

POSITION PAPER

EU Support and Care Reform in the Republic of Moldova: Leave No One Behind

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Developed by:

Keystone Human Services International, Keystone Moldova and EASPD



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EU Support and Care Reform in the Republic of Moldova: Leave No One Behind

The time is right to advance inclusive care and support reform for all people with disabilities

We, the undersigned, welcome the recent European Commission recommendation to open EU accession negotiations with Moldova and see that process as a great opportunity for Moldova's reforms to advance on the EU path and in line with international standards. Within this framework we would like to bring up again the importance of ensuring that EU funds are used to mainstream more effectively the deinstitutionalisation and social inclusion of persons with disabilities in Moldova and that disability priorities are included in the objectives of future supporting programs to the country.

In line with the UN CRPD ratified by the Republic of Moldova in 2010, we strongly ask the European Commission to use this framework to support Moldovan authorities and Civil Society to continue the redesign and transformation of social services systems for people with disabilities, making them more inclusive, sustainable and resilient, ensuring that no one is left behind. Following the impact of COVID-19 pandemic and Russia's war of aggression against Ukraine, there is a great risk that Moldova will experience backsliding in the progress made so far, especially without express guidance appearing in the support programs from the EU. We are seeing evidence of this already happening, as described below. The enlargement package for the Republic of Moldova seem to offer a valid framework to step up care and support reform, including deinstitutionalization of persons with disabilities and an opportunity to adopt and mainstream a disability-inclusive approach to development. Therefore, a set of recommendations is offered.

Background

The Republic of Moldova ratified the Convention on the Rights of Persons with Disabilities (UNCRPD) in 2010, which led to important changes in the areas of disability and social inclusion. Among them, the approval of the Law on Social Inclusion of Persons with Disabilities in 2012, which resulted in the development of the 2017-2022 National Program on Social Inclusion of Persons with Disabilities, the National Deinstitutionalization Program, and the Residential Institutions Transformation Plans for 2018-2026. Having taken relevant measures to harmonize the national legislation to international standards, significant progress has been achieved in the inclusion of people with disabilities in social life and protection, medical assistance and rehabilitation, access to education, work, public life, and other services.

The deinstitutionalization process¹ led to the development of new community-based social care and support services, such as personal assistance, mobile teams, shared living services, and respite services to support persons with disabilities and their families. In 2017, the Government of the Republic of Moldova presented the first report on the implementation of the UNCRPD to the UN Committee on the Rights of Persons with Disabilities. While the Committee highlighted the positive momentum related to the social inclusion of persons with disabilities, it also expressed concern over the slow progress of deinstitutionalization of persons with disabilities and development of social care and support services at the community level. On that occasion, the Committee also shared some key recommendations, such as the need to clarify the responsibilities and resource allocation for development of social services among the national and local public administrations.

The National Program of Deinstitutionalization of People with Intellectual and Psychosocial Disabilities from residential institutions for 2018-26 aims to deinstitutionalize 50% of persons with intellectual and psychosocial disabilities by 2026. The Program foresees the transformation of residential institutions into regional centres with resources for the provision of alternative services at the community level. In 2008, there were 2500 persons with intellectual and psychosocial disabilities in six residential institutions. In 14 years, only 450 persons have been deinstitutionalized. By now, still there are more than 2000 persons with intellectual disabilities and mental health in institutions, which are deprived of the possibility to access and enjoy their right to live independently and be included in the community. The slow level of deinstitutionalization is in part due to limited financial resources for the development of community-based services for persons with intellectual disabilities and mental health needs, as well as to the poor distribution of roles

¹ the total number of persons with disabilities in the Republic of Moldova totaled 176,100, including 10,700 children (2020, UNDRDP); about 37% of these people are people with intellectual and psychosocial disabilities.

and responsibilities among central and local governments regarding the development and provision of social care and support

Recent development – RESTART reform

One of the most recent developments is the intention to further reform the social assistance sector under the so-called RESTART reform. This reform aims at addressing proper management and planning of social services, territorial inequalities in access to social services and benefits, the cost of services and their quality, and the development of human resources in the system. In particular, territorial social assistance bodies will be created and the minimum package of social services - which at the current stage is financed in a fragmented manner and does not cover the needs of the population - will be changed. The Law also addresses the review of the social assistance framework at the district level, with the development of a comprehensive information system and new standards for the cost of social services, including new mechanisms of remuneration of social assistance specialists and their continuous professional training.

The RESTART reform aims, inter alia, to make the use of financial resources more efficient, but due to the extraordinarily limited resources, avoids prioritizing any work supporting the continuation of deinstitutionalization (DI), of which there is much work yet to do. DI ensures each person's right to social inclusion and the reallocation of financial resources from residential institutions - with its huge costs per beneficiary -to more cost-effective and rights-focused family- and community-based services.

EU support to Moldova

The European Commission has played a crucial role in promoting modernization of social protection system in Moldova, by supporting the Government to adjust the legislation in line with the requirements of UN CRPD and to develop around 150 community based social care services for vulnerable groups of population, including persons with disabilities. The European Commission demonstrated its political commitment to facilitate the meaningful participation of persons with disabilities in social, civic, and economic life, and it formally recognized the harm caused by institutional care, committing to the transition from institutional to family- and community-based care in its most relevant policy and funding regulation, both in its internal and external action. Positive examples span from strategic documents, such as the "EU Strategy on the Rights of Persons with Disabilities 2021-2030"² to financial programming documents like the NDICI or IPA III regulations³.

The EU and the Republic of Moldova already set ambitious priorities under the EU-Moldova Association Agenda and we welcome the EU scaling up its support through the Economic and Investment Plan to help post-pandemic recovery. Moreover, last year, in response to Moldova's application for EU membership, the European Council recognized Moldova's European perspective and granted Moldova the status of EU candidate country. Moldova is expected to take a number of steps, as outlined in the Commission's Opinion of 17 June 2022, to meet the conditions of the process, such as strengthening the fight against organized crime, the protection of human rights and the commitment to enhance gender equality.

The process of preparing for EU membership is undoubtedly driving important reforms in areas like governance, justice, and public administration. However, it is necessary to remember that EU accession depends on the fulfilment of the established Copenhagen criteria for EU membership, requiring the adoption and implementation of reforms in the areas of democracy, the rule of law, the market economy, full implementation of EU acquis, as well as the protection of human rights and fundamental freedoms.

We, the undersigned, welcome the recent European Commission recommendation to open EU accession negotiations with Moldova and see that process as a great opportunity for Moldova's reforms to advance on the EU path and in line with international standards. Within this framework we would like to bring up again the importance of ensuring that EU funds are used to mainstream more effectively the deinstitutionalisation and social inclusion of persons with disabilities in Moldova and that disability priorities are included in the objectives of future supporting programs to the country.

² In the EU Strategy on the Rights of Persons with Disabilities 2021-2030, "The Commission calls on Member States to implement good practices of deinstitutionalization in the area of mental health and in respect of all persons with disabilities, including children to strengthen the transition from institutional care to services providing support in the community."

³ The [Instrument for Pre-Accession Assistance \(IPA III\)](#), used by the EU to implement reforms in the EU accession countries, highlights that: "Interventions in this area shall aim at modernizing social protection systems to provide effective, efficient and adequate protection throughout all stages of a person's life, promoting the transition from institutional to family and community-based care fostering social inclusion, promoting equal opportunities and addressing inequalities and poverty."

We strongly ask the European Commission to use this framework to support Moldovan authorities and Civil Society to continue the redesign and transformation of social services systems, making them more inclusive, sustainable and resilient, leaving no one behind. The enlargement package for the Republic of Moldova seem to offer a valid framework to step up care and support reform, including deinstitutionalization of persons with disabilities and an opportunity to adopt and mainstream a disability-inclusive approach to development.

A successful process in an EU candidate country will set an example for all the other accession and partner countries.

Recommendations

In light of all the elements mentioned above, a series of recommendations to the EU Commission were developed. The recommendations, we are pleased to share, highlight some of the more important enablers for change that can support Moldova in tackling the above-mentioned challenges.

Governance

- Including the UNCRPD principles in the management of forthcoming EU funding for Moldova as well as in Partnership Priorities, Association Agendas, and country reports addressing limited mainstreaming of rights of persons with disabilities in national and development programs, budgets, and monitoring processes;
- Clarifying the responsibilities and resource allocation for development of social services among the national and local public administrations;
- Using political dialogue for the promotion and implementation of the European Pillar of Social Rights and the UNCRPD -particularly the articles related to community living of persons with disabilities, educational and labor inclusion - in all non-EU countries that concluded Stabilization and Association Agreements;
- Including in the future EU Support Packages opportunities to fund and establish a cross-sectoral, multi-stakeholder coordination mechanism with the government on mainstreaming disability into national policies and legislation and coordination with the UNCRPD implementation, with meaningful representation and active involvement and participation of persons with disabilities and their representative organizations.

Economic development

- Funding programs supporting employment opportunities for all, with particular emphasis on women in vulnerable situations and the economic empowerment of persons with disabilities and parents of children with disabilities by helping them to enter the open labour market;
- Mainstreaming disability inclusive approach to economic development as disability inclusion will benefit individuals, communities and the Country as a whole; in all sectors, there are opportunities to promote inclusion and address the challenges faced by left-behind groups. Disability-inclusive development is based on a multisector life-cycle approach. It could include the following elements and focus areas that should be funded and promoted by EU support: early childhood development, inclusive education, community-based development, supported independent living, employment, livelihoods and economic empowerment, active aging, inclusive social protection, available and affordable health services and assistive technology, accessibility investments in urban environments, as well as communication technology, inclusive emergency preparedness and response, and improved data collection about people with disabilities.

Capacity development

- Supporting capacity building and institutional strengthening to ensure the adoption of a social approach to disability. This will make sure that civil servants in charge of implementing the “National Program of Deinstitutionalization of People with Intellectual and Psychosocial Disabilities” and the ‘Restart Program’ have the necessary technical and administrative capacities;
- Increase the capacities of representatives of public authorities, non-governmental organizations, service providers, people with disabilities and their families, as highlighted in the EIP Flagship 5 “investing in human capital underpins the sustainability of economic recovery”. Training areas can cover social role valorisation, person-centered planning, case management, participatory and performance-based budgeting of social services, design and provision of temporary placement services for people with disabilities, etc.

Sectoral reforms & services

- Further support Moldova in progressing with its national programs on deinstitutionalization and to facilitate Moldova’s fulfilment of the UNCRDP obligations;

- Person-directed social care and support services for persons with disabilities should be developed according to a national coordination mechanism that considers the service needs of persons with disabilities in different territories and includes strategies to ensure financial sustainability from the start;
- Ensure that the planned Government review does not deprioritize the deinstitutionalization process and the modernization of the social care and support system for persons with disabilities;
- Scale up investments in disability-friendly infrastructure and better access to technology, including inclusive digital assistive technologies;
- Make sure that funding for social care and support services is based on EU lessons learned and international good practices, giving due consideration to sustainability and cost-effectiveness. EU funding support should also facilitate pilot projects of innovative services such as early intervention, Family Support Services, Supported Living, Community Homes, Foster Care, Shared Living, Mobile Teams, Respite Services, Personal Assistance, Community Centers, and support services for inclusive education;
- Ensure international funding is used to support parts of the deinstitutionalization process that cannot be covered by the government, such as the development of mainstream services available and accessible to persons with disabilities, making sure that persons with higher support needs are served first so that experience and know-how can immediately benefit persons with lower support needs.

Sustainability & funding

- Ensure the efficient use of resources already existing in the system by including the reorganization/closure of residential institutions and the reallocation of funds toward the development of community prevention services in accordance with UN International commitment and standards; ongoing social care reforms should be based on stronger financial sustainability plans, and key stakeholders should be supported to ring-fence and protect these resources to be reinvested in services to support children and families in need;
- Use EU funding to provide technical assistance to help governments develop targeted funding strategies for all stages of deinstitutionalization and the development of community-based services;
- Address public authorities' limited capacity and knowledge of participatory budgeting processes based on a rights approach and the principle of disability inclusion by promoting legal and policy amendments to require disability mainstreaming at all levels of budgeting and planning;
- In a Team Europe approach, the EU should continue to lead donors' coordination and joint programming to leverage additional resources for Moldova recovery and resilience, including initiatives to improve access, quality, and efficiency of public services, providing equal opportunities for all.

Conclusion

Concluding remarks

There are high-level expectations linked with Moldova's process toward EU standards, from challenges related to fighting corruption and fostering inclusive human capital development to economic growth and employment; social justice, inclusion, and sustainable development should go hand in hand, including renewed efforts to include persons with disabilities who are among the most marginalized, so as not to leave anyone behind.

Name of the organisations that signed the Position Paper

Keystone Human Services International

Keystone Moldova

EASPD - European Association of Service Providers for Persons with Disabilities

Inclusion International

European Disability Forum

AOPD - Alliance of NGOs in Disability Field

Association of the Blind from the Republic of Moldova

Low Vision - Medical - Social Rehabilitation Center for people with Low Vision

SOS Autism- Non-governmental organization for the protection of children with autism and their families

ASRM - Association of the Deaf from the Republic of Moldova

Association „MOTIVAȚIE” from Moldova

INFONET - Alliance of Community Centers for Access to Information and Training Moldova

FEDRA - Federation for Rights and Resources of People with Autism Spectrum Disorders from Moldova

CDPD – Center for the Rights of Persons with Disabilities

FCPS – Association "Everyone Contributes to Change"