

*(Translated from Russian)*

COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION  
Seventy-first session  
Geneva, 30 July-17 August 2007

**WRITTEN REPLIES BY THE GOVERNMENT OF MOLDOVA CONCERNING  
THE LIST OF ISSUES (CERD/C/MDA/Q/7) RECEIVED BY THE COMMITTEE  
ON THE ELIMINATION OF RACIAL DISCRIMINATION RELATING TO  
THE CONSIDERATION OF THE FIFTH, SIXTH AND SEVENTH COMBINED  
PERIODIC REPORTS OF MOLDOVA (CERD/C/MDA/7)**

[Replies received on 9 August 2007]

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**LIST OF QUESTIONS ADDRESSED TO THE REPUBLIC OF MOLDOVA  
IN CONNECTION WITH THE PRESENTATION OF THE FIFTH, SIXTH  
AND SEVENTH PERIODIC REPORTS ON THE IMPLEMENTATION OF  
THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF  
ALL FORMS OF RACIAL DISCRIMINATION**

**Replies**

1. The period which has elapsed since the submission of the previous report by the Republic of Moldova on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination is notable for a number of positive developments which bear witness to Moldova's constructive approach to the implementation of this important international instrument. As a result, progress may be observed in the task of preventing and combating manifestations of discrimination on grounds of race, skin colour, descent or national or ethnic origin. Inter-ethnic relations have become stabilized. The Republic of Moldova has achieved significant results in protecting the rights of ethnic minorities.
2. The Republic of Moldova has a legislative arsenal in the field of human rights and freedoms which generally meets international standards. At the same time, the development and improvement of the system of domestic legislation is continuing, and in particular the process of harmonization with the generally recognized standards of the European Union in the context of the European component of our foreign policy.
3. In Moldova there is not a single political party or non-governmental organization whose programmes, statutes or practical activities reveal ideas directed towards discrimination or arousing enmity between ethnic groups, races or religions.
4. A clear example is the progress made in solving the problems related to the integration of the Gypsy population into Moldovan society. The Government's decision on measures to provide support to Gypsies (No. 131 of 16 February 2001) was the first step in establishing a system of State support for the Gypsy minority, and encouraged the public authorities, both central and local, to pay attention to the socio-economic difficulties encountered by Gypsies, the problems of preventing discrimination against them, and the resolution of problems involved in improving their living conditions, medical care and so on.

5. A subsequent decision which confirmed a number of practical commitments by the State vis-à-vis the Roma was Government decision No. 1453 of 21 December 2006 approving the plan of action to provide support to Gypsies/Roma for the period 2007-2010. The decision contains specific measures in the field of education, science, culture, health care, protection of children and social welfare, employment and law and order, and sets the goal of involving the Gypsy population in all spheres of public life, improving their sociocultural situation, raising their educational level and promoting a healthy lifestyle. The plan contains provision for the application of specific coordinated measures to support Gypsies, and assigns responsibility for its implementation among government institutions. In preparing the Plan a working group was set up composed of representatives of line ministries (central government agencies) and leaders of Gypsy voluntary associations, whose proposals were taken into account and included in the Plan. The measures approved by the Government will be funded from the State budget of the Republic of Moldova, and by international agencies.

6. In order to ensure that proper attention is paid at the governmental level to migrants, refugees and asylum-seekers, the Government adopted decision No. 448 of 27 April 2006 approving the National Programme of Action on Migration and Asylum. The Programme is a long-term instrument containing specific steps to create the right social and economic conditions for reducing the adverse consequences of illegal migration, preventing and reducing such migration, and strengthening the domestic system of asylum.

7. In Chişinău, the capital of the Republic of Moldova, a holding centre for refugees and asylum-seekers has been opened with support from the office of the United Nations High Commissioner for Refugees.

8. Members of civil society and non-governmental organizations play a greater role in promoting and ensuring respect for the principles of equality, non-discrimination and tolerance. At the initiative of a number of non-governmental organizations, and with their participation, a bill has been drafted to prevent and combat discrimination in the Republic of Moldova. This effort was accomplished with support from the OSCE (Organization for Security and Cooperation in Europe) mission in Moldova.

9. In order to prevent inappropriate treatment of specific groups of the population, and particularly representatives of ethnic minorities, by police officers, and to reform police practices in line with European human rights standards, the Government approved the Code of Police Ethics by decision No. 481 of 10 May 2006. The Code establishes principles and rules for police work and for the conduct of police officers in various situations, including relations with the community, the use of force, and the detection of unlawful acts and the persons responsible.

10. Government bodies at all levels in the Republic of Moldova provide support for initiatives and programmes aimed at preventing anti-Semitism, eliminating “blank spaces” in the historical record and restoring the historical truth concerning the Holocaust. Study of the issue of the Holocaust has been introduced in school history curricula; to help history teachers, a cycle of seminars was organized which threw light on the sources of the genocide of the Jews and Gypsies during the period 1941-1944; modern history textbooks for general schools are being published which include chapters concerning the Holocaust on Moldovan territory; memorials to the victims of the Holocaust are being created.

11. To coordinate the process of promoting the International Convention on the Elimination of All Forms of Racial Discrimination at the governmental level, the Bureau of Inter-Ethnic Relations is the government body responsible for implementing government policy in the field of inter-ethnic relations. The Bureau involves central administrative bodies and local authorities in this activity, as well as non-governmental organizations and other State and voluntary agencies.

### **General information**

*1. As requested in paragraph 10 of the Committee’s previous concluding observations (CERD/C/60/CO/9), please provide more detailed information on ethnic composition of the population, in particular on internally displaced persons, refugees, and the Roma population. Furthermore, please indicate the regions where the different ethnic minorities settle within the State party.*

12. Data from the 2004 census show that the population of the Republic of Moldova is 3,383,332 (100 per cent), including the following main ethnic groups:

(a) Moldovans - 2,564,849 (75.8 per cent);

- (b) Ukrainians - 282,406 (8.4 per cent);
- (c) Russians - 201,218 (5.9 per cent);
- (d) Gagauzis - 147,500 (4.4 per cent);
- (e) Romanians - 73,276 (2.2 per cent);
- (f) Bulgarians - 65,662 (1.9 per cent).

13. Figures on the small ethnic minorities which are dispersed throughout the Republic of Moldova are given below:

- (a) Armenians - 1,829;
- (b) Azeris - 891;
- (c) Belarusians - 5,059;
- (d) Greeks - 482;
- (e) Georgians - 501;
- (f) Jews - 3,608;
- (g) Latvians - 185;
- (h) Lithuanians - 259;
- (i) Germans - 1,616;
- (j) Poles - 2,383;
- (k) Tatars - 974;
- (l) Estonians - 77.

**Population by main ethnic group and type of locality**

	Total (thousands)	%	Urban (thousands)	%	Rural (thousands)	%
Total population	3 383 332	100.0	1 305 655	100.0	2 072 677	100.0
Of which:						
Moldovans	2 564 849	75.8	826 103	63.3	1 738 746	83.7
Ukrainians	282 406	8.4	145 890	11.2	136 516	6.6
Russians	201 218	5.9	166 395	12.7	34 823	1.7
Gagauzis	147 500	4.4	53 613	4.1	93 887	4.5
Romanians	73 276	2.2	44 342	3.4	28 934	1.4
Bulgarians	65 662	1.9	29 447	2.2	36 215	1.7
Other ethnic groups	34 401	1.0	26 058	2.0	8 343	0.4

The Gypsy/Roma population totals 12,271 (0.4 per cent).

**Breakdown of immigrants by citizenship, 2006  
(figures from the Ministry of Internal Affairs)**

Total arrivals in the Republic of Moldova	1 968 in 2006
Of whom, citizens of:	
China	23
Jordan	20
Israel	72
Kazakhstan	19
Romania	171
Russia	182
Syria	43
USA	112
Sudan	5
Turkey	443
Ukraine	358
Other countries	524

**Breakdown of refugees by country of origin  
(figures from the Ministry of Internal Affairs)**

	Number of refugees, 2006	Number of refugees, 2007
Total	84	77
Of whom:		
Afghanistan	8	4
Armenia	4	19
Egypt	1	2
Eritrea	2	-
Georgia	2	3
Iraq	7	1
Jordan	6	1
Kyrgyzstan	4	-
Palestine	7	5
Russia	28	2
Syria	8	9
Somalia	1	-
Sudan	3	5
Turkey	1	2

**Districts and cities in the Republic of Moldova with concentrations of members of ethnic minorities**

Name of locality, ethnic group	Total	Percentage (of the total population)
<i>Chişinău</i>	712 218	100.0
Ukrainians	58 945	8.3
Russians	99 149	13.9
Other ethnic groups	11 605	1.6
<i>Bălţi</i>	127 561	100.0
Ukrainians	30 288	23.7
Russians	24 526	19.2
<i>Briceni district</i>	78 027	100.0
Ukrainians	19 939	25.5
<i>Cahul district</i>	119 231	100.0
Ukrainians	7 842	6.5
Russians	7 702	6.4
Gagauzis	3 665	3.0
Bulgarians	5 816	4.8
<i>Donduşeni district</i>	46 442	100.0
Ukrainians	5 893	12.6
Russians	2 714	5.8
<i>Drochia district</i>	87 092	100.0
Ukrainians	9 849	11.3
<i>Edineţ district</i>	81 390	100.0
Ukrainians	16 084	19.7
<i>Glodeni district</i>	60 975	100.0
Ukrainians	6 247	10.2
<i>Leova district</i>	51 056	100.0
Bulgarians	3 804	7.4
<i>Ocniţa district</i>	56 510	100.0
Ukrainians	17 351	30.7
<i>Rişcani district</i>	69 454	100.0
Ukrainians	15 632	22.5
<i>Ţaraclia district</i>	43 154	100.0
Bulgarians	28 293	65.5
<i>Găgăuzia</i>	155 464	100.0
Gagauzis	127 835	82.2

*Sources:* Population census. 2004. Vol. 1. Chişinău, 2006. Moldova in figures. 2007. Statistical reference book. Chişinău, 2007.

The census figures set out above do not include information on the ethnic composition of the eastern regions of the Republic of Moldova and the city of Bendery.

14. According to estimates and statistics from specialized bodies on the left bank of the Nistru (Transnistria), the population of those areas is some 555,000 persons (100 per cent), of whom 174,000 are Moldovans (32 per cent), 157,000 Ukrainians (29.1 per cent), 152,000 Russians (28.1 per cent), 4,000 Gagauzis (0.7 per cent), 13,700 Bulgarians (2.5 per cent), 3,800 Belarusians, 2,000 Germans, 1,200 Jews and 23,800 members of other ethnic groups.

#### **Article 1**

***2. Please indicate whether the State party intends to extend the application of the principle of equality and non-discrimination in Article 16 (2) of the Constitution to non-citizens (State party report, para. 34).***

15. The International Convention on the Elimination of All Forms of Racial Discrimination has been ratified by the Republic of Moldova (Parliamentary decision No. 707 of 10 August 1991), and as a State party Moldova will continue to apply the principles of equality and non-discrimination both domestically and on the international scene.

16. In accordance with the provisions of article 16 of the Constitution, all citizens are equal before the law regardless of their race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin. The Government has made significant efforts to promote these principles and anchor them in Moldovan society, which in turn has led to the peaceful settlement of many problems.

17. The principles set out in article 16 of the Constitution are elaborated on in article 19, under which aliens and stateless persons enjoy the same rights and freedoms as citizens of the Republic of Moldova, subject to exceptions stipulated in the law.

18. In the event of incompatibility between domestic legislation and an international instrument to which the Republic of Moldova is a party, the international instrument is applied in practice. This principle is reflected in article 4 of the Constitution, which reads:

“(1) Constitutional provisions concerning human rights and freedoms shall be interpreted and applied in accordance with the Universal Declaration of Human Rights, the



International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other treaties to which the Republic of Moldova is one of the parties.

“(2) In the event of conflict between covenants and treaties relating to fundamental human rights to which the Republic of Moldova is one of the parties and domestic legislation, the international rules shall prevail.”

19. Following a review of the constitutionality of article 4 of the Constitution, the Constitutional Court ruled in its decision No. 55 of 14 October 1999 that if divergences exist between domestic legislation and international covenants in the field of human rights, the provisions of the international instrument should be applied in the case in question on the basis of article 4 (2) of the Constitution. In turn the plenum of the Supreme Court, in its decision No. 17 of 19 June 2000 on the application in judicial practice of certain provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, gave the following clarification to the courts:

“When hearing a case, the courts must verify that any rule or instrument regulating rights and freedoms guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms which the court intends to apply does not run counter to the provisions of the Convention. In the event that a contradiction arises, the court shall apply the provision of the Convention, and shall so indicate in its ruling.”

See also the information relating to question 3.

## **Article 2**

***3. Please describe any civil and administrative law provisions prohibiting racial discrimination and provide information on their implementation and effectiveness.***

20. The Parliament of the Republic of Moldova has adopted a number of laws relating to the rights, freedoms and interests of ethnic minorities which are designed to prevent and prohibit racial discrimination based on such grounds as national or ethnic origin.

21. On 10 November 1994 the Parliament adopted Act No. 275-X111, the Aliens and Stateless Persons (Legal Status) Act, which lays down that these categories of persons have the same rights, freedoms and obligations as citizens of the Republic of Moldova, subject to exceptions stipulated in the law. The Act also lays down that aliens and stateless persons can exercise their rights and freedoms provided that they do not thereby infringe on the interests of the State or the lawful interests of citizens of the Republic of Moldova or other persons.

22. Aliens and stateless persons are equal before the law and State bodies regardless of their race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin, subject to exceptions stipulated in the law.

23. On 19 July 2001, in pursuance of the Universal Declaration of Human Rights and other instruments, including the Framework Convention for the Protection of National Minorities, the Parliament of the Republic of Moldova adopted Act No. 382-XV, the Members of Ethnic Minorities (Rights and Legal Status of Their Associations) Act, under article 4 of which the State guarantees to persons belonging to ethnic minorities the right to equality before the law and equal protection under the law.

24. The legal framework regulating ethnic relations was further extended in 2003 with the adoption of the Ethnic Policy Framework for the Republic of Moldova (Ratification) Act, an instrument of particular political significance which lays down the basic principles of nation-building and support for the cultural and linguistic diversity and the distinct identity of the Moldovan people. All government bodies, irrespective of their sphere of activity, must abide by these principles.

25. The principles underpinning the prohibition of discrimination are set out in the following legislative instruments:

(a) Electoral Code of the Republic of Moldova, articles 3 and 11 of which provide that all citizens who have attained the age of 18 by the date of elections may vote regardless of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin;

(b) Public Service Act, No. 443-XIII of 4 May 1995, article 13 of which states that all citizens of the Republic of Moldova, regardless of their racial or ethnic origin, sex and religion, have the right to join the public service;

(c) Aliens and Stateless Persons (Legal Status) Act, No. 275 of 10 November 1994, which states, in paragraph 3 of article 5, that aliens and stateless persons are equal before the law, regardless of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin;

(d) Rights of the Child Act, No. 338-XIII of 15 December 2004, article 3 of which states that all children are equal in rights, regardless of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin;

(e) Code of Civil Procedure of the Republic of Moldova, of 30 May 2003, article 22 of which provides that the administration of justice in civil cases is carried out on the principle of equality for all citizens, regardless of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin;

(f) Labour Code of the Republic of Moldova, of 28 March 2003, article 8 of which prohibits discrimination in employment. According to the article, all employees are equal and any discrimination, direct or indirect, is prohibited;

(g) Judicial System Act, No. 514-XIII of 6 July 1995, article 8 of which provides that all citizens are equal before the law and the judiciary, regardless of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin;

(h) Criminal Code of the Republic of Moldova, article 176 of which criminalizes breaches of the rights and freedoms of citizens guaranteed by the Constitution of the Republic of Moldova on the grounds of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin. Article 346 of the Criminal Code criminalizes acts intended to foment ethnic, racial or religious hatred. Public incitements to ethnic, racial or religious hatred, including in the media, or pronouncements which are injurious

to national pride and dignity, or which directly or indirectly limit rights and freedoms on ethnic, racial or religious grounds, are punishable by a fine or unpaid work for the benefit of the State;

(i) National Passport System (Identity Documents) Act, No. 273-XIII of 9 November 1994, which in article 2, paragraph 7 (i), and article 3, paragraph 5 (i), stipulates that, with a view to preventing any form of discrimination, identity documents shall not indicate the holder's ethnic origin; refugee identity cards and travel documents also do not specify the holder's ethnic origin;

(j) Citizenship Act of the Republic of Moldova, No. 1024-XVI of 2 June 2000, article 7 (b) of which reaffirms the principle that there shall be no discrimination against citizens, regardless of the grounds on which they acquired their citizenship. Article 25 stipulates that citizens of the Republic of Moldova who lawfully hold the citizenship of another State shall have the same rights and obligations as other citizens of the Republic of Moldova;

(k) On 23 November 2003, the Republic of Moldova acceded to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees. In order to uphold fundamental human rights and freedoms in accordance with articles 19, paragraph 2, and 72, paragraph 3, of the Constitution of the Republic of Moldova, on 25 July 2002 Parliament adopted the Status of Refugees Act, No. 1286-XV. Pursuant to the Act, by its decision No. 1622 of 31 December 2003 the Government adopted regulations on the provision of material assistance to refugees, under which the level of such assistance is determined every year.

26. By its decision No. 448 of 27 April 2006, the Government approved the country's national programme on migration and asylum.

27. With a view to giving effect to the provisions of international instruments to which the Republic of Moldova is party, and to coordinate the resolution of problems relating to refugees and asylum-seekers, by its decision No. 409 of 5 April 2002, the Government determined the location of the holding centre for refugees and asylum-seekers.

28. Moldovan law on education guarantees the right to education of all citizens regardless of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin.

29. As a member of the Council of Europe, the Republic of Moldova has taken steps, pursuant to the national plan of action on human rights for the period 2004-2008, to ratify the European Charter for Regional or Minority Languages.

**4. *Please provide detailed information on the activities, mandate and funding of institutions and associations working to preserve and promote the culture and traditions of national minorities (see paragraph 14 of the Committee's previous concluding observations).***

30. To promote the State policy on ethnic relations, a system of government organizations has been set in operation in the Republic of Moldova to facilitate compliance with and respect for the rights of national minorities:

- Commission on Human Rights, as part of the Moldovan parliamentary system;
- Bureau of Inter-Ethnic Relations, as part of the central public administration system;
- Centre for Human Rights of Moldova, as part of the parliamentary lawyers' system;
- Ethnology Centre and Cultural Heritage Institute, as part of the Academy of Sciences of Moldova.

31. As of 1 July 2007, 92 voluntary nationwide ethnic and cultural associations were registered or accredited with the Bureau of Inter-Ethnic Relations. These bring together representatives of more than 25 national minorities. Overall in the country there are over 250 registered non-governmental organizations with regional or local status.

32. The following ethnic minorities have voluntary associations registered under the current legislation with the Ministry of Justice: Ukrainians, Russians, Gagauzis, Bulgarians, Jews, Belarusians, Gypsies, Germans, Poles, Tatars, Armenians, Azeris, Georgians, Greeks, Uzbeks (and other Central Asian peoples), Chuvash, Estonians, Latvians, Lithuanians, Koreans, Italians, Udmurts, Ossetes, and peoples of Asian and African origin.

33. Voluntary ethnic and cultural associations help promote the preservation of the cultural heritage of the peoples who live in the territory of Moldova; they revive the languages of ethnic minorities; they contribute to development of the culture and education of national minorities; and they perform human-rights-related work and carry out research.

34. The voluntary associations of ethnic minorities have representatives in the Coordinating Council of Ethnic and Cultural Organizations, regardless of the size of the ethnic group which they represent.

35. As stipulated by article 25, paragraph 3, of the Members of Ethnic Minorities (Rights and Legal Status of Their Associations) Act, the Coordinating Council is a public deliberative consultative body operating under the Bureau of Inter-Ethnic Relations.

36. The Coordinating Council represents the interests of ethnic minorities, acting as an intermediary between ethnic minorities and the government agencies responsible for taking decisions which affect them. The issues discussed by the Council are not confined to the areas of culture and education.

37. The so-called "House of Nationalities" - which serves on a voluntary basis as the cultural and information centre of the country's ethnic and cultural associations - has been set up under the auspices of the Bureau of Inter-Ethnic Relations. A wide range of events - art exhibitions, musical and literary evenings, ethnic national holidays, commemorations of historical events and other memorable occasions - are held in the House of Nationalities.

38. As shown in the registers of the Moldovan Ministry of Justice, and also according to the records of the Bureau of Inter-Ethnic Relations, the following associations are currently registered in the Republic of Moldova:

47 Russian associations;

19 Jewish associations;

12 Islamic associations;

11 German associations;

- 11 Polish associations;
- 11 Gypsy associations;
- 8 Bulgarian associations;
- 8 Ukrainian associations;
- 4 Arab associations;
- 3 Lithuanian associations;
- 2 Azeri associations;
- 2 Armenian associations;
- 1 Belarusian association;
- 1 Gagauzi association;
- 1 Italian association;
- 1 Latvian association;
- 1 Czech association;
- 1 Estonian association.

39. Voluntary ethnic and cultural associations receive support, including financial support, from the central and local authorities, and also participate in projects funded by international organizations, such as the Council of Europe, the United Nations and others.

**5. *As requested in paragraph 18 of the Committee's previous concluding observations, please provide information on the results of the measures adopted so far under the "Main Guidelines on the Support of the Gypsy/Roma in the Republic of Moldova for 2001-2010" and on the current status of the draft "Decision of the Government on Approving the Action Plan on the Support of the Gypsies in the Republic of Moldova for 2005-2010" (State party report, paras. 71-76).***

**18. Please provide information on resources allocated and measures taken to improve the housing conditions of, and provide social housing to, Roma.**

40. According to the 2004 census, there were 12,271 Gypsies/Roma in Moldova (0.4 per cent of the total population).

41. According to the Ministry of Information Development, as of 28 June 2007, 11,561 ethnic Gypsy Moldovan citizens received identification documents under the national passport system of the Republic of Moldova, including 2,530 people in the districts of Ocnîța, 2,495 in Soroca and 693 in Edinet.

42. Over the period since the submission of the State report, remarkable progress has been made in the Republic of Moldova in integrating the Gypsies into Moldovan society. Gypsies receive support from the central and local authorities. Specific measures have been set in place at government level to develop a State policy in support of the Gypsy population.

43. On 21 December 2006, the Moldovan Government adopted decision No. 1453, approving the plan of action for the period 2007-2010 in support of the Gypsy/Roma population. The decision sets out specific activities in the fields of education and science, culture, health, child protection and social welfare, employment and law and order, and aims to involve the Gypsy population in all spheres of public life, to improve their social and cultural status, to raise their educational level and to encourage a healthy lifestyle. The plan sets out clear-cut and coordinated measures to support the Gypsies, as this is one of the Government's medium-term policy priorities, and also one of the criteria by which Moldova's progress in the European integration process is to be measured. The plan clearly specifies the areas of competence of the government agencies responsible for its implementation. In preparing the plan, a working group was set up, comprising representatives of line ministries (central government agencies) and leaders of Gypsy voluntary associations, whose proposals were taken into account and included in the plan. The measures approved by the Government will be funded from the State budget of the Republic of Moldova, and by international agencies.

44. In order to explain the implications of the decision and ensure its effective application, an international seminar was organized by the Bureau of Inter-Ethnic Relations, in cooperation with



the Council of Europe, and held in Chişinău on 12 and 13 April 2007. The seminar was attended by representatives of the central authorities: the ministries of education and youth, culture and tourism, health, internal affairs, economics and trade, family affairs and social welfare; by representatives of local authorities from areas with large concentrations of Gypsies; and by representatives of the Gypsy community itself, in particular leaders of Gypsy voluntary associations.

45. Representatives of the Gypsy minority are more actively exercising their right to establish their own voluntary associations. As of 1 July 2007, 11 nationwide Gypsy ethnic and cultural associations were accredited with the Bureau of Inter-Ethnic Relations. Seven regional Gypsy associations have been registered with the local government authorities in Chişinău, Bălţi, Comrat, Ciadîr-Lunga, Soroca, Vulcăneşti and other towns.

46. A number of projects have been launched in areas with concentrations of Gypsies by Gypsy voluntary associations (the “Tărnă-Rom” Gypsy Young People’s Union of the Republic of Moldova, the “Ograda noastră” Gypsy Students’ Union and others), with the support of the Bureau of Inter-Ethnic Relations, the Ministry of Health and local authorities and with funding from international organizations, with the aim of training Gypsies to take management positions as social and health workers, encouraging them to follow healthy lifestyles, providing amenities in villages with Gypsy populations, boosting school attendance by Gypsy children and training youth leaders.

47. A number of specific actions have been taken to ensure access to higher education for young Gypsies. Thus, since 2003, pursuant to orders of the Ministry of Education and Youth (No. 335 of 27 June 2003 and No. 339 of 1 July 2003), four places are reserved for Gypsy candidates in every institution of higher education, two to be funded from the central budget and two from extrabudgetary resources. In accordance with the regulations on the organization and conduct of admissions to higher education, in 2007 a quota of 15 per cent of the total number of places (for each subject, profession and type of college) was set aside for certain categories of applicants, including Gypsies.

48. According to Ministry of Health figures, constant awareness-raising, including through the distribution of leaflets and publication of articles in the media, is carried out in areas with Gypsy

concentrations on measures to prevent influenza, HIV infection, tuberculosis and other diseases. Medical specialists are working in these areas with Gypsy women, conducting pre-natal and infant-care classes with pregnant women and new mothers. Immunization campaigns are conducted among Gypsies in conformity with the immunization schedule.

49. The number of young Roma with higher education and working in the media or engaged in research and advocacy is increasing.

50. In the village of Scinoasa, Călărași district, an area of Gypsy concentration, there are 292 Roma residents. They include 25 children (aged 7-10 years), 16 of whom attend primary school, and 34 adolescents (aged 11-15 years), 15 of whom attend grades 5, 6, 7 or 8. There are 15 families in the village with three children (aged 3-16 years), and 2 with five children.

51. In recent years, 30 ethnic Gypsies from various regions of Moldova have received training at the Arts College in the town of Soroca. The college cooperates with the Gypsy community organization active in Soroca and participates in annual events held to mark International Roma Day.

52. In the 2006/07 academic year, the Environmental College in Chișinău admitted three ethnic Gypsies to State-funded places.

53. A working group has been established within the Ministry of Internal Affairs to study the application of the measures envisaged in the plan of action to provide support to Gypsies in the Republic of Moldova for 2007-2010. The following measures have been taken to raise the educational level among Gypsies and increase their participation in civic life:

- In towns with concentrations of Roma (Călărași, Orhei, Basarabasca, Nisporeni, Comrat, Ciadîr-Lunga, Cahul, Ocnița, Soroca, Florești, Rîșcani, Edineț, Bălți, Sîngerei, Hîncești, Cimișlia, Ungheni, Ialoveni and Strașeni), specialized training programmes on inter-ethnic relations and tolerance have been organized for law enforcement officials;
- In districts with concentrations of Roma, ethnic Gypsies have been recruited to law enforcement agencies, in accordance with the applicable legislation;

- Roma representatives have been involved in the activities of the voluntary militias aimed at maintaining public order;
- Roma have been informed of the measures taken to combat crime in districts where Roma are concentrated.

54. The culture and history of Gypsies as one element of Moldova's multi-ethnic population are becoming subjects of professional study. Research is being carried out into the history, language and culture of Moldova's Gypsy population within the Ethnology Centre of the Academy of Sciences of Moldova. A textbook (reader) has been compiled for schools in places with Gypsy residents.

#### Article 4

**6. *Please provide updated data on incidents of racial discrimination in the State party, as requested in the Committee's previous concluding observations, disaggregated by national and/or ethnic origin of perpetrators and victims.***

55. According to data from the Ministry of Internal Affairs, there were no reported cases of discrimination, threats or violence in Moldova in the first quarter of 2007.

**7. *Please indicate reasons for the lack of investigations and convictions under article 346 of the Criminal Code and other criminal law provisions punishing incitement to racial hatred and similar acts of racial discrimination (State party report, at para. 85). Please also provide examples of implementation of articles 4 and 6 of the Convention, as well as information on incidents of racial discrimination in the State party and on the penalties and sanctions imposed on perpetrators of acts of racial discrimination (see paragraph 11 of the Committee's previous concluding observations).***

56. In accordance with Moldovan legislation, liability is envisaged for offences based on discrimination, depending on their seriousness, consequences and other circumstances, under articles 135, 176 and 346 of the Criminal Code. Article 135 stipulates criminal liability for genocide, i.e. commission of one of the following acts with intent to destroy, in whole or in part, a national, racial or religious group:

- (a) Killing of members of the group;
- (b) Severe physical or mental coercion of members of the group;
- (c) Trafficking in children belonging to the group;
- (d) Deliberate infliction on members of the group of conditions of life that bring about or contribute to their physical destruction.

The penalty for the above-mentioned acts is deprivation of liberty for a term of between 16 and 25 years.

57. Article 176 of the Criminal Code criminalizes violations of citizens' rights on the basis of their race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin:

- (a) Committed by an official;
- (b) Entailing serious harm.

Such violations are punishable by a fine of from 300 to 600 standard units or by deprivation of liberty for a term of up to three years with, in both cases, forfeiture of the right to engage in certain types of activity for between two and five years.

58. Article 346 of the Criminal Code criminalizes deliberate public incitement, including in the media, in written or electronic form, to discord and inter-ethnic, racial or religious enmity, humiliation and ethnic degradation, and direct or indirect restrictions on citizens' rights and freedoms on the basis of their ethnic, racial or religious affiliation. Such incitement is punishable by a fine of up to 250 standard units or by imprisonment for a term of up to three years.

59. According to data from the Office of the Procurator-General, in the period 2005-2006 and during the first quarter of 2007, the law and order agencies recorded one crime categorized under articles 346 and 347 of the Criminal Code. Proceedings were initiated on 3 November 2006. In the course of the investigation, it was established that, on 29 October 2006, a gathering of citizens had taken place in Opera and Ballet Theatre Square, Chişinău, with a permit from the

Mayor's office, in support of an initiative by the President of Romania for the integration of Moldova, along with Romania, in the European Union. During the gathering, there was open incitement to inter-ethnic enmity and restrictions on the rights and freedoms of citizens of Slav origin. The Chişinău Procurator's Office is conducting an investigation into this case and is taking measures to elucidate all the circumstances.

#### Article 5

**8. *Please comment on information according to which high legal fees and the lack of interpretation services for members of linguistic minorities or foreign nationals prevent them from exercising their right to equal access to the courts.***

60. Act No. 3465-XI, the Functioning of Languages in Moldova Act, was adopted in September 1989. Under the Act, Moldovan is accorded the status of national language, while Russian is the language of international communication, subject to observance of the constitutional rights and freedoms of citizens of all ethnic groups, regardless of their language of communication. Article 6 stipulates that it is for the citizen to determine the language of communication (Russian or Moldovan) - written or oral - in his or her relations with State agencies, enterprises and institutions. Within the Găgăuzia Autonomous Territorial Administrative Region, where Gagauzis are concentrated, there are three official languages (Moldovan, Russian and Gagauz) and the right to use Gagauz is guaranteed. In other districts, inhabited predominantly by Ukrainians, Russians and Bulgarians, the native languages of these groups, or another acceptable language (Moldovan or Russian), are used as the language of communication.

61. Article 6 of the Code of Criminal Procedure, which entered into force pursuant to Act No. 122-XV of 14 March 2003, provides that all citizens are equal before the law, the procuratorial agencies and the courts, regardless of race, nationality, ethnic origin, language of communication, religion, sex, opinions, political affiliation, wealth or social origin.

62. In accordance with article 11, persons who are detained or remanded in custody must be informed without delay, in a language they understand, of their rights, the grounds for their detention or remand, the circumstances of the case and the legal consequences of the act they are suspected or accused of having committed.

63. Under article 16, persons who do not understand the national language have the right to familiarize themselves with the case materials and express themselves in court with the assistance of an interpreter paid for by the State.

**9. *What measures is the State party taking to combat police violence against persons belonging to minority groups, in particular the Roma, and to change the behaviour of police and law enforcement officials who “treat citizens belonging to national minorities, for instance the Roma/Gypsies, or people of African and Asian descent, differently because they look dissimilar to the rest of the population” (State party report, para. 49)?***

64. Moldovan legislation criminalizes discrimination, including by police officers against citizens, regardless of ethnic affiliation.

65. The Code of Police Ethics was approved by Government decision No. 481 of 10 May 2006 with a view to preventing inappropriate treatment of members of ethnic minorities by police officers and reforming police practices in line with European human rights standards. The Code establishes principles and rules for police work and for the conduct of police officers in various situations, including relations with the community, the use of force, and the detection of unlawful acts and the persons responsible.

66. One focus of the work of the Ministry of Internal Affairs and the structures under its jurisdiction is respect for human rights and the principle of equality of all citizens before the law, regardless of ethnic affiliation. The Ministry, together with the Centre for Human Rights in Moldova, the United Nations Children’s Fund (UNICEF) programme, and international experts from the Council of Europe and other organizations, including non-governmental organizations, organized a series of training seminars on the themes “Respect for human rights”, “Police ethics” and “Implementation of the Code of Police Ethics”, as well as seminars on the application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; other forms of advanced training in the field of human rights are provided for internal affairs officials.

**10. Please provide information on the nature of the measures recommended by the Bureau of Inter-Ethnic Affairs to prevent arbitrary detention, identity checks and home searches of Roma and persons of African or Asian origin, as well as on the conclusions of its study of this problem (State party report, para. 77).**

67. In seeking to prevent bias towards Gypsies and persons of African or Asian origin and frequent groundless searches of their homes, the Ministry of Internal Affairs is guided by universally recognized international standards and principles in the field of human rights and is furthering their introduction in practice. Such standards include the European Charter for Regional or Minority Languages, which Moldova is preparing to ratify; the Framework Convention for the Protection of National Minorities, already ratified by Moldova; and Recommendation No. 1 of the European Commission against Racism and Intolerance concerning the application of administrative, civil and criminal law measures to combat racism, xenophobia, anti-Semitism and intolerance.

68. The structure of the Ministry of Internal Affairs includes a Department for Migration and Refugees.

(See also the information under questions 5 and 9.)

**11. What legal safeguards are in place to ensure that rejected asylum-seekers, including Chechens, are not subjected to ill-treatment and persecution upon return to their country of origin? Is their situation upon return monitored?**

69. On 23 November 2003, Moldova acceded to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. For the purposes of safeguarding refugees' fundamental human rights and freedoms, in accordance with articles 19 (2) and 72 (3) of the Constitution of Moldova, on 25 July 2002, Parliament adopted the Status of Refugees Act, No. 1286-XV. As part of the efforts to implement the Act, the Government adopted decision No. 1622 of 31 December 2003 on material assistance for refugees, pursuant to which the level of such assistance is fixed annually.

70. In accordance with the applicable Moldovan legislation, no one who applies for asylum or refugee status may be expelled from the territory of Moldova while the validity of his or her

application is being verified. If the refugee status application is refused, the applicant's right to appeal and the deadlines for so doing are mentioned in the decision on refusal, as is his or her duty to leave the territory of Moldova on the expiry of 15 days from the date on which the decision on refusal becomes enforceable.

71. Persons who apply for asylum enjoy all the rights provided in national legislation in this area:

- Right to receive temporary identity papers for the submission of the asylum application;
- Right to work, granted temporarily upon request where the applicant has no means of subsistence;
- Right to interpretation services and legal assistance;
- Right to information on the possibility of appealing against the refusal of the asylum application and on the deadlines for so doing;
- Free access to the courts;
- Right to accommodation in the holding centre for refugees and asylum-seekers;
- Other rights established by law.

72. As to the situation in respect of Chechens, the Bureau for Migration and Refugees within the Ministry of Internal Affairs has provided the following comments. Prior to the entry into force of the Status of Refugees Act, No. 1286-XV of 1 January 2003, ethnic Chechen citizens of the Russian Federation were recognized as refugees by decision of the office of the United Nations High Commissioner for Refugees in Moldova. Pursuant to the Act (art. 20/1 (2)), ethnic Chechens are granted humanitarian protection. Humanitarian protection is granted for a period of one year, which may be extended until such time as the circumstances that make such protection necessary cease to exist. When humanitarian protection is granted for more than five years, the beneficiary receives the right to permanent residence in Moldova.



73. There have been no reported cases to date of ethnic Chechen asylum-seekers being refused humanitarian protection or the extension of such protection after one year. Not a single case has been reported to the Bureau for Migration and Refugees of the forced deportation or expulsion from Moldova of an ethnic Chechen asylum-seeker. The number of Chechen asylum-seekers, refugees and beneficiaries of humanitarian protection has declined. This reflects the fact that the majority have been voluntarily repatriated, after receiving material assistance from the office of the United Nations High Commissioner for Refugees in Moldova.

74. In addition, there have been no reported cases where persons who were refused one of the forms of protection or who returned voluntarily to their ethnic homeland (including Chechens) were subjected to ill-treatment or persecution. Persons who are refused refugee status and apply for voluntary repatriation continue to be supervised and monitored by the Bureau for Migration and Refugees until their departure from the territory of Moldova.

75. The National Programme on Migration and Asylum was approved by Government decision No. 448 of 27 April 2006.

76. As part of the efforts to implement the international instruments to which Moldova is a party and to find coordinated solutions to the problems of refugees and asylum-seekers, Government decision No. 409 of 5 April 2002 specified the location of the holding centre for refugees and asylum-seekers, opened under the auspices of the Bureau for Migration and Refugees.

***12. Please indicate whether the State party intends to further ease the requirement in the Law on Political Parties and Socio-Political Organizations that, in order for a party to be registered, it must have 5,000 active members residing in at least half of the 32 administrative districts (with no less than 150 members in each of these districts), so as to allow the registration of regional parties of national minorities (State party report, para. 186).***

77. Parliament has completed the first reading of a bill on political parties, article 9 of which stipulates the same conditions for the registration of political parties. The bill is to be approved on second reading in the autumn of 2007, and subsequent amendments are not to be excluded.

**13. *What measures are being taken to promote the representation of Roma in Parliament and other elected bodies and in the public service, in accordance with the Law on the rights of people belonging to national minorities (State party report, paras. 146-148)? Does the State party envisage introducing statutory electoral or public service quota to ensure an “approximately proportional representation” of Roma and other ethnic minorities?***

78. Under the Constitution and the Electoral Code, citizens enjoy equal rights to vote and to be elected, regardless of their ethnic origin and knowledge of the national language. Exceptions to this are candidates for the posts of President of the Republic and Bashkan (Governor) of Găgăuzia; the former must be fluent in Moldovan (Constitution, art. 78 (2)); the latter in Gagauz.

79. Under article 22 of the Members of Ethnic Minorities (Rights and Legal Status of Their Associations) Act, the Government, its ministries and departments and local authorities must consult organizations of members of ethnic minorities during the development and implementation of policies in the area of culture and education when the decisions taken affect them.

80. One of the mechanisms for ensuring implementation of this article of the Act is the Coordinating Council of Ethnic and Cultural Organizations. This is a voluntary consultative body which reports to the Bureau of Inter-Ethnic Relations (article 25, paragraph 3, of the Act). The voluntary associations of ethnic minorities have representatives in the Council, regardless of the size of the ethnic group which they represent.

81. The Coordinating Council represents the interests of ethnic minorities and acts as an intermediary between ethnic minorities and the government agencies responsible for taking decisions which affect them. The issues discussed by the Council are not confined to the areas of culture and education.

82. There are similar consultative mechanisms operating at the level of district and municipal authorities, which maintain close cooperation with local voluntary associations of ethnic minorities. An example of this is the Commission to Coordinate the Activities of

Ethnic and Cultural Organizations in the municipality of Chişinău. It is composed of the leaders of 15 municipal voluntary associations of ethnic minorities. A similar council operates in the municipality of Bălţi.

83. The practice of holding direct consultations with representatives of all ethnic minorities is in keeping with international principles.

84. In accordance with the law, ethnic Gypsies are recruited into the law enforcement agencies in areas where there is a high concentration of Roma people.

85. Members of ethnic minorities play an active role in national politics and the decision-making process. Of the 101 members of Parliament, there are currently 58 Moldovans, 14 Ukrainians, 12 Russians, 8 Romanians, 6 Gagauzis, 2 Bulgarians and representatives of other ethnic groups.

86. The Members of Ethnic Minorities (Rights and Legal Status of Their Associations) Act has enhanced the status of voluntary associations of ethnic minorities. For example, under article 22 of the Act, the Government, its ministries and departments and local authorities must consult ethnic and cultural organizations when developing and implementing policies relating to the culture and education of ethnic minorities. This is done through the Bureau of Inter-Ethnic Relations.

***14. Please specify the requirements for the registration of religious communities and indicate the precise grounds on which Tatar Muslim communities have been denied registration. Please provide information on the outcome of the court case referred to in paragraph 170 of the State party report.***

Article 31 of the 1994 Constitution guarantees freedom of religion. Religions are practised freely in accordance with their statutes and the laws in force. Religions are independent and separate from the State. Manifestations of hostility between religions are prohibited.

87. In order to register religions in the Republic of Moldova a number of documents must be submitted to State bodies, which are listed in the Religions Act, No. 979-XII of 24 March 1992, Government decision No. 759 of 13 October 1994 and the Civil Code of 2002.

88. According to information provided by the State Service for Religious Issues, there are 23 religions officially registered in accordance with the law.

89. On 11 May 2007, Parliament adopted the Religions and Religious Communities Act, No. 125-XVI. The purpose of the Act is to improve the legislation governing religious activities and to ensure freedom of religion, as guaranteed under the Constitution. The Act establishes a new procedure for the registration of religions, which is applied by the Ministry of Justice. In accordance with article 19 of the Act, the following documents are required for the registration of a religion: an application form for registration; the statutes approved by the founding members; the report of the assembly at which the religion was founded; the list of founding members with the signatures of at least 100 Moldovan citizens; and the basic principles of faith.

90. Pursuant to article 74 of the Constitution, the Religions and Religious Communities Act, No. 125-XVI, was submitted to the President of the Republic for promulgation. The Act was not promulgated and was returned to Parliament for further refinement.

91. A significant number of organizations, voluntary associations and ethnic and cultural organizations which are assumed to promote Islam are registered in Moldova. Under legislation relating to religion, religious communities and their members have the right to engage in religious activities. The State Service for Religious Issues rejected the application for the registration of the Muslim communities in question because the documents they submitted did not meet the requirements of current legislation.

92. The case involving the Spiritual Board of Muslims headed by Talgat Mashaev, and the case involving the Spiritual Board of Muslims headed by Alber Babaev, are currently before the courts.

**15. *What measures are being taken to improve the quality and number of television and radio programmes in minority languages other than Russian or covering issues of interest to the numerically smaller minorities, such as the Armenians, Belarusians, Azerbaijanis, Tatars, Poles and Lithuanians?***

93. In 2006, Parliament adopted the Television and Radio Code of the Republic of Moldova (Act No. 260 of 27 July 2006). The purpose of the Code is to protect the right of viewers and

listeners to receive reliable and objective information, which will facilitate the free shaping of opinions, guarantee the right of broadcasting organizations to freedom of the press and freedom of expression, and consolidate the democratic principles governing nationwide television and radio broadcasting.

94. Under the Code, it is prohibited to disseminate programmes containing any form of incitement to hatred on the grounds of race, religion, ethnic origin or sex (art. 6 (1)). In order to ensure respect for human rights and fundamental freedoms, an effort is made to uphold political and social pluralism and cultural, linguistic and religious diversity, and to provide information, education and entertainment for the general public, when broadcasting and rebroadcasting programmes (art. 7 (1)).

95. The main duties of the public national television and radio company Teleradio-Moldova are to foster human dignity, tolerance, public morality, civic responsibility, democratic values and a spirit of national unity, fairness and justice, taking into account the moral, political and religious beliefs of the different sectors of the population (art. 51 *d* of the Code); the company must also guarantee the right to information for all categories of citizens of the Republic of Moldova, including ethnic minorities (art. 51 *f* of the Code). In order to uphold these principles, in addition to Moldovan and Russian, Teleradio-Moldova broadcasts radio and television programmes nationwide in Ukrainian, Bulgarian, Gagauz, Roma, Yiddish and Polish.

96. As part of a special series of radio programmes in the languages of ethnic minorities, Teleradio-Moldova broadcasts the following: *Vidrodjenie* (Renaissance) in Ukrainian, weekly, for 30 minutes, and on the last Thursday of every month for 45 minutes; *Unda Bugeacului* (Bugeac Wave), in Gagauz, weekly, for 30 minutes; *Radiomaidan*, in Bulgarian, weekly for 30 minutes; *Viața evrească* (Jewish Life), in Yiddish, weekly for 30 minutes; *Petalo romano* (Gypsy Horseshoe), in Roma, fortnightly, for 30 minutes; *Unda poloneză* (Polish Wave), in Polish, monthly, for 30 minutes; *Patria* (Homeland), for the smaller ethnic minorities - Armenians, Belarusians, Azeris, Tatars, Lithuanians and others, fortnightly, for 30 minutes.

97. As part of a special series of television programmes entitled *Comunitatea*, Teleradio-Moldova broadcasts seven programmes on particular themes in the languages of the ethnic minorities: *Svitanoc*, in Ukrainian; *Gagauz Ocaa*, in Gagauz; *Unda Bugeacului*, in

Bulgarian; *Russky Mir*, in Russian; *Camerton evreiesc*, in Yiddish; *Petalo romano*, in Roma; *Sub același cer*, for the smaller ethnic minorities - Armenians, Poles, Belarusians, Germans, Latvians, Lithuanians and others.

98. According to information provided by Teleradio-Moldova, in the first six months of 2007, 60 television programmes were broadcast in original languages, which accounted for 60 hours of broadcasting time; there has been an improvement in the quality of programmes broadcast and the coverage of current events affecting the lives of ethnic minorities, including the smaller minorities; special reports from areas densely populated with Bulgarians, Gagauzis, Ukrainians and Poles are being prepared; the results of native language contests, information on workshops for teachers of ethnic minority languages and other events are broadcast.

99. In cooperation with the Bureau of Inter-Ethnic Relations, Teleradio-Moldova made a 36-minute film called *Multi-Ethnic Moldova*. In order to meet the demand for radio and television programmes in the languages of the smaller ethnic minorities, Teleradio-Moldova broadcasts programmes in original languages supplied by broadcasting organizations from foreign countries which are the historic homelands of Moldova's ethnic minorities, including Belarus, Lithuania, Poland, Bulgaria and Ukraine. Representatives of ethnic and cultural organizations are involved in the preparation of radio and television programmes in the ethnic minority languages.

100. In its activities Teleradio-Moldova upholds the principles of tolerance and non-discrimination, respect for human rights and cultural, linguistic and religious diversity.

101. Issues relating to inter-ethnic peace and tolerance are discussed on "Maxima", a special programme broadcast by the NIT channel, with the participation of representatives of various ethnic and cultural NGOs and the Moldovan Government and Parliament.

102. The Television and Radio Coordination Council promotes the development of television and radio channels in the country, including those broadcasting in minority languages.

103. According to information provided by the Coordination Council, out of 150 radio and television stations, some 15 broadcast in minority languages: Gagauz, Bulgarian and Ukrainian. Their broadcasting range covers the Autonomous Territorial Administrative Region of Găgăuzia

(“Radio Găgăuzia”, “Yeni Ay”, “TVC-47”, “TVC”, “Teleradio-Găgăuzia”, “Aifn Acifc”, “Bezim Aiîdînic”), the Taraclia district (“STV-41”, and “Tvardița” in Bulgarian) and Chişinău municipality (“Radio Melodia” in Ukrainian).

**16. Please provide disaggregated statistical data on the extent of unemployment among the Roma and other ethnic minorities in the State party. What measures are being taken, including under district employment programmes, to qualify Roma for the labour market and how effective are these measures? (State party report, para. 192.)**

104. At the end of 2006 there were a total of 20,400 registered unemployed in the Republic of Moldova. The figure includes 10,800 women, 8,500 urban inhabitants and 11,900 rural inhabitants. The unemployment rate (as a percentage of the economically active population of working age) is 1.9 per cent. No unemployment statistics disaggregated by ethnic group are kept.

105. Decision No. 1453 to approve the Plan of Action to provide support to Gypsies/Roma in the Republic of Moldova for the period 2007-2010 was adopted on 21 December 2007 with the aim of eliminating unemployment among the Gypsy population. The section of the decision entitled “Employment” provides for the implementation of the following measures:

- Providing training in occupations and traditional crafts of Gypsies/Roma in vocational training schools and monitoring the employment of Gypsy/Roma graduates;
- Informing and consulting Gypsies/Roma concerning job vacancies and promoting their vocational training and retraining;
- Reviving and developing traditional Gypsy/Roma crafts and setting up ethnic craft centres in areas where there is a high concentration of Gypsy/Roma inhabitants;
- Promoting the development of private entrepreneurship among the Gypsies/Roma.

The bodies responsible for implementing these measures are the Ministry of Education and Youth, the Ministry of Economy and Trade and the national employment agency.

106. It should be noted that unemployed Gypsies are not interested in the job vacancies offered to them. Those who are educated have all obtained jobs; those who are not refuse to accept unskilled jobs.

***17. Please provide information on language training opportunities for refugees and on any progress achieved in reducing the delays in issuing identity papers and personal index numbers for tax purposes to refugees, with a view to facilitating their employment, access to social security and their integration into society (State party report, paras. 42-43, 191).***

107. The Bureau for Migration and Refugees in the Ministry of Internal Affairs provides social, material, cultural and economic assistance for asylum-seekers and refugees in cooperation with the competent authorities of the Republic of Moldova, the United Nations High Commissioner for Refugees and NGOs dealing with these issues.

108. In cooperation with local NGOs working with refugees, the Bureau organizes Moldovan language courses and takes steps to improve the quality of teaching in the national language (Moldovan) and to provide specialized courses under international projects aimed at ensuring the social integration of refugees. In the long term, these activities will help increase employment among refugees.

109. Under article 23 (1) of the Status of Refugees Act, No. 1286-XV of 25 July 2002, obtaining refugee status confers on a person the rights provided for in the legislation on aliens and stateless persons, in addition to special rights including the following:

“The right to engage in wage-earning employment for individuals or legal entities, to practise liberal professions and to carry out commercial or other transactions; the right to receive wages and to enjoy other material entitlements arising out of their activities, and the right to social security in accordance with the law.”

110. The Bureau for Migration and Refugees provides continuous support to refugees and persons who have been granted asylum in the exercise of their right to employment. This includes information activities and meetings with the participation of representatives of refugees and the State employment service.

111. Government decision No. 626 of 28 May 2005 on refugee identity cards approved a model identity card and travel permit for refugees, containing a personal index number. The technical specifications for printing travel permits were also drawn up.



- 19. Please provide updated statistical data on the enrolment, attendance and dropout rates among minority, migrant and refugee children at all levels of schooling, disaggregated by age, gender, national or ethnic origin, mother tongue and rural/urban population. What special measures are being taken to promote primary, secondary and tertiary education of these groups, including the Roma, and how effective are they? (State party report, paras. 208-210.)**
- 20. What measures are being taken to ensure adequate opportunities for Gagauz, Roma, Ukrainian, Bulgarian and other minority children to receive instruction in, or of, their native language and culture? What is being done to ensure the quality of teaching in Moldovan in schools in which Russian or another minority language is the main language used?**

112. The State has stepped up action to ensure that minorities exercise their right to study their native languages in the pre-university education system. There are a total of 1,546 schools in the primary and general education system, including 280 with Russian as the language of instruction and 82 with instruction in Moldovan and Russian.

113. According to information from the Ministry of Education and Youth, there are three models of instruction in minority languages in pre-university education:

- First model: schools in which the language of instruction is Russian, which members of minorities have traditionally attended: 280 schools with 102,972 pupils;
- Second model: schools in which the language of instruction is Russian, and in which Ukrainian, Gagauz and Bulgarian are taught as subjects for three hours a week, as well as a new subject, “History, culture and traditions of the Russian, Ukrainian, Gagauz and Bulgarian peoples”, taught for one hour a week:

Language taught	Number of schools and pupils, 2006-2007 school year
Ukrainian	55 schools (6,711 pupils)
Gagauz	52 schools (24,036 pupils)
Bulgarian	35 schools (7,202 pupils)
Polish	1 school (137 pupils)
Yiddish	2 schools (634 pupils)
German	1 school (123 pupils)

- Third model: experimental schools in which certain primary classes receive instruction in their native language (Ukrainian or Bulgarian), alongside intensive study of the national language, in which certain subjects are taught (a school in Unguri, Ocnița district; the Vasil Levski lyceum in Chișinău; and a lyceum in Nihoreni, Râșcani district).

114. In 21 classes (429 pupils) the language of instruction is Ukrainian throughout the entire cycle of education; in seven classes (114 pupils), it is Bulgarian; and preparations are under way for a full cycle of education in Gagauz.

115. Four languages are currently taught in the schools attended by minority children (Moldovan, Russian, their native language and a foreign language).

116. The legislation in force guarantees equal access to pre-university education for children regardless of ethnic origin, including refugee children. This applies fully to Roma.

117. A number of specific actions have been taken to ensure access to higher education for young Gypsies. Thus, since 2003, pursuant to orders of the Ministry of Education and Youth (No. 335 of 27 June 2003 and No. 339 of 1 July 2003), four places are reserved for Gypsy candidates in every institution of higher education, two to be funded from the central budget and two from extrabudgetary resources. In accordance with the regulations on the organization and conduct of admissions to higher education, in 2007 a quota of 15 per cent of the total number of places (for each subject, profession and type of college) was set aside for certain categories of applicants, including Gypsies.

118. A system has been introduced for training teaching staff for schools in which minority languages are studied:

- The pedagogical college in Lipcani trains teachers for kindergarten and primary grades with Ukrainian-language instruction;
- The languages faculty of the “A. Russo” State Pedagogical University (Bălți municipality) has trained 100 Ukrainian language and literature teachers over the last 10 years;

- Training for Gagauz language and literature teachers is dispensed in Comrat State University (25 to 28 graduates a year); “I. Creanga” State Pedagogical University (Chişinău), which in the last five years has trained over 100 teachers specializing in Gagauz/Romanian language and literature and in Gagauz/Russian language and literature; and “Mihail Ceachir” Pedagogical College in Comrat, which in the last eight years has trained over 200 graduates for schools in areas with a high concentration of Gagauzi inhabitants;
- Training for Bulgarian-language teachers is dispensed in the “I. Creanga” State Pedagogical University (Chişinău), Comrat State University, Taraclia Pedagogical College and Taraclia State University.

119. Teachers of minority native languages undergo further training in Ukraine, the Russian Federation, Bulgaria, Poland and other countries of origin.

120. Beginning in the 2000-2001 school year, a civic education course has been taught in the 5th to 9th grades, with the aim of furthering the democratic principles of equality, non-discrimination and tolerance.

121. Refugee and migrant children enjoy the same rights as citizens of the Republic of Moldova in access to general education.

***21. Please provide information on the number of Moldovan/Romanian language schools in Transnistria, registered with the Moldovan Ministry of Education, that are allowed to use the Latin script. Has any progress been achieved in negotiating durable solutions that allow native Moldovan speakers in Transnistria to preserve their linguistic and cultural identities?***

122. According to estimates and statistics from specialized bodies on the left bank of the Nistru (Transnistria), the population of those areas is some 555,000 persons (100 per cent), of whom 174,000 are Moldovans (32 per cent), 157,000 Ukrainians (29.1 per cent), 152,000 Russians (28.1 per cent), 4,000 Gagauzis (0.7 per cent), 13,700 Bulgarians (2.5 per cent), 3,800 Belarusians, 2,000 Germans, 1,200 Jews and 23,800 members of other ethnic groups.

123. According to information from the Ministry of Reintegration, instruction in schools in the Eastern regions is mainly in Russian (90 per cent of pupils according to 2005 data). Only 8.7 per cent of children are taught in Moldovan; nearly one out of eight Moldovan children of preschool age is able to attend a Moldovan-language preschool institution.

124. The language of instruction is Moldovan (using the Cyrillic alphabet) in 19.8 per cent of general education schools (12.3 of the total number of pupils).

125. The ethnic composition of the school population is as follows: 35 per cent Moldovans; 29.9 per cent Russians; 29 per cent Ukrainians; 2.5 per cent Bulgarians; 3.6 per cent members of other ethnic groups.

126. There are currently 16 Moldovan schools and 32 Moldovan/Russian schools in Transnistria providing instruction in Moldovan using the Cyrillic alphabet, attended by a total of 12,311 pupils.

127. There are eight schools providing instruction in Moldovan using the Latin alphabet, based on curricula and textbooks approved by the Ministry of Education and Youth, and attended by a total of 2,650 pupils. The administration of the Transnistria region has classified the schools providing instruction in Moldovan using the Latin alphabet as foreign “non-State” schools.

#### Article 6

***22. Please provide information on the measures taken to ensure the effective investigation of complaints about police violence against Roma. In particular, what has been done to investigate and punish those responsible for the armed police raid on the Roma community in Yedintsy on 18 July 2005 during which 30 Romani, including children, were arrested and allegedly beaten? What measures have been taken to compensate those Roma who were reportedly detained incommunicado for several weeks and released without a charge?***

128. According to information provided by the Ministry of Internal Affairs, the bodies of three men exhibiting signs of violence were found in No. 22, Albisoara Street, apartment 6, in the town of Edineț on 10 July 2005. Mr. M.V. Kodryan, an inhabitant of Edineț, was suspected of

the crime. Special police detachments were set up to locate and arrest the suspect. During the operation, a group of Roma prevented the police from carrying out their duties in various ways, with the result that the suspect was able to leave the locality and escape justice.

129. Five Roma men were detained for public order offences and resisting the police, for which the Edineț district court imposed an administrative punishment: three were sentenced to administrative detention and two were fined. All five lodged appeals with various courts. The Edineț district prosecutor's office launched an official investigation with a view to determining whether the police had acted lawfully. The investigation established that the police had acted within the law.

**23. *Please provide information on the number and nature of complaints about racial discrimination and discrimination against minorities filed with the Center for Human Rights-Ombudsman Office in Moldova and with the parliamentary advocates, the investigation and outcome of such cases, and the remedies provided to victims (State party report, para. 231). What measures have been taken to raise public awareness about these and other mechanisms available to ensure protection from racial and ethnic discrimination?***

130. The Centre for Human Rights of Moldova has provided information on three cases of discrimination on ethnic grounds. In one case, it is claimed that the director of a preschool institution entered into a dispute with the parents of a child on the grounds that the child's father was an ethnic Gypsy/Roma. The director of the institution banned the father from bringing his child to the nursery. An investigation of this complaint by parliamentary advocates upheld the claim of xenophobia and discrimination against the child's parents. Preschool education institutions are required to teach children basic humanitarian principles, eschewing racial, ethnic or other prejudices. Article 4, paragraph 2 of the Education Act, Act No. 547 of 21 July 1995, provides that "State policy on education is based on the principles of humanity, accessibility, adaptability, creativity and diversity. Education is democratic and humane, open, flexible, formative and an aid to development, based on national and universal cultural values". Following the investigation of this incident, an official letter was sent to the Ministry of Education and

Youth with a request that action be taken on the case in question and that such situations should not be permitted to occur in the future. The director received an administrative punishment.

131. Another case was registered in Rîșcani, where a group of Gypsies/Roma were, for no reason, denied entry to a place of entertainment. They were told that the owners had barred all Gypsies/Roma from access to or service in their establishments. This incident was a violation of international standards and domestic law. Following an investigation, an official letter was sent to the authorities of Rîșcani district requesting them to review the circumstances of the incident and to ensure that such situations did not recur.

132. The Centre for Human Rights of Moldova possesses information on cases of discrimination against people from African and Asian countries by Moldovan law enforcement agencies. These take the form of frequent checks on the street with a view to establishing the lawfulness of their presence in Moldova.

133. A complaint by Mr. X from Bangladesh concerning the violation of his rights by the Ministry of Internal Affairs is currently under investigation. The facts are as follows: not knowing the country's language or legislation, this person transferred property he had acquired to the name of the woman with whom he cohabited, who will subsequently be referred to as his wife. Following his wife's sale of the property, he was deprived of his property rights. The property in question was the subject of a civil trial, but the court ruled that Mr. X from Bangladesh must leave the territory of Moldova within 10 days. In addition, the court ruled that, following the dissolution of his marriage, Mr. X had no reason to be in Moldova, despite the fact that he ran a business in the country. In this case, the Centre for Human Rights of Moldova officially requested the Ministry of Internal Affairs to ensure that the expulsion of the Bangladeshi national Mr. X from Moldova was not allowed to go ahead and that his constitutional rights were respected. The actions taken against Mr. X ran counter to article 19, paragraph 1, of the Moldovan Constitution, according to which foreign nationals and stateless persons have the same rights as Moldovan nationals, unless the law provided otherwise, and also to articles 20 and 46 of the Constitution, in that Mr. X was deprived of the opportunity to produce evidence of his right to the property concerned before the courts.

## Article 7

**24. Please provide more detailed information on school education and information campaigns on the cultures of national minorities, as well as on the role of the State and mass media in eliminating negative societal attitudes and stereotypes against members of minority groups, in particular the Roma, and against foreign nationals of different ethnic origin.**

134. Central and local authorities in Moldova pursue a policy of maintaining cultural diversity, thus helping to establish the necessary conditions for the development and expression of the ethnic, cultural, linguistic and religious distinctiveness of national minorities, whether large or small. The activities of cultural institutions are not governed by any ethnic principle: most of them view the diverse culture of Moldova as the spiritual property of the Moldovan people as a whole. Meanwhile, a number of cultural institutions direct their activities at supporting and developing the cultural and linguistic distinctiveness of specific ethnic minorities - Ukrainians, Russians, Gagauzis, Bulgarians, Jews and others. The actual work of providing for the realization of the cultural rights of ethnic minorities in Moldova falls on two separate groups of institutions, acting in tandem: the State institutions presenting the art and culture of ethnic minorities and the minorities' ethnic and cultural organizations.

135. The institutions presenting the culture of ethnic minorities form a national network of libraries, theatres and artistic groups. These include:

- Khristo Botev Library of Bulgarian Literature and Culture (Chişinău);
- Itzik Manger Library of Jewish Literature and Culture (Chişinău);
- Lesya Ukrainka Library of Ukrainian Literature and Culture (Chişinău);
- Mikhail Lomonosov Library of Russian Literature and Culture (Chişinău);
- Mikhail Chakir Library of Gagauz Literature and Culture (Chişinău);
- A.P. Chekhov State Russian Dramatic Theatre (Chişinău);
- Polish literature room in the Moldovan National Library (Chişinău);

- Belarusian literature rooms in the Alecu Russo and Mikhail Lomonosov libraries (Chişinău);
- Mikhail Chakir National Gagauz Theatre (Ceadir Lunga);
- Olimpy Panov Bulgarian Dramatic Theatre (Taraclia);
- Licurici Republican Puppet Theatre (some Russian-language performances);
- Sergei Rakhmaninov Republican Music Lyceum (Russian-language instruction) (Chişinău);
- Aleksandr Pushkin House-Museum (Chişinău);
- Rodoljubie Bulgarian Ensemble (Taraclia);
- Kadinca Gagauz Ensemble (Komrat);
- Others.

136. Local amateur ethnic and folklore groups are springing up in schools and ethnic and cultural organizations in most parts of Moldova. According to information provided by the Ministry of Culture, national minority culture is catered for by 525 amateur groups, with a total of 7,202 participants, including 259 Ukrainian groups, 119 Russian, 39 Gagauz, 43 Bulgarian, and 1 Gypsy. The honorific “model group” has been conferred on 63 groups, including 11 Ukrainian, 20 Russian, 7 Bulgarian, 15 Gagauz and 1 Gypsy.

137. The Ministry of Culture has signed over 30 international agreements for cultural cooperation, with particular emphasis on cultural exchange with the countries of the Commonwealth of Independent States (CIS). It is traditional in Moldova to celebrate the Russian Federation’s Day of Culture, Ukraine’s Day of Culture, the Belarus Day of Culture and the days of culture of other countries in which Moldovan national minorities originate. The resources of the States that are their historical homelands are thus drawn on to support and develop the ethnic and cultural distinctiveness of the minority ethnic groups.



138. In these activities, a particularly important role is played by the voluntary ethnic and cultural organizations, whose aim is to help, preserve and develop the cultural distinctiveness, traditions and customs of the peoples concerned (see reply to question No. 4). These organizations actively cooperate with the cultural institutions, which they help as much as they can, materially and otherwise. The tradition has arisen in Moldova for ethnic and cultural organizations to support and participate in State cultural and educational institutions through annual ethnic and cultural activities, such as:

- Days of Slav writing and culture;
- Pushkin poetry festival;
- Taras Shevchenko days;
- Day of the Bulgarian Awakeners (Enlighteners);
- Community festival of Jewish books;
- Polish spring in Moldova;
- Ethnic and cultural festival;
- Armenian Mothers' Day.

139. The ethnic and cultural festival mentioned above is a new national event that came into being at the turn of the millennium, the aim being to preserve and develop the region's distinctive culture and to establish a tradition of intercultural and inter-ethnic cooperation among the younger generation. In accordance with Presidential decree No. 1396 of 30 March 2000 and Government decision No. 1106-596 of 7 April 2000 on the organization of ethnic and cultural festivals, the festival is held on the third Sunday in September. It showcases the distinctive culture of over 25 ethnic groups in Moldova and is supported by the Bureau of Inter-Ethnic Relations, the Ministry of Culture, the Office of the Mayor of Chişinău municipality and local authorities.

140. Every year, on 7 and 8 April, International Roma Day is celebrated in Moldova. The celebrations on those days involve the active participation of the Gypsy community and non-governmental organizations in the capital's best concert halls, the House of Nationalities and the National Philharmonic Hall.

141. Action is being taken to include ethnic and cultural values in the curriculum of educational institutions. This not only gives students a deeper knowledge of their own history and culture but also enables them to have a greater awareness and understanding of their fellow Moldovans from other ethnic groups. In accordance with a decision by the Ministry of Education and Youth, the history, culture and traditions of the Ukrainian, Russian, Gagauzi and Bulgarian peoples have been introduced as new subjects into the curriculum of educational institutions. Since 1 September 2002, these subjects have been taught in the relevant language in the first to fourth grades of primary schools for one hour a week. Beginning in the 2003/2004 academic year, they were introduced into the curriculum of the fifth to ninth grades of secondary schools, for the same period - one hour a week.

142. School history curricula now include the Holocaust and the causes of the genocide of Jews and Gypsies over the period 1941-1944. See also the information given in reply to questions Nos. 4, 5, 15, 18, 19 and 20.

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