

Chapter 14

Family Policies in Moldova

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Abstract Family policies in Moldova are heavily influenced by the sociopolitical context. In terms of demographic characteristics of Moldovan society, the declining birthrate and high emigration decreased the size of young population, which led to an increase in the share of elder population. In terms of economic development, the country has continued to be confronted with challenges. However, progress in family policies development has been registered. In the past several years, several significant social policies have been developed, such as the domestic violence law, introducing the paternity leave or policies supporting people with disabilities. This chapter systematically reviews Moldovan family policies and provides recommendations for further development.

Keywords Moldova • Family policies • Domestic Violence • Parental leave • Maternity leave • Paternity leave

Republic of Moldova lies in the eastern part of Europe, occupies an area of 33,843.5 km², and has about 3.656 million people, 47 % of them living in urban areas (CIA, 2012). In terms of ethnic groups, most of the people are Moldovans (76.5 %), Russians (11.3 %), and Ukrainians (5.5 %), and most (93 %) are Christian Orthodox (Census, 2004; CIA, 2012). After becoming an independent and sovereign state in 1991, the Republic of Moldova became a member of the United Nations (1992) and a member of the Council of Europe (1995).

The Sociodemographic and Family Characteristics in Moldova

The demographic situation of the Republic of Moldova has deteriorated profoundly and constantly since the 1990s, due to political, economic, and social changes caused by the social and economic transition. This situation is similar with the one in other southeastern European countries. The main reasons for the population decline in Moldova are the low fertility rate (1.55) and external migration

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(CIA, 2012). The declining birthrate unbalanced the age structure of the population and intensified the demographic aging.

The life expectancy at birth has been increasing for the past two decades and reached 69.1 years in 2010, about 1 year higher compared with 2003. Currently, the average life expectancy at birth is 65 years for men and 73.4 years for women, still lower compared with the European Union (EU) states. Women's life expectancy is higher than men's by 8.4 years. The average life expectancy in urban area is higher than in the rural one by 3.5 years for men and by 3.2 years for women (Report on CEDAW implementation in Moldova, 2011).

The declining birthrate and high emigration decreased the number of young population, which led to an increase in the share of elder population and demographic aging. In 2010 the share of population under the employable age was 17.8 % (2009 – 18.2 %), of employable age was 66.7 % (2009 – 66.5 %), and over the employable age was 15.5 % (2009 – 15.3 %) (Annual Social Report, 2010).

In 2010, the aging coefficient was 14.4 %. The aging process is more pronounced in the rural areas, where the share of the population age 60 and older is 15.2 % compared to 13.2 % in the urban area. Among persons aged 60 and older, the majority are women with a share of 16.8 %, men representing 11.8 % (Annual Social Report, 2010). The elderly women account for 17.9 % of the total rural female population. Therefore, the care for the population should be differentiated by age categories and will require deeper emphasis on older persons, in order to ensure an active and safe aging.

Life expectancy at the retirement age is 20.52 years for women and 13.88 years for men. The considerable aging wave will start in 2014, when in the age structure the share of persons aged 0–14 years will be the same as of persons aged 60 and older, after which the first variable is expected to decrease and the second one to grow constantly until 2050. Aging is a structural demographic trend with potential dramatic social and economic consequences, both for the state budgets and for the population, with pensions and health services being the most affected areas.

The Influence of Socioeconomic Context on the Social Policymaking Process

In the Republic of Moldova, during the last years, the economic policy implemented in all areas of activity aimed at supporting the social-economic stability, continuing the reforms and recovering the economy, extending the private sector, restructuring economic units, consolidating the tax discipline, reducing debts for the payment of wages and pensions, and providing social protection to the population. This period was also characterized by lengthy economic crisis and obvious unbalance of people's income.

In 2003–2010, the economy of the Republic of Moldova had a satisfactory evolution, with the economic reforms still being in progress. The economic growth ranged between 3 % and 7.8 %. An economic decline occurred only in 2009 when it was not possible to avoid the impact of the global economic and financial crisis on the Republic of Moldova, and the GDP decreased by 6.5 %. The data for 2010 show that the economy of the Republic of Moldova is gradually bouncing back with a 6.9 % growth (Report on CEDAW implementation in Moldova, 2011). Currently, the private sector represents over 70 % of the gross domestic product (GDP) and over 75 % of all the employees in the economy.

Remittances have become a major source of financial support for many developing countries, including Moldova, increasing the income of migrants' families and the investments in healthcare, education, and small business. Remittances have a direct impact on household welfare. In 2009 they have reduced the absolute poverty rate on average by 11.7 %. Despite their decline, remittances continue to play an important role in Gross Domestic Product (GDP).

There are still a series of problems that are impeding the achievement of the set parameters of economic growth: people's living conditions are unsatisfactory; incomes per capita are still among the lowest in Europe; the indicators of the living standards and the social indicators have the lowest values as compared to other countries in transition. In 2003 the average disposable income per family member covered 67.3 % of the subsistence level; in 2010 this amount covered 92.7 % of the subsistence

minimum. Meanwhile, the experts recommend a qualitative analysis of the ratio between the disposable income and the subsistence minimum. The Government will need to adopt a law on the minimum subsistence and, simultaneously, a new methodology for its calculation.

From a gender perspective, there is no significant difference between the poverty levels of men and women. Households managed by both men and women are equally exposed to poverty. Thus, analysis of data by gender shows that men and women are situated on almost the same level of poverty – at around 26 %. In the rural areas, there is a 20 % higher risk of poverty for both women and men than in the cities (The Second Millennium Development Goals Report, 2010).

Even though there is no serious disparity between the poverty rates of women and men, an analysis of the different ways poverty affects the most vulnerable population categories based on the Household Budgets Survey brings up a different perspective. Thus, the greatest gender disparities are seen in households which rely on unemployment benefits, those headed by men are less poor than those headed by women. Another discrepancy, although less significant, is the one between households managed by illiterate men or men lacking primary education and those headed by illiterate women and women without primary education, the former being much poorer. With regard to children, there are no significant disparities from the gender perspective for those under the age of 5 years, but for older children poverty among households headed by women in 2009 tended to be higher than among those headed by men (The Second Millennium Development Goals Report, 2010).

Similarly to the poverty level, the inequality level in the country had an uneven evolution. In 2009, for the first time in the past 3 years, the inequality level increased up to 0.309, which means an increase in the gap between the living level of the rich and of the poor. The most vulnerable categories of population exposed to poverty are the traditional ones: families with many children, families that live on incomes from agricultural activities, the elderly, and people with disabilities (Moldova from Social Exclusion to an Inclusive Human Development, 2011; Ostaf, 2011; The Second Millennium Development Goals Report, 2010; Vaculovschii, Vremish, & Craievschi-Toartă, 2011). In 2009, the incidence of poverty in households with persons with disabilities was 28.6 % (The Second Millennium Development Goals Report, 2010).

According to the Ministry of Economy, the economy gradually recovers from the crisis. Restoring external demand and the elimination of administrative constraints have contributed to economic recovery since 2010. After a rise of 6.9 % of GDP in 2010, first quarter of 2011, economic growth has exceeded all forecasts, reaching 8.4 % compared to same quarter of the previous year. Reviving industrial sector and increasing the volume of foreign direct investment and export growth at a rate higher than imports have made significant contributions to GDP growth (Monitor of the Government, 2011).

Family Policy Development and Implementation

When developing family policies, it is extremely necessary to use empirical research data on families (Robila, 2012). While the research on children and families during the communism was very limited in Moldova, in the past two decades, the research on family issues has been increased. Literature has been published on general characteristics of Moldovan families (e.g., Bodrug-Lungu, 2004; Gagauz 2011; Gagauz & Buciuceanu-Vrabie, 2011; Green Paper of the Population of the Republic of Moldova, 2009) as well as on specific issues, such as domestic violence (Asay, Bodrug-Lungu, & Robila, *in press*; Violence against Women in the Family in the Republic of Moldova, 2011), specific needs of children and elderly without care of family members left to work abroad (Cheianu-Andrei et al., 2011), reconciliation between work and family life (Reconciliation between work and family life, 2010), families taking care of children with disabilities, migrants' health (Moldovan Migrants' Health Impact, 2010), social exclusion, or aging (Elders in Moldova, 2010).

Family Policies Targeting Marriage

According to Article 48 of the Constitution of the Republic of Moldova, “family” is the natural and fundamental element of the society and it is entitled to protection by society and the state. Family rights are protected by law, except when these are enforced contrary to their purpose or contrary to the law. Family relationships, in particular the conditions and manner of concluding, terminating, and declaring the nullity of marriage; personal non-property relations, arising from marriage, adoption, forms, and effects of legal protection of orphans and children deprived of parental care or in other vulnerable situations; and other family social relations are governed by the Family Code, approved by the Law of the Republic of Moldova no.1316-XIV (2000) (with subsequent amendments), the Civil Code approved by Law no.726-III of the Republic of Moldova (2002) (with subsequent amendments), and other normative acts. These acts ensure the respect of the principle of monogamy; marriage based on free consent of men and women; equal rights of spouses in the family; mutual moral and material support; marital fidelity; priority of child’s education in the family; care for the support, education, and safeguarding of the rights and interests of minors and other family members, who are unable to work; amicable settlement of all family life issues; inadmissibility of deliberate interference in family relationships; free access to court protection of the legal rights; and interests of family members.

According to the Family Code, all married persons have equal rights and obligations in family relationships, regardless of gender, race, nationality, ethnic origin, language, religion, opinion, political affiliation, wealth, and social origin. If the parents have children outside marriage, according to Article 58 of the Family Code, the parents have equal rights and obligations towards children, regardless of whether the children were born in marriage or outside of it or whether they live with the parents or separately. The rights and obligations of the parents, except as provided in this Code, shall lapse when reaching adulthood or obtaining full legal capacity by the child.

Only marriage concluded by state civil registration service creates rights and obligations between spouses. Article 11 of the Family Code provides the following conditions for conclusion of marriage: the existence of the mutual, uncorrupted consent, expressed personally and unconditionally by the woman and the man who are getting married, provided that they have reached the age when marriage is allowed. The persons who want to get married shall inform each other about their health condition. In order to implement the recommendations of UN Committee, the Government of the Republic of Moldova has modified the minimum legal age for marriage from 16 years to 18 years for women (for men, it has been 18 years) (Article 14 of the Family Code, with the amendments made by Law No. 120-XVI 2008). For good reasons, the marriage age can be reduced but with no more than 2 years and shall be authorized by the local government in whose jurisdiction the persons who want to get married reside, based on their application and the consent of minors’ parents.

All questions in family life are settled by the spouses jointly, in accordance with the principle of equality in their family relationships. Each spouse has the right to continue or to independently choose his/her occupation and profession. Spouses establish their residence freely and independently. The relationships between spouses are based on mutual respect and help and on joint obligations of supporting the family and of taking care of and educating the children. In concluding their marriage, the spouses can choose between taking the surname of one of them or one formed by joining both names as common family names or keeping the surname they had before marriage. When registering a divorce, spouses may choose to keep the surname chosen when they concluded their marriage or to take back the surname they had before marriage (Article 17).

The legislature has provided cases when minors may become parents. Thus, Article 59 of the Family Code provides that minor parents have the right to live with their child and participate in their education. Also, the unmarried minor parents can recognize and challenge the fatherhood and motherhood in general bases. The minor parents who have not reached the age of 16 years may require the establishment of paternity by judicial way.

The issues related to the spouses' property are stipulated in a number of articles of the Family Code. According to Article 20, the assets acquired by spouses during the marriage are owned jointly by both spouses. Article 21 stipulates the right of the spouses to own, use, and decide of joint assets.

With regard to divorce, we note that the reasons for divorce are specified in Article 33 of the Family Code, namely, (1) marriage shall cease upon death or judicially declared death of one spouse and (2) marriage may be terminated by divorce (dissolution), based on the application of one or both spouses or of the guardian of the spouse who has been declared incapable. In the absence of agreement of the wife, the husband cannot ask for a divorce during her pregnancy and within 1 year after childbirth if the child was born alive and is living (Article 34).

Law no.167 (2010) added to Family Code the following: "if during the examination of the application for divorce, one spouse does not give his/her consent to the divorce, the court will defer consideration of the case, setting a deadline the reconciliation of one to six months, except for the divorces started on the ground of domestic violence, confirmed by evidence" (Article 37). Thus, the Government proves its political will to combat domestic violence. This is confirmed by the statement that the child is entitled to protection against abuses, including against corporal punishment by parents or persons replacing them (Article 53(4)); methods of education must exclude physical and psychological violence (Article 62(2)) which complemented the Labor Code by Law no.120-XVI (2008).

In the past 30 years, the percentage of children born by unmarried women increased three times. The number of births out of the wedlock by very young women, economically dependent women, and by those of mature age who cohabitates has increased. The number of out of the wedlock births by women 20 years old and younger increased over the years to 46.9 % (in 2009) of the total number of births in this age group. In cities half (50 %) of the children born by mothers aged under 20 years are out of the wedlock (47 % in villages). Among the factors determining the increasing number of births out of the wedlock are divorce, liberalization of social norms, economic instability, migration, and more tolerant attitude towards this phenomenon, especially at a mature age.

Domestic Violence

The violence against woman in families and the society is a violation of human rights of women, recognized in international legal treaties and in the national ones. In the Republic of Moldova, the Law on Prevention and Combating of Violence within Family no. 45-XVI, which was approved in 2007 and instituted in 2008, is an important step towards stopping violence and, it marks the recognition and implementation of international human rights commitments, including Recommendations of the Committee for the Elimination of Discrimination against Women. The Law defines the violence in the family and its forms, establishing an institutional framework with concrete responsibilities for the competent authorities, providing for establishment of assistance centers for the victims of violence and mechanism of settlement of violence cases by the possibility to submit requests, applying protection order, and isolating the perpetrator. This law stipulates that the prevention and combating of violence in the family is part of the national policy for family protection and support and is an important public health issue.

Moldovan Ministry of Labor, Social Protection and Family (MLSPF) initiated a process of harmonization of national legislation in force with the provisions of the abovementioned law. In this respect, the report on the compatibility of Moldovan legislation with the Law on Prevention and Combating of Domestic Violence was developed by a group of independent national experts, funded by UN agencies (e.g., UNFPA – United Nations Population Fund, and UNDP – United Nations Development Program) in Moldova, which included a series of recommendations to amend and supplement the national legislation. In 2010 the Parliament adopted the Law no. 167, proposing amendments and additions to a range of legal acts, including Criminal Code (Article 1012), Criminal Procedure Code

(Article 447), Family Code (Article 210), Civil Procedure Code (Article 451), Law on Social Assistance (Article 249), Law on Prevention and Combating of Violence within Family (Article 17), Law on Local Public Administration (Article .116), Law on Employment and Social Protection of Jobseekers (Article 312), and Law on Police (Article 56), ensuring thus the mechanism of implementation of legal provisions in preventing and combating domestic violence. Particularly important was the addition in the Criminal Code of sexual abuse committed against a family member (Article 172(2) b2) which will be punished by imprisonment from 5 to 12 years. By adopting these provisions, the state recognizes the criminal nature of domestic crimes.

As a result, concrete actions have been driven by rapid intervention and resolution of cases of domestic violence. In 2008, a coordinating group on prevention and combating of gender-based violence, including domestic violence, was established. According to Article IX of the Law no. 167 (2010) on amendment and supplementing of certain legal acts, the interministerial coordinating council was established for the prevention and combating of violence in the family for interministerial coordination of this area. The establishment of this structure ensures a more efficient coordination of the actions of various professionals and institutions in preventing and combating violence in the family.

During 2009–2010, the representative of MLSPF and General Prosecutor's Office participated in the development of the draft Convention of the Council of Europe on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO). The adherence of the Republic of Moldova to CAHVIO constitutes a platform for adjusting the national legal and regulatory framework to the European standards. Thus, the state recognizes violence against women, including domestic violence, as a social problem for the Republic of Moldova and a violation of human rights. The prevention of this phenomenon has been recognized as an interdisciplinary and multi-sectorial process, which should be achieved through a set of policies.

The Republic of Moldova benefits of considerable support from the international community in the actions of preventing and combating domestic violence and human trafficking. In 2008–2010, UNDP, UNFPA, IOM, and OSCE Mission to Moldova, in partnership with the Government of the Republic of Moldova and the civil society, implemented the project "Protection and Empowerment of Victims of Human Trafficking and Domestic Violence," financed by the Japanese Government, through the UN Human Safety Fund. Under this project, specialists in 30 pilot sites were trained, many informative actions were undertaken, and community infrastructure was developed.

The issue of domestic violence prevention and establishment of the culture of nonviolent relationships are approached by different actions and information campaigns. Courses on "Family Life Education" and "Civic Education" in the preuniversity education system include "Family Violence" topics, and meetings with health and law experts are organized as extracurricular activities. University and preuniversity curricula provide courses on domestic violence (e.g., the "Domestic Violence" Course at Moldova State University, the "Counseling Victims of Violence" Course at Moldova Free International University/Master in Psychology). The research on domestic violence has also increased (e.g., Asay et al., [in press](#)). A study on domestic violence against women is being conducted by National Bureau of Statistics (NSB), and its qualitative and quantitative data will allow approaching the phenomenon in depth, in order to improve the services of preventing and combating domestic violence.

The Ministry of Labor, Social Protection and Family developed and approved the regulatory framework for the social service infrastructure for the domestic violence victims, the framework regulation on the organization and functioning of the centers for rehabilitation of victims of domestic violence (GD no. 129 of February 22, 2010), and the quality standards in the area. Currently, there are several centers in the country, providing services for the victims of domestic violence. Thus, the opportunities to access the protection services for the victims of domestic violence have increased. A project on supporting economically vulnerable women in Republic of Moldova that provides assistance to victims of domestic violence in finding employment and starting a business was started in 2011 and is funded by Orange Foundation and implemented by UNFPA in collaboration with MLSPF and NGOs. The work with perpetrators is carried out by the staff of the Police Units responsible for

the preventive record of family violence and organization of preventive measures with perpetrators. With the support of UNFPA, the Concept Paper on Perpetrators Rehabilitation services was elaborated. Currently they work on opening the center for their rehabilitation and on the development of legal-normative framework in the field.

At the same time, despite the actions taken to prevent and combat domestic violence, some gaps in terms of legal and regulatory frameworks and human and financial resources exist. Thus, the state must strengthen the links between the existing regulatory framework (particularly the procedure concerning the issue and enforcement of the protection order), its adjustment according to the needs of protection and support to the victims of violence, and strengthening of specialists skills, especially in the context of staff turnover. The development of the accreditation system of social services, including those for the victims of domestic violence, is on the agenda of MLSPP. The lack of national computerized data system remains a serious gap on which the authorities are working on now.

Family Policies Targeting Child-Rearing and Work-Family Balance

One of the key objectives of the Government activity is motherhood protection. The monthly rate of maternity allowance is 100 % of average monthly income earned during the last 6 calendar months, income from which social insurance contributions were paid. Establishment, calculation, and payment of maternity allowance are made by the economic unit where the employee has his/her basic job based on the individual employment agreement at the expense of the state social insurance budget. According to Article 250 of the Labor Code, pregnant women and breastfeeding mothers, according to medical conclusion, shall be transferred to easier work, which excludes the influence of adverse production factors, maintaining the average wage at the previous workplace. While solving the problem of granting an easier work, which excludes the influence of hazardous production factors, the pregnant woman should be released from performing labor duties with the preservation of the average wages for all the working days, when she did not work for that reason.

According to Article 16 of the Law no.289-XV (2004) on Allowances for Temporary Disability and other Social Benefits, the insured, unemployed wives in families where only the husband earns an income and unemployed women are granted maternity leave which includes prenatal leave of 70 calendar days and maternity leave for a period of 56 calendar days (for complicated births or birth of two or more children – 70 days), period for which the maternity allowance is paid. In case of a stillbirth or if the baby dies during the maternity leave, the maternity allowance is granted for the established period.

The partially paid parental leave can be used entirely or partially at any time until the child reaches the age of 3 years. The partially paid parental leave can be used optionally, upon written request, by the father, grandmother, grandfather, or other relative who is directly involved in caring for the child as well as by the guardian. Such leave is included when calculating the seniority, including the special seniority and the length of employment. Although the length of employment is not affected, the amounts of social security allowances based on which the pension is calculated are decreasing.

According to the data provided by the National Social Insurance Company (NSIC), the number of beneficiaries of parental allowances for children up to 3 years by categories (mothers, fathers, grandmothers, grandfathers, guardian, and other relatives) for the period 2003–2010 shows a significant prevalence of mothers, their rate ranging from 99.7 % (2003) to 98.65 % (2010). Despite the favorable legal framework, the responsibility for raising and educating children is vested in the mother, a situation caused primarily by the persistent traditional gender stereotypes. Moldova has paternity leave of 3 days.

Mothers who work part time or at home receive both wages and child benefits. In addition to maternity leave and partially paid parental leave until the age of 3 years, mother or one of the aforementioned persons may qualify for additional unpaid leave to take care of child aged between 3 and 6 years, period for which he/she keeps his/her job. At the same time, in the opinion of national experts,

the period of additional leave could be an impediment to women promotion rather than a measure to protect women. During the additional unpaid leave for childcare, the mother or another person looking after the child has the right to work part time or at home. The additional unpaid leave period is included in calculation of seniority, including special seniority, provided that the employment agreement has not suspended at employee's initiative. According to Article 86(2) of the Labor Code, no employee can be dismissed during the maternity leave, partially paid leave for childcare until the age of 3 years, or during additional unpaid leave for childcare aged from 3 to 6 years.

Under the regulation on the fulfillment of military service in the Armed Forces, women soldiers who are on maternity leave are not released from military service (they are transferred under the jurisdiction of the Ministry of Defense), and upon returning from leave, they are reassigned to positions in military units. However, some problems exist in this area. Thus, for women engaged in military service, the childcare leave period is included in overall seniority and length of employment, but not included in the calendar age of military service. This provision restricts the possibility to benefit the pension.

Family Policies Supporting Families at Risk

According to the national legislation, the state and the family are committed to ensure the raising, support, education, and protection of the child. The National Council for Child Rights Protection (NCCRP) is responsible for the development and implementation of policies for protection of the rights of the children and the family and ensures the inter-sectorial coordination both at national and local levels. Also, the Ombudsman for Children's Rights is an important tool in the promotion, protection, and monitoring of the rights of minors. Cases of children's rights violation are solved largely through guardianship authorities that are operating in each district/municipality. According to the law, starting with the age of 14 years, children can apply directly to these institutions if some of their rights are violated. Children also may address a complaint directly to the court of law.

The social policies for child protection are regulated by the National Strategy on Child and Family Protection (2003), and the Strategy and Action Plan for the Reform of the Residential Childcare System for 2007–2012. They stipulate, as a priority, the application of family-type and community-based protection forms for children in difficulty. Placement of the child in residential institutions is the last option, because of predominantly negative repercussions, affecting the psychosocial development of the child and his/her integration in society at the post-institutional stage.

The impact of labor migration of parents on children and elderly is complex; on the one hand it provides economic and financial benefits, but on the other hand, it affects the children and elderly left behind, which are often subject of social exclusion. To reduce the negative effects of migration and maximize its development benefits, the Government has established, among its priorities, the development of policies and initiatives in this field. Together with the actions of migration management and efficient use of remittances, an important direction is the protection of children and elderly persons left behind. In this context, the Government is implementing the National Action Plan on the Protection of Children Left without Parental Care (2010–2011). As for extracurricular programs and children's involvement, the decision-making, positive models of participation include Local Councils of Children, Child Rights Monitoring Group, establishment of teams of peer educators in healthy life promotion, etc.

The policies for social protection of family and child are directed towards encouraging the birthrate increase by promoting effective family support, modernization, and diversification of community services and family services to prevent institutionalization of children and enhance the quality of family's life, as the core of the society. Addressing the serious problems, currently faced by the family and the child that are determined by negative phenomena such as economic decline, population aging,

family's living condition instability, and the impact of illegal migration of parents seeking a job, is a priority objective of ensuring an adequate and effective social protection.

The national system of social protection of family and child, based on individualized approaches in promotion of the choice of forms and measures of protection, contains two main components: cash benefits and social services. In order to harmonize the national legal framework with the international one, several amendments have been enacted (Law no. 177-XVI of July 20, 2007) in the legal acts regulating issues of social protection of population groups. The amendments refer to the assignment of the status of child with disability before the age of 18, which will generate additional social protection for children with disabilities in determining the right and making the state social allowance payments and the payment of nominal compensations.

The reform of the juvenile justice system covers all categories of children, such as minors victims, and children witnesses of crimes. Also, primary and secondary mechanisms are developed to prevent initial or repeated of crimes by minors. The community services of mediation, probation, and community work are used as alternatives to detention. They are used in cases of less serious crimes, when the detention can be avoided.

The access of individuals and groups at risk to the system of state social guarantees is the key element in measuring the nondiscriminatory treatment and equal opportunities for all members of the society to receive Government aid to diminish the risk of poverty. The system of services has an important role in the social protection system, as it comes to complement, and sometime even to replace the system of cash benefits, contributing significantly to a more effective inclusion.

Social protection in the Republic of Moldova is in transition from the system of placing people with special needs in residential institutions to community-based social services. The establishment of services at the community level involves high costs, and the existence of a dual system does not encourage their development. The early stage of the deinstitutionalization process involves maintaining a dual system: the establishment of alternative services at the community level while maintaining the existing system until the full reintegration into the new system. In Moldova there are over 179,000 disabled people (49 % women) of which 15,000 are children. About 59 % of people with disabilities are living in rural areas, and about 65 % of people are between 40 and 59 years old (Annual Social Report, 2010).

In 2010, the Republic of Moldova ratified the UN Convention on the Rights of Persons with Disabilities, by Law no.166-XVIII. In this context, and to implement the reviewed European Social Charter, social inclusion of the persons with disabilities represents one of the priorities of the local and central public authorities and the civil society. To adjust the regulatory acts on social protection of persons with disabilities of the Republic of Moldova to the provisions of the Convention, Law no.169-XVIII (2010) approved the Strategy on Social Inclusion of Persons with Disabilities for 2010–2013, which defines the reform of the state policy in the field and contains the guidelines for the harmonization of the system of social protection of persons with disabilities to the EU standards and provisions of the Convention.

The Government has approved a series of concept papers relating to social services, including "Protected House" and "Community House." These services ensure placement in a dwelling of adults with mild mental disabilities with full legal capacity who have no home or need to improve their living conditions and who with periodic support, can have an independent life in the community. In 2010, the Ministry of Labor, Social Protection and Family jointly with the Ministry of Health, Family Doctors Centers and Sections/Divisions of Social Assistance and Family Protection conducted a study to establish the number of persons with disabilities who require care and permanent surveillance by another person. The results are used to develop policies and estimate the needed expenditures for the development of personal assistance social service. To ensure the right to social integration (in the following areas: social protection, employment, healthcare, educational, informational, accessibility to infrastructure, etc.) of persons with severe disabilities who require care and permanent surveillance by another person, MLSPF included in the draft law on the social inclusion of persons with disabilities,

which was submitted to the Government for consideration and approval, an article on the establishment and development of the “personal assistance” social service.

Despite the positive actions mentioned, the social inclusion, especially of children with disabilities, is difficult due to limited physical access to kindergartens, schools, universities, and other public institutions, which impedes the exercise of the right of such persons to education and participation in the social and cultural life of the society, which later has a negative impact on employment opportunities and social life. A national automated data system, including data disaggregated by gender, is currently under development.

In 2011, the Ministry of Labor, Social Protection and Family presented a road map for the formulation of a new methodology to determine disability in the Republic of Moldova. Developed with the support of the United Nations Development Program (UNDP), the road map will facilitate the launch of reforms to ensure social inclusion of people with disabilities in accordance with the provisions of the UN Convention on the Rights of Persons with Disabilities and its implementation by various central and local state institutions.

The development of the integrated social service system creates better opportunities for social inclusion of persons in difficulty, ensuring observance of their fundamental rights. In 2010, Law no. 123 on Social Services was adopted. This law establishes the general framework for the setup and operation of the integrated social service system, determining the duties and responsibilities of local and central public authorities, other legal entities, and individuals empowered to provide social services, as well as protection of the rights of beneficiaries of social services.

Currently, community-based social services are being established and developed as an alternative to the social residential services. They aim at maintaining individuals or families in need in an organizational framework in the proximity of the community with the main objective to prevent marginalization and social exclusion and to facilitate the reintegration of beneficiaries in the family environment and in the community. At the community level, there are a limited number of social services: home care, social aid canteens, financial support from the fund of social support of the population, and services of community centers.

The elderly are regarded as one of the main groups vulnerable to social exclusion due to the limitations in the personal autonomy (sensory and physic/locomotion difficulties) and in the ability to earn additional income. Thus, the elderly account for quite a large share, 24.8 % of the total population in continuous poverty, which is explained by the limited ability to obtain additional income and small pensions. Therefore, they are in position to ask for the support of children, relatives, and neighbors, enabling thus the social cohesion. However, it is more difficult to obtain a more consistent financial support for the resolution of emergencies.

Pensions are the main source of income of the elderly, meant to compensate the loss of income related to retirement, and at the same time, they show the payment capacity of the social insurance system. Pensions compensate for the previous income before the retirement only in the proportion of 26.3 %, representing about 55 % of the subsistence minimum for retirees. This leads to the conclusion that the elderly are facing serious problems in accumulation and redistribution of resources.

Over the past years, the legislation on pensions has undergone several changes. The first was made in 2010 when the Parliament decided that senior officials will receive a pension equal to 42 % of their salary, rather than 75 %, as it was before. Pension on insurance has increased for ministers from 2 to 4 years. In 2011, pensions were indexed by 7.8 %. The average pension per month for all ages is 900 lei (about 90 USD). Village workers earn an average of 570 lei (about 50 USD), while the remaining pensioners 641 lei (about 60 USD). Pension on insurance will increase gradually for 6 months each year, from 30 to 35 years for both women and men. Judges and prosecutors will be retiring as other public servants, with women at 57 years and men at 62. Military and police personnel will be retiring after 25 years and not after 20, as it was before. Thus, the Government has adjusted the pension system to the realities of social development and reduced the existing discrepancies. In accordance with Law no. 499-XIV (1999) on State Social Allowances for Some Categories of Citizens (as amended),

state social allowances are the amounts paid monthly from the state budget through the state social insurance budget to people that do not qualify for the right to receive a pension (the beneficiaries of social allowances are the most vulnerable people).

Conclusions

Family policy development, implementation, and assessment are complex processes, involving the coordination of multiple stakeholders, such as Governments, nongovernmental organizations, academia and other educational forums, families, and the society at large. The goal of this chapter was to discuss family policies in the Republic of Moldova, with a focus on policies targeting marriage, child-rearing, and those supporting families at risk.

Family policymaking is a continuous process, with development, implementation, and assessment, being followed again by policy revisions and readjustment. Policy assessment is the mechanism through which, after development, family policies are evaluated for effectiveness and revised accordingly. The general recommendations for family policymaking include developing evidence-based family policies implementing systematic and explicit family policies and assessing their effectiveness by using multiple methods. Policy assessment provides an opportunity to know what is working and what needs revisions and improvement. In a world that is confronted with economic challenges, knowing what is effective and what not is a necessity in preventing the misuse of valuable and limited resources. Like in any country, Moldovan families must be partners in all the stages of family policy development, implementation, and assessment in the Republic of Moldova. Developing policies and programs that support families fulfilling their functions contributes to healthy and functioning societies.

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