

Joint statement to the Civil Society Dialogue Forum
5th meeting of the Republic of Moldova – European Union
Sub-Committee on Trade and Sustainable Development
(19 October 2020, Brussels/Chisinau - videoconference)

The representatives of the European Union (EU) and the Republic of Moldova met today (19 October 2020) via videoconference for the fifth meeting of the Sub-Committee on Trade and Sustainable Development (TSD) under the Deep and Comprehensive Free Trade Agreement (DCFTA), part of the EU-Moldova Association Agreement.

They are pleased to meet with the representatives of civil society from the EU and Republic of Moldova in this Joint Civil Society Dialogue Forum on 19th October 2020 to debrief on the discussions during the TSD Sub-committee meeting.

The Parties exchanged views on the economic and social impact of COVID-19 and on measures adopted to mitigate the impact of the pandemic. The Parties outlined the role of the sustainability agenda in rebuilding a more resilient economy post COVID-19 and agreed on the key role of trade in this.

The EU explained that the European Green Deal would act as EU's roadmap within the global recovery effort, supporting the transition to a climate-neutral and more sustainable economy. The EU outlined its focus on health and deepening relations with closest neighbours, while remaining vigilant on rule of law, migration, and no tolerance to racism and discrimination. To this effect, the EU's Recovery and Resilience Facility provides €672.5 billion of loans and grants to be invested in clean technologies, sustainable transport, and digitalization. In addition, an assistance package of €30 million was made available to Eastern Partnership countries, and over €87 million for immediate and short-term needs of the Republic of Moldova.

The Republic of Moldova informed that in the context of the COVID-19 recovery, the authorities created a series of instruments, such as the Roadmap for boosting the process of digitization of the national economy and development of electronic commerce and the Policy Matrix to support the business environment. In addition, the Ministry of Economy and Infrastructure started the development of a recovery Program on post-COVID-19 economic measures for 2020-2021 and of

a long-term strategic planning document to ensure the transition to sustainable and digital economy.

The Parties reviewed implementation of the TSD chapter and in particular discussed the priority areas for implementation identified at the TSD Sub-committee meeting of July 2019.

Regarding **labour provisions** of the TSD Chapter, the parties discussed updates on recent developments in the identified priority areas.

The EU highlighted commitments made by President von der Leyen in her Political Guidelines for the European Commission 2019-2024, to ensure highest standards of labour protection and zero-tolerance policy on child labour in our trade agreements. It also underlined the higher attention it puts on human rights and decent work in global supply chains.

The EU expressed concerns about the reported rise in the worst forms of **child labour** linked to trafficking in persons and sexual exploitation and called for decisive action to prevent and sanction them. Detection and sanction of child labour continues to be hampered by the legal restrictions to inspections and insufficient capacity of the State Labour Inspectorate. The EU called Moldova to urgently remedy this. Furthermore, the EU encouraged the collection of high quality, comparable data on child labour. It also encouraged Moldova to close the few remaining gaps in its legislation regarding ILO Convention 138 (minimum age for work).

The Republic of Moldova informed that its legislation has provisions on child labour and the minimum age from which labour is allowed. Accordingly, the State Labour Inspectorate checks the child labour field in the areas of overtime work, work on weekends, exposure to work in difficult conditions, failure to grant paid annual leave, work in harmful and dangerous work conditions.

The EU took note of intentions to re-empower the **State Labour Inspectorate** (SLI) with competences for Occupational Safety and Health (OSH) monitoring and enforcement and in particular of the draft law adopted by the government to that effect. The EU called again for removing restrictions to inspections set by law #131 and its subsequent amendments, in order to bring the labour inspectorate system, in full compliance with ILO conventions C81 and C129. The EU encouraged reviewing the capacity-building needs of a re-shaped SLI and planning resources

(staff and budget).

The Republic of Moldova expressed its awareness on the fact that the provisions of Law #131 represent certain non-compliances with the ILO Conventions (81) and (129) concerning labour inspection. In this sense, a draft law has been elaborated in order to ensure the functionality of the control system in the field of occupational safety and health and to unblock the conflict of jurisdiction (between the 10 Institutions with control attributions in the field of OSH) in performing state control and investigating work accidents. This draft Law has been approved by the Government and sent to the Parliament for examination.

The Moldovan side informed that a project (duration 15 months, estimated budget EUR 300 00) with the ILO ongoing since September 2020 to support the national efforts to ensure safe and healthy workplaces in the context of the current global pandemic crisis and beyond, as well as to support strengthen the labour inspection capacities.

The EU took note of the various **amendments to the Labour Code**, prepared in due consultation of the tripartite social dialogue body and adopted by the government in 2020. The EU called for addressing remaining shortcomings regarding ILO fundamental convention (such as right to strike, sanctions against obstruction, settlement of labour disputes) in the legislation. The EU welcomed further progress in approximating national legislation with EU labour and occupational safety and health law in line with the Association Agreement (Annex III) and attribute necessary administrative and financial resources for the implementation.

The Republic of Moldova informed of several sets of amendments to the Labor Code adopted by the Government since the beginning of 2020:

- Law no.69/2020 introducing regulation of Distance Work in the context of the pandemic.
- Law no. 114/2020 reviewing dismissals of employees elected to trade union bodies.
- Law no.115/2020 amending 27 articles of the Labour Code, notably on working time and the application of the Code.

The Parties further discussed the impact of the COVID-19 crisis on labour standards and their role in sustainable recovery.

The EU underlined that it will continue to promote and uphold good governance, human rights, rule of law, gender equality and non-discrimination, and decent work conditions in line with its Communication on the Global EU response to COVID-19. Special and extraordinary measures required to contain the pandemic must not lead to backtracking on fundamental labour standards.

The EU regretted the moratorium on inspections introduced as part of Moldova's responses to the COVID-19 pandemic and that responses were developed without sufficiently involving social partners.

The Republic of Moldova informed the Sub-Committee on the main actions and measures adopted in the context of COVID-19. In addition to regulating remote work and flexible working arrangements, a set of recommendations was adopted in order to ensure the safety and health of workers and to support employers in carrying out their current activities.

Moreover, on March 13, 2020, a moratorium on any inspection actions was established in order to prevent the spread of virus. According to this, the State Labour Inspectorate stopped its control activities. With the expiration of the moratorium on June 30, 2020, control activities in the field of labour relations were resumed. However, in order to prevent and reduce the risk of exposure to COVID 19, the control activities undertaken by labour inspectors are mainly performed from their offices, by directly requesting the necessary documents from employers.

Besides, the Republic of Moldova took all necessary measures for an integrated approach with respect to labour migration management, that focuses on supporting and protecting migrants in distress; reintegration measures; and harnessing the potential of migrants and diaspora.

The Parties also reviewed the recent developments in the priority areas in the field of **environment**, regarding illegal wildlife trade and eco-labelling.

Republic of Moldova informed that with support of UNEP through the [EU4Environment regional project](#) activities on transposing EU Eco-labelling regulation¹ and developing eco-labelling system in Moldova started in July 2020. The EU encouraged the on-going work under the project.

¹ Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Eco-labelling

As regards provisions on environment, Republic of Moldova informed the EU about the approval of the *Government Decision (no. 536/2020) on Law to the accession of the Republic of Moldova to the Kigali Amendment to the Montreal Protocol* (signed in 2016). The accession is currently being reviewed by Parliament.

The parties further discussed the continued implementation of the following environmental conventions: the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). With regards to CITES, Republic of Moldova informed the EU about five training sessions organised over the last year for customs officers on implementation of the convention and the issuance of 167 permits for import/export of CITES classified species over the same period.

EU encouraged Moldova to continue implementation and to ratify the remaining protocols of the Multilateral Environmental Agreements.

On **climate change**, the Parties discussed the effective implementation of the UNFCCC.

The EU informed about the Commission's proposal to raise EU's 2030 emissions reduction targets and developments concerning EU's green recovery.

Republic of Moldova informed EU that, with the support of the [EU4Climate project](#), it succeeded in updating its Nationally Determined Contributions (NDC) and it has been submitted to the UNFCCC secretariat on 4th March 2020, being the fourth country in the world, which has presented the 2nd NDC to the Paris Climate Agreement. In order to implement NDC2, Moldova will update the low-emission development strategy until 2030 and the Action Plan for its implementation by considering the more ambitious targets in the updated National Contribution.

Republic of Moldova indicated it will share additional information in relation to the draft National Energy and Climate Plan and the EU-financed High Level Advisor for a Green Transition.

The EU encouraged the work done under the EU4Climate project, as well as on-going work on the implementation of NDCs, public awareness, transparency, energy and waste management. The EU emphasised the need to strengthen the administrative capacities of public administration

dealing with climate.

The Parties further discussed the impact of the COVID-19 crisis on climate and environmental standards and their role in sustainable recovery. EU stressed that the crisis has reinforced the resolve towards a green transition and that there would be no compromise on climate and environmental objectives.

Moldova informed that, despite the pandemic-related crisis, it will continue its current activities according to the commitments assumed by our country in the Association Agreement between the Republic of Moldova and the European Union and the Plan of Actions of the Government for the 2020-2023 period. The actions in the fields of waste management, extended producer responsibility, green economy promotion, air quality, industrial emissions, environmental impact assessment, and biodiversity conservation are part of those documents and are under implementation according the provisions of main sectoral environmental and climate change policy documents.

The parties agreed on [operational conclusions and priority actions](#) on issues such as labour legislation and inspection, forestry and eco-labelling, and implementation of the UNFCCC.

The Parties look forward to hearing the views and the opinions of the Joint Civil Society Dialogue Forum on the implementation of the TSD Chapter.

Brussels, 19 October 2020