

Youth Partnership

Partnership between the European Commission
and the Council of Europe in the field of Youth



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**CONTRIBUTION OF
NON-PROGRAMME COUNTRIES TO EU YOUTH WIKI
REPUBLIC OF MOLDOVA
CHAPTER 5: PARTICIPATION**

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5.1. GENERAL CONTEXT

5.1.1. MAIN CONCEPTS

In the Republic of Moldova there are several normative acts and policies targeting youth participation. The concept of youth participation is regulated by the Law on Youth,¹ the Education Code of the Republic of Moldova,² the EU-Moldova Association Agreement,³ the National Strategy of Youth Sector Development 2020,⁴ the Education Development Strategy for 2014-2020 “Education – 2020” approved by Government Decision No. 944 of 14 November 2014⁵ and the UN Convention on the Rights of the Child, ratified by the Republic of Moldova.

In the light of these acts that come to ensure the participation of young people, it is clear that efforts have been made towards creating an environment where adolescent participation is fully and effectively implemented, although the actual application of this principle was challenging for the government. In this regard, despite the fact that the subject of youth participation has been promoted and debated, youth participation principles are not meaningfully and consistently approached in the Republic of Moldova.

Despite the widespread recognition that youth participation is a fundamental human right, there are still some strong challenges and barriers for accepting participation in Moldova. These barriers include the following: young people do not have the skills or the experience to participate; young people and their initiatives are treated sceptically by decision makers.⁶

The low level of youth participation in the decision-making processes at the local and national levels serves as a confirmation of this statement. Meantime, youth representative organisations, especially at the local level, are not capable of participating efficiently in the decision-making processes.

All these can be validated, for example, by the low budgets for the youth sector at the local level, a phenomenon which is generated due to the fact that at the local level in Moldova can be observed miscommunication among youth sector and public administration, or if this communication exists then we have the incapacity to advocate for the interest of the youth sector at the local level. Another problem is generated by imitation of youth participation in the decision-making processes by the authorities, hence the process of youth participation at the local level often takes the form of tokenism.⁷

¹ Law on Youth No. 215 of 29 July 2016, available at www.legis.md/cautare/getResults?doc_id=105800&lang=ro, accessed on 22 August 2019.

² Educational Code of the Republic of Moldova No. 152 of 17 July 2014, available at www.legis.md/cautare/getResults?doc_id=112538&lang=ro, accessed on 22 August 2019.

³ EU-Moldova Association Agreement, available at www.legis.md/cautare/getResults?doc_id=83489&lang=ro, accessed on 22 August 2019.

⁴ National Strategy of Youth Sector Development 2020 approved by the Government Decision No. 1006 of 10 December 2014, available at www.legis.md/cautare/getResults?doc_id=49195&lang=ro, accessed on 22 August 2019.

⁵ Education Development Strategy for 2014-2020 “Education – 2020” approved by Government Decision No. 944 of 14 November 2014, available at www.legis.md/cautare/getResults?doc_id=55069&lang=ro, accessed on 22 August 2019.

⁶ Survey on the participation of adolescents and young people and their vision on the National Strategy “Moldova 2030”, available at <https://moldova.ureport.in/poll/991/?fbclid=IwAR1Z-cq9uz3E9IDwbWiIT-Jy--BbSAbBbXvLFyWY25BneYKv10ePld66B6c>, accessed on 22 August 2019.

⁷ Ibid.

Analysed through the principles for effective and ethical participation elaborated by UNICEF,⁸ I can describe the situation of youth participation in Moldova as follows:

<p>Transparent and informative</p>	<p>According to UNICEF’s principles for effective participation, young people should be provided with complete information, regarding the place, purpose and potential impact of activities. Based on the right of free expression, they should have access to information, in spite of their race, age or gender.</p> <p>In Moldova, especially at the local level, access to public information remains scarce. Town halls don’t have web pages where the drafts of decisions can be published or where citizens can be easily consulted.</p> <p>Some public information about the local authorities’ decisions and agenda may be found on the information panel of the town hall or on its Facebook page; however, it is usually placed there after a decision has been taken. Another way to be informed about the activities of public authorities is to attend the local council meetings where all decisions of the local council are examined and approved. However, these options do not give participants the possibility of getting acquainted with the proposals of the examined projects in detail.</p> <p>At the regional level, most district councils have websites that help citizens to stay informed about the activity of the councils. In some cases, the councils respect the transparency procedure in the decision-making processes and publish the drafts of decisions on their page, being accessible to people and even open to public consultation, while in other cases, there are only announcements relating to the initiation of a local public policy, without a clear indication of the time and place where the topic will be discussed.</p> <p>At the national level, usually the procedure for consultation on the draft of a law and a governmental decision is respected, being accessible online on a special portal dedicated to participation and consultation (particip.gov.md). However, the platform lacks tools for the online participation of youth with visual or mental disability.</p> <p>In this context, we can conclude that in spite of the Law on transparency in the decision-making process No. 239 of 13 November 2008 and the progress that has been made at the national level regarding the availability of information, many young Moldovans living in villages still face difficult access to information and lack tools for effective participation. This is also confirmed by the results of the study “INEQUAL MOLDOVA, Analysis of the most relevant inequalities in the Republic of Moldova”,</p>
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⁸ Every Child’s Right to be heard, A resource guide on the UN Committee on the Rights of the Child General Comment No. 12 Gerison Lansdown (2011) Published by Save the Children UK on behalf of Save the Children and UNICEF, London, available at www.unicef.org/adolescence/files/Every_Childs_Right_to_be_Heard.pdf, accessed on 22 August 2019.

	elaborated by the Centre Partnership for Development and national advocacy platforms (five platforms in total, where one of them is for youth rights) in 2019, showing that 38% of young people do not participate in the decision-making process because they lack relevant information. ⁹
Voluntary	There is a dimension applied.
Respectful	Young people's opinions are sometimes treated with less respect by decision makers. Also, usually young people do not have the opportunity to initiate their ideas and activities because of the lack of political wishes or other reasons, such as lack of money.
Relevant/ meaningful participation	In the decision-making process, youth cannot express their views on issues of real relevance to their lives because they are involved in the consultation process just at the final stage (not at the initial stage of consultation which can serve as the main point in drafting the concept of law, which should be based on the real needs of youth). At the same time, usually decision makers do not accept the recommendations of young people, invoking various reasons. In relation to about meaningful participation, it is relevant to show the results of the U-Report survey conducted in 2018 among 823 young people, according to which 50% of them said that the national and local authorities never take into account their opinion, while 30% of them said that the authorities only sometimes take their opinion seriously. ¹⁰
Facilitated with child/youth- friendly environments and working methods	Usually young people are not adequately prepared and do not have the confidence and opportunity to contribute their views to the draft of decisions and laws because they do not understand the juridical terminology, they are not familiar with mechanisms for creating and approving of the local budget, etc. According to the "Inequal Moldova" study, 13.4% of respondents say they do not participate in the decision-making process because they don't feel prepared and they think only specialists should take part in such processes. Another challenge is lack of physical spaces, especially in rural areas, where young people can gather. Also, according to the Barometer of Public Opinion, ¹¹ over 60% of young people do not feel free to say what they think about the country's leadership or to protest against the decisions taken by it.

⁹ The study "INEQUAL MOLDOVA, Analysis of the most relevant inequalities in the Republic of Moldova", available at http://www.progen.md/files/5390_raport_moldova_inegala_final.pdf, accessed on 01 October 2019.

¹⁰ Survey on the participation of adolescents and young people and their vision on the National Strategy "Moldova 2030", available at <https://moldova.ureport.in/poll/991/?fbclid=IwAR1Z-cq9uz3E9IDwbWiIT-Jy--BbSAbBbXvLFyWY25BneYKv10ePld66B6c>, accessed on 22 August 2019.

¹¹ Barometer of Public Opinion, Republic of Moldova, January 2019, available at <http://ipp.md/wp-content/uploads/2019/02/Raportul-final-BOP.pdf>, accessed on 22 August 2019.

Inclusive	Infrastructure in Moldova is totally inaccessible to the needs of people with disabilities, so their participation is very hindered. Roma people also face barriers in the process of participation as a result of stereotypes. Youth with fewer opportunities in general are not active in the participatory processes.
Supported by training	Adults benefit from the programmes of capacity building on youth participation, developing skills and support to facilitate youth's participation effectively, but this is not a solution for Moldova as in our public administration there is a high fluctuation of staff and there are not so many of those who will stay longer in the system. The biggest problem, in this context, is that in Moldova there is no university or faculty that offers formal education for youth workers.
Safe and sensitive to risk	In Moldova, many civil society organisations continue to report harassment. ¹² Some organisations and groups reported that they are under pressure and risk. For example, the LGBT community in Moldova or organisation which were publicly critical or took a stand against the government or public administration.
Accountable	Usually, youth do not receive any clear feedback on how their participation has influenced any aspects. Moreover, in Moldova there is the National Network of District Councils for Youth, which is a non-governmental organisation financed from the public budget, but the reports about their activity and impact on development of the youth sector are inaccessible; also interested organisations and people do not have access to any financial reports. In this way the National Network of District Councils for Youth violates all standards on transparency.

After this short analysis we can observe that youth participation in Moldova has not been implemented in an appropriate way as stated in the international standards on participation.

5.1.2. INSTITUTIONS OF REPRESENTATIVE DEMOCRACY

Article 1(2) of the Constitution of Republic of the Moldova¹³ declares that “in Moldova the form of government is the republic”. During its independence, declared on 27 August 1992, Moldova had the form of a parliamentary and semi-presidential republic. Based on some recent legislative changes, Moldova can be considered a semi-presidential republic, where the president is elected by citizens of the country by freely expressed, universal, equal, direct and secret suffrage. The Constitution defines the

¹² EaP CSF Presents Civil Society Perspective on Policy Developments and Further Cooperation Post-2020 delivery, available at <https://eap-csf.eu/eap-csf-presents-civil-society-perspective-on-policy/>, accessed on 22 August 2019. Radiography of attacks against non-governmental organisations from the Republic of Moldova, available at https://crjm.org/wp-content/uploads/2019/03/2019-03-20-timeline-atacks-OSC_2018_final-ENG.pdf, accessed on 22 August 2019.

¹³ Constitution of the Republic of Moldova, available at www.presedinte.md/titul3#5; www.legis.md/cautare/getResults?doc_id=111918&lang=ro, accessed on 22 August 2019.

competences and the methods of co-operation between parliament, the president as head of state and the prime minister as head of government.

In Moldova the power is divided between the Parliament, the President of the Republic of Moldova and the Government.

According to Article 60 of the Constitution, the parliament¹⁴ is the supreme representative body of the people of the Republic of Moldova and the sole legislative authority of the state. The parliament is composed of 101 members. Based on Article 61(1) of the Constitution, the members of parliament shall be elected by universal, equal, direct, secret and freely expressed ballot. The parliament is elected for a four-year term, which can be extended by law in case of war or catastrophe.¹⁵

According to Article 77(2) of the Constitution, “the President of the Republic of Moldova¹⁶ shall represent the State and shall be the guarantor of national sovereignty, independence, of the unity and territorial integrity of the State”. The legal conditions determined by Article 78(2) of the Constitution for running for president of the Republic of Moldova are: “any citizen of the Republic of Moldova may run for the office of the President of the Republic of Moldova, provided that he/she has the right to vote and is over 40 years of age, has lived or has been living permanently on the territory of the Republic of Moldova for no less than 10 years and speaks the official state language”.

The government¹⁷ ensures the carrying out of state internal and external policy and shall exercise the general management of the public administration according to Article 96(1). The government consists of a prime minister, a first vice prime minister, vice prime ministers, ministers and other members, as determined by law. Investiture of the government is organised in accordance with Article 98 of the Constitution, where the President of the Republic of Moldova designates a candidate for the office of prime minister following consultations with parliamentary factions and appoints the government on the basis of a parliamentary vote of confidence. The government is responsible for its work before the parliament.¹⁸

The specialised central bodies of the state are ministries. They shall bring into practice, according to the law, the policies of the government, its decisions and orders, as well as taking responsibility for their activities.

In Moldova, according to Article 113 of the Constitution, at the regional level the main representative institution is the district council. According to the law, the district council shall co-ordinate the activity of village and town councils with a view to carrying out public services at district level. The district councils are elected and operate according to the law. This level includes the Autonomous Territorial Unit of Gagauzia. According to Article 111 of the Constitution and to the Law on special legal status of

¹⁴ Parliament web page available at www.parlament.md/, accessed on 22 August 2019.

¹⁵ Law for the adoption of the Parliament’s Regulation No. 797-XIII of 2 April 1996, available at www.legis.md/cautare/getResults?doc_id=111777&lang=ro, accessed on 22 August 2019.

¹⁶ President web page available at www.presidente.md/eng, accessed on 22 August 2019.

¹⁷ Government web page available at <https://gov.md/en>, accessed on 22 August 2019.

¹⁸ Law on the Government No. 136 of 7 July 2017, available at www.legis.md/cautare/getResults?doc_id=105700&lang=ro, accessed on 22 August 2019.

Gagauzia (Gagauz-Yeri),¹⁹ Gagauzia is an autonomous territorial unit having a special statute and representing a form of self-determination of Gagauz people. It constitutes an integral and inalienable part of the Republic of Moldova and shall solve its internal problems independently, within the limits of its competence, pursuant to the provisions of the Constitution of the Republic of Moldova, in the interest of the whole of society, in political, economic and cultural spheres. On the territory of the autonomous territorial unit of Gagauzia all the rights and freedoms provided by the Constitution and the legislation of the Republic of Moldova shall be guaranteed. Within the autonomous territorial unit of Gagauzia there shall function representatives and executive bodies according to the law.

5.1.3. PRINCIPLES CONCERNING ELECTIONS

The main legal framework for the parliamentary elections primarily comprises the Constitution, the Election Code²⁰ and the Law on Political Parties.²¹

In 2017, the Election Code underwent a series of significant amendments, including introducing a new electoral system in Moldova. The amendments shifted the electoral system from fully proportional to mixed, where 50 of the 101 MPs have to be elected through proportional closed lists in one nationwide constituency, and 51 MPs in as many single-member constituencies with candidates receiving the most votes declared elected.

In the context of the latest events in the Republic of Moldova, related to the political situation in the country, changes were made progressively, including to the electoral code in Moldova. Thus, on 15 May 2019 the parliament adopted the draft law on the amendments of some legislative acts (Election Code, Articles 1, 4, 8, etc.; Law on the Statute of the Deputy in Parliament, Article 2; Law on Political Parties, Article 26; etc.).²² The main goal of this law is to abolish the mixed electoral system in Moldova and return to a proportional electoral system based on party lists.

The mixed electoral system was adopted without taking into consideration the recommendation received from the Venice Commission and development partners of Moldova. Furthermore, the law favours parties that were in power before 2017, thus, it needs to be abolished.

Participation in elections is based on citizens' free will. No one may exercise pressure on a voter to force him or her to participate or not in the elections, nor on the expression of a voter's free will.

In accordance with Article 5 of the Election Code, "every person votes in elections personally". Voting on behalf of other individuals is prohibited.

The voting right shall be exercised in a polling station situated in the locality where the voter is registered for a permanent residence visa or at his domicile in accordance with national legislation.

¹⁹ Law on special legal status of Gagauzia (Gagauz-Yeri) No. 344 of 23 December 1994, available at www.legis.md/cautare/getResults?doc_id=109411&lang=ro, accessed on 22 August 2019.

²⁰ Election Code No. 1381 of 21 November 1997, available at <https://a.cec.md/storage/ckfinder/files/cec-electoral-code-2019.pdf>, accessed on 22 August 2019.

²¹ Law on Political Parties No 294 of 21 December 2007, available at www.legis.md/cautare/getResults?doc_id=110636&lang=ro, accessed on 22 August 2019.

²² A draft of the law is available at www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/4564/language/ro-RO/Default.aspx, accessed on 22 August 2019.

5.2. YOUTH PARTICIPATION IN REPRESENTATIVE DEMOCRACY

5.2.1. YOUNG PEOPLE AS VOTERS

According to Article 3 of the Election Code, “citizens of the Republic of Moldova have the right to elect and be elected irrespective of race, nationality, ethnic origin, language, religion, gender, opinion, political affiliation, property or social origin”.

According to the law, citizens of the Republic of Moldova, who by the day of the elections have reached the age of 18, have the right to vote in elections in the Republic of Moldova.

In the election process, a voter’s vote is just for one single electoral contestant, and expresses his or her will with respect to a single issue in a referendum.

According to Article 13(1) of the Election Code, the following individuals cannot participate in an election: non-citizens of Republic of Moldova; and persons deprived of the right to vote by the final decision of the law court.

In order to facilitate participation of all citizens in elections, besides traditional polling stations, according to Article 30 of the Election Code, special polling stations may also be established in hospitals, health resorts, maternity hospitals, asylums and homes for the elderly. Such polling stations shall have at least 30 voters. At the same time, military personnel shall vote at polling stations of that locality where the military units are located.

Moreover, Article 134 of the Election Code regulates special restrictions on suffrage, which are:

- (1) Active-duty military personnel shall not participate in local elections.
- (2) Voters who are not residents of the respective administrative-territorial unit may not participate in the elections of the local council and mayor.

At the same time, in accordance with the information provided by the Central Electoral Commission, during the parliamentary elections of 24 February 2019, the number of voters included in the voters’ lists was 2 803 573 persons. At the polling stations there were 326 422 voters aged 18-25 on the electoral roll, of which 123 486 participated in the voting process. According to the age criteria, it was determined that the following participated in the voting:

- a) young people aged 18-25 – 8.5%
- b) 26-40 years – 25.69%
- c) 41-55 years – 25.63%
- d) 56-70 years – 31.75%
- e) over 71 years – 8.43%.

Unfortunately, it is not possible to determine exactly how many youth aged 18-35 years participated in this election because the Central Electoral Commission does not collect data according to ages of youth regulated by the Law on Youth.

Finally, in the light of new statistical data on the size of the population of the Republic of Moldova, it is necessary to present the results of the study developed by the National Bureau of Statistics, according to which at the beginning of 2019, 2.68 million people lived in the Republic of Moldova (except the

Transnistrian region),²³ of which 743 200 or 27.7% are young people aged 14-34 years. The distribution of young people by sex is as follows: women – 49.9%; men – 50.1%. The proportion of youth to other age groups of the population is in continuous decline.²⁴

This data shows that the Moldovan population has decreased in recent years, essentially because of migration. The phenomenon of migration affected especially the youth sector at the local level, and particularly in villages, only young people attending school are left; the rest of the youth from the community has migrated to the cities or even abroad. So this has influenced negatively on the participatory processes at the local level.

5.2.2. YOUNG PEOPLE AS POLITICAL REPRESENTATIVES

A very important structure of the political parties in the Republic of Moldova should represent youth organisations, on the grounds that youth are the future of any community. Youth generated policy initiatives should be promoted by political parties. But in reality, youth organisations affiliated to the political parties are engaged in dissemination and propaganda activities or protests. Thus, they are less involved in public policy development operation and its promotion. In the context of the significance of youth participation, this is a wasted potential. It is important to mention that the legal framework does not regulate the activity of youth wings of the political parties.

According to the national legislation, citizens of the Republic of Moldova are allowed to vote. Although, according to Article 13(2) of the Election Code, there is an exception and following individuals cannot be elected:

- a) military cadre in active service;
- b) non-citizens of the Republic of Moldova;
- c) persons deprived of the right to vote by the final decision of the court;
- d) individuals who are sentenced to prison (deprivation of liberty) by a final court decision and who are serving their sentence in a penitentiary institution, as well as individuals who have active criminal records for deliberately committed crimes;
- e) persons deprived of the right to hold positions of responsibility by a final court decision.

During parliamentary and presidential elections, the process of a candidate's nomination shall start 60 days prior to the date of elections and end 30 days before the date of elections. In local elections, the process of a candidate's nomination shall start after having established the constituencies and district electoral councils.

In a parliamentary election, candidates can participate through closed party lists or an electoral bloc or as a party-nominated or independent candidate in single-mandate constituencies. Independent candidates cannot stand in the proportional contest. Candidate lists in the nationwide constituency are registered by the Central Election Commission and by the respective Constituency Electoral Councils in single-mandate constituencies. Majoritarian candidates collect between 500 and 1 000 signatures of voters

²³ Infographic on the population of Moldova available at https://docs.google.com/viewerng/viewer?url=http://st.agora.md/storage/documents/2019/07/infografice_bns4390.pdf, accessed on 22 August 2019.

²⁴ Data on young people in the Republic of Moldova in 2018 is available at http://statistica.gov.md/newsview.php?l=ro&idc=168&id=6431&parent=0&fbclid=IwAR09GJwhVDAK3Hg-09-e01wNCYOjbxmb8-wBN5X3Ui0Xdd_XPGJCO9Eot5A, accessed on 22 August 2019.

residing in the given constituency; for female candidates this number is reduced to between 250 and 500 signatures. Voter support will only be verified for general validity; signature validation is not envisioned. In the light of Article 135 of the Election Code, which regulates the special conditions for candidates in an election, Moldovan citizens who are eligible to vote, and who have attained 18 years of age on or before Election Day, shall enjoy the right to be elected as councillors to local councils. Moreover, Moldovan citizens who are eligible to vote, and who have reached 25 years of age on or before Election Day, can enjoy the right to be elected as mayors. Also, members of parliament can be elected by any citizen of Moldova aged at least 18 years and who lives in the country. Finally, the president of the country can be any person who is a citizen of the Republic of Moldova, aged over 40 and with at least 10 years of work experience, but in this case we cannot speak about youth, as long as a young person is defined up to the age of 35.

According to Article 131 of the Election Code, the lists of candidates for parliamentary and local elections shall be prepared having observed the minimum representation share of 40% for both genders. Furthermore, political parties complying with the minimum representation share of 40% for women candidates nominated within single member constituencies shall get a 10% increase in the budget support amount allocated to the respective political party for the corresponding fiscal year and a multiplying coefficient for each woman candidate elected in the single-member constituency in concordance with legislation on political parties and the procedure defined by the Central Electoral Commission.

Under the Law on political parties,²⁵ political parties have the right to receive annual funding from the state budget through the Central Electoral Commission. The amount of allowances for this purpose is approved in the annual budget law and from this, 5% goes to political parties in proportion to the number of young people actually elected in the parliamentary and general local elections. Despite these provisions, the position of youth in election did not substantially change, namely if we look at the proportion of young people in the party lists registered at the February elections of 2019, we find that the party “Șor” and the People’s Anti-Mafia Movement have the largest number of young members in formation with 27% and 25% respectively, while the Party of Socialists of the Republic of Moldova (PSRM) and the Democratic Party of Moldova have the lowest number of young people, 8% and 15%, respectively. Meanwhile, the top 15 positions on the list are not proportionally represented by young people, and some political factions do not include young people in top positions at all.²⁶

Following the parliamentary election in February 2019, 16 young people will represent the youth sector in parliament over the next four years. Young people obtained about 22% of the mandate available on the uninominal constituency (by direct voter vote) and 10% of the mandates available on the national constituency (on closed lists). Thus, most of the young MPs in the new parliament are members of the ACUM bloc and PSRM (Socialist Party), which promoted 10 and nine young people respectively. Of these, 12 young people were mandated in Parliament: six from the ACUM bloc and six from PSRM,

²⁵ Law on political parties No. 294 of 21 December 2007, available at www.legis.md/cautare/getResults?doc_id=110636&lang=ro, accessed on 22 August 2019.

²⁶ Inclusion of young people in the electoral process in the parliamentary elections of 24 February 2019, available at www.cntm.md/ro/news/infografic-incluziunea-tinerilor-%C3%AEn-procesul-electoral-din-cadrul-alegerilor-parlamentare-din?fbclid=IwAR28yLLg_d22sdyEkJx6jdWOI9PsA8QOnPHnWE0yYGMYqZcTZ_uPzCrcq6E, accessed on 22 August 2019.

eight of them being directly elected by the people on the uninominal constituency. Compared to the old parliament, the number of young MPs (18-35 years old) has increased from 10 to 16. Of the 16 elected young people, only two come from rural areas and only three are women.²⁷ By comparing these indicators, we can deduce that young people have played an important role in the election results and that parties should support youth and youth wings of the political parties, including by proposing young candidates in the top of their lists.

Also it is impressive to see the data on the participation of youth at the local level, which was presented by the National Youth Council of Moldova in 2017.²⁸ So, according to these data, the Chisinau Municipal Council consists of 51 councillors, and the one in Balti consists of 35 councillors. Of the 86 councillors, 23 are young, while the youth population is 27%. There are 1 030 district councillors in the district councils throughout the republic. Of the total number of councillors, 142 are young. In percentage points, the number of youth in district councils is 14%. In the village, communal and town councils there are 10 564 councillors, of which 1 535 are young people. As with district councils, 14% of councillors are young. Finally, there are 898 mayors in total in the Republic of Moldova, of which 82 are less than 35 years old. From a percentage point of view, 9% of the mayors are young.²⁹

5.3. YOUTH REPRESENTATION BODIES

5.3.1. YOUTH PARLIAMENT

Nowadays, in Moldova there is no platform for youth participation in the decision-making process.

The first Youth Parliament was launched on 25 February 2008 and was active till 2013. The Youth Parliament was a permanent forum of the Parliament of the Republic of Moldova and activated based on the internal regulations adopted by members of the Youth Parliament. It was an independent initiative with its own elected president. The organisation activated independently from the Parliament of the Republic of Moldova. Meanwhile, members of the Youth Parliament periodically had joint meetings with the relevant parliamentary factions and committees from the parliament. Additionally, all documents which were adopted by the Youth Parliament were addressed to the Parliament of the Republic of Moldova, the Government and its Ministries for examination and consideration; for example the first legislature of the Youth Parliament adopted five resolutions³⁰ coming from the commissions and were submitted as proposals to the standing committees within the Moldovan Legislature as well as to the ministries covered by the respective documents.

²⁷ Young people in the 10th legislature of the Parliament of the Republic of Moldova, available at http://cntm.md/ro/news/tinerii-%C3%AEn-cea-de-x-legislatur%C4%83-parlamentului-republicii-moldova?fbclid=IwAR38zBp3A8SVry_e9NiXiq7_LgqD8ryYUBEnWTNDX5T2V0kMefBV8YCvc7w, accessed on 22 August 2019.

²⁸ Study on the level of involvement of young people in the decision-making process and within the elective bodies, available at www.cntm.md/sites/default/files/Nivelul%20de%20implicare%20a%20tinerilor%20%C3%AEn%20procesul%20decizional%20%C8%99i%20%C3%AEn%20cadrul%20organelor%20elective.pdf, accessed on 22 August 2019.

²⁹ Data on the age of councillors and mayors was not previously published by the Central Electoral Commission and was transmitted to the Institute for Open Government following an interpellation.

³⁰ Resolutions of the five Committees adopted at Session I of the PARLIAMENT OF YOUTH, available at <http://old.parlament.md/download/youthparl/PT-1%20Book.pdf>, accessed on 22 August 2019.

The objectives³¹ of the Youth Parliament were:

- a) involvement of young people in the process of simulation of the decision-making process within the Parliament of the Republic of Moldova and the academic environment;
- b) obtaining practical knowledge and experience on parliamentary activity in the Republic of Moldova;
- c) assisting activities of MPs in parliamentary committees, fractions, but also their authority in the territory;
- d) maintaining a permanent dialogue with young people from rural areas;
- e) promoting participatory spirit and stimulating young people's initiatives in the country's public and political life;
- f) increasing the level of civic and political culture among the young people of the Republic of Moldova;
- g) combating young people's stereotypes about decision makers.

The main domains of the Youth Parliament were activities which come from the competences of parliamentary commissions:

- a) education and youth policy commission;
- b) commission for public administration, regional economy and development;
- c) the legal and human rights commission;
- d) commission on foreign policy and European integration;
- e) commission for social protection, health and family;
- f) special commission on inter-ethnic conflicts and constitutional issues.

The Youth Parliament target group were youth from the Republic of Moldova (including the Transnistrian region and ATU Gagauzia) aged 18-25, regardless of gender, religion or political affiliation. The selection method was based on the competition substructure. In the first stage of the selection procedure, the candidate's files were evaluated by an expert committee. Those who were selected in the first stage were invited to an interview.

Regarding the public measures or guidelines facilitating greater inclusiveness and diversity within the Youth Parliament, according to the former members of the Youth Parliament there was no such inclusion strategy, where in the selection process everything was based on competences of the candidates and their knowledge.

When speaking about the structure of the Youth Parliament, it is relevant to mention that the number of members initially started with 51 youth deputies, then 71 and finally 101. The parliamentary term was two years and members of the Youth Parliament worked on a regular basis in commissions, factions and as representatives of the Youth Parliament in visits to different ministries and state institutions.

In general, the Youth Parliament in Moldova was launched and activated based on the project initiative proposed by the Youth Governing Institute, in partnership with the Parliament of the Republic of Moldova, the Association for Participatory Democracy (ADEPT), with the financial support of the US Embassy in Chisinau and the Embassy of the Netherlands in Kiev. As a result, financial responsibilities belonged to the project implementer.

³¹ Youth Parliament web page, available at <http://old.parlament.md/youthparl/>, accessed on 22 August 2019.

5.3.2. YOUTH COUNCILS AND/OR YOUTH ADVISORY BOARDS

5.3.2.1. NATIONAL YOUTH COUNCIL OF MOLDOVA

The National Youth Council of Moldova³² (CNTM) activity is governed by the Constitution, the Law on public associations³³ and its statute, hence, it is not part of the country's constitutional structure. The CNTM is an independent organisation which does not depend on other public bodies.

The National Youth Council of Moldova is the umbrella structure of 61 youth organisations, operating nationwide.

Composition

The main organs running the association comprise the following bodies:

- a) General Assembly;
- b) Board;
- c) President of the Association;
- d) Audit Commission/Commission of Censors.

According to the statute³⁴ of the CNTM the supreme governing body of the association is the General Assembly, which currently consists of 61 member organisations.

The CNTM decision-making body is the Executive Board, which consists of seven persons: one president, one vice-president and five members of the board. Executive board members are elected by the General Assembly. Decisions are made by the majority of the members of the board. In case of equal votes, the president gains voting power. Usually, the executive board makes strategic decisions and the Secretary General, the head of the secretariat, makes operational and administrative decisions regarding the implementation of all organisation projects. However, the secretariat's activities are monitored by the executive board and by the president in particular. The mandates of executive board members last two years with a possibility to extend for one more mandate. The frequency of the meetings of the actual board is once every week, and by exception twice in a month.

The organisation has currently 11 core staff members of the secretariat, including both (i) full-time employees and (ii) part-time employees. Each member of the secretariat has its own job description, responsibilities, methodology, learning programme and schedule of involvement in organisational activities. In addition to the secretariat employees, the CNTM counts among its force over 100 youth (iii) experts, (iv) mentors, (v) interns and (vi) volunteers.

The activity of the CNTM is based on non-discrimination, inclusiveness and diversity principles which are regulated by organisation statute.

Role and responsibilities

³² The web page of CNTM is available at www.cntm.md, accessed on 22 August 2019.

³³ Law on public associations No. 837 of 7 May 1996, available at www.legis.md/cautare/getResults?doc_id=111775&lang=ro, accessed on 22 August 2019.

³⁴ Statute of the Public Association "The National Youth Council of Moldova" available at http://cntm.md/sites/default/files/Statutul_cntm_0.pdf, accessed on 22 August 2019.

The CNTM's mission is to empower young Moldovans to participate actively in society, to promote their interests in relation with the government and international institutions and to develop youth associative structures through the implementation of programme activities, training, information, advocacy and consulting services.

The organisation's core directives are outlined in its organisational strategy, which establishes five organisational priorities:

(i) Youth rights and social inclusion – a rights-based approach to youth policy creates a strong framework for an inclusive and participatory associative sector in Moldova. The CNTM continues to invest its efforts towards the full recognition of youth rights by focusing on research and documentation of the gaps and inequalities that affect young people's access to their rights.

(ii) Youth policies – a strong institutional youth agenda and political commitment of relevant actors and youth stakeholders at all levels is key to successful youth policy. The CNTM works to strengthen current tools of inclusive youth policies and to develop new mechanisms of involving youth from all regions of the country in the process of consultation, elaboration, implementation, and monitoring local and national action objectives.

(iii) Developing institutional capacity of youth initiatives and organisations – strong youth organisations for strong civil society. The CNTM provides guidance to youth groups and organisations. It develops sustainable support tools to promote a wider inclusion of youth from diverse social backgrounds in order to fulfil their potential in youth organisations and to contribute in creating a more connected society.

(iv) Youth education – the recognition of non-formal education and the impact of youth organisations as key providers of quality education are at the core of the CNTM's efforts. The CNTM maintains its leading role in this process by contributing to evidence-based research, monitoring and improving policy development in the education and youth field, while improving its co-ordination with educational institutions.

(v) Economic and financial empowerment of young people – this priority has the objective of preparing young people for integration into the work field.

Membership

At the national level, the CNTM is a member of the NGO Council, the National Participatory Council, the Anti-Discrimination Coalition, the Coalition for Free and Fair Elections, as well as the Coalition for Law and Volunteering Promotion. At the international level, it is a full member of the European Youth Forum, a member of the Eastern European Youth Co-operation and the Alcohol Youth Policy Network. In the Eastern Partnerships (EaP) and Black Sea region, the CNTM has experience as a leading youth organisation in promoting youth policies, through the youth side event of the Eastern Partnership Civil Society Forum and the Working Group IV "Contact Between People".

Funding

The CNTM receives public funding through the 2% mechanism and through the national grant programme for youth. Despite this, the CNTM receives the majority of its budget from international donors. The funding that comes from the state budget represents approximately 1% of the organisation's budget. The CNTM presents all financial reports to the state authorities in accordance with the legislation in force.

5.3.2.2. NATIONAL NETWORK OF LOCAL YOUTH COUNCILS (NNLYC)

The NNLYC exists at the local level in Moldova; it is a youth non-governmental organisation consisting of youth councils at the district/municipal level and tends to hold a representative position in relation to the central public authorities, the republican and international non-governmental structures.

The activity of the NNLYC is governed by the Constitution of the Republic of Moldova, the Law on Public Associations and the Framework Regulation of the Local Youth Council.³⁵

In fact, this NGO was founded in 2016, in the period when the programme for development of rational youth councils was approved by the ex-Ministry of Youth and Sport of Republic of Moldova,³⁶ the beneficiary of which is the NNLYC. The selection of the NNLYC as a beneficiary of this national programme is unclear until now; it was selected by the ministry in a non-transparent process, without public competition, etc. Also, unclear is why the ministry selected the NNLYC as a beneficiary of nearly 1.4 million Moldovan lei (MDL), without experience in implementation and administration of public money, without the experience in working in the youth sector and the decision-making process. In this regard the NNLYC receives public funding through the national programme for development of local councils being financially accountable to the Ministry of Education, Culture and Research, but there has been a lack of public reporting and transparency of how it has used public funding over the three years of their activities.

Composition

The NNLYC is an umbrella organisation for 23 local youth councils. The leadership of the NNLYC is elected by members of local councils. The President and General Secretary coordinate the activities of the NNLYC. Within the NNLYC we don't see the division between the decision-making body and the administrative office, and people work simultaneously in both structures having different functions at some time. So, this management practice is not in line with the principles of good governance of youth organisations.

According to the Framework Regulation of the Local Youth Council,³⁷ the council is made up of children and young people aged between 14 and 35 years who are elected by direct, secret and freely expressed vote. Members of local councils are elected for a period of four years. The NNLYC meeting with their member organisation is on a regular basis according to the action plan.

Also, members of local youth councils work in specialised committees, which are formed in order to solve the problems of young people. The specialised committees are consultative working structures of the national/local council and are meant to ensure the efficiency of local youth councils' work.

The activity of the NNLYC is based on the non-discrimination principle as provided in the framework regulation.

³⁵ Regulations – Framework of the Local Council of Youth, available at <http://old.mts.gov.md/content/regulament-cadru-al-consiliului-local-tinerilor>, accessed on 22 August 2019.

³⁶ https://mecc.gov.md/sites/default/files/ordin_t276_din_05.06.2015_program_national_de_asistenta_crmt_3.pdf, accessed on 22 August 2019.

³⁷ Programme for development of rational youth councils, available at https://mecc.gov.md/sites/default/files/ordin_nr.t303_din_31.10.2016_cu_privire_la_aprobarea_regulamentului_de_functionare_a_consiliilor_de_tineret.pdf, accessed on 22 August 2019.

Role and responsibilities

According to the Framework Regulation of the Local Youth Council, the work of the NNLYC/local youth councils is geared towards achieving the following objectives:

- a) creating an environment where young people can express and interact with each other and the local public administration, decision makers and other social actors in matters that concern them;
- b) empowering young people to identify and solve their own problems by presenting the local council of adults and other authorities, decision makers, recommendations on youth activities and the issues they affect;
- c) providing young people with the opportunity to learn the practice of democratic citizenship, expression, communication, dialogue, negotiation, decision making and evaluation, as well as developing leadership skills, becoming an active citizen;
- d) encouraging the participation of young people in identifying, preventing and solving the problems of the community in which they carry out their activities;
- e) promoting equal opportunities between their peers and excluding any form of discrimination.

At the same time, according to the Framework Regulation of the Local Youth Council, the NNLYC and local youth councils have the following main tasks:

- 1) representing young people at community level;
- 2) identifying the interests, needs and problems of young people in the community;
- 3) defining jointly with local public authorities the youth policies and their implementation;
- 4) participation in the elaboration and implementation of the local action plan in the field of youth;
- 5) submission of annual reports to the General Assembly and to the local council of adults;
- 6) submit proposals to the local council of adults for decision making concerning them, as well as consultation of youth documents at the request of the authorities at any level;
- 7) approving the budget according to the activity plan and estimating the costs for its implementation;
- 8) establishing collaboration relationships with other similar councils, etc.

Although the NNLYC's goal is to promote youth interests at the national level, it is important to mention that during its activity, the structure is passive in the decision-making process and doesn't take part in advocacy campaigns or youth coalitions that promote youth rights and needs on the political agenda. Therefore, the NNLYC needs a more proactive, open and transparent approach in its work, based on organisational good governance principles in order to ensure significant participation of young people in the decision-making process, especially at the national level.

5.3.3. HIGHER EDUCATION STUDENT UNION

The Student Alliance of Moldova (ASM)

Structure

The non-governmental organisation "Student Alliance of Moldova" is a public, independent, apolitical and non-profit organisation created by the free will of the members in order to achieve common goals determined by the statute.

The association was created and works according to the Constitution of the Republic of Moldova, the Law on public associations and the statute.

The main internal bodies running the association are the following:

- a) General Assembly;
- b) Board;
- c) President of the Association;
- d) Audit Commission/Commission of Censors.

Composition

- Student union members – 10 local and national unions.
- The General Assembly is composed of members of the association, according to the principle of representation (delegation of one representative from each member). The Board consists of seven people, with distinct functions as: president; Vice president on education; vice president on institutional development; vice president on international relations; vice president on finances; vice president responsible for projects. The Audit Commission consists of three members who cannot be members of the board.
- Duration of the union's mandate – two years.
- The General Assembly is convened in ordinary and extraordinary sessions. The date of the ordinary meetings is determined by the General Assembly by a vote of at least 50% + 1 of the members who have a voting right, but not less than twice per year. The board meetings take place (at least) once a month.

Role and responsibilities

The ASM promotes students interests in Moldova by contributing to the development of associative student structures and student self-governance structures in Moldova; it aims to develop the education system and stimulate an increase in its quality; participate in the development and improvement of higher education curriculum and legislation in the Republic of Moldova; promote and respect student rights and support student initiatives, through competent representatives, acting in defence of democratic liberties and rights.

In order to realise these aspirations, the ASM established several strategic directives in order to focus all the efforts and resources of the alliance:

- a) education policy
- b) quality of education
- c) student accommodation
- d) student participation
- e) student transition into the workforce.

The ASM is involved in developing, monitoring and implementing public policy in education. The ASM promotes policies in the field of education, informs members on activities in the education field, and formulates positions on all documents and policies in the area of education.

Funding

The ASM does not receive public funds. The patrimony of the association is formed by sponsorship and voluntary donations made by individuals and legal entities in the country and abroad, and national/international grants. The association presents all financial reports to the state authorities in accordance with the legislation in force.

It is also necessary to mention that in addition to the ASM, in some Moldovan universities there exist non-formal platforms for participation in the form of a student parliament and government. The

members of such structures are elected by students and have a mandate for one year. After consultation with some ex-members of these structures, they mentioned that their activity was focused mostly on organising events, and their participation in decision-making processes was just formal and the decisions taken by the student parliament and government were not taken into consideration by the administration of the universities. The formality of the activities of these structures was due to the fact that young people did not have the skills to participate in significant decision-making processes in defending students' rights.

5.3.4. SCHOOL STUDENT/PUPILS UNION

National School Council (CNE)

Structure and composition

The National School Council of the Ministry of Education is a representative and consultative structure of the pupils, which ensures the right of children and young people to opinion and free expression. The activity of the CNE is determined by the Regulation³⁸ approved by the Ministry of Education.

There are 38 pupils in the CNE coming from the 7th to 12th grades, which are elected by open competition at the national level, at the proposal of the pupil's school authorities (student council, school senate, etc.) from the pre-university education institutions (gymnasiums, lyceums). CNE members are elected for one school year and only for one mandate.

The CNE organises activities in two ways, as presented below:

- 1) workshops, convened on a quarterly basis, during school holidays or rest days;
- 2) online/remote communication with and between CNE members.

According to the CNE regulation, its activity is based on non-discrimination; moreover, it regulates that students with special needs, if necessary, are permanently accompanied by their personal assistant.

Role and responsibilities

The aim of the CNE's activity is to make the students' voice heard about respect for children's rights in the educational system.

The CNE attribute/functions are:

- 1) to collect, generalise, formulate and propose to the leadership of the Ministry of Education the views and expectations of the pupils regarding access to formal and non-formal education, the quality of the educational environment (health and safety), the educational policies, the participation in the decision-making process, etc.;
- 2) to provide support to the Ministry of Education in monitoring children's right to education at institutional and district/municipal level;

³⁸ Regulation on the activity of the National School Council, available at https://mecc.gov.md/sites/default/files/regulament_cne_ord.241_din_20.04.pdf, accessed on 22 August 2019.

- 3) to organise activities focused on the identification of needs, problems and interests of pupils they represent.

Despite its importance in promoting pupils' rights, in the educational system there are voices among representatives of this structure that their participation is just formal and they cannot come with critics or to propose a concrete and meaningful recommendation to improve the situation of youth in schools. These findings are based on the interviews with some members of this structure and by the questioning members through the U-Report platform in Moldova.³⁹

Funding

The CNE is not a direct beneficiary of public funds, but the costs related to the CNE activity are covered by the Ministry of Education. At the same time, the travel costs of the delegated pupil and his or her attendant are borne by the local specialised body in the field of education.

5.3.5. OTHER BODIES WITH THE COMPETENCES IN YOUTH PARTICIPATION

5.3.5.1. NATIONAL CONFERENCE OF YOUTH ORGANISATIONS

This is organised annually by the CNTM and aims to create a community of youth organisations and provide them with the necessary support in their institutional capacity building and to provide space for proposals and resolutions in order to advance the youth sector in Moldova. Usually, nearly 40 young people attend the conference, representing a diverse pool of organisations from Moldova.

5.3.5.2. ADVOCACY PLATFORM FOR YOUTH RIGHTS

This platform has the scope to protect the rights and youth priorities, representation of the “youth voice”, and promotion of youth interests in sectoral policies. The activity of the platform is regulated by regulation approved by all members.

Platform members are young people and non-commercial youth organisations committed to promoting young people's priorities, providing friendly services or other activities aimed at them, and whose mission is to develop the youth sector. Currently, the platform consists of 49 organisations and five young activists. The advocacy platform for youth rights is organised by the CNTM, with the financial support of the East European Foundation.

5.3.5.3. NATIONAL YOUTH CAPITAL⁴⁰

Based on the experience of the European Youth Forum, this initiative has the intention to develop localities by involving young people and harnessing their potential, as well as encouraging the development of new ideas and innovative projects concerning the active participation of young people in society.

³⁹ Consolidated report on the activity of Student Councils and Local Youth Councils, available at <https://moldova.ureport.in/story/262/>, accessed on 22 August 2019 and survey on the participation of adolescents and young people and their vision on the National Strategy “Moldova 2030”, available at <https://moldova.ureport.in/poll/991/?fbclid=IwAR1Z-cq9uz3E9IDwbWiIT-Jy--BbSAbBbXvLFyWY25BneYKv10ePld66B6c>, accessed on 22 August 2019.

⁴⁰ The “Youth Capital” programme, available at <https://mecc.gov.md/ro/content/programul-capitala-tineretului>, accessed on 22 August 2019.

The National Youth Capital is organised annually and brings financial and logistical support from the central public authorities and local public administration to the winning locality (city from Moldova).

5.3.5.4. GOVERNMENTAL COMMISSION ON YOUTH POLICIES

For more detail regarding its scope and competences, please see the Moldova contribution to Youth Wiki, Chapter 1: Youth Policy Governance.⁴¹

5.3.6. OTHER BODIES WITH THE COMPETENCES IN PARTICIPATION WHICH ARE CONNECTED WITH THE YOUTH ORGANISATION

At the national level also exist other national participation coalitions/platforms which have the purpose to promote participation, good governance and democracy in the Republic of Moldova. These platforms for participation are created by various organisations, including organisations which represent youth, some of which are:

- a) Civic Coalition for Free and Fair Elections,⁴²
- b) National Participation Council (CNP),⁴³
- c) National Platform of the Civil Society Forum of the Eastern Partnership (includes 86 active NGOs from the Republic of Moldova, from areas like good governance, human rights, economic development, environment, energy, youth and social policies, syndicates and employers' unions etc.);
- d) Volunteer Coalition, etc.

5.4. YOUNG PEOPLE'S PARTICIPATION IN POLICY-MAKING

5.4.1. FORMAL MECHANISMS OF CONSULTATION

In spite of all efforts of the CNTM or the NNLYC aim to mobilise young people and to involve them in the policy-making process. The current state of affairs represents a very low participation of young people in the policy-making process. Moreover, the result of the February 2019 elections depicts the picture that young people are not promoted in party lists and do not have significant positions in the Parliament. The same situation can be observed in regional or local councils.

Despite this, we can still speak about youth participation due to the Law on Transparency in Decision-Making Processes⁴⁴ which has been modified by a Government Decision on consultation mechanisms with civil society on decision making of 8 August 2016. These acts contain guidelines on consultation mechanisms and methods across all policy areas.

⁴¹ For more detail see EU Youth WIKI, Chapter I: Youth Policy Governance, available at https://pjp-eu.coe.int/documents/42128013/47262379/MOLDOVA_Youth+Wiki+Chapter+1_final.pdf/2781ad3b-80ac-5a48-ca83-9ee41a14c2b1, accessed on 22 August 2019.

⁴² Web page of Civic Coalition for Free and Fair Elections, available at <http://alegeliber.md/>, accessed on 22 August 2019.

⁴³ Government Decision regarding the creation of the National Council for Participation, available at <http://lex.justice.md/md/333477/>, accessed on 22 August 2019.

⁴⁴ Law on Transparency in Decision-Making Processes No. 239 of 13 November 2008, available at www.legis.md/cautare/getResults?doc_id=106638&lang=ro, accessed on 22 August 2019.

Usually, a significant participation of youth in the policy-making process happens at the national level, where through the CNTM, the CNP, and other national platforms young people are invited to comment on draft laws and initiatives which the government or parliament puts out in for public consultation.

According to the law, all public authorities (central and local) are obliged to consult young people. The law establishes the process of consultation, yet in some cases public bodies may issue additional consultation guidelines on significant participation of youth in the decision-making process (in the context of tokenism, which happens habitually at the local level).

The principal methods for consulting young people at the moment are consultations through the online platform www.particip.gov.md. As a next step represents the working groups and different meetings with participation of all national platforms like members of the CNP, the CNTM, etc. Finally, at the local level with involvement of youth councils (which in fact do not have an active role, and usually, youth are involved at the final stage of project drafting). At the local level, the consultation process happens on a case-by-case basis, and happens just when the youth sector might be interested in specific projects and become involved. At the national level, consultation takes place regularly, and usually the responsible institution for the draft law invites to the consultation those organisations which work in this field and can contribute to draft's improvement.

Despite all measures which come to ensure participation, young people are still less involved than adults in the decision-making processes, such as consultations on the budget and drawing up the strategic plan. So, according to the study, just 20% of youth declared that they participated in decision-making processes.⁴⁵

5.4.2. ACTORS INVOLVED IN THE CONSULTATION MECHANISMS

Youth actors are described in section 5.3

When speaking about inclusion of specific target groups in the decision-making process, it is necessary to mention that this remains just a legal declaration regarding inclusion and non-discrimination, but in reality, authorities do not take any proactive measures in order to encourage the participation of youth with fewer opportunities, which in fact are under-represented in such processes.

Public authorities:

Key public authorities represented in youth consultation processes are the Ministry of Education, Culture and Research, but not just the Ministry, because the portfolio regarding youth is not only in the competence of this ministry. At the regional/municipal level there is a council represented by youth and education departments and other departments according to their competences, and at local level are town halls, local councils and schools.

Additional stakeholders involved in consultation processes are:

⁴⁵ These conclusions result from study "INEQUAL MOLDOVA, Analysis of the most relevant inequalities in the Republic of Moldova", available at http://www.progen.md/files/5390_raport_moldova_inejala_final.pdf, accessed on 01 October 2019.

1. schools (class council and council school pupils, Student Initiative Group)
2. community (Local Youth Council, District Youth Council, Regional Youth Council of UTA Gagauzia)
3. initiative groups
4. non-governmental organisations interested in the development of the youth sector
5. participation in decision-making process through youth sector organisations or through the National Participation Council (NPC). The aims of the NPC are to increase the culture of open and participatory policy making; and to contribute to the adoption of public policy decisions which would correspond to the interests of society. The council has a mandate of two years and consists of 30 members, representatives of organised civil society.

All the policy initiatives supporting the importance of youth voice in the participatory processes has led to the establishment of the advocacy platform for youth rights for 2018.⁴⁶ So, the advocacy platform has the following results: out of 15 sets of recommendations (opinions to draft laws), eight have been retained or partially retained. In total, 74 recommendations were submitted, and 37 were retained (50%).

Note: for detailed information on mechanisms and actors of young people's participation in policy-making, please see sections 1., 2., and 3.

5.5. NATIONAL STRATEGY TO INCREASE YOUTH PARTICIPATION

The National Strategy of Youth Sector Development 2020 was approved by Government Decision No. 1006 of 10 December 2014. The strategy covers the period from 2014 to 2020. For more information regarding the scope and content of the work of the authority responsible for its implementation and monitoring, please see the Moldova contribution to Youth Wiki, Chapter 1: Youth Policy Governance.⁴⁷

In 2018, two evaluation processes on the implementation of the strategy were conducted. The first was directed by the CNTM, and it was focused on an evaluation of the inclusiveness of the activities under the action plan of the strategy.⁴⁸ Respectively, it was found that the core strategy is a declarative one when it is reported as inclusive and non-discriminatory. Thus, it was deduced that under-represented youngsters do not take full advantage of the opportunities offered by the strategy, for example these young people from the socially vulnerable category do not participate in the decision-making processes, nor in the participation structures, etc.

⁴⁶ Advocacy Group "Youth": 2018 balance sheet, available at www.cntm.md/ro/news/grupul-de-advocacy-%E2%80%9EItineret%E2%80%9D-bilan%C8%9Bul-anului-2018?fbclid=IwAR0uU7FoFFv6akiPdeyEYTjFYhoiX47vW1TAfCbAafx_xNTEXPdEc71zsJE, accessed on 22 August 2019.

⁴⁷ Contribution of non-programme countries to EU Youth WIKI Chapter I: Moldova Youth Policy Governance, available at https://pjp-eu.coe.int/documents/42128013/47262379/MOLDOVA_Youth+Wiki+Chapter+1_final.pdf/2781ad3b-80ac-5a48-ca83-9ee41a14c2b1, accessed on 22 August 2019.

⁴⁸ Interim monitoring report on the implementation of the National Strategy for the Development of the Youth Sector 2020 through the prism of social inclusion, available at <http://cntm.md/ro/publication/raport-de-monitorizare-intermediar%C4%83-implement%C4%83rii-strategiei-na%C8%9Bionale-de-dezvoltare>, accessed on 22 August 2019.

The second evaluation was made by the Ministry of Education, Culture and Research,⁴⁹ and here we can observe that many strategic actions of the strategy are still in the process of realisation, like the co-management commission; diversifying forms of online participation of young people through forums, platforms; organising meetings with the Governmental Commission for Youth Policy.

5.6. SUPPORTING YOUTH ORGANISATIONS

Legal/policy framework for the functioning and development of youth organisations

The Law on Youth regulates the statute and activities of non-commercial youth structures. The purpose of this law is to ensure that youth participation and multilateral development opportunities are created with a view to their active participation in all aspects of life, through full integration and engagement, through access to information and quality services in education, health and social economy.

Thus, according to the law, young people have the right to become volunteers in youth organisations which carry out their activity in accordance with the legislation of the Republic of Moldova. Young people may be members or beneficiaries of youth organisations in accordance with their status. Respectively, youth organisations have a range of rights, such as:

- a) to participate in the process of developing, implementing and evaluating youth policies;
- b) to submit to the central and local public authorities, proposals for amending the legislation on youth;
- c) to promote and support the common interests of young people through the development of programmes and activities at local, national and international level;
- d) to encourage and develop youth participation;
- e) to carry out non-formal education of young people and volunteering;
- f) to collaborate with national and international organisations, with central and local public authorities in the youth field;
- g) to initiate partnerships and work with central and local public administration authorities;
- h) to participate in competitions for constituting representative youth structures;
- i) to create centres for the development of skills acquired in non-formal and informal education.

As youth organisations usually have the form of a non-governmental organisation it is relevant to mention that their activity also is governed by the Law on public associations,⁵⁰ which provides additional rights and obligations to the organisation.

The public associations are based on the principles of free consent, autonomy, self-management, and equal rights of all members. The statutes of the public association specify the norms by which the public association will publish its activity, the information regarding the constitutive documents and the programmatic documents being accessible to all. The public associations are free to establish their internal structure, to choose their goals, forms and methods of activity.

⁴⁹ Report on the implementation of the Action Plan for the year 2018 of the National Strategy for the development of the youth sector 2020, available at https://mecc.gov.md/sites/default/files/raport_sndst_2020_anul_2018.pdf, accessed on 22 August 2019.

⁵⁰ Law on public associations No. 837 of 7 May 1996, available at www.legis.md/cautare/getResults?doc_id=111775&lang=ro, accessed on 22 August 2019.

Public financial support

The Ministry of Education, Culture and Research within the grant programmes for youth organisations 2019 (annual programme), carried out in accordance with the provisions of the Framework Regulation on the Organisation and Implementation of the Grants Programme for Youth Organisations, has nominated 26 winners. The total amount allocated to the Youth Grants Programme, financed from the state budget, is about MDL 7 million.

The second form of support is based on the Law on 2%, which was adopted by Parliament on 21 July 2016. The percentage designation mechanism is an indirect way for the state to financially support the work of non-trade organisations and cults.

Finally, the national programme for developing the regional youth councils, the beneficiary of which is the National Network of Local Youth Councils. The budget of the programme is nearly MDL 1.4 million.

5.7. “LEARNING TO PARTICIPATE” THROUGH FORMAL, NON-FORMAL AND INFORMAL LEARNING

5.7.1. POLICY FRAMEWORK

At the national level, we have the National Development Strategy “Moldova 2020”,⁵¹ the National Development Strategy “Moldova 2030” being aligned with the implementation of the “Global Agenda for Development 2030”. Another strategy is the National Strategy of Youth Sector Development 2020, and finally the Education Development Strategy for 2014-2020 “Education – 2020”.⁵² As a consequence of permanent evolution, in Moldovan schools from 1 September 2018, two new mandatory disciplines have been introduced, one of them being about personal development and the other named Education for Society – formerly called Civic Education. The first discipline, “Personal Development”, will contain several modules on personal hygiene, life safety, personal behaviour, and professional orientation. The subject “Civic Education” will be re-conceptualised according to the European model; it will acquire a new name and a new approach. It will include modules on patriotic education, human rights, volunteering and democratic citizenship. Various categories of target groups are targeted, including young people.

The Evaluation Report of the National Development Strategy “Moldova 2020” and other relevant reports on the implementation of strategies highlight the policies and fields that have improved and the ones to further develop.

⁵¹ National Development Strategy “Moldova 2020”, approved by the Law No. 166 of 11 July 2012.

⁵² Education Development Strategy for 2014-2020 “Education-2020” approved by Government Decision No. 944 of 14 November 2014.

5.7.2. FORMAL LEARNING

The education system in the Republic of Moldova is governed by the Education Code.⁵³ This Code aims to unleash the citizens by promoting fundamental ideas regarding intercultural dialogue and social inclusion.

The duration of the study consists of 35 weeks; this schedule is steered by the Ministry of Education, Culture and Research. These stipulations are also available for higher education, being applied by the same code.

Education for citizens of the Republic of Moldova is a very interesting and promoted subject, as facilities for its existence and development are provided, and the access routes are simple and accessible. For citizens who do not have the possibility or for those who want to learn, but are restricted in their actions, by diverse factors, access and study days are offered in high schools, vocational schools or colleges as vocational education and universities as a higher education.

The main objectives are: to develop defined competences, counselling in the choice of the individual educational or professional path to higher education or non-tertiary ethnic post-secondary education, depending on their potential, vocation and performance; at the same time, values such as love for the homeland, close, tolerance, acceptance, etc.

5.7.3. NON-FORMAL AND INFORMAL LEARNING

a) Participatory structures in formal education.

An example of a participatory structure is the students' council, which is a participatory structure present in a lot of institutions, but it is not functional in all. The students' councils are made up of pupils and they are designed to facilitate the educational process in the educational institutions they represent, but they also take part in specialised competitions and training activities.

What concerns the training of school staff in educational institutions is much slower, although it is indicated that the council can participate in decision-making process.

b) Measures to encourage pupils to participate in the local community and society.

Students' participation is encouraged and supported by different normative acts and regulations. Permanent competitions are organised in all types of educational institutions, to increase the competitive spirit of students, to record performance and to raise and educate a young generation with potential. Regional, national and international Olympiads are usually yearly contests, in which the best students or pupils compete. All regulations and curricula that provide national and international competitions are available on the official pages of the Ministry of Education, Culture and Research and the National Evaluation Agency.

International initiatives are Erasmus-type projects that are not so well known in the advanced learning environment, especially in rural areas, and there are programmes that allow students to share experiences, train and work through au pair programmes, Work and Travel and Student Travel.

c) Partnerships between formal education providers, youth organisations and youth work providers.

⁵³ Education Code No. 152 of 17 July 2014, available at <http://lex.justice.md/md/355156/>, accessed on 22 August 2019.

Formal education providers and youth organisations have a good cooperation through the exchange of volunteers among students, their placement during classes, flexibility, co-operation between institutions and organisations. There are a number of youth organisations that are explicitly based on the activity and verification of institutions, or co-operation. There are initiatives that support partnerships between institutions and organisations, specific are the collaborations between the student councils with the respective organisation. No public funding is provided for the formation of partnerships.

d) Supporting non-formal learning initiatives focusing on social and civic competences.

Among the national programmes supporting educational projects is the “Moldova 2020” project run by the Ministry of Education, Culture and Research that focuses on the connection between education and labour market demands. At the same time, they promote the recognition of these initiatives into the formal education system.

The target groups on which the ideas are focused and channelled are students, especially those who are involved in exchange programmes, young people up to 30 years of age. Content is encouraged to apply and maintain a permanent catalyst. Further, it is important to notice that special attention is given to young people from socially vulnerable families facilitating the educational and participatory process through free places, scholarships and other aids designed to ease their work and educational process.

One of the sources of funding and importance is attributed to the National Development Strategy “Moldova 2030”. A priority for funding is made by youth organisations through participation in projects and the receipt of grants, with partial or total funding for the implementation and development of such projects.

5.7.4. QUALITY ASSURANCE/QUALITY GUIDELINES FOR NON-FORMAL LEARNING

The quality assurance monitoring mechanisms and the targeted project are followed by the evaluators, who are appointed according to their specialisation. At the same time, the existence of guidelines provides good practice and more accurate monitoring and evaluation. Non-formal learning expresses a number of possibilities, but their monitoring is a much longer process, presented through activity reports at each stage and a report at the end of the work/project.

Criteria for participants again depend on the project, its visibility, its vision and mission. One of the permanent criteria was primarily for people with disabilities, people from socially vulnerable families and those from rural areas. Young people with fewer opportunities are beneficiaries in terms of indicators or standards.

Each project that is being implemented receives feedback from participants, developers and authorities, depending on the project. As a result of the reports and the submission of these, besides feedback, there are also a series of recommendations that the organisers, authorities and organisations take into consideration and use in supporting and conducting initiatives of the same type.

5.7.5. EDUCATOR SUPPORT

Teachers enjoy a series of practical guides, information sessions, knowledge improvement projects, and good practices that they perform. Also, guidelines in the field are provided by Ministry of Education, Culture and Research⁵⁴.

Some examples of practical guides are presented below:

- a) GUIDE: pupil participation in school⁵⁵
- b) Guide for the participation of young people in the community⁵⁶
- c) Teaching Assistant “Intercultural Competence”⁵⁷
- d) Highlights of intercultural education.⁵⁸

An important aspect for teachers in the education system is the qualification process, by each they are entitled to confirm their teaching degrees⁵⁹. Training courses, along with methodological support, are provided by Ministry of Education, Culture and Research and occasionally, with the support of NGOs.

Furthermore, the government is financing programs to support and to promote teachers and youth workers/trainers. During annual events, they are awarded by the Government with state distinctions and diplomas for their contribution in developing the youth sector in Moldova.^{60, 61} Besides that, they are involved in exchanges of experience abroad for trainers through Erasmus+ exchange programmes. Young people are encouraged by offering merit scholarships and opportunities which exist abroad.

5.8. RAISING POLITICAL AWARENESS AMONG YOUNG PEOPLE

5.8.1. INFORMATION PROVIDERS AND COUNSELLING STRUCTURES

In Moldova, the public institution responsible for sharing information about democratic rights and democratic values is the Centre for Continuous Electoral Training (CCET) by the Central Electoral Commission of the Republic of Moldova.⁶² The CCET beneficiaries are electoral officials of all levels, involved in the electoral processes, the employees of the local public authorities, the NGO representatives, observers, mass media, political parties, representatives and voters. Besides these, spreading information about democratic rights and democratic values for young people are the attributes

⁵⁴ <https://mecc.gov.md/ro/content/resurse-pentru-cadre-didactice>

⁵⁵ GUIDE: pupil participation in school, available at <http://cntm.md/ro/publication/ghid-participarea-elevilor-%C3%AEn-%C8%99coal%C4%83>, accessed on 22 August 2019.

⁵⁶ Guide for the participation of young people in the community, available at <http://cntm.md/ro/publication/%C3%AEncepem-cu-tineri-ghid-pentru-participarea-tinerilor-%C3%AEn-comunitate>, accessed on 22 August 2019.

⁵⁷ Teaching Assistant “Intercultural Competence”, available at <http://cntm.md/ro/publication/auxiliarul-didactic-%E2%80%9Ecompeten%C8%9B-intercultural%C4%83%E2%80%9D>, accessed on 22 August 2019.

⁵⁸ Highlights of intercultural education, available at <http://cntm.md/ro/publication/repere-ale-educa%C8%9Biei-interculturale>, accessed on 22 August 2019.

⁵⁹ Regulation for the attestation/ certification of the teachers from the institutions of general education, technical professional, available at https://mecc.gov.md/sites/default/files/regulament_atestare.pdf, accessed on 22 August 2019.

⁶⁰ Gala of the National Awards for the Development of the Youth Sector, available at <https://mecc.gov.md/ro/content/anunt-privind-organizarea-galei-premiilor-nationale-pentru-dezvoltarea-sectorului-de-tineret>, accessed on 22 August 2019.

⁶¹ The tools for promoting the image and status of teacher, available at <https://mecc.gov.md/ro/content/promovarea-imaginii-si-statutului-de-pedagog>, accessed on 22 August 2019.

⁶² Central Electoral Commission web page, available at <http://cicde.md/index.php?l=en>, accessed on 22 August 2019.

of public authorities and non-governmental bodies, such as NGOs and informal groups of activists, and not least the political parties.

Besides CEC there exists a specific call center where young people can access the number 0 8000 8888 to receive information; likewise some material can be found on the web page of CEC. The e-learning platform of the CCET represents another opportunity with similar services. The e-learning platform is addressed to all people who want to play a role in the context of the election.

Additional to these, for information, counselling and specialised services, young people can visit youth centres which exist in Moldova and are financed from the state budget.

5.8.2. YOUTH-TARGETED INFORMATION CAMPAIGNS ABOUT DEMOCRATIC RIGHTS AND DEMOCRATIC VALUES

It is important to mention that information campaigns on democratic rights and democratic values belonging to public authorities are very rarely encountered.

Youth information campaigns were registered by the CNTM, which launched the social campaign to mobilise young voters at the 2019 rallies.⁶³ The campaign “I vote in spite of them” aims to mobilise young people with voting rights on election day through the messages sent in the campaign, but also through the social media spot “Dear young people, Do not Vote”, which caused various discussions and reactions.

Another initiative is the one promoted and carried out by PROMO-LEX, an information campaign dedicated only to young people.⁶⁴ The target group was young people aged 18-35. The main objectives of the campaign were to promote the importance of a vote and national consciousness, but also to increase the level of voter participation. The campaign included debates, information activities, electoral education and political mobilisation of Moldovan citizens with the right to vote, including young people and the diaspora.

One campaign was dedicated to promoting the participation of people with disabilities in the parliamentary elections of 24 February 2019.⁶⁵ The objectives of the campaign were to guarantee the involvement of at least 2 000 people with disabilities and 400 support people in information and electoral education during the project implementation period and raising awareness of society on the electoral participation of people with disabilities.

5.8.3. PROMOTING THE INTERCULTURAL DIALOGUE AMONG YOUNG PEOPLE

There are several initiatives and projects which promote the intercultural dialogue of young people from different cultural backgrounds. An example of such a project is the “Intercultural dialogue in Moldova” project (2010-2019), which is implemented by the National Youth Council of Moldova and financed by

⁶³ A link to the campaign information is available at <http://cntm.md/ro/news/%E2%80%9Edragi-tineri-nu-vota%C8%9Bi%E2%80%9D-mesajul-promovat-de-consiliul-na%C8%9Bional-al-tineretului-din-moldova>, accessed on 22 August 2019.

⁶⁴ A link to the campaign information is available at <https://promolex.md/14678-peste-232-de-mii-de-cetateni-informati-prin-intermediul-campaniei-turul-2-nu-va-fi-voteaza-din-prima/?lang=ro>, accessed on 22 August 2019.

⁶⁵ A link to the campaign information is available at <http://www.keystonemoldova.md/ro/projects/informed-and-assumed-vote.php>, accessed on 22 August 2019.

“Pestalozzi” Children’s Foundation. The purpose of this project is to increase the level of tolerance and intercultural dialogue of young people and children from Moldova between 13 and 17 years old, by developing their intercultural competences, as well as those of teachers, parents, youth workers, etc.

Project objectives:

- a) Develop and improve the intercultural competences of teachers and school inspectors.
- b) Develop and improve intercultural competences of youth workers and representatives of NGOs in non-formal education.
- c) Inclusion of intercultural education in strategic documents at the national level. Through its activities, the project strives to promote the intercultural dialogue inside the country, especially between minority groups in order to introduce and develop intercultural competence based on formal and non-formal education to the children/youth, teachers, representatives of educational institutions, etc.

Also, an active initiative group which is working on minority issues is the Youth Platform for Inter-ethnic Solidarity, which strives to strengthen activists and organisations working on the rights of national, linguistic, ethnic and religious minorities in the Republic of Moldova. It was formed as an independent initiative group recently, but managed to launch several projects and activities already. This initiative group is a dialogue platform designed to draw public attention to the problems of minorities in Moldova and to provide recommendations for their resolution.

5.8.4. PROMOTING TRANSPARENT AND YOUTH-TAILORED PUBLIC COMMUNICATION

Decisional transparency is governed by the Law on transparency in the decision-making process,⁶⁶ and this comes to support participation in decision-making process of young people and citizens in general. The law has the goal of increasing the direct participation of citizens, associations and other concerned parties in the decision-making process.

The citizens, associations and other concerned parties exert the following rights:

- a) to participate in the decision-making process at any stage of it, as stipulated by the law;
- b) to request and to obtain information regarding the decision-making process, including the right to receive the draft decisions and any additional relevant materials, as provided by the Law on Access to Information;
- c) to propose the public authorities to start the elaboration and adoption of decisions;
- d) to present the authorities with recommendations regarding the draft decisions, which are made available for debate.

According to the Law on transparency in the decision-making process, the meetings of the district councils are open to the citizens, including young people. Therefore, youth are entitled to assist, monitor the meetings and to raise awareness about their needs. Another document that supports participation at the local level is the Law on the approval of the Framework Regulation on the establishment and

⁶⁶ Law on transparency in the decision-making process No. 239 of 13 November 2008, available at www.legis.md/cautare/getResults?doc_id=106638&lang=ro, accessed on 22 August 2019.

functioning of local and district councils.⁶⁷

5.9. e-PARTICIPATION

According to Article 3 of the Law on Transparency in the Decision-Making Process, public authorities will consult citizens, associations and concerned parties about drafts of legislative and administrative acts. The Law is applicable both to central and local authorities, including local public administration authorities: local councils (of village, commune, town and municipality), mayors of villages (communes), towns (municipalities), chairpersons of districts, decentralised public services, and institutions of local significance.

According to the Law on Transparency in the Decision-Making Process, at least 15 workdays before the draft of decision will be examined by decision makers, the public authority have to place an appropriate announcement on its official website, also will send it to the concerned parties by e-mail, will post it inside or outside their headquarters in a space accessible for the public and/or by releasing the information to the central or local mass media, on a case-by-case basis. After public consultation, all received recommendations in a shortened form (synthesis) shall be posted on the official website of the public authority. If the citizens, associations and other concerned parties have not presented any recommendations within the established term, and the public authorities find reasons not to organise any consultations, the draft decision may advance further to the adoption procedure.

According to the law, the sittings within the public authorities regarding the adoption of decisions are open to the public, except for circumstances stipulated by the law. The announcement regarding the organisation of a public sitting shall be placed on the official website of the public authority according to the law. However, at local level, many public authorities used to announce the initiation of a decision-making process, but without presenting a draft decision, which is a barrier for efficient participation of youth, CSOs and their constituents in the decision-making process.

One specific form of e-Legislation in Moldova is regulated by Article 22 of the Law on Normative Acts No. 100 from 22 December 2017, which stipulates that in order to ensure transparency of the law-making process the e-Legislation Information System is used,⁶⁸ operation and usage of which is set by the government.

The public authority or the subject with the right of legislative initiative drafted the law, with the exception of the President of the Republic of Moldova and the deputies in the parliament, publishes in the information system all draft versions at the various stages, as well as all accompanying information. After this, the draft normative acts are notified, submitted to the expertise and transmitted to the public authority with the competence of adoption, approval or issuance through the information system. The person or the working group responsible for drafting the draft normative act introduces in the information system the opinions, recommendations and expert reports received on paper.

⁶⁷ Law No. 457 of 14 November 2003 for the approval of the Framework Regulation on the establishment and functioning of local and district councils, available at www.legis.md/cautare/getResults?doc_id=101137&lang=ro, accessed on 22 August 2019.

⁶⁸ e-Legislation Information System available at www.egov.md/ro/legislation?page=3, accessed on 22 August 2019.

In this regard, the government created an open portal (www.particip.gov.md) to increase participation in the decision making process. So, the government and ministries publish the texts of draft laws and the corresponding informative notes on this site administered by the Electronic Governance Agency, where all interested persons including youth can get acquainted with draft laws submitted to public consultation, and with that purpose to come up with their recommendations for improvement of the draft. Also, the author of the project will send by e-mail the draft decision or law to all interested stakeholders. Finally, all interested persons can submit their recommendation to the competent authority by post or by e-mail. This online tool for e-Participation is not addressed just to promote youth participation, it is addressed to all those interested in the decision-making process. Furthermore, there is a lack of data or analysis measuring the relationship between e-participation and youth political engagement is missing.

The objectives of the e-Legislation tool are:⁶⁹

1. to ensure the transition of decision-drafting activity to the new generation of work based on computing technology and electronic records of all documents, online registration and application of draft legislation;
2. to integrate the e-Legislation system with the external information systems of public authorities and institutions holding relevant data for the purpose of online retrieval and receipt of data and online submission of responses to requests related to the draft of normative acts;
3. to provide the public authorities and institutions of the Republic of Moldova with reliable analytical and statistical information on draft of normative acts;
4. to develop an efficient collaboration mechanism between the subjects involved in the drafting process;
5. ensure control of access to project data and ensure its maximum security, etc.

As an alternative to the governmental e-Participation platform, in Moldova there is the U-Report,⁷⁰ which is a free tool for community participation, designed to address issues that the population cares about. Through weekly polls, the platform offers the opportunity to make the voice of the young people heard, expressing opinions on various topics that it puts into questionnaires. Results and ideas are shared back with the community. This platform was developed by UNICEF and is administrated in Moldova by the CNTM.

5.10.CURRENT DEBATES AND REFORMS

This section will present all debates and initiated reforms related to youth participation in the Republic of Moldova.

5.10.1. REFORMS

⁶⁹ www.bizlaw.md/2016/11/01/sistemul-informatiional-e-legislatie-cat-a-costat-si-cand-va-fi-implementat, accessed on 22 August 2019.

⁷⁰ U-Report web page is available at <https://moldova.ureport.in/about/>, accessed on 22 August 2019.

Currently, the parliament is in the process of examination of legislative initiative on modification and completion of the Constitution of Republic of Moldova on reducing the numbers of deputies in the Parliament of the Republic of Moldova.⁷¹

This legislative initiative comes to ensure implementation of the results of the consultative republican referendum of 24 February 2019, whose legality was confirmed by the Decision of the Constitutional Court No 5 of 14 March 2019.

As a result of the referendum, more than 65% of participants in the referendum (744 529 persons) voted for reducing the number of deputies in the Parliament of the Republic of Moldova from 101 to 61. The rationale of this initiative is to respect the decision of the population, as holders of public power.

Based on the same consultative referendum, the draft decision for the draft law on the amendment and completion of the Constitution of the Republic of Moldova on the revocation (dismissal) of the deputies was recorded in the Parliament.⁷² In this case, participants in the referendum voted 70% (808 266 persons) for the right of the population to revoke the deputies if they do not fulfil their obligations properly.

Also, at the moment, the draft of the government action plan for 2019-2020⁷³ is in the consultation process. This action plan provides for actions in the youth sector, such as the modification of the National Strategy action plan for the development of the youth sector 2020 and the creation of the National Agency for the Development of Youth Programmes and Activities.

Meanwhile, in the process of public consultation is included the Government Decision No. 1213 of 27 December 2010 regarding the approval of measures to support youth activities.⁷⁴

5.10.2. DEBATES

After establishing a Government in Moldova in 2019 led by former Prime-minister Maia Sandu, the CNTM re-started its advocacy activity on participation in Moldova. At the meeting of Maia Sandu with representatives of active civil society members and at the meeting with the former Minister of Education, Culture and Research, Ms Liliana Nicolaescu-Onofrei, CNTM pointed out that at the moment the Law on Youth is not implemented appropriate.

The position of CNTM is maintained including in the dialogue with the new Government led by former Prime-minister Ion Chicu, which was established in Chisinau in November 2019.

The position of CNTM is based on the following arguments which are related to participation:

⁷¹ Legislative initiative available at www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/4620/language/ro-RO/Default.aspx, accessed on 22 August 2019.

⁷² Information related to project of law, www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/4621/language/ro-RO/Default.aspx, accessed on 22 August 2019.

⁷³ Information relating to the process of public consultation is available at <https://mecc.gov.md/ro/content/ministerul-educatiei-culturii-si-cercetarii-organizat-consultari-publice-asupra-proiectului>, accessed on 22 August 2019.

⁷⁴ A draft of the decision is available at www.particip.gov.md/proiectview.php?l=ro&idd=6558, accessed on 22 August 2019.

1. The National Agency for Programmes Development and Youth Work has yet to be established. In the autumn of 2018 the CNTM conducted a campaign in order to promote the agency, where the CNTM were supported by other civil society organisations (CRJM, Transparency International Moldova, Centre for Policies and Reforms, Development Foundation, etc.). Despite this, the agency was not opened.
2. The Intergovernmental Commission on Youth Policy is not functioning since its second meeting in 2016.
3. Similar to governmental level, development of co-management structures at the local level has not happened despite the fact that this structure is regulated by the Law on Youth and National Strategy of Youth Sector Development 2020. The need to establish this structure at the local level is on the advocacy agenda of the CNTM.
4. At the moment, there is a problem with transparency of the activity of National Network of Local Youth Councils, where there is no public report on their activity nor any public financial report. This situation is unacceptable from the moment when the NNLYC is a beneficiary of the national programme for the development of local youth councils financed from the public budget.
5. Based on the experience of European Union countries, the CNTM started to lobby the amendments to the Youth Law in order to include in its provision regulation relating to the rights and obligations of the National Youth Council of Moldova in the promotion and development of the youth sector in Moldova and representation of youth interest at the national and international level.
6. The Prime-minister Ion Chicu communicated about the Executive's intention to create the National Volunteering Centre as a public institution, which will have the mission to increase the efficiency and expand the volunteering activities⁷⁵.

Finally, is necessary to mention that on 24 July 2019 the Parliamentary Commission on Culture, Education, Research, Youth, Sport and the Media adopted the Decision on the creation of a working group for identifying, drafting and proposing the legislative solutions to the parliament for improving the legislation in the youth field.⁷⁶ The working group was created from representatives of civil society who work in the youth field in Moldova.

5.11. RECOMMENDATION FOR ENSURING EFFICIENT YOUTH PARTICIPATION:

1. Start the process/Create an effective and sustainable National Agency for Programmes Development and Youth Work.
2. Re-launch the activity of the Intergovernmental Commission on Youth Policy.
3. Establish co-management structures at the local level.
4. Development of programs for the empowerment and support of student and pupils councils, including ensure their access to small grant programs.
5. Provide efficiency and transparency of the activities which are financed from the state budget.

⁷⁵ <https://gov.md/ro/content/un-grup-de-voluntari-din-satul-vasieni-fost-vizita-la-premier>, accessed on 12 December 2019

⁷⁶ Decision No. CEM - 6 nr. 12 of 24 July 2019.

6. Ensure collection of the statistical data (quantitative and qualitative) by the Central Electoral Commission for the age group between 18 and 35 years, according to the Law on Youth.
7. Reinforce the youth structures at the local level by providing free space to youth organisations and ensuring the capacity building of youth workers through formal and non-formal education in advocacy and youth participation.
8. Promote outreach activities at the local level.
9. Monitor and ensure the implementation of the Law on transparency in the decision-making process No. 239 of 13 November 2008 at the local level.
10. Promote active participation of youngsters and teachers in exchange programmes, including provided by Erasmus +.