowed to transfer to another position on a temporary basis (Article 250). In addition, guarantees were enshrined for part-time workers, including certain categories of women (articles 97 and 97¹).

However, it is important to note the general lack of awareness of the fact that hundreds of previously banned professions have been opened to women. Even state workers and gender rights experts were not properly notified of the amendments, to say nothing of potential female workers themselves.

A similar problem occurred with the introduction of new rules on part-time work. For example, according to a ruling of a decision of the Council on the Prevention and Elimination of Discrimination and the Safeguarding of Equality,³ a municipal council wrongfully prevented a woman from returning to part-time work after family leave. Her employer explained that this was because the child was still under the age of one, even though labor norms contain no such restriction but instead impose an obligation to allow a part-time workday or work week.

State statistics reflect women's lower level of economic activity in comparison to men (up to a five to six percent difference over the past five years, which is approximately 10 percent lower than similar indicators for Europe). One-third of young urban women aged 15 to 29 do not work or study, while this figure reaches 40 percent for women in rural areas. At the same time, sectors like construction, manufacturing, and agriculture are still less eagerly sought after by women, even though these sectors have vacancies of interest to women, particularly in rural areas, where jobs in agriculture are common.⁴ Notwithstanding the fact that on average the number of educated women exceeds the number of educated men by five to seven percent, women continue to face enormous difficulties finding employment, and their job searches last approximately two months longer than they do for men (9.6 months versus 7.4 months).⁵ In spite of the high level of education among women, data from the UNECE show there is about a 13 percent difference in pay between

1 Law of the Republic of Moldova on Ensuring Equal Opportunity for Women and Men No. 5-XVI of February 9, 2006 https://online.zakon.kz/Document/?doc_id=30622825#pos=1;-121 [in Russian]

Law of the Republic of Moldova on Ensuring Equality No. 121 of May 25, 2002

http://base.spininform.ru/show_doc.fwx?rgn=56517http://cnas.md/lib.php?l=ru&idc=473 [in Russian]

2 Labor Code of the Republic of Moldova of March 28, 2003 http://continent-online.com/Document/?doc_id=30398053&doc_id2=30398053#sub_id=1001134163&sub_id2=2470000&sel_link=1001134163 [in Russian]

3 Decision of the Council on the Prevention and Elimination of Discrimination and the Safeguarding of Equality in case No. 95/18 https://egalitate.md/wp-content/uploads/2016/04/Decizie_constatare_95_2018_RUS.pdf [in Russian]

4 "The Price of Gender Equality," Logos Press, May 2019, http://logos.press.md/1279_12_1/

5 UNDP report "Youth on the Labour Market in the Republic of Moldova: Competences and Aspirations," https://www.md.undp.org/content/dam/moldova/docs/Publications/tinerii_pe_piata_muncii_EN_dupa_corectari_2.pdf [in English]

genders.⁶ The fact that women predominate in less well-paid sectors must also be taken into account. These sectors traditionally include the service industry (57.8 percent women), retail (54.9 percent women), the hotel and restaurant industry (71.4 percent women), education (81.9 percent women), and healthcare and social welfare (79.1 percent women).

The current situation prevents women from realizing their right to labor. Instead of now working in sectors that were previously closed to them, many women are forced to remain unemployed, work in the grey economy, or become migrant workers. In fact, Moldova has a tremendous workforce outflow, which is connected not just with low salaries, but also with gender inequality, the lack of prospects for career growth, social vulnerability, and violation of the norms of labor law.⁷

Dissatisfaction with opportunities for professional realization and decent pay on the Moldovan labor market forces women to choose labor migration. Women with a higher education agree to work as nannies and babysitters in European countries, leaving behind their dreams of a career in their chosen specializations. According to the IOM, in 2018 labor migration from Moldova exceeded one million with an overall population of 3.5 million. UN statistics show that over 100,000 people migrated from the country in 2019 and that over half of these (55.8 percent) were women.⁸ In 2017, Moldova was in the top four countries with the highest indicators of female migration.⁹ In general, the number of women migrants over the past five years is approximate 20 percent higher than the number of men.¹⁰ Even though the overwhelming majority of women leave Moldova for Italy, Israel, and other European countries, they also often choose Russia as their destination. There is no doubt that women are in a more vulnerable position in migration and regularly risk facing violations of their rights. However, upon their return to Moldova, women frequently have problems with social and pension payments, confirming their educational qualifications, and so forth. The Migrant Womens Movement was created to attain a more effective solution to these problems at the grassroots level, which also proves the scale and salience of the problems faced by migrants returning home.¹¹

It is clear that patriarchal stereotypes must be overcome to achieve gender quality in employment. One of the recommendations made by the Council on the Prevention and Elimination of

6 UNECE data “Gender pay gap in monthly earning,”

<https://w3.unece.org/PXWeb/ru/CountryRanking?IndicatorCode=21> [in Russian]

7 “The Labor Market: Hope and Dismay,” BRW, <http://brw.md/rynok-truda-moldova/> [in Russian]

8 UN International Migration Report 2019

https://www.un.org/en/development/desa/population/migration/publications/wallchart/docs/MigrationStock2019_Wallchart.pdf [in English]

9 UN International Migration Report 2017

<https://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017.pdf> [in English]

“Moldova Ranks Among Countries with the Highest Number of Female Migrants,” ZdG, March 2018,

<https://www.zdg.md/ru/?p=17978>

10 Data from Moldova’s National Statistics Bureau

https://statbank.statistica.md/pxweb/pxweb/en/20%20Populatia%20si%20procesele%20demografice/20%20Populatia%20si%20procesele%20demografice_POP_POP070/POP070400.px/table/tableViewLayout1/?rxid=9a62a0d7-86c4-45da-b7e4-fecc26003802 [in English]

11 “Migrant Womens Movement Created in Moldova,” Point, January 2017,

<https://point.md/ru/novosti/obshchestvo/v-moldove-sozdano-dvizhenie-zhenshchin-migrantov>

Discrimination and the Safeguarding of Equality concerned changing titles in the National Occupation Classifier,¹² adding feminine endings, and introducing names for both female and male positions.¹³

Even in their past recommendations,¹⁴ CEDAW experts noted the negative impact of the persistence of patriarchal attitudes regarding the roles of women and men that result in gender segregation as reflected in the educational choices and employment options of women. In 2017, UN CESCR noted the pernicious influence of gender stereotypes on the professional realization of women, who neglect their careers to fulfill family obligations, and recommended expanding employment opportunities for women, including in non-traditional professions.¹⁵

Recommendations:

Conduct a campaign to raise awareness among women of new employment opportunities

Effectively inform employers of the cancellation of bans and provide incentives for them to fill vacancies with women

Conduct awareness work with government officials to explain the consequences of amendments to labor laws and expand women's rights

Develop and conduct an effective campaign to combat gender stereotypes

Apprise students in general and specialized secondary schools about opportunities for women to work in previously banned professions

Change the occupation classifier following the requirements of the Council on the Prevention and Elimination of Discrimination and the Safeguarding of Equality: introduce feminine endings for job titles and align the names of occupations with the gender of workers.

12 Occupation Classifier of the Republic of Moldova (CRM 006-97)

<http://www.angajat.md/files/Clasificatorul%20ocupatiilor%20%28ru%29.pdf> [in Russian]

13 GENERAL REPORT on the situation with preventing and combating discrimination in the Republic of Moldova, 2015 <https://egalitate.md/wp-content/uploads/2016/04/Godovoy-otchet-za-2015-god-1-1.pdf> [in Russian]

14 Concluding observations on the combined fourth and fifth periodic reports of the Republic of Moldova, October 2013

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fMDA%2fCO%2f4-5&Lang=en

15 Concluding observations on the third periodic report of the Republic of Moldova, October 2017

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fMDA%2fCO%2f3&Lang=en