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**FOURTH REPORT SUBMITTED BY THE REPUBLIC OF MOLDOVA  
PURSUANT TO ARTICLE 25, PARAGRAPH 2  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

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**THE IV PERIODIC REPORT OF THE REPUBLIC OF MOLDOVA ON THE  
IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**

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## ABBREVIATIONS

NEA	National Employment Agency
CPA	Central Public Administration
LPA	Local Public Administration
BMA	Bureau for Migration and Asylum
NBS	National Bureau for Statistics
BIR	Bureau for Inter-ethnic Relations
CC	Coordinating Council of Ethno-cultural Organizations under BIR
BCC	Broadcasting Coordinating Council
EC	European Commission
CEIP	Central European Initiative Program
JCRM	Jewish Community of the Republic of Moldova
HN	House of Nationalities
CoE	Council of Europe
CHRM	Centre for Human Rights of Moldova
CPCD	Council on Prevention and Combating Discrimination and Ensuring Equality
CAHROM	Ad Hoc Committee of experts on Roma
ECRI	European Commission against Racism and Intolerance
GD	Decision of the Government
PD	Decision of the Parliament
HCNM	OSCE High Commissioner on National Minorities
ILM	Islamic League of the Republic of Moldova
MFAEI	Ministry of Foreign Affairs and European Integration
MIA	Ministry of Internal Affairs
MC	Ministry of Culture
MLSPF	Ministry of Labour, Social Protection and Family
MH	Ministry of Health
MJ	Ministry of Justice
ECONM	Ethno-cultural organizations of national minorities
NGOs	Non-governmental organizations
UN	United Nations
OSCE	Organization for Security and Cooperation in Europe
ODIHR	Office for Democratic Institutions and Human Rights
IDP	Institutional Development Plan
PNUD	United Nations Development Programme
EU	European Union
UNESCO	UN Educational, Scientific and Cultural Organization
Unit for CRAP	Unit for Coordination of Public Administration Reform

## INTRODUCTION

**The Framework Convention for the Protection of National Minorities** adopted by the Council of Europe (hereinafter referred as to CoE) in 1995, entered into force on the 1<sup>st</sup> of February 1998, was signed by the Republic of Moldova (RM) in 1995 and ratified by the Parliamentary Decision No. 1001 on the 22 of October, 1996.

The fourth periodic report of RM on implementation of the Framework Convention was developed in accordance with article 25, paragraph 2 of this document and the Outline for State reports to be submitted under the fourth monitoring cycle of the Framework Convention for the Protection of National Minorities adopted by the Committee of Ministers at the 1169th meeting of the Ministers' Deputies on 30 April 2013.

The report reflects upon main results achieved in the period 2010-2014 following the submission to CoE of the Third Periodic Report of Moldova on the implementation of the Framework Convention (2009) and the adoption of the Third Opinion on Moldova of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFA/OPIII(2009)003) of 26 June 2009 and Resolution CM/ResCMN (2010)6 of the Committee of Ministers of 5 May 2010.

The report of the Republic of Moldova was developed by the Bureau for Interethnic Relations in cooperation with the Ministry of Foreign Affairs and European Integration, Ministry of Education, Ministry of Labour, Social Protection and Family, Ministry of Justice, Ministry of Internal Affairs, Bureau for Migration and Asylum (under MIA), Ministry of Culture, Ministry of Information Technology and Communication, Ministry of Health, Bureau for Reintegration under the State Chancellery, National Bureau of Statistics, Broadcasting Coordinating Council, National Public Broadcaster "Teleradio-Moldova", Centre of Ethnology under the Academy of Sciences of Moldova, local public authorities.

Throughout the drafting process the present report was consulted with the members of the Coordinating Council of Ethno-Cultural Organizations accredited to the Bureau for Interethnic Relations. In order to ensure transparency the report was published on the websites [www.bri.gov.md](http://www.bri.gov.md) and [www.particip.gov.md](http://www.particip.gov.md).

## PART ONE

### **Information on the practical arrangements completed by the Republic of Moldova to continue implementing the Framework Convention, increasing civil society participation in the process**

The period following the submission to the CoE of the Third Periodic Report of Moldova on the implementation of the Framework Convention for the Protection of National Minorities (2009) can be characterized by a number of positive developments in the field of rights' of persons belonging to national minorities protection, which relate to the fact that the Republic of Moldova maintains a constructive approach towards the engagement of implementing this international instrument.

The implementation of the Framework Convention at the state level is coordinated by the **Bureau for Interethnic Relations** (hereinafter referred as to BIR) which is a central public administration authority in charge of promoting the state policy in the field of interethnic relations, functioning of the languages spoken in the Republic of Moldova as well as support for the Moldovan diaspora.

BIR is responsible for ensuring respect for the legislation in these areas, new legislation screening, consultations with the civil society organizations representing ethno-cultural groups on issues of interest as well as cooperation with the national institutions so as to ensure effective implementation of national and international commitments in the realm of minority rights protection.

Coordinating the process of Framework Convention implementation, BIR monitors the implementation of its provisions and Committee of Ministers recommendations pursuant to the periodic monitoring reports. It elaborates periodic reports of the Republic of Moldova, involves the central and local public authorities (hereinafter referred as to CPA and LPA, respectively), civil society representatives, national minority NGOs and other state and public institutions in the process.

A special attention during the reporting period was paid to the activity on promoting and implementing provisions of the Framework Convention and the results of the third monitoring cycle under its implementation by the Republic of Moldova reflected in the Third Opinion on Moldova (ACFA/OPIII(2009)003) and the Resolution (Res CMN (2010)6).

It should be highlighted, that these documents were translated and published in **6 languages** – State language, Ukrainian, Russian, Gagauz, Bulgarian, and Romani, with the financial support from the CoE. Translation was made by the scientific collaborators of the Centre for Ethnology under the Academy of Sciences of Moldova, teachers of the State University of Taraclia, representatives of Roma public organizations. BIR translated and published these documents into the state language.

For the purpose of examination, implementation and decision-making, these publications have been submitted to the parliamentary committees (for human rights and interethnic relations; for legal appointments and immunities; for foreign policy and European integration), to CPA (ministries, offices, agencies, etc.), to LPA, including in localities densely inhabited by Ukrainians, Russians, Gagauz, Bulgarian, Roma, to the ethno-cultural organizations of the national minorities (hereinafter referred as to ECONM ) and other representatives of civil society.

Publishing and promotion of respective documents contributed to achievement of the following goals:

- raising awareness on related issues;
- ensuring access to information regarding international assessment of the national policies on national minorities;
- informing CPA and LPA about related problems and their potential involvement in the process of implementing the Third Opinion on Moldova (ACFA/OPIII(2009)003) and the correspondent Resolution of the Committee of Ministers (Res CMN (2010)6);
- involving civil society, academia, experts on education policies and other stakeholders in the process of implementation of the Framework Convention;
- supporting the dialogue platform between the public authorities and civil society.

For the purpose of above mentioned objectives implementation a seminar on the results of the third monitoring cycle under the Framework Convention in respect to the Republic of Moldova was organized on **29 November 2010** in Chisinau with the support of the Council of Europe General Directorate for Human Rights and Rule of Law. The event was attended by the Deputy Prime Minister of the Republic of Moldova, Parliamentary Advocates, CoE experts, CPA and LPA representatives, scientists, specialists in education, mass media, ECONM members, Human Rights NGOs (in total - 100 persons).

Additionally, on 18 June 2013 BIR organized a round table „The Framework Convention for the Protection of National Minorities: developments in the process of its implementation during 2010-2013”. This event was held on the occasion of the 15th anniversary of the entry into force of the Framework Convention and in the context of the fourth periodic report elaboration.

The participants at the event discussed the progress and achievements in implementing the recommendations made by the CoE specialized bodies, reflected in the final documents adopted within the third cycle of monitoring. They also touched upon the structure of the report and the mode of consultations throughout the drafting process.

In the context of the Framework Convention implementation the Center for Human Rights of Moldova (hereinafter referred as to CHRМ)<sup>1</sup> has extended the spectrum of its activity.

Consequently, in the period of 21 November – 5 December 2013 the CHRМ together with BIR held a series of awareness raising working meetings on „Respect for the rights of persons belonging to national minorities in the light of the Framework Convention” in the northern, central and southern regions of the country.

Meetings were organized with a view to assess the current situation of national minorities, to identify the most pressing problems and to formulate recommendations to responsible institutions.

This activity was realized in pursuance of paragraph 75 (1) of the National Human Rights Action Plan for 2011-2014<sup>2</sup> and was aimed at promoting international standards in the field of national minority rights; preventing discrimination on the grounds of race, nationality, ethnic origin and language; identifying problematic issues and the ways to address them; consolidating relations with LPA and human rights NGOs.

Organization of such awareness raising events in local territories was stipulated by CHRМ’s intention to reorient measures, including those of instruction and promotion, from the capital to rural localities where residents are limited in possibilities to familiarize themselves with their rights.

Meetings were moderated by the Parliamentary Advocate Mr. Tudor Lazar; were attended by the Deputy Prime-Minister, Ms. Tatiana Poting, BIR Deputy Director General, Ms. Vera Petuhov and Mr. Claude Cahn, UN Human Rights Adviser in Moldova.

The first event took place on 21 November 2013 in Riscani, being organized in cooperation with the local administration. The seminar was attended by the Districts Chairmen and their Deputies, LPA representatives in charge of national minority-related issues and civil society representatives from 14 northern districts.

The second working meeting was conducted on 26 November 2013 in Cahul uniting representatives of regional public institutions in charge of national minority protection and civil society from 14 southern districts of the country.

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<sup>1</sup> The institution of Parliamentary Advocates – the Center for Human Rights of Moldova (CHRМ) is an institution similar to the European and international institutes of Ombudsman that operates since April 1998 under the Law on Parliamentary Advocates no.1349-XIII of 17 October 1997 as an important non-judicial mechanism of protecting human rights in the Republic of Moldova.

<sup>2</sup> The National Human Rights Action Plan for 2011-2014 was adopted by the Decision of the Parliament of the Republic of Moldova nr.90 of 12 May 2011.

The main topic of the third working meeting held in Chisinau on 5 December 2013 referred at guaranteeing full and effective equality for the national minorities by ensuring adequate conditions to develop their culture and to preserve the essential elements of their identity. Activity brought together the officials from the Ministry of Education, Ministry of Labour, Social Protection and Family, BIR, Deputy Chairmen of central districts and NGOs for national minority protection.

The participants noted that RM developed a complex national minority rights protection system and its legal framework corresponds to the international standards, but different ethnic minorities demonstrate a good tradition of coexistence.

Overall, mentioned three awareness raising meetings were attended by about 250 participants. The outcomes of the seminars included:

- the mainstream civil society, national minority representatives, CPA and LPA were informed about the process of the Framework Convention implementation, international standards in the field of national minority rights; measures taken by the authorities to prevent discrimination on the grounds of race, nationality, ethnic origin and language;
- the most vital and pressing problems with guaranteeing full and effective equality for the national minorities and their potential solutions were identified and discussed.

During the reporting period the level of civil society participation in promoting the Framework Convention has gradually increased. NGOs, in particular ECONM served as a link between the national minorities' representatives and the State in the process of alerting the Moldovan authorities and international mechanisms to the most relevant problems. The NGOs actively participate in the process of formulating the public opinion about the national minorities; recommending methods of promoting the international standards in this regard.

Furthermore, in 2013 the process of the Framework Convention implementation was discussed during the two meetings of the Coordinating Council of Ethno-cultural Organizations accredited under BIR (hereinafter referred as to CC). Besides, ECONM leaders were invited to contribute to the present report.

The representatives of the Diplomatic Mission of the Republic of Moldova in Strasbourg as well as its former national member in the FCNM Advisory Committee attended the Launching Conference of the Third Thematic Commentary on the Language Rights of Persons belonging to National Minorities and the Round-table event to celebrate the 15th anniversary of the Framework Convention for the Protection of National Minorities, where issues pertinent to the 4<sup>th</sup> Monitoring Cycle were discussed among others. The results of both events have been disseminated in the Republic of Moldova, while the information acquired and documents presented used in the activity of relevant institutions and interested ECONM.



## PART TWO

Information on all relevant measures taken by the Republic of Moldova to address the exiting problematic issues including those for immediate action, identified in the third monitoring cycle

### 2.1 Consolidation of national legal and regulatory framework<sup>3</sup>

In the Republic of Moldova state-level coherent legislative and practical measures are taken aiming at creating a comprehensive human rights protection system, including the rights of persons belonging to national minorities to preserve, develop and express their ethnic, cultural, linguistic and religious identity; and at ensuring inadmissibility of discrimination, ethnic hatred, intolerance, xenophobia, anti-Semitism and other related negative phenomena.

National minority protection continues to represent one of the priorities for the Government of the Republic of Moldova. In the reporting period there were adopted a number of long-term policy documents of a universal content, pertaining to the fields of national minority rights, preventing and combating discrimination, guaranteeing equality.

*The Government Action Programmes for 2013-2014 and for 2015-2018* contains priority objectives and measures focused at the national minority related issues and reflected under separate Chapters.

Legal framework of the Republic of Moldova in the field of human rights protection, including national minority rights, containing a series of laws and other normative acts overall meets international standards.<sup>4</sup>

In order to strengthen existing rules, the Parliament adopted *the Law No.121 on ensuring equality* on 25 May 2012, which entered into force on 1 January 2013.

According to art. 1, the Law aims to ensure equality of all persons in the Republic of Moldova in the political, economic, social, cultural and other spheres of life, regardless of race, color, nationality, ethnic origin, language, religion or belief, sex, age, disability, opinion, political affiliation or any other similar criterion.

The chapter "Special Provisions" contains provisions which expressly stipulate areas where discrimination is prohibited, namely: in the field of work, access to services and goods available to the public, in education.

Art. 10 of the Law define the subjects invested with responsibilities in preventing and combating discrimination and ensuring equality, in particular: the **Council on Prevention and Combating Discrimination and Ensuring Equality** (hereinafter referred as to CPCD); public authorities and courts.

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<sup>3</sup> Part Two, sects. "Ensuring the rights of foreigners and stateless persons", "Measures on Roma people support" and Part Three of the present report also contain information on development of legislative framework in the field concerned.

<sup>4</sup> Detailed information on the national legislation in the relevant field is reflected in the Third Periodic report of the Republic of Moldova on the Implementation of the Framework Convention, Part two; sect. "Evolution of the legal framework".

A special body for the implementation of the *Law No.121 on ensuring equality* was created according to the **Law on the activity of the Council on Prevention and Combating Discrimination and Ensuring Equality** (No.298 of 21 December 2012, in force as of 1 January 2013).

CPCD is a collegial body with the status of a statutory body established to ensure protection against discrimination and ensure equality and restoration of rights of all persons who consider themselves to be victims of discrimination. The Council carries out its activity in an impartial and independent way and its members are elected by the Parliament for the term of 5 years.

The main tasks of the CPCD imply: to review the individual complaints brought forward by persons who think of themselves as victims of discrimination and, possibly, to find offenses with discriminatory elements under the Contravention Code, addressing to prosecution offices in cases of stated discriminatory actions containing components of offence, to develop and promote policies for protection against discrimination, to initiate proposals to amend the anti-discrimination legislation etc.

According to art.17 of the Law, acts of discrimination are subject to disciplinary, civil, administrative and criminal legislation in force.

*The Equality Council developed the Roadmap for 2014-2016 on the implementation of the Law on Ensuring Equality.*

The **budget of the Equality Council** for 2013 was approved with an amount of **2.6 million MDL**, and for 2014 with a total amount of **3.3 million MDL**.

As of October 2013 the Council has started its *de facto* functioning and has worked on the implementation of its main objectives, which includes: advocacy, public policies, promotion and prevention of discrimination, protection against discrimination and institutional development. The Council has already under examination a number of pieces of national legislation that includes potential discriminatory elements, with proposals for modifications and has been presented to the Parliament.

Since **October 2013** (44 complaints received in 2013) **until August 2014** the Equality Council registered 135 complaints, 30% being rejected because of wrong competences and the 70 % examined with **48 decisions being issued**. All the decisions are public and could be consulted at the Equality Council's web site - [www.egalitate.md](http://www.egalitate.md). The majorities of these decisions have been contested in court and are currently on appeal. All appeals to date are by public institutions. By comparison, in general, private sector respondents have executed the recommendations of the Equality Council without appeal.

The **main issues raised in the complaints** touch upon discrimination in the process of access to goods and services; access to justice; education; discrimination at the work place. The grounds of potential cases of discrimination up till now have been: opinion, disability, social provenience, language, sex, gender, HIV positive status. Additionally, the Equality Council drafted **8 consultative opinions** on the margins of the normative acts issued by relevant national authorities.

The **first report of Equality Council was presented in May 2014** within the Parliamentary Committee for Human Rights and Ethnic Relations.

As the legislation in force made no sufficient provisions for criminalization of acts of discrimination certain amendments were introduced to the **Criminal Code of the Republic of Moldova** No. 985-XV of 18 April 2002 and the **Contravention Code** No.218-XVI of 24

October 2008 by adopting the **Law on amending and supplementing some legal acts** No.306 of 26 December 2012.

The indicated Law introduced a new Art. no. 423<sup>5</sup> to the Contravention Code according to which the Council on Prevention and Combating Discrimination and Ensuring Equality was made responsible for establishing offences in respective field. The article specifies the following:

- (1) Offences referred to in Article 54<sup>2</sup>, 65<sup>1</sup> and 71<sup>1</sup> are to be established by the Council for Prevention and Fight against Discrimination.
- (2) Members of CPCD have the right to establish offences and to conclude minutes regarding the committing of an offence according to the protection criteria.
- (3) Reports/minutes on irregularities/offences shall be submitted for examination to the competent court<sup>7</sup>.

Furthermore, the redrafted Article 176 of the Criminal Code (Infringement of the right to equality of citizens) was approved by the **Law no. 306 of 26 December 2012 on amending and supplementing certain legal acts**. It provides for:

(1) any distinction, exclusion, restriction or preference of one person, or group of people, any support for discriminatory conduct in political, economic, social, cultural and other spheres of life on the grounds of race, nationality, ethnic origin, language, religion or belief, gender, disability, opinion, political affiliation or any other criteria:

- a) committed by a person holding a position of responsibility;
- b) resulted in considerable prejudices;
- c) committed by displaying discriminatory messages or symbols in public places;
- d) committed on two or more criteria;
- e) committed by two or more people

shall be punished by a fine in the amount of 400 to 600 conventional units or by community service for 150 to 240 hours or by imprisonment for up to 2 years, in all cases with (or without) the deprivation of the right to hold certain positions or to practice certain activities for 2 to 5 years.

(2) Encouragement or support for actions stipulated in para.1 through mass-media shall be punished by a fine in the amount of 600 to 800 conventional units or by community service for 160 to 240 hours, by a fine in the amount of 1000 to 3000 conventional units to be applied to legal entities with the deprivation of the right to practice certain activities for 1 to 3 years.

(3) Actions specified in paragraphs (1) and (2) that by inadvertence provoked a homicide of a person or his/her suicide shall be punished by imprisonment for 2 to 6 years, by a fine in the amount of 1000 to 3000 conventional units to be applied to legal entities with the deprivation of the right to practice certain activities for 1 to 5 years or legal entity liquidation.

Art. 346 of the Criminal Code was also modified under the mentioned Law no. 306 of 26 December 2012. It states the following:

Deliberate actions, public instigation, including through mass-media, written or electronic, targeted to provoke national, racial or religious enmity or discord, to humiliate the national honor and dignity, as well as the direct or indirect limitation of the rights or establishing of direct or indirect advantages for citizens depending on their national, racial or religious affiliation shall be punished by a fine in the amount of 250 conventional units or by community service for 180 to 240 hours or by imprisonment for up to 3 years.

On 26 December 2012 the Parliament adopted the Law for issuing a **Declaration under Article 14 of the Convention on the Elimination of All Forms of Racial Discrimination (CERD)**, which entered into force on **13 May 2013**. Consequently, the Republic of Moldova recognizes the competences of Committee for Elimination of Racial Discrimination to receive and consider

communications from individuals or group of individuals within jurisdiction of the Republic of Moldova claiming to be victims of a violation by the State Party of any of the rights set forth in art. 14 (1) of the Convention.

By the Government Decision No.644 of 23 August 2013, BIR was assigned responsible for implementation of the provisions under corresponding CERD article.

As mentioned above, national minority related issues found their reflection in the new Government Action Programme for 2015-2018. So, the Chapter XV of the Programme stipulates the following priority activities in this realm:

1. Develop and implement an Integration Strategy of the National Minorities of the Republic of Moldova.
2. Create the conditions necessary for persons belonging to national minorities to maintain, develop and express their ethnic, cultural, linguistic and religious identity;
3. Facilitate intercultural dialogue and strengthen national minority sense of civic belonging to the Republic of Moldova state;
4. Facilitate access of persons belonging to national minorities to mass media for promotion of tolerance and cultural pluralism;
5. Encourage knowledge of culture, history, language and religion of both national minorities and ethnic majority;
6. Ensuring the conditions necessary for studying and using of the State language by the national minorities, including adults.
7. Assisting public associations of national minorities in their statutory activity.

Elaboration of the National Human Rights Action Plan (hereinafter referred as to NHRAP) adopted by the Parliament Decision No. 90 of 12 May 2011 and amended by the Decision No.327 of 27 December 2012 is considered as one of the most important achievements in recent years. The NHRAP was revised as a part of the comprehensive implementation of the Universal Periodic Review and other relevant recommendations.

The Plan overall is aimed at developing human rights culture in the Republic of Moldova. It is highly important that it doesn't remain just a symbol of a commitment to the human rights, but contributes to the improvement of the overall human rights situation in the country; enhancement of legal culture among population; growth in living standards; elimination of negative factors undermining complete realization of the human rights and fundamental freedoms.

A Road Map on the prevention and fighting discrimination was included in the revised version of the NHRAP under a separate **chapter11** that provides for: Consolidating the national mechanism on prevention and elimination of discrimination and ensuring equality; information and public awareness on preventing and combating discrimination, with the purpose of cultivating the spirit of tolerance, goodwill and mutual respect and promoting the rights of national minorities, etc.

Respect for the national minority rights is an essential element of the European agenda promoted by the Government. Period covered in the present report coincides with the realization of EU - Moldova Visa Liberalization Action Plan.

Aiming at its implementation the **National Program on realization of EU - Moldova Visa Liberalization Action Plan** was approved by the PD No.122 of 4 April 2011.

The National Program provided, *inter alia*, for strengthening cooperation with civil society to ensure respect for the rights of national minorities, ensuring promotion of measures on Roma support in all social spheres, raising public awareness on phenomenon of discrimination

persisted in society, promoting intercultural dialogue, spirit of tolerance by organizing ethno-cultural events (festivals, Days of native languages and culture, etc).

Following signing of the Association Agreement with the European Union on 27 June 2014 the Moldovan authorities elaborated a **National Action Plan for the implementation of the RM-EU Association Agreement**, approved by the GD No. 808 of 7 October 2014. The Action Plan comprises a period of three years and includes the key priorities of cooperation, in order to ensure the political association and economic integration with EU.

On BIR proposal such implementation measures as: “*Organisation of the 4<sup>th</sup> cycle of monitoring under the Framework Convention for the Protection of National Minorities in RM by the Council of Europe*” and “*Ensuring implementation of the recommendations of the 4<sup>th</sup> cycle of monitoring under the Framework Convention for the Protection of National Minorities in RM by the Council of Europe*”, respectively, were introduced into the Action Plan on RM-EU Association Agreement implementation.

A number of important issues were discussed during an official visit of the OSCE High Commissioner on National Minorities, (HCMN) Mr. Knut Vollebaek, to the Republic of Moldova in March 2012, but integration of the national minorities into the Moldovan society was among the most complex issues in question..

In this regard, the Government confirmed the support to the key priority areas for the social integration of the national minorities, identified in cooperation with HCNM Office, which will be at the core of this policy - education, language, mass media and participation in public life.

Developing integration strategy will contribute to consolidating efforts of the Moldovan authorities on facilitation of the national minority integration by strengthening their sense of civic belonging to the Republic of Moldova, providing equal opportunities to participate actively in public life while guaranteeing the protection of cultural rights and promoting tolerance.

As a key institution in charge of the Integration Strategy BIR gained support from the Office of the High Commissioner on National Minorities that implied financial coverage of an expert for elaborating an *Interim Report on the support of the OSCE HCNM to the Bureau for Inter-ethnic Relations with the development of the Integration Strategy for the Republic of Moldova*, as confirmed in the High Commissioner's letter to the Prime Minister of Moldova of 4 October 2012.

***The Action Plan of the Government of the Republic of Moldova for 2014 and for 2015*** provide for developing a draft Strategy on National Minority Integration by BIR. At the current stage the Integration Strategy draft is focused on the following areas:

- *Participation in public life;*
- *Languages as means of integration: policies towards the state language and maintenance of minority languages;*
- *Intercultural dialogue and civic belonging to the Republic of Moldova state;*
- *Mass-media*

The draft Strategy was launched for consultations in April 2015.

#### ***Internal monitoring of laws implementation***

A mechanism for monitoring of legislation at the executive level in order to determine the degree of existing legislation enforcement or non applicability as well as to made recommendations on remedying the negative consequences was approved by the GD No. 1181 of 22 December 2010 on monitoring of legislation implementation.

In this sense, in 2011 and 2012 BIR conducted a monitoring on implementation of the **Law No. 382 - XV of 19 July 2001 on the rights of persons belonging to national minorities and the legal status of their organizations**<sup>5</sup>.

Basing on statistical information, administrative practice, opinions of stakeholders obtained in the process of monitoring, it was stated that most of the articles of the Law are respected; degree of its realization is high; intended objectives and goals are met.

All activities envisaged by the Law are carried out within the budget allocations provided for these purposes to public institutions in charge of developing the corresponding spheres (for functioning of educational and cultural institutions, scientific researches, etc.) and from the other sources, in accordance with the legislation in force.

However, according to some leaders of ethno-cultural associations, implementation of certain articles is problematic or partial; in particular it has to do with the art. 11, 12, 23, 24 with regard to the public information in minority languages, and the use of minority languages in relations with public authorities; approximately proportional representation of national minorities in the executive and in the judiciary at all levels.

In 2012 BIR realized a monitoring under the **Law no. 3465 of 1 September 1989 on functioning of languages in the territory of the RSSM (Republic of Moldova)**<sup>6</sup>. Objective of the monitoring was respect for the mentioned law by APC and APL (ministries, bureaus, services, agencies, local and regional authorities).

Basing on statistical information, administrative practice, opinions of stakeholders obtained in the process of monitoring it can be stated that overall degree of the Law's implementation is high. Its scopes and objectives are met.

A particular situation was created around implementation of art. 29 according to which the texts of posters, public announcements, advertising texts and other texts providing visual information shall be written in the State language and, if necessary, shall be translated into Russian. As implied by the article visual information placed by the central and local authorities and their subordinate bodies is translated into Russian, as case arises. The need to do so is determined by the administration of respective institutions.

Based on the results of consultations with stakeholders, including ECONM, it was claimed that the Law on functioning of languages should be amended, subject to the current situation in the country and adjusted to the European standards in the field concerned.

### **Situation in the Transnistrian region of the Republic of Moldova**

Reintegration of the country is a priority for the Moldovan Government that will continue to undertake efforts to achieve a comprehensive and viable solution by agreeing on a special legal status for the Transnistrian region as an integral part of the Republic of Moldova. The special legal status must be based on the respect of the principles of sovereignty and territorial integrity of the Republic of Moldova.

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<sup>5</sup> Report on monitoring on implementation of *the Law No. 382 - XV of 19 July 2001 on the rights of persons belonging to national minorities and the legal status of their organizations* is available on the website [www.bri.gov.md](http://www.bri.gov.md)

<sup>6</sup> Report on monitoring on implementation of the **Law No. 3465 of 1 September 1989 on functioning of languages in the territory of the RSSM (Republic of Moldova)** is available on the website [www.bri.gov.md](http://www.bri.gov.md)

Although the Transnistrian region is not under the effective control of the Republic of Moldova, the Moldovan Government undertakes efforts in order to implement the assumed international commitments and therefore the Framework Convention for the Protection of National Minorities, on the left bank of the river Nistru.

Therewith, the Transnistrian issue remains an important topic on the international agenda. At the meetings of the OSCE Ministerial Council in Dublin (2012), Kiev (2013) and Basel (2014) the OSCE Participating States adopted statements regarding the Transnistrian conflict settlement process in “5+2” format. Each of these statements reaffirms the support of the OSCE participant states for a comprehensive, equitable and viable settlement of the Transnistrian conflict by observing Moldova's sovereignty and territorial integrity, and agreeing on a special statute for Transnistria.

In order to contribute to the implementation of this priority the Bureau for Reintegration being responsible for reintegration policies, functions within the structure of the State Chancellery under direct subordination to the Prime Minister of the Republic of Moldova<sup>7</sup>. The mission of the Bureau is the promotion and implementation reintegration policy of the Government, directed towards territorial, political, economic and social reintegration of the Republic of Moldova, by: developing and promoting the national policy for country reintegration; conducting negotiations for the Transnistrian conflict settlement; developing the necessary legislative framework for country reintegration; coordinating activities of the public authorities on reintegration of the country. Within its competence Bureau monitors political, economic and social developments in Transnistria region; elaborates reports and analytical materials on this subject.

Representing the majority of population in the region the Moldovans are deprived to promote their culture and traditions as a result of the policy pursued by the administration from Tiraspol. The language used in schools is predominantly Russian (more than 70%). In Transnistria the Russian, Moldovan and Ukrainian languages are declared to have the status of official languages. However, Russian is the only language used, de facto, in social, economic, political, cultural and other spheres of life. It is the language of the official documentation in all institutions and organizations, in educational system and in other spheres of social and economic life.

One can't find literature on science or arts and educational materials in Romanian published in the region. The books, newspapers and other periodicals in Latin script are not available for sale. The majority of the population can't read books in Latin script, as teaching in the Moldovan schools in the region is provided in Cyrillic script.

Situation around the instruction in the state language and in the Latin script hasn't improved since adoption of the Third Opinion on Moldova. Despite some progress in solving certain problems faced by parents, students and teachers of these schools, the acts of intimidation and pressure on schools still continue.

On 29 February 2012 a minor Alexandru Bejan, student at the Lyceum “Lucian Blaga” from Tiraspol was arrested by the so called *militia* being accused in a false denunciation of terrorist acts risking 16 years of imprisonment. He was kidnapped from the schoolyard and imprisoned without school administration or teachers being notified. After the Moldovan authorities and international community applied pressure on Tiraspol, Alexandru Bejan was released with no right to leave Transnistria. Because of the persecution by the Transnistrian law enforcement agencies in search of refuge after high school graduation exams he was forced to move to Chisinau where he is supported by the state authorities.

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<sup>7</sup> GD no. 657 of 6 November 2009.

During 2014, the Latin-script schools have experienced an increased administrative pressure from various Transnistrian structures. Some of them are facing numerous challenges such as increase of rent prices. In addition Transnistrian de-facto authorities are establishing increased in a discriminatory way tariffs for utilities (heating, water, electricity) for the teachers working in the Latin-script schools.

Moreover, the teaching staff is requested to pay 15% “income tax” to the Transnistrian budget, which leads to double taxation since teachers receive salaries from the Moldovan budget where the taxes and social contributions are already deducted. Three lyceums: “Eureka” from Râbnîța, “Ștefan cel Mare” from Grigoriopol and “Mihai Eminescu” from Dubăsari are deprived of the possibility to use their premises

The situation of the Latin-scripts schools is the key issue of the judgement of the Grand Chamber of the European Court of Human Rights, in the case *Catan and Others vs. Moldova and Russian Federation* adopted in October 2012. According to this judgment, Russian Federation was found responsible for not taking any measures in settling the schools situation, although it could do so since the Transnistrian authorities are over its influence given the Russian military, economic and politic support.

A detailed report on history and current situation of Latin-script schools in Transnistria was published by the OSCE Mission in November 2012.

### **Activity of the Bureau for Interethnic Relations**

Bureau for Interethnic Relations is a body of central public administration under subordination of the Government<sup>8</sup>.

BIR’s mission constitutes in realization of the constitutional prerogatives of the Government by means of promoting the state policy in the field of interethnic relations, functioning of the languages spoken in the Republic of Moldova as well as support for the Moldovan Diaspora. BIR is responsible for ensuring respect for the legislation in these areas and exercises control over respect for the legislation on functioning of the languages spoken in the Republic of Moldova<sup>9</sup>.

Within a special chapter on “Integration of National Minorities” of the Government Activity Program "European Integration: Freedom, Democracy, Welfare" for 2013-2014 (adopted by the PD no. 125 of 30 May 2013) the Government commits to ensure the implementation of the following objectives:

- Preserve and develop cultural and linguistic heritage of persons belonging to national minorities living in the Republic of Moldova;
- Implement a coherent and multidimensional state policy in relation to persons belonging to national minorities;
- Revise the legal framework, so as to facilitate integration of persons belonging to national minorities in the social, administrative, cultural, political and economic life of the Republic of Moldova.

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<sup>8</sup> BIR was established in 1991.

<sup>9</sup> The Regulation on organization and functioning of the Bureau for Interethnic Relations, its structure and staff list of central apparatus thereof (GD no.43 of 2 February 2010)



In terms of these objectives BIR directs its activities on consolidating and enhancing institutional capacity in the field of interethnic relations, in particular relating to:

- elaboration of policy and regulatory framework pertaining to interethnic relations;
- respect for the rights of national minorities, protection and development of their cultural linguistic heritage;
- contribution to creation of necessary conditions for teaching of the state language to national minorities;
- promotion of tolerance, respect for cultural and linguistic diversity, prevention and combating discrimination on the grounds of race, color, national or ethnic origin, elimination of xenophobia and ethnic prejudices;
- support for the process of national minority integration in political, cultural, social and economic life of the republic as well as for the programs on social cohesion;
- strengthening collaboration with international mechanisms aiming at attracting external funding for interethnic relations field;
- collaboration with ethno-cultural organizations of national minorities integral to civil society in Moldova.

Furthermore, BIR initiated the elaboration of the *Action Plan on supporting the Roma population in the Republic of Moldova for 2011-2015* adopted by the GD Nr.494 of 8 July 2011 and amended by the GD Nr. 56 of 31 January 2012.

The Action Plan was developed under the EU Framework on Roma, OSCE / ODIHR Strategy and the Report on States Parties implementing the OSCE Strategy (2008), Council of Europe and UN recommendations.

The monitoring of the Action Plan implementation is taking place through the Inter-ministerial technical group to which experts from the competent institutions, NGOs and development partners are members. The Prime Minister Adviser on Roma issues and the Bureau for Interethnic Relations are regularly convening meetings of the Inter-ministerial technical group in order to assess current and future activities, to set priorities and short/ mid-term targets, as well as to monitor their appropriate implementation.

BIR coordinates activities on creation of favorable conditions aiming at promoting state language learning among adult population (See also Part II, sect. "State language teaching").

BIR applies new forms of activity, in particular collaboration with other institutions on the basis of partnership agreements. Thus, in order to consolidate the protection of national minority rights, respect for ethno-cultural and linguistic diversity, preventing and combating discrimination BIR signed an agreement with the Centre for Human Rights (2011).

A Partnership Agreement between BIR and ANTEM was signed with the purpose of supporting and guaranteeing the necessary conditions for the efficient integration of the national minorities in all spheres of life by means of creating favorable linguistic environment (2010).

Being in charge of reporting under the International Convention on the Elimination of All Forms of Racial Discrimination, by the GD no. 644 of 23 August 2013, BIR was assigned responsible to realize provisions under art. 14 of the Convention as well as to ensure submission of the comments of the Government of the Republic of Moldova on communications from individuals

or group of individuals claiming to be victims of a violation, addressed to the Committee on the Elimination of Racial Discrimination<sup>10</sup>.

According to the Government Action Plan for the years 2012-2015, approved by the GD No. 289 of 7 May 2012, BRI is committed to develop a State Program on necessary conditions for studying and using of the state language of the Republic of Moldova by national minorities, including civil servants and elected officials for 2013-2015 which is in the process of development and is targeted at social integration through proficiency in the Romanian language that provides for recognition by all citizens of its role in consolidation of the Moldovan society and ensuring mutual understanding<sup>11</sup>.

As a key institution in charge of Integration Strategy BIR gained support from the Office of the High Commissioner on National Minorities that implied financial coverage of an expert for elaborating of a draft Action Plan on developing an Integration Strategy, as confirmed in the High Commissioner's letter to the Prime Minister of Moldova of 4 October 2012.

This Action Plan drafted in 2013 includes concrete steps to be taken to develop Integration Strategy, timeframe for each stage, costs and relevant actors to be involved in the process. The document is based on HCNM Guidelines on Integration of Diverse Societies (*See also Part II*).

BIR's representatives make part of Interdepartmental advisory bodies (committees, working groups etc.) dealing with interethnic relations and national minority rights.

During 2011-2014, BIR worked extensively on attracting external funding to discuss and tackle minority-related problems. In the reporting period BIR organized 12 training events (seminars / conferences, trainings), including in the various regions, for different groups and stakeholders (public and nonprofit) financially supported by specialized bodies of CoE, OSCE, etc. (*See also Part I, Part II, Chapter „Measures taken to support Roma people from the Republic of Moldova”*)

BIR collaborates with a Coordinating Council of Ethno-cultural Organizations - an advisory body under the auspices of BIR which status is enshrined in art. 25 para. (3) of the Law on the rights of national minorities and the legal status of their organizations (2001).

Leaders of all ECONM accredited to BIR regardless of minority number, take part in the Coordinating Council. In total 30 national minorities are represented in the Coordinating Council<sup>12</sup> (*See also Part III. art.16*).

BIR's activity is state-funded. Sources provided to BIR, including for the cultural manifestations, did not decrease in 2011-2014. Sources allocated for the cultural events are used for the organization of festivals, conferences, roundtables and other activities aimed at promoting cultural diversity, intercultural dialogue and interethnic tolerance, strengthening civil society, attended by, inter alia, all national minorities living in the territory of the republic (e.g. Annual Ethnicity Festival, Multi-ethnic Festivals for Children, Days for Slavic writing and culture, etc.).

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<sup>10</sup> GD No. 644 of 23 August 2013 was adopted for realization of art.2 of the Law No.311 of 26 December 2012 on formulation of Declaration of the Republic of Moldova under art.14 of the International Convention on the Elimination of All Forms of Racial Discrimination.

<sup>11</sup> The Program will make part of the Strategy on National Minority Integration.

<sup>12</sup> 89 organizations are accredited to BIR (registered under Ministry of Justice and each having the republican status). About 100 similar organizations operate on a local scale in the municipalities of Chisinau and Balti, in districts of Sorooca, Taraclia, Edinet, Rezina, Soldanesti, Cahul, Drochia, Criuleni, Glodeni, Donduseni, Ungheni, Riscani, Orhei, Calarasi, Straseni, Floresti.

However, it's appropriate to consider the possibility of advancing BIR's status and strengthening its capacities proposed by the ECONM's chairmen, members of the Coordinating Council and the Advisory Committee experts on repeated occasions.

### **Organization of the population and housing census of the Republic of Moldova for 2014**

According to the Law No.90 of 26 April 2012 on population and housing census in the Republic of Moldova and the GD No. 967 of 21 December 2012 the population census was carried out in 2014.

According to the art.1 of the Law census aims at producing comprehensive information on the population's number and territorial distribution, demographic and socio-economic, national and linguistic structure, structure of households and families, and housing and living conditions.

Art. 2 provides for the following categories of population subject to the census:

- Individuals with habitual residence in the Republic of Moldova;
- Persons who are temporarily absent from work and study abroad;
- Staff of diplomatic missions and consular offices of the Republic of Moldova;
- Individuals who have temporary residence in the Republic of Moldova.

Art.6 stipulates: (1) National Bureau for Statistics in its capacity of an authority of central public administration is appointed responsible for organizing and conducting the census, for obtained data processing and generalizing as well as for methodological ensuring of the census; (2) Specialized bodies of central administration, other administrative authorities as well as local authorities pursuant to their powers and duties co-work with the National Bureau for Statistics for the preparation and conduct of census ensuring access to administrative data held by them; (3) local authorities pursuant to their powers and duties contribute to accomplishment of preparatory works for ensuring coverage by census of entire population in corresponding administrative localities.

According to the art. 7 (1) g) h) i) j) of the Law, census will collect the data / information about the population, including citizenship (state name / Member of the nationality of the respondent, including dual nationality); ethnicity (no obligation to answer); language; religion (no obligation to answer).

These data are utmost necessary for the proper functioning of central and local public administration at all levels, as well as for determination of socio-economic perspectives of the country.

The following documents were adopted by the GD No. 967 of 21 December 2012: Action Plan on organization and conduct of the population and housing census of the Republic of Moldova for 2014 and processing of data obtained; National Commission for population census under the chairmanship of the Prime Minister of the Republic of Moldova; Regulation on the activity of the National Commission.

On 11 December 2013 NBS published census questionnaires on its website [www.statistica.md](http://www.statistica.md) (heading "Population and housing census of 2014").

Questionnaire 2P under compartment "Demographic and ethno-cultural characteristics" contains questions regarding ethnicity/nationality (no obligation to answer); native language, language of common use, proficiency in other languages; religion (no obligation to answer): orthodox, other religion.

The last population census in the country was conducted in 2004. The results of 2014 population census will be included in the World Population and Housing Census of the round 2010 held in accordance with the UN recommendations and principles.

### **Measures undertaken in the process of preparation for the ratification of the European Charter for Regional or Minority Languages (ECRML)**

European Charter for Regional or Minority Languages was signed by the Republic of Moldova in 2002 and is due for ratification. PACE Opinion 188 (1995) stipulates “to study with a view to ratification the European Charter for Regional or Minority Languages”.

Activity on studying the opportunity to ratify ECRML by the Republic of Moldova was resumed in 2011-2013.

BIR in collaboration with the line ministries, LPA and civil society took certain measures in this regard.

A Working Group on Charter ratification comprising representatives of ministries, LPA, scientists of the Centre of Ethnology under Academy of Sciences of Moldova and ECONM leaders has continued its activity. At the meetings convened the Working Group discussed the most important issues related to Charter ratification.

On 6-7 October 2011 BIR in collaboration with CoE organized a round table “*with regard to the ratification of the European Charter for Regional or Minority Languages by the Republic of Moldova*”. This event aimed at maintaining a strategic approach with regard to ratification of this international instrument.

During the round table members of the Working Group discussed perspectives of the European Charter ratification within the today’s realities and were offered legal consultations by the CoE’s experts in this regard. Furthermore, participants negotiated a Schedule of seminars/trainings on eventual ratification of the European Charter for 2012.

In the context of providing the Moldovan authorities with the legal assistance and in order to facilitate debates on Charter-related issues the European Centre for Minority Issues<sup>13</sup> developed a draft instrument of ratification of the Charter based on CoE member states experience.

On 2-3 February 2012 this draft ratification instrument was subjected to wide consultations with the national stakeholders during the meeting with the European Centre experts convened by BIR in cooperation with CoE. Representatives of Ministry of Justice, Ministry of Foreign Affairs and European Integration, Ministry of Education, Ministry of Culture, State Chancellery, as well as national minorities participated at the meeting.

The outcomes of the event resulted in a coordinated List of commitments under Charter provisions in relation to Russian, Gagauz, Ukrainian, Bulgarian, German, Hebrew, Polish and Romani languages supposed to be taken under the protection of the Charter.

In March - April 2012 in line with the National Human Rights Action Plan for 2011-2014 BIR conducted a *study with regard to the opportunity to ratify the European Charter for Regional or Minority Languages by the Republic of Moldova*<sup>14</sup>.

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<sup>13</sup> The European Center for Minorities is a European think tank on minority issues co-operating with the Council of Europe.

<sup>14</sup> Study on the opportunity to ratify the European Charter for Regional or Minority Languages is available on the website: [www.bri.gov.md](http://www.bri.gov.md).

The study reflects upon compliance of Charter's objectives and principles with the national legislation as well as correlation between present linguistic situation on the territory of the Republic of Moldova and provisions of the Charter. It also contains conclusions and suggestions on eventual ratification of the Charter.

In **April 2012** BIR submitted the draft ratification instrument to the relevant ministries for examination and consultation.

In **April-August 2012** a preliminary research on Charter ratification costs was conducted within the project ECORYS "The strengthening of public policy management".

Following recommendations made within the ratification costs survey and due to the issue delicacy, insufficient capacity of the authorities, conditions of the budgetary austerity and the lack of ratification costs evaluations made so far, in coordination with the Ministry of Foreign Affairs and European Integration (hereinafter referred as to MFAEI) it was decided to suspend the ratification of the Charter and to return to the consultations on Charter ratification, examination of eventual risks and ways to overcome them.

During 2013 - 2014 BIR within its institutional competence took the following measures in the context of studying the opportunity to ratify ECRML by the Republic of Moldova:

- continued internal consultations with the national minority representatives and LPA in localities densely populated by national minorities to further coordinate listing of Moldova's commitments under Charter provisions in relation to Russian, Gagauz, Ukrainian, Bulgarian, German, Hebrew, Polish and Romani languages that will be included in a draft ratification instrument;
- conducted an analysis on correlation between the national legislation, in particular the Law No. 3465 of 1 September 1989 on functioning of languages in the territory of the RSSM (Republic of Moldova), and the Charter provisions;

Assessment of existing allocated funds and additional funds required for the implementation of the European Charter for Regional or Minority Languages following its ratification by the Republic of Moldova. Activity is taken place within the project "Strengthening Rule of Law and Human Rights Protection in Moldova" realized by UNDP, Moldova in collaboration with BIR. As a result, a joint financial assessment of the existing costs allocated and additional funds required for the implementation of the Art. 8 "Education", Art. 9 "Judicial Authorities", Art. 10 "Administrative authorities and public services" and Art. 11 "Media" of the Charter following its ratification by the Republic of Moldova will be elaborated, and is planned to be edited and presented to public authorities and mainstream civil society during a round table.

## PART THREE

### Information on relevant developments on an article-by-article basis

#### Article 3 of the Framework Convention

During the reporting period a series of actions were undertaken to include persons belonging to other groups such as foreigners and stateless persons under the implementation process of the Framework Convention for the Protection of National Minorities.

The Moldovan Government provides assistance and programs to foreigners to integrate them in economic, social and cultural life.

The following activities are organized to facilitate the integration of the foreigners:

- a) Organizing state language seminars and educational courses in history, culture, civilization and legal system of the Republic of Moldova;
- b) Providing information with regard to the rights and responsibilities of foreigners and on the opportunities for their social integration;
- d) Conducting meetings on the occasion of various events with participation of citizens of the Republic of Moldova aimed at promoting mutual understanding and building bridges of trust.

Central specialized public administration bodies and local public administration authorities cooperate with the international organizations in order to promote and implement relevant programs.

*(See also Part III, Art.6, sects. „Respect for the rights of foreigners and stateless people”)*

#### Art.4 of the Framework Convention

The process of promoting full and effective equality between the national minorities and those belonging to the majority has continued.

**The Law No.121 on ensuring equality** was adopted which bans all forms of discrimination, provides the possibility of affirmative actions and sets up a mechanism to sanction discriminatory behavior. The Council for Preventing and Combating Discrimination and Ensuring Equality was set up in order to provide a sustainable, impartial and independent national mechanism to this end.

The review process of the National Human Rights Institution legal framework has taken form through the **Law No. 52 on the people’s advocate** of 3 April 2014 which has entered into force on 9 May 2014. The law provides the mandate for the people’s advocate and ombudsman for child rights.

With the purpose of ensuring equality in social sphere the **Law No.123 of 18 June 2010 on social services** was approved. Art.3of the Law stipulates the principles of providing social services:

- a) principle of targeted social assistance - prioritizing provision of social services to individuals / families in need, identified by an assessment of individual necessities;
- b) focusing upon the beneficiary, which presume adapting social services to the needs ( in the process of continuous change ) of the beneficiaries based on a systematic impact assessment.
- c. principle of accessibility - ensuring access to social services of all disadvantaged and marginalized people / families., as well as their adaptation to the needs of beneficiaries;

- c) principle of equal opportunities, which provides for ensuring access to social services of disadvantaged persons / families; on a non-discriminatory basis and equal treatment.
- d) principle of rapidity implies timely decision making process on the provision of social services.

Thus, according to the above-mentioned Law as well as the Law on social assistance No.547 of 25 December 2003, social services are being developed at the local level and national minorities benefit, inter alia, from them.

In order to ensure further development of social services quality , MLSPF<sup>15</sup> drafted and submitted for approval the following normative acts:

- GD No. 323 of 30 May 2013 on the approval of the Framework Regulation on organization and functioning of the Elderly Care Centre and minimum quality standards;
- GD No. 569 of 29 July 2013 on the approval of the Framework Regulation on organization and functioning of the Elderly Day Care Centers and minimum quality standards;
- GD No. 661 of 30 August 2012 on the approval of the Framework Regulation on organization and functioning of Joint Information and Services Bureau.

### **Article 5 of the Framework Convention**

The Republic of Moldova pursues a balanced policy to preserve cultural diversity and to create the necessary conditions for the development and expression of ethnic and cultural identity of the national minorities.

Adopting the following normative acts, such as: **Law No.58 of 29 March 2012 on protection of the intangible cultural heritage, Law on culture, Culture Development Strategy “Culture – 2020”**, the Republic of Moldova has committed to promote a coherent and multidimensional state policy in relation to national minorities and to revise the legal framework for ensuring their cultural integration.

Art. 1 of mentioned Law stipulates:

- (1) The present Law establishes the legal framework for inventorying, scientific research, conservation, transmission, promotion, revitalization and use of intangible cultural heritage of the Republic of Moldova.
- (2) The Law aims at safeguarding the intangible cultural heritage as a part of national cultural heritage; educating respect for the intangible cultural heritage of the communities, groups or, if appropriate, individuals so as to ensure recognition of their traditions and values at the local and national level.

According to Art. 6 of the Law:

- (1) All citizens have the right to use and access the intangible cultural heritage;
- (2) Communities, groups, including bearers of intangible cultural heritage, have the right:
  - a) to express their cultural identity by means of using items of intangible cultural heritage;

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<sup>15</sup> Ministry of Labour, Social Protection and Family is a specialized body of central public administration subordinated to the Government competent in elaborating, promoting and ensuring implementation of the state policy in the following spheres: labor relations, remuneration, health, security, human resources development and employment including professional formation and labour orientation of the population, work migration, demography, social partnership, social insurance, social assistance, social protection of persons with disabilities, family and child rights protection, ensuring equality between men and women, preventing domestic and gender-based violence, preventing human trafficking, receipt and distribution of humanitarian assistance provided to Moldova (GD No. 691 of 17 November 2009).

b) to participate in an inventory review, process of protection and promotion of intangible cultural heritage;

c) to apply customary norms in their relations with those interested in scientific research, conservation, promotion and spreading of intangible cultural heritage;

d) to develop and use local heritage symbols and signs, registered under the law, to contribute to its wider visibility among general public.

Cultural diversity is a priority of the strategy implemented by MC<sup>16</sup>.

Activity of cultural institutions is not organized according to the principle of ethnic origin; most of them are guided by the principle of cultural diversity being a spiritual treasure for the entire population of the Republic of Moldova. However, MC contributes to achievement of the Government's objectives on supporting national minorities, preservation and development of their culture, traditions and customs.

Likewise, MC supports the state institutions of national minority culture, such as: libraries, theaters, museums and artistic groups. Art education institutions subordinated to MC provide access to education for students of national minorities<sup>17</sup>.

The process of implementing harmonious state policy on ensuring respect for the cultural rights of national minorities can be illustrated by Taraclia district experience which is compactly populated by the Bulgarian national minority (according to the census of 2004 the Bulgarians constitute 67% of the total population of the district).

A network of state cultural institutions operates on the territory of the district:

- Houses of Culture - 22; Libraries - 24; Arts schools for children – 2; Museums - 4; Bookshops - 4.

29 artistic groups representing Bulgarian minority and comprising of 390 persons, function under the Houses of Culture, namely: Bulgarian folk vocal ensemble from Taraclia, Bulgarian folk ensemble from the village of Tvardita, Bulgarian folk dance ensemble "Lale" from the village of Valea Perjei, Bulgarian folk vocal ensemble from the village of Cairaclia, Bulgarian modern dance ensemble from the village of Corten etc. Furthermore, there is a professional Song and Dance Ensemble "Rodoliubie" under the Association "Moldova-concert".

In most villages densely inhabited by the Bulgarians purchase of the books for the libraries is carried out within the local budget allocations. Book collections of "Olimpii Panov" reading room, Taraclia State University library, „Hristo Botev" library are particularly ample. Local cultural life is inspired by the Bulgarian dramatic theater "Smeşen Petik".

The museums from Taraclia annually organize painting exhibitions, round tables and seminars. The assets of the museums include 15157 musical compositions rendering particular history and culture of the Bulgarian minority from this region.

The Taraclia Public Library provides the following services:

- Library Audiovisual Service (established with the support of the Soros Foundation-Moldova);  
- Community Center for Information and Documentation in Tvardita (established with the support of the Soros Foundation-Moldova). Currently, the Centre holds seminars, conferences,

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<sup>16</sup> Regulation on organization and functioning of the Ministry of Culture, its structure and staff list of central apparatus thereof (GD No.696 of 19 November 2009)

<sup>17</sup> Detailed information on activity of the state institutions of national minority culture was reflected in the Third Periodic Report of the Republic of Moldova on implementation of the Framework Convention, Part Two, "Information on relevant developments on an article-by-article basis", art.5



other activities using new information technologies. Also, heading „Center for Information and Documentation” was introduced to the webpage of the village "www.tvarditsa.com”.

Simultaneously, a project aimed at modernizing public libraries of the Republic of Moldova was launched within the *Global Libraries program* on partnership opportunities for increase of public access to information technology in Central and Eastern Europe.

In 2009-2013, within the National Book Publishing program MC transmitted books in Taraclia in order to supplement the book collections of public libraries on the territory of the district.

A branch office of the Republican College of Music in Chisinau „Stefan Neaga” with a Department of Bulgarian folk instruments and choreography has been opened in the village of Tvardita since 1996. The Bulgarian Folk Music Orchestra and Bugarian Folk Dance Ensemble activate under this branch office.

Students of this college participated in several national and international competitions, including those in Bulgaria. An exchange of experience between students of Tvardita College and Sirovo Music College from Bulgaria was organized in 2011.

Annually, the Government of Bulgaria grants the postgraduate scholarships to Tvardita College students to study in Bulgaria.

MC, under the intergovernmental agreement signed with the Bulgarian party, contributes to the two-way participation of artistic groups in various cultural manifestations held both in the Republic of Moldova and Bulgaria.

The major activity coordinated and organized by BIR in partnership with MC, APL and ECONM is the annual Republican Ethnic Festival under EU motto of „Unity through diversity,,.

In 2013, on BIR’s initiative and with LPA support the 13<sup>th</sup> edition of Republican Ethnic Festival entitled ”Unity through Diversity”, for the first time was held in a new format. The festival changed its location and took place in three stages, in Taraclia (South), Chisinau (Center) and Balti (North).

The event brought together all ethno-cultural organizations, artistic formations, and craftsmen, fine art artists from the southern, central and northern part of the country.

Consequently, on **8 September** representatives of all ethnic minorities from the Southern region of Moldova convened in Taraclia with the participation of ethno-cultural organizations and artistic groups, thereby inaugurating the Festival;

On **22 September** the Festival continued in Chisinau involving the republican and municipal ethno-cultural organizations, including from the central regions;

On **28 September** on the third stage the Festival was held in municipality of Balti uniting ethno-cultural organizations from the northern part.

The event in Taraclia covered the following southern regions of the Republic of Moldova: Basarabeasca, Cahul, Leova, Cantemir, Causeni, as well as ATU Gagauzia and the ethno-cultural organizations from Chisinau. 18 artistic groups representing 7 ethnicities, including: Bulgarians, Russians, Poles, Ukrainians, Czechs, Gagauz, Roma performed during the Festival. 7 improvised towns of each participating ethnicity and works of 18 artisans were exhibited.

The event was attended by the district chairmen, members of the Parliament, foreign ambassadors and leaders of ECONM.

In Chisinau 71 ECONM, 62 artistic groups participated in the Festival; and 17 improvised towns of ethnicities, such as: Ukrainians, Russians, Byelorussians, Bulgarians, Azeri, Armenians, Roma, Poles, Georgians, Asians, Latvian, Estonians, Lithuanians, Ossetians, Hebrew, Gagauz etc. were presented.

The cultural program of the festival focused on the performance of 11 artistic groups, such as: dance group “Inspiration”, ensemble “Cuniceanca”, ethno-folk ensemble “Raznotvetie”, “Stolniceneanca”, vocal ensemble “Reabinuska”, artistic studio “Aisedore”, etc that represented Ukrainian, Russian, Roma etc. ethnicities from localities densely populated by the national minorities.

Besides the three-dimensional format, in September the Festival was held by LPA under BIR’s support in villages and towns throughout the country. The event united 85 ethno-cultural organizations, representing more than 40 ethnic minority groups and 120 artistic groups from 30 districts of the country.

Multi-dimensional format of the Festival introduced in 2013 was successfully continued in 2014. As in 2013, the 14<sup>th</sup> Republican Ethnic Festival was held in Taraclia, Balti and Chisinau.

The Republican Ethnic Festival, especially organized in such format, receives an extensive media coverage and has a positive social impact. It usually attracts a large number of participants, contributing to the process of revitalization and promotion of national minority traditions; to intercultural dialogue consolidation, and to strengthening relations of cooperation between the Moldovan authorities and the civil society.

In December 2013 BIR launched another national, cultural event, such as the Children Winter Customs Festival held in the House of Nationalities (hereinafter referred as to HN) from Chisinau. 35 children’s artistic groups participated in the Festival.

## **Article 6 of the Framework Convention**

### **Measures taken to support Roma people from the Republic of Moldova**

In order to address the situation of Roma community in the Republic of Moldova the national authorities are guided by policies and instruments implemented in the European Union, among them: "Decade of Roma Inclusion 2005 - 2010", "Lisbon strategy, Europe 2020 Strategy" "European Platform for Roma Inclusion", "EU Framework for National Roma Integration Strategies up to 2020” etc, as well as recommendations by specialized international structures and mechanisms.

The Republic of Moldova joined the *Decade of Roma Inclusion* as an observer member from 2014.

According to the census of 2004, the number of Roma people constitutes **12271** people, representing 0.4% of the population of the Republic of Moldova. Nevertheless, **14 474** Gypsies/Roma were in total registered in the Automated Information System “State Register of Population” (hereinafter AIS “SRP”) on 19 September 2013, including **270** people registered at the beginning of 2014.

The most important initiatives launched during the reporting period to estimate the approximate number of Roma in the settlements of the Republic of Moldova are the following:

1. Mapping of localities with relatively dense Roma population in the Republic of Moldova. It was performed by the United Nations Development Programme (hereinafter referred to as UNDP) Moldova at the request of the Ministry of Labour,

Social Protection and Family (hereinafter referred to as MLSPF ) to identify communities populated compactly or jointly by Roma, the number of Roma in these localities and main problems faced by people of this ethnic group.<sup>18</sup>

2. Report on Roma in Moldova in communities with high concentration of Roma population elaborated jointly by UNDP, UN Women, United Nations Children's Fund (hereinafter referred as UNICEF) with the assistance of the Swedish Government within the UN Joint Programme entitled “Strengthening national statistics system”. The report was launched on 24.10.2013 and reflects an analysis of Roma situation in Moldova in such fields as: education, healthcare, employment, migration, living conditions and lifestyle.<sup>19</sup>

The Roma people integration represents one of the national priority.

In order to ensure the commitment to improve the situation of Roma the *Action Plan to support Roma population for 2011 – 2015* was approved by the Government on 8 July 2011 and subsequently amended on 31 January 2012. The Action Plan was developed under the EU Framework on Roma, OSCE / ODIHR Strategy and the Report on States Parties implementing the OSCE Strategy (2008), Council of Europe and UN recommendations.

The implementation of the Action Plan is reconfirmed within the main framework for human rights in the Republic of Moldova under the National Human Rights Action Plan for 2011-2014.

The main objectives of the Action Plan refer to the key seven priority areas: 1) promoting services social-community mediators, 2) education, 3) employment and economic welfare, 4) health and social security; 5) culture and media; 6) public administration, public order and documentation; 7) housing.

The monitoring of the Action Plan implementation is taking place through the *Inter-ministerial technical group* to which experts from the competent institutions, NGOs and development partners are members. The *Prime Minister adviser on Roma issues* and BIR are convening regularly meetings of the Inter-ministerial technical group in order to assess current and future activities, to set priorities and short/ mid-term targets, as well as to monitor their appropriate implementation.

A project “*Building the capacity of the Inter-ministerial technical group on implementation of the Action Plan*” was implemented with the OSCE/ODIHR support. . The objectives of the project concentrated on 5 thematic areas: successful methods of monitoring and evaluation on the process of Roma inclusion, efficient communication, collecting and aggregating information from the local and regional authorities, efficient budget planning, partnering with Roma community aiming at advancing the level of Roma Action Plan implementation, as well as to create a systemic, effective framework for consultation with the Roma community.

Following the adoption of the Action Plan, BIR conducted a visit of Ad Hoc Committee of experts on Roma (hereinafter referred as to CAHROM) to Moldova in March 2012 considering exchanging experiences on strengthening the role of central and local authorities in implementation of the national strategies/action plans to support Roma integration and increasing their potential in elaboration of the national action plans in cooperation with the state authorities and Roma representatives.

ODIHR/Contact Point for Roma and Sinti Issues (hereinafter referred as to ODIHR/CPRSI) supported BIR with regard to raising awareness about the Action Plan at the regional and local level. Three regional workshops in Chisinau, Soroca, and Cahul were organized for APL

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<sup>18</sup> The report is available at [http://mpsfc.gov.md/file/rapoarte/Raport\\_Cartografiere\\_2012.pdf](http://mpsfc.gov.md/file/rapoarte/Raport_Cartografiere_2012.pdf).

<sup>19</sup> The publication is available in the Romanian and English languages at the websites [www.un.md](http://www.un.md), [www.md.undp.org](http://www.md.undp.org), [www.unicef.md](http://www.unicef.md).

representatives from 17 districts of the Republic of Moldova and Roma civil society within the project implemented by BIR.

Trainings contributed to instruction of more than 70 APL representatives and Roma activists on how to better implement public policies for Roma at the local level. One of the objectives of the trainings was to develop planning skills of the participants aiming at elaborating local action plans for Roma.

Besides, within this project Roma Action Plan was translated into the Russian and Romani languages and published in a leaflet distributed to LPA and Roma public organizations.

At the time being, one of the main achievements represents *the institutionalization from January 2013 of Roma community mediators*. The Parliament adopted the Law No. 69 from 5 April 2013 *on supplementing Article 14 of the Law No.436-XVI of 28 December 2006 on local government*, by which the local Council of the 1<sup>st</sup> level was given a new power, to decide on the establishment of the *community mediator* in the settlements populated compactly or jointly by Roma.

Their role is to facilitate communication between Roma communities and public local authorities, to ensure a better access to available public services in the area of health, education, labour and social assistance. According to the provisions of the Action Plan and in the context of current budgetary capacities, financial resources were allocated from the state budget to the budget of territorial-administrative units for the employment of 15 community mediators – 462,6 thousand MDL lei. For 2014, for the employment of the next 33 community mediators in 30 communities densely populated by Roma people, within the state budget was allocated 1619,8 thousand MDL lei.

Between of January 2013-January 2014 *the Government allocated 2.082.400 MDL lei* for the institutionalization of Roma community mediators.

On 17 July 2013 the Government adopted the Framework *Regulation on employment modalities and organization of the community mediators activity in compact and / or mixed communities populated by Roma*.

According to the Framework Regulation community mediator is a person of Roma origin whose mission lies in facilitating communication between beneficiaries (socially vulnerable representatives of Roma) in local communities and the 1<sup>st</sup> level LPA, in overcoming difficulties and problems identified or in rendering adequate support to beneficiaries.

Community mediator identifies beneficiaries and their number in locality, evaluates their needs; informs stakeholders about the legislative framework in such areas as: social assistance, education, healthcare, labor market, etc. as well as about opportunities to benefit from existing services; examines requests submitted by the beneficiaries and coordinates activities to ensure that beneficiaries access existing services in the respective fields in cooperation with the 1<sup>st</sup> level LPA.

Community mediator is employed on the basis of contest on an individual employment agreement with the 1<sup>st</sup> level LPA in accordance with the Labour Code, and calculation of community mediator's salary is carried out in line with the GD No. 381 of 13 April 2006 *on terms of labour remuneration for public sector employees*.

Moldovan authorities express their willingness to provide Roma community mediators with a robust program of training and education in order to strengthen their capacity-building and to ensure their professional qualification in order for them to better relate with the other civil servants and public officials. Starting from July 2011, training within the joint programme of the

Council of Europe-European Union “Intercultural mediation for Roma communities” (ROMED Programme) was already ensured.

Currently the MLSPF explores possibilities for elaborating a *Methodological guide on activity of community mediator*.

In 2014 MLSPF, MS and ME in cooperation with “Tarna Rom” NGO and with the CoE assistance worked out a draft *Methodological guide on activity of community mediator*. The draft Methodological guide contains the following chapters:

- Community Health Promotion;
- Preventive health activities;
- Reproductive health.

Simultaneously, the Guide reflects a number of normative acts to familiarize the Roma population with the public health legislation. The draft Methodological guide is to be finalized and applied by the state authorities.

Furthermore, support was provided in professional training and arranging of workplaces for 48 community mediators aiming at successful launching of the system of Roma community mediators.

*In order to implement activities envisaged in the Chapter „Education” (Objectives 3-6 of the Action Plan) Ministry of Education (hereinafter referred as to ME) focused on the following measures:*

- Motivating LPA to tackle issues relating to ensuring better school enrollment of Roma children and preventing dropout by Roma pupils. A question of compulsory school attendance is always raised and discussed at the meetings of District and Town halls, Administrative Councils under the District Directorates General of Education, Youth and Sport and Professional Councils under the education institutions; concrete measures to improve the situation with this regard are put forward. For the same purpose mixed committees made up of the representatives of Departments for Education, educational institutions and police commissariats continue their activity implying home visits and enlightening talks with children and their parents. As a result of these measures a number of Roma children enrolled in schools increased considerably. Thus, while on the 1 October 2012 46 Roma children at the age of 7-16 dropped out of school, on the 15 November 2012 this number reduced up to 32 and on the 25 May 2013 up to 21. Reasons for school dropout by the Roma children turned to be precarious economic conditions, homelessness, frequent change of places of residence, parents’ refusal;
- Providing free transportation to children from localities densely populated by Roma, that are situated not less than 3 km from the nearest educational establishment;
- Providing children at school, including Roma, with the food at no charge, in conformity with the GD No. 234 of 25 February 2005 on *pupils’ feeding* and the GD No. 198 of 16 April 1993 on *protection of children and socially vulnerable families*. According to the information provided by the Departments of Education, Youth and Sport 1989 Roma pupils are registered in the Republic of Moldova;
- Providing pupils, including of Roma origin, with textbooks. This is done entirely (100%) through functional rental scheme managed by Special Textbooks Fund. Pursuant to GD No. 1040 of 5 November 2005 the pupils from the 1<sup>st</sup> to the 4<sup>th</sup> grades are provided with textbooks free of charge. During the recent years according to the existing practice first graders receive a primer as a present on 1 September;
- Providing Roma children with support for purchasing clothing, footwear and school supplies through the intermediary of local authorities at the beginning of each school year;

- Introducing extended study programs scheduled for Roma children to prepare homework and organizing meditation hours. Providing continuous training for teaching staff and managers of education institutions in the field of intercultural education;
- Establishing of three most advanced Roma Early Educational Centers in Vulcanesti, Calarasi and Schinoasa with the assistance of LPA, UNICEF and National Roma Centre of the Republic of Moldova.
- Organization of summer schools for Roma children to combat illiteracy. In 2014 in collaboration with “Tarna Rom” NGO two summer school were organized in Vulcanesti and Calarasi for 123 Roma children. Ensuring access of Roma students to higher education. Regulation for higher education enrollment foresees a quota of 15% (for every specialty/area of professional training and educational form in compliance with the admission quota) to be allocated to vulnerable categories, among them Roma students. Signing up for this quota is made at the request of candidates;
- Cooperating with Roma NGOs on tackling the problems related to Roma children school enrollment.

In the process of implementing activities envisaged in the Chapter „**Employment and Economic Welfare**” (Objectives 7-8 of the Action Plan) the following positive measures were taken to eliminate barriers that hinder Roma access to employment:

During 2010-2012, changes were introduced to the regulations on employment and social protection of job seekers in order to improve active and passive measures promoted in the labor market and targeted directly, inter alia, at Roma population.<sup>20</sup>

Article 8 of the Law No. 102 of 13 March 2003 *on employment and social protection of job seekers* provides that all people have an access to public employment services excluding any discrimination on the grounds of race, nationality, ethnic origin, gender, political affiliation, wealth or social origin.

All job seekers, including of Roma origin, can access services facilitating labour market integration addressing themselves to local employment agencies.

Besides, people can familiarize themselves with the employment legal framework, provided services and existing vacant positions available in the database of agencies, contacting the Employment Call Center at no charge. Labour Market Information Centre is another service providing support to the job hunters in their search. With a view to varying instruments of access to information and services provided both to the employers and job applicants, including representatives of the Roma community, a new web portal [www.angajat.md](http://www.angajat.md) was launched in March 2012. The web portal allows the users to post their resumes and independently look for the vacancies.

A new concept of delivering services at the local level was introduced within a program "Women's Economic Empowerment through increasing Employability in the Republic of Moldova" launched by UN Women, jointly implemented by MLSPF and the Ministry of Economy (hereinafter referred as to ME) and supported financially by the Government of Sweden, Swedish International Development Agency (Sida). The concept implied an approach based on a „single information source” realized through establishment of a Joint Information and Services Bureau. Alongside with the services provided weekly by the Bureau, it makes visits to the countryside using mobile teams comprising of the representatives of all structures in charge of employment services in order to provide respective services to the residents of rural communities, including Roma people. So far, such Bureaus were opened and have been

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<sup>20</sup>According to the National Employment Agency database share of unemployed Roma people increased from 0.9% in 2010 to 1.4% in 2012 (from 698 persons in 2010 to 740 in 2012, respectively).

functional in 19 districts of the country, but it is planned to spread this experience all over the country.

Within the Swedish project „Strengthening Migration Management in Moldova” implemented within the Mobility Partnership National Employment Agency (hereinafter referred as to NEA) initiated development of a Model of profiled services for unemployed and methodology for its applying.

To support the labor market integration of the Roma community NEA and its territorial offices organized a number of seminars and roundtables promoting services provided by NEA as well as the labor market integration opportunities. Thus, on February 25, 2013 at the invitation of the National Roma Centre NEA participated in the Debate Club dedicated to the problem of Roma unemployment. This Debate Club is a part of a project „Reducing discrimination through political and social policies” financially supported by the Dutch Embassy in Kiev. The project is implemented by the National Roma Centre within the Human Rights Fund Program and covers the period of September 2012-September 2013.

In 2014 territorial employment agencies registered and provided information and vocational training to 528 unemployed Roma people, including 235 Roma women.

*On implementation of the activities reflected in the Chapter „Healthcare and social security” (Objectives 9-12 of the Action plan)*

Additionally for increasing the access to health services and to the information regarding reproduction among the Roma population, the Ministry of Health in cooperation with UNFPA Office held a social information campaign “Don’t forget! Your health means - your family's health" in cities and villages densely populated by Roma people. The actions aimed at improving the quality of health services for the Roma population materialized in establishing mobile teams composed of different medical specialists. In this context, during 2013, were organized 800 visits to the communities densely populated by Roma people.

At the same time, the Campaign covered 535 Roma beneficiaries (150 young people, 250 women, 135 men). The healthcare workers like: obstetricians, gynecologists, family physicians, conducted for them a number of information sessions on topics as: family planning and modern methods of contraception, preventing transmission of STIs, including HIV/AIDS, etc.

In order to monitor situation MH developed a questionnaire on activities undertaken for the Roma population.

This questionnaire during 2011 – 2012 contributed to collecting information based on well-defined indicators, such as: the vaccination rate among Roma children and adults, medical examinations rate etc.

According to the information from the local territories 21611 Roma citizens, including 6850 Roma children up to 18 years of age are registered with a family physician (32% of the total Roma population).

176 children up to 18 years of age have a degree of disability and received recovery and supportive treatment in inpatient and outpatient care establishments in 2012. 144 children or 82% of disabled children received rehabilitation treatment in Rehabilitation Centers for children from all over the country (54% in 2011).

Intersectorial collaboration in the social, medical sphere on preventing and reducing mortality of infants and children under 5 years old in 2012 covered 509 Roma children (in 2011 – 593 children). These families received material aid and mixtures for feeding children.

213 pregnant women were under supervision in the medical institutions in 2012. They received iron and folic acid and were examined according to the existing medical standards, including the attendance of Pregnancy school.

Immunization among the Roma population represents an important aspect. It is carried out at no charge according to the vaccination schedule. Roma children vaccination rate in localities compactly or jointly populated by Roma ranges from 66.6% (in Vulcanesti district) to 100% (in Criuleni, Ialoveni, Leova Rezina, Ungeni, Ceadir-Lunga, Comrat districts).

In relation to vaccination rates among Roma adult population a positive dynamics should be mentioned. However, situation remains uneven as the vaccination rate ranges from 18% in Ocnita to 100% in Vulcanesti, Cimislia and Cantemir districts.

In compliance with the Roma Action Plan, special mobile medical teams were constituted in order to provide the basic health services in rural settlements situated away from the medical institutions. Mobile teams are comprised of different medical specialists depending on the actual needs of localities (pediatrician, obstetrician, gynecologist, cardiologist, ophthalmologist, otolaryngologist, neurologist, etc). In the period 2011-2012 the mobile medical teams made 1176 trips to the rural areas (575 trips in 2011 and 601 in 2012, respectively). In 2014 there were made 980 field trips of specialists from regional medical institutions. Besides, mobile teams are in charge of medical control of population, including Roma people, issue of patient referrals to treatment or appointment cards for hospitalization at the local or republican level. To this end, according to MS's decree No.327 of 11 April 2014 in 2014 about 120 specialist of republican medical institutions made visits to more than 145 rural localities.

In 2012 MH proposed to supplement the evaluation questionnaire with the separate assessing of Roma preventive checks rate. Evaluation showed that Roma preventive control rate makes up 50-100%.

Another initiative launched by MH implied expanding youth friendly health services nationwide. 16 Youth Friendly Health Centers were established alongside with 12 already existing (in total 28 Centers).

In 2014 MH with the support of the Union of Young Roma from Moldova "Tarina ROM" drafted a Methodological guide on community mediator practical application in public health which provides a methodological support necessary to increase number of Roma beneficiaries from mandatory health insurance.

*Aiming at implementing activities envisaged in the Chapter „Culture and Mass-Media” (Objectives 13-14 of the Action Plan) Ministry of Culture (hereinafter referred as to MC) took the following measures:*

Under the Order No. 103 of 4 April 2006 by MC the Roma music and dance ensemble “Roma Enigma” was established and activates under the Center of Culture and Art “Ginta Latina” from 1 July 2007. The ensemble participated in a series of concerts and other cultural events organized by “Ginta Latina” Center, did concert tours all over the country, including Nisporeni, Floresti, Soroca, Edinet districts etc, and went in a promo tour to Romania.



The Roma music and dance ensemble “Roma Enigma” participated with a concert program in the International Music Festival “Martishor”, Wine Festivals, in the New Year cultural manifestations on the stage at the Great National Assembly Square.

During 2012, „Ginta Latina” Center purchased the musical instruments for the ensemble.

The public broadcaster „**Moldova 1**” and public radio station „**Radio Moldova**” continue weekly broadcasting of the „Petalo romano” program in the Romani language, that promotes Roma history and lifestyle in the Republic of Moldova, by the reflecting their culture and promoting integration of the Roma population into the public life of the country.

*With regard to the implementation of activities envisaged in the Chapter „**Public administration, public order and documentation**” (Objectives 15-18 of the Action Plan)*

In order to implement the provision of the Roma Action Plan in the sphere of public order Ministry of Internal Affairs (hereinafter referred as to MAI) realized a complex of measures (See also Part III, art.6).

Aiming at realizing Roma Action Plan the State Enterprise “Centre for State Information Resources “Registru” (SE “CSIR “Registru”) being a subordinate enterprise of the Ministry of Information Technology and Communication (hereinafter referred as to MITC) regularly organizes the information campaigns for the Roma population on obligation and benefits of documentation with IDs.

These are realized through the local TV stations and newspapers and imply promoting services provided by SE “CSIR “Registru”, in particular related to the population documentation with a focus on facilities granted to certain categories of citizens as well as other useful information.

Basing on the National Roma Action Plan SE “CSIR “Registru” elaborated an internal action plan on Roma support for 2013. Main emphasis was made on informing and advertising. The local press from localities compactly populated by Roma („*Observatorul de Nord*” in Soroca, “*Meridian*” in Ocnita, „*Expresul*” in Calarasi) published articles on respective subject. Furthermore, a TV program on the procedure and a list of documents to be submitted to obtain IDs was aired in Soroca; Ocnita TV station broadcasted an advertising spot on facilities offered at IDs issuance and services provided by the territorial office for the population documentation in Ocnita.

Within the information campaigns the territorial branches of SE “CSIR “Registru” send announcements and informative notes to the town halls and schools.

In order to facilitate and solve eventual problems which may arise in the process of documentation of Roma with ID, according to the Governamental Decision No.497 from 6 July 2012 the Roma population were exempted from fees for services for documentation with national ID and documents issued by the Civil Status Service for a period of 6 months.

Implementation of activity No.90 in the Roma Action Plan resulted in that on 26 February 2013 Ethnic Classification of the State Register of Population was completed with the term „Roma” alongside with the term „Gypsy” (on 19 October 2013 62 persons were registered as Roma).

During the reporting period Chisinau City Hall undertook various actions to support Roma population from the respective administrative territory. Chisinau City Hall and Chisinau

Municipal Council render assistance to local Roma ethno-cultural organizations within their limits.<sup>21</sup>

In pursuance of the GD No. 494 of 8 July 2011 it was developed a Program of Action to achieve the main objectives in supporting Roma people from Chisinau municipality.

Chisinau City Hall supports financially cultural events organized and held by the municipal Roma ethno-cultural organizations like, Roma Culture and Art Center “Ama Roma”, Roma Association “SINTI” etc.

*With regard to the measures undertaken to coordinate and monitor implementation of the Roma Action Plan and evaluate its impact in the spheres concerned*

Being responsible for the impact assessment of existing national programs and plans on Roma issue BIR created an Inter-ministerial Technical Group on implementation of the Roma Action Plan for 2011-2015 (hereinafter referred as to Technical Group), composed of the representatives from corresponding line ministries. Technical group meets once per trimester. Two of Roma NGOs accredited to BIR are actively involved in activity of the Technical group. Representatives of the international organizations, mayors from Roma communities are invited to attend the meetings of Technical Group.

In March 2011 on BIR’s initiative Mr. Nicolae Radita, Chair of the National Roma Centre of the Republic of Moldova was appointed a CAHROM expert on behalf of the Republic of Moldova. In November 2012 he became a Vice-president of the CAHROM Bureau. Since 2014, the CAHROM national expert was appointed Mr. Ion Duminica, member of the Academy of Science and Executive Director of NGO “Porojan”.

In December 2012 Mr. Ruslan Stanga, Roma Human Rights Activist, Chair of NGO “Ograda Noastra” was appointed as a special adviser to the Prime Minister of the Republic of Moldova on social and Roma issues.

For the first time on 8 April 2014, on the occasion of International Roma Day, *a group of Roma students and community mediators met the Prime-Minister of Republic of Moldova* to discuss about Roma inclusion and further cooperation.

Additionally, the representatives of the Moldovan Romani Community had a meeting with the Prime Minister in order to assess the access to the education, social inclusion issues. The meeting took place on the occasion of the 600th anniversary of documentary attestation of the Moldovan Roma community and the tenth one of institutionalisation of Roma investigations in the Republic of Moldova. Moreover a scientific conference on Romani-related issues was organised.

The same approach was applied in 2015.

During 6-12 April 2015 a Week on Roma inclusion was held in the Republic of Moldova in the context of International Roma Day. It implied a number of events, in particular roundtables, trainings, discussion clubs meetings, flash mobs, book launches, etc. organized jointly by a range of Government, international and civil society partners all over the country to celebrate Roma inclusion, highlight discrimination challenges, share the experiences in education, health and culture and focus on ways forward to strengthen the celebration of diversity in the Republic of Moldova.

On 8 April 2015 within the Week on Roma inclusion BIR organized a roundtable on "Successes and challenges in implementing Roma policies" in collaboration with UN Human Rights Adviser in the Republic of Moldova. The event was attended by the Prime-Minister, CPA and LPA

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<sup>21</sup> According to population census of 2004 507 Roma citizens live in Chisinau municipality.

representatives, foreign diplomats and international organizations, as well as by Roma community mediators and leaders of Roma NGOs. Discussions during the roundtable expanded upon the issue of Roma social inclusion, existing policies implementation and monitoring, the role of state institutions and the importance of collaboration with the development partners in this process.

Following constructive debates initiated during the Week on Roma inclusion the State Chancellery, MMSPF, BIR, UN Human Rights Adviser in the Republic of Moldova, Roma NGOs convened in two more working meetings in May 2015. Community mediator remuneration and perspective of a new Roma Action Plan for 2016-2020 draft were among the most important issues touched upon during these meetings.

### **Respect for the rights of foreigners and stateless people**

In 2009-2013 the Republic of Moldova has taken some progressive steps to include foreigners and stateless persons in the field of application of the Framework Convention and facilitate their integration into the Moldovan society.

Pursuant to art. 19 of the **Constitution of the Republic of Moldova** (1994) foreigners and stateless persons enjoy the same rights and have the same duties as the citizens of the Republic of Moldova except in cases where the law has different rulings. Foreign citizens and stateless persons may be extradited only in compliance with an international covenant, in terms of reciprocity or on the ground of a decision delivered by a court. The right to asylum is granted and withdrawn under the law and in compliance with international treaties to which the Republic of Moldova is a party.

According to art. 5 of the **Law No.275 of 10 November 1994 on foreigner citizens and stateless persons** foreign citizens and stateless persons enjoy the same rights, freedoms and duties as citizens of the Republic of Moldova, except ones established by law. Foreign citizens and stateless persons are equal before the law and public authorities without distinction of any kind such as gender, race, nationality, ethnic origin, language, religion, views, political membership, property or social origin. This Law contains a number of the same rights and freedoms that the citizens of the Republic of Moldova enjoy, i.e. civil, political and economic.

Furthermore, in order to establish invariable legal framework on integration of foreigners in the economic, social and cultural life, to ensure their rights, freedoms and to determine their obligations a series of legal, normative acts were adopted in the years 2010-2013.

**Law No.200 of 16 July 2010 on Foreigners** guarantees the foreigners the same rights and freedoms as the citizens of the Republic of Moldova. During their stay or residence in the Republic of Moldova foreigners must observe the national legal framework, be subject to control of the competent authorities according to the law. They have the right to work on the basis of work permits.

Additionally, the foreigners must follow the purpose for which they have been granted the right of entry into and the right of residence in the country, as applicable, and leave the territory of the Republic of Moldova upon expiration of the granted period of residence.

The present Law has been harmonized to the following EU legislation:

- Council Regulation (CE) 539/2001/CE of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement(CELEX 32001R0359);
- Council Directive 2003/86/CE of 22 September 2003 on the right to family reunification (CELEX 32003L0086);

- Council Directive 2001/40EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals (CELEX 32001L0040);
- Council Directive 2003/109/CE of 25
- November 2003 concerning the status of third-country nationals who are long-term residents (CELEX 32003L0109).

**Law No. 274 of 27 December 2011 on Integration of Foreigners** provides for minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted in compliance with Council Directive 83/2004/EC of 29 April 2004.

According to art.4 (1) of the Law integration of foreigners in the Republic of Moldova is made under the principle of nondiscrimination, child superior interests and equal treatment. Ministry of Internal Affairs (hereinafter referred as to MIA), through the Bureau for Migration and Asylum - (hereinafter referred as to BMA) coordinates the process of foreigners integration on the territory of the Republic of Moldova.<sup>22</sup>

The Law specifies the term integration as - the process of active participation of foreigners who have obtained the form of protection or the right of residence in the Republic of Moldova in economic, social and cultural life of society in which they are empowered to contribute and realize its full potential as members of this society, to realize their rights and duties without discrimination or exclusion for their own benefit and for the benefit of the state.

At the same time, the Law stipulates cooperation of public institutions, local communities and relevant NGOs with a view to implementing integration activities as measures necessary for social integration of foreigners.

A special emphasis is put on cultural and linguistic accommodation, access to education, integration in the educational system, including minors, access to labor market, healthcare, public social insurance and social assistance.

Art.4 of the Law provides for specific types of activities on integration of foreigners, in particular: sessions of socio-cultural adaptation (trainings on values and national traditions, political and administrative system of the Republic of Moldova); state language training courses; information and counseling on how to access labor market, medical services and social protection measures; guidance and professional training services to facilitate economic integration in conjunction with capabilities and needs of the labor market in the country.

Beneficiaries of political asylum have the same rights and duties as refugees.

In special cases beneficiaries of a form of protection having low potential for self-sufficiency due to objective reasons independent of their will (unaccompanied minors, single-parent families, families with three or more children under care, people with disabilities, people past retirement age) benefit from equal and fair access to assistance as nationals of the Republic of Moldova in conditions established by the legislation in force.

With a view to facilitating integration of all immigrants in society through intercultural dialogue and principle of coexistence the Government adopted the **Law No.77 of 12 April 2013 on amending and supplementing some legislative acts** aiming at ensuring their access to medical services in the context of the **Law No.274 of 27 December 2011 on Integration of Foreigners**.

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<sup>22</sup> Bureau for Migration and Asylum was established by the Order of MIA No. 258 of 20 June 2006 on bodies and subdivisions of the Ministry of Internal Affairs and functions on the basis of regulations adopted by the Order of MIA No.236 of 18 June 2006.

It stipulates that foreign citizens and stateless persons provided for in Article 2 Para. (1) let. a)-f) of the Law on Integration of Foreigners, employed in the basis of an individual work contracts, foreign citizens and stateless persons with permanent residence rights in the Republic of Moldova, as well as refugees and beneficiaries of humanitarian protection have the same rights and duties in terms of compulsory health insurance as Moldovan nationals, in accordance with the legislation in force, if international treaties do not provide otherwise.

Foreign citizens and stateless persons to whom the temporary residence right for family reunification, studies, humanitarian or religious activities was granted on the territory of the Republic of Moldova are obliged to insure themselves individually. They must pay a compulsory health insurance fee similar to the Moldovan citizens who pay a fixed compulsory health insurance fee; at least if international treaties do not state otherwise.

The **National Strategy on Migration and Asylum for 2011-2020** was adopted through the GD No.65 of 8 September 2011. The Strategy is a national document developed to regulate movement and mobility of the citizens, to contribute to prosperity of the country, its socio-economic development and to guarantee the rights and social security of the migrants.

Point 1 of the Strategy specifies that foreigners legally staying on the territory of the Republic of Moldova cannot be subjected to any unreasonable restrictions regarding their freedom of movement, including discriminatory measures based on any ground, such as: gender, race, ethnic or social origin, genetic characteristics, health state (including HIV/SIDA), language, religion or belief, political opinion, belonging to a national minority, property, birth, disability or age.

The **Action Plan for the years 2011-2015 regarding implementation of the National Strategy on Migration and Asylum (2011-2020)** was approved through the GD No. 1009 of 26 December 2011. It was developed in pursuance of Point 27 of the National Program for the implementation of the EU - Moldova Visa Liberalization Action Plan.

Indicated Action Plan contains, *inter alia*, a series of measures aiming at ensuring the principle of non-discrimination in relation to the foreigners in the Republic of Moldova and respect for their right to cultural identity (Chapter III „Migration and development” D) Integration policies, para. 26-27).

New Law adoption contributed to the development of a mechanism for granting the right of residence to foreign citizens and stateless persons in the Republic of Moldova and for ensuring their social security, which is in line with the *acquis communautaire*.

The **Regulation of the Center for Temporary Placement of Foreigners** was approved through the GD No. 493 of 7 July 2011, which partially transposed the Directive 2008/115/CE of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals. The document regulates conditions for taking foreigners, minors and families under public custody.

A Regulation on the evaluation of linguistic competence and state language proficiency level assessment of foreigners that request permanent residence right in the Republic of Moldova was approved through the GD No. 524 of 11 July 2011. The Regulation establishes evaluation rules, and regulates procedure of assessment exams organization (Point 1).

The Regulation was drafted on the basis of Common European Framework of Reference for Languages which defines a comprehensive, transparent and coherent frame of reference for language learning, teaching and assessment for evaluation of linguistic competence and

establishment of a certain level proficiency in a foreign language. In this regard the Regulation reflects the procedure that meets European standards and principles in the field concerned.

Furthermore, the **GD No. 362 on approval of financial support for refugees and beneficiaries of humanitarian protection** was adopted on 12 June 2013. Financial aid totaled 577,50 lei, constituting 15% of average monthly employee wage within the national economy, established for 2013.

Also, on 12 July 2013 the Government adopted a **Decision on amending and supplementing the Annex 1 of the GD No. 334 of 23 April 2009** on adoption of the Regulation on operation of children's summer and recovery camps.

The present Government Decision was revised to adjust the regulatory framework to the Laws No. 270 and 274 (mentioned above) so as to allow the children of foreigners that apply for asylum, beneficiaries of humanitarian protection and those granted the status of stateless persons in the Republic of Moldova as well as the children coming from disadvantaged families with one of the parents falling under above mentioned categories, to benefit from free tickets to the state-funded summer camps.

Draft amendments to the Law on asylum aimed at further aligning it with the international and European standards are being developed by the Ministry of Interior.

In order to maintain and improve efficient refugee status determination procedure MIA developed and approved in December 2014: a) Practical guide for counselors on eligibility for unaccompanied minors, b) Instructions on the procedure for management of requesting and providing information from the country of origin, c) Instructions on the procedure and activities related to the appointment of legal representatives in case of unaccompanied minors – asylum seekers.

The BMA initiated a series of activities designed to facilitate implementation of new legal framework. With the help of EU experts, an assessment of national legislation on different aspects of foreigners' integration in Moldova according to EU standards was conducted.

MIA employees annually attend trainings, thematic seminars, conferences, study visits, and various meetings in the field of migration and asylum, including international. Besides, MIA on continuing basis organizes the antidiscrimination training courses for judges, policemen and public officials.

In order to improve the quality of services provided by MIA as well as to raise awareness on the rights of migrants and refugees, BMA launched a website [www.bma.gov.md](http://www.bma.gov.md). It contains information on legislation in the field of migration and asylum, the list of documents required to be submitted by foreigners to obtain temporary or permanent residency, the services provided by BMA and the fees charged.

Detailed information on the events pertaining to asylum seekers, beneficiaries of a form of protection in the Republic of Moldova, draft laws and normative acts, seminars, and training sessions is regularly published on the website, as for example, reporting on commemoration of World Refugee Day, which took place on 20 June 2013<sup>23</sup>.

Information on bulletin boards is weekly complemented and renewed, including posting of extracts from laws and normative acts in the field of asylum, announcements on activities to be

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<sup>23</sup> World Refugee Day has been marked in the Republic of Moldova since 2002.

held as well as on forms of assistance granted to asylum seekers, refugees and beneficiaries of humanitarian protection.

Aiming at improving management of foreign migrants lawfully resident in the country and in pursuance of art.72 par. 3 of the Law No.200 a new institutional framework was introduced with BMA under MIA through the GD No.1187 of 22 December 2010. The purpose of new institutional framework was, among others, to introduce a 'one-stop-shop' for prompt receiving, processing and issuing permits of stay and ID to foreigners lawfully residing in the country, as well as dealing with invitation procedures, clearance for repatriation and visas extensions. Afterwards, under Objective 29, Activity 2 of the *Additional measures to realize the National Program on implementation of EU - Moldova Visa Liberalization Action Plan*, on 10 December 2012, the service for providing documentation to foreign citizens launched two regional offices: one in Balti (North Regional Service), which is expected to serve about 13% of foreigners living in the country, and in Comrat (South Regional Service), expected to serve about 11% of foreigners; Chisinau HQ continues to serve foreigners from the capital and central part of the country.

BMA has reached some remarkable achievements in the field of facilitating integration of foreigners, including refugees.

On 1 March, 29 March, 26 April, 31 May 2013 a number of socio-cultural adaptation sessions was held by the Ministry of Culture (hereinafter referred as to MC) in partnership with BMA, involving NGO „Charity Center for Refugee”. Socio-cultural adaptation sessions are intended for foreigners to become familiarized with the history, culture, customs, traditions, political-administrative system of the Republic of Moldova, facilitating their integration. The sessions were attended by 34 persons from Syria, Egypt, Armenia, Russian Federation, Kuwait.

BMA in cooperation with MC and Ministry of Education (hereinafter referred as to ME) have developed a methodology of socio-cultural adaptation sessions and state language training courses for foreigners to be approved by the ministries.

On 28 March 2013 an official opening ceremony of a Language Laboratory for beneficiaries of a form of protection and asylum seekers was held at Pedagogical State University „Ion Creanga” in Chisinau. Language Laboratory modernization took place within the Regional Protection Programme (Phase II) funded by EU and implemented by UNHCR in Belarus, Moldova and Ukraine.

On 15 April 2013, BMA staff attended evaluation meeting of "Linguistics training of national minorities in Moldova" project implemented with the financial support from the OSCE High Commissioner on National Minorities. The necessity of state language studying by immigrants and the possibility of signing cooperation agreements with the Association of European Trainers from Moldova (ANTEM), the leading provider of adult language teaching in the country, were the main issues discussed during the meeting. BMA jointly with ANTEM has developed a cooperation agreement that is to be signed.

During 2014 National Institute of Justice hold, together with UNHCR and ICMPD, 2 specialized seminars on migration and asylum matters.

In 2014 on-line phase of 3 modules of European asylum curriculum (issuing decisions; interviewing techniques; information from the countries of origin) was developed in the framework of the Asylum systems quality initiative in Eastern Europe and South Caucasus (April and June 2014).

Booklets for travel documents for refugees were procured at the end of 2014. Issuing of these travel documents is scheduled shortly to start.

CPA and LPA of the Republic of Moldova has undertaken considerable efforts to promote mutual respect, understanding and cooperation between all people leaving on the territory of the country, including through mass-media, and fair treatment of national minorities by law enforcement agencies etc.

### **Mass-media**

With a view to promoting tolerance, intercultural dialogue, combating discrimination and respect for the rights of national minorities through mass-media as well as in pursuance of recommendations 86-88 of the Third Opinion on Moldova, Coordinating Council of Audiovisual (hereinafter referred as to CCA)<sup>24</sup> carried out a series of activities.

In the reporting period CCA staff was instructed in the field of media outlets monitoring on respect for human dignity and children's rights.

Thus, a training "Monitoring mass-media on respect for human dignity and minors protection – standards and principles" with the participation of Mr. Marek Mracka, project coordinator, MEMO 98 (Slovakia) was held on 27-28 September 2011 within the Joint Programme between the Council of Europe and European Union "Democracy Support Programme in Moldova". Participants of the workshop were familiarized with the best practices in combating all forms of discrimination, including on ethnic, linguistic and religious grounds.

CCA conducts public consultations with the radio broadcasters, in particular local, on the problems encountered by them. Thus, between 2011 and 2013 the regional seminars were held in Balti, Chisinau and Comrat during which radio broadcasters were informed on how to apply the norms enshrined in the Broadcasting Code of the Republic of Moldova No. 260 of 27 July 2006 and the European standards in this regard as well as about CCA monitoring tools .

These activities resulted in acknowledging the need to combat all forms of intolerance, to promote mutual respect and understanding as well as linguistic diversity and cultural heritage of ethnic minorities by all actors of the audiovisual industry of the Republic of Moldova.

In 2013 CCA sought out opportunities to support the local media outlets by initiating the project national contests for audiovisual media outlets which included nominations for "the best program in minority language" and "the best program on promoting ethnic minority cultures".

In response to opinions expressed by the representatives of ethno-cultural organizations on the lack of interest and failure in media coverage of events held by them, CCA took measures to monitor coverage in the media of the Republican Ethnic Festival – 2013 organized on 22 September in Chisinau.

Monitoring results demonstrated the following:

- Ethnic Festival, XIII edition was reflected by all TV stations with the national coverage, in particular in main prime-time news programs in the first day with rebroadcasts in the second day. The National Public Broadcaster "Teleradio-Moldova" aired a reportage

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<sup>24</sup> Coordinating Council of Audiovisual is a public autonomous authority responsible for implementation and ensuring respect for the Broadcasting Code, international conventions in the field of audiovisual to which Moldova adhered (art.39 of the Broadcasting Code no.260 of 27 July 2006); Coordinating Council of Audiovisual is a representative and guarantor of public interest in e audiovisual field, subordinate to the Parliament of the Republic of Moldova.



entitled “Different, but united” with a duration of 03 min. 38 sec. under the news of the day category. TV channel ”Prime” aired a reporting on the Festival of 05 min. 01sec. being the third in the news flow. TV2 Plus station started news program with a report of 02 min. 53 sec. about the event. Reportage on the Festival broadcasted by Canal 3 channel lasted 03 min. 38 sec. and was the second in the news flow. News TV station Publika TV covered the event throughout the day in the debate and news programs. Furthermore, Festival was reflected by other TV stations such as: Pro TV channel with a piece of reporting of 03min. 02 sec.; Jurnal TV channel aired reportage of 04 min 20 sec; with the news to be of the third priority in both cases.

Thus, most TV stations completed an extensive coverage of mentioned event allocating to it considerable airtime despite editorial policy which they pursue, implying not to broadcast news reports exceeding 1 min. 30 sec. duration according to international standards and journalistic practices.

Furthermore, in recent years CCA hasn’t received complaints about discrimination on the grounds of ethnic origin in media.

**Internal affairs bodies** continue to play an important role in ensuring equal protection under the law and preventing any discrimination against the national minorities.

In the period 2010-2013 the MIA<sup>25</sup> realized the following measures with a view to implementing recommendations, in particular 93-94 of the Third Opinion on Moldova.

The Service for Internal Social Security and Fighting Corruption was established within MIA and in the quality of an independent body conducting monitoring under the police behavior, investigating complaints against internal security protection officers , supervising over respect for the law and discipline by its staff, preventing and fighting corruption and related actions as well as ensuring security, integrity, honour, dignity, professional reputation and MIA staff rights and interests .

Since 2009 until now various cases of alleged MIA employees’ misconduct were investigated, in particular there were sanctioned cases of laws, regulatory framework or internal regulations violation. Instances of ill-treatment and various forms of intimidation and harassment against national minority representatives by the police haven’t been registered.

According to the Law No. 320 of 27 December 2012 on activities of police and the status of the policeman, police recruiting is realized on the basis of competition, the right to be employed being provided to any person who meets special criteria, irrespective of race, nationality, gender, religion, wealth, social origin.

In order to build special legal capacities and practical skills, the training course on how to work with the national minorities was organized under the “Stefan cel Mare” Police Academy in 2011-2012 academic year, under the **Order No. 182 of 24 June 2011 on organization and conduct of MIA staff professional development and specialization** (34 officers were instructed in 2011, 68 officers - in 2012, respectively).

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<sup>25</sup> Ministry of Internal Affairs is a specialized body of central public administration competent to realize constitutional prerogatives of the Government on elaboration, promotion and implementation of the state policy on ensuring legality, public order, civil protection, fire protection, integrated state border management, state border authorization, cross-border crime and illegal migration combating and citizens’ rights and freedoms ensuring (GD no.778 of 27 November 2009).

According to the teaching plan officers of internal affairs bodies took the full course of mentioned training (24 hours) and were tested upon its completion.

A series of lectures on human rights, including problems related to interethnic relations was annually held for internal affairs authorities staff.

The “Legal protection of human rights” academic subject, covering, *inter alia*, national minority-related issues, is annually taught to around 1000 attendees within the programs of initial training, professional development and specialization.

In pursuance of the Order No. 206 of 24 June 2013 on organization of MIA staff professional development and specialization for 2013-2014 the training course on how to work with the national minorities was conducted under the “Stefan cel Mare” Police Academy, and was attended by 60 criminal investigation officers, police detectives and district police officers from of the General Police Inspectorate subdivisions.

Furthermore, as mentioned the Regulation for higher education enrolment foresees a quota of 15% to be allocated to, *inter alia*, Roma students.

In this regard, MIA has engaged itself in organization of awareness raising campaigns among national minorities on the possibility to enter state-funded places within the “Stefan cel Mare” Police Academy. Aiming at youth military patriotic education in the Republic of Moldova the “Stefan cel Mare” Police Academy made a documentary style film and published a manual entitled “Military Traditions (Past, Present and Future)” for broadcasting and distribution among Carabineers Department military units where, among other, persons belonging to ethnic minorities do their statutory military service.

### **Preventing and combating anti-Semitism**

The Moldovan authorities continue efforts to promote on tolerance in society. Certain efficient measures are taken to develop understanding and mutual respect between the citizens irrespective of their ethnic, cultural, linguistic or religious identity. A special attention therein is paid by the Government to actions on preventing and combating anti-Semitism. This activity can be characterized by close cooperation of state authorities and civil society.

In this context, activity of Jewish Community of Moldova is worth mentioning (hereinafter - JCM) <sup>26</sup>. One of the key directions in JCM’s activity is commemoration of Holocaust victims, installation and reconstruction of monuments, commemorative tablets at places of mass executions, organization of meetings, memory marches and other actions aimed at preserving historical memory, eliminating “white spots” in the history of Jewish people, creating a spirit of tolerance and combating stereotypes.

Holocaust memorials were built or reconstructed in many cities and villages of the country<sup>27</sup>. In 2009-2010 such memorials were installed in Balti, Ribnita, villages of Plopi and Marculesti. Currently, one of the monuments in Chisinau undergoes reconstruction.

Within 25 years of its existence the JCM constructed, erected or restored 25 monuments or memorials.

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<sup>26</sup> Pursuant to the census 2004 the Jewish population of the Republic of Moldova constitutes 3608 people. At the same time, according to Jewish Community information there are 10000-12000 persons of Jewish origin in the Republic of Moldova.

<sup>27</sup> Detailed information on this subject is contained in the Third Periodic Report of the Republic of Moldova on implementation of the Framework Convention available on the website [www.bri.gov.md](http://www.bri.gov.md) (heading “feedback/information”).

Public rallies, meetings, conferences dedicated to the important events from Jewish history and discussions about obstacles in combating and preventing anti-Semitic manifestations are annually organized.

In April 2013 commemoration event of 110th Anniversary of 1903 Pogrom took place in Chisinau. On 24 November 2013 JCM organized a conference “Anti-Semitism today: current situation and preventing measures”. The event was attended by the politicians, public persons and historians.

The International Holocaust Remembrance Day (27 January), symbolizing disaster and honoring European Jewry heroism is annually marked in the country and is traditionally attended by the senior officials, general public, mass-media and national minority representatives.

Every year the JCM take part in Commemoration Ceremonies organized by the European Jewish Congress.

Thus, on this occasion on 28 January 2014 MFAEI, BIR in cooperation with OSCE/ODIHR and the **International Holocaust Remembrance Alliance** organized a round table dedicated to remembrance of the victims of the Holocaust.

The event was aimed at raising public awareness on Holocaust, importance of respect for human rights and dignity of each person. It demonstrated moral responsibility and the role of the Moldovan authorities in keeping the Holocaust memory alive and maintaining education about the Holocaust.

The roundtable contributed to consolidation of Moldova’s efforts in combating anti-Semitism and other manifestations of racism, xenophobia, racial discrimination and intolerance.

As an outcome of the event the Republic of Moldova became in 2014 an observer to the **International Holocaust Remembrance Alliance**.

Following the 2014 successful Joint Roundtable the *International High Level Remembrance Conference dedicated to the 70 Anniversary of liberation of Auschwitz-Birkenau* was **organised in Chisinau** on 29 January 2015. For the first ever time the event was co-organised by the Ministry of Foreign Affairs and European Integration, Bureau for Interethnic Relations and the Jewish Community of Moldova, with the support of US Department of State and Council of Europe, International Jewish Organisations, including civil society organisations.

The purpose of this event was to assist the Moldovan Government and civil society in its efforts to mark 27 January 2015 by sharing relevant experiences from other countries and by jointly developing ideas about educational and remembrance initiatives which could be taken to mark this day, including on an annual basis in the country. Moreover, issues related to Holocaust denial prohibition and victims’ remembrance; modern anti-Semitism appearances and their effective investigation and sanctioning; Holocaust remembrance and tolerance education; Mass-media role in human rights promotion—were touched upon.

Such events are always developed in close cooperation and with the support from the state authorities, on both the national and local scale. In 2013 the Prime Minister signed an Order on the establishment of a Holocaust museum under the National Museum of Archeology and History of Moldova, although the implementation hasn’t started yet.

Many local Jewish organizations function under JCM all over the country on both banks of the Nistru River, carrying out various activities to preserve Jewish national, cultural identity. In

particular, local Jewish organizations can be found in the following cities: Balti, Bender, Tiraspol, Ribnita, Sorooca, Dubasari, Grigoriopol, Orhei, Cahul.

Jewish Community of Chisinau is presented by different Jewish organizations:

- Jewish library 'Itzik Mangher'
- Republican Union of Jews War 1941-1945 Veterans
- Moldovan Association of Jews – Former Nazism Prisoners
- Association of refugees of II World War
- The community of sefard Jews, Bukharian and Georgian Jews "Juhur"
- Synagogue "Chabad Lubavitch"
- Charitable Foundation "Dor le Dor"
- Jewish Cultural Center "KEDEM"
- Welfare Centre "Hesed Yehuda"
- Jewish Family Service "NES"
- Centre for Jewish Students "Hillel"
- Training and Professional Development Centre

Current legal framework allows the Jewish national minority to be supported within the national cultural programs implemented by the international organizations accredited to Moldova – the Jewish Agency for Israel "Sohnut", the American Jewish Joint Distribution Committee, as well as the Representation of the Embassy of Israel in Chisinau and the Israel Informational and Cultural Centre.

For the first time Hanukkah in Moldova was celebrated widely in 1992, when the Jewish menorah was installed in one of the public places of Chisinau. Since 2009 this tradition has been resumed<sup>28</sup>, and the Hanukkah Menorah has been mounted within and outside KEDEM building in a square near the Memorial to Holocaust victims and other public places.

In period of 27 November – 4 December 2013 the Menorah was placed in the centre of the city in the square near the former Chisinau Choral synagogue (in nowadays - „A.P.Cehov” State Russian Dramatic Theatre).

The festive lighting of Menorah first candle event was attended by the members of the Parliament and various politicians, BIR representatives and other state bodies, Mayor of Chisinau, diplomats, including the Ambassadors of Romania and the United States, ECONM leaders, mass-media, and numerous representatives of the Jewish community.

However, according to the information that appeared on the websites: <http://www.dorledor.info><sup>29</sup>, [www.pan.md](http://www.pan.md), [www.canal3.md](http://www.canal3.md), <http://aif.md> etc. this event caused a misunderstanding among a group of Orthodox Christians who expressed their disagreement with Hanukkah being celebrated in public in a negative way (using offensive inscriptions and slogans during the demonstrations).

It should be noted that some individual manifestations of such negative attitudes, including manifestations of hostility or intolerance towards Jewish history, desecration of Jewish monuments and cemeteries, publication and dissemination of anti-Semitic literature, Holocaust negation, persist.

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<sup>28</sup> Information on incident over Hanukkah installed in the Central Park in Chisinau in December 2009 was reflected in the Periodic report of the Republic of Moldova on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination for 2008-2009 placed on the website [www.bri.gov.md](http://www.bri.gov.md) (heading «opinions/information»).

<sup>29</sup> <http://www.dorledor.info> – the Jewish information portal of Moldova.

However, such cases are not common for the Moldovan society, being subjected to public condemnation and contradicting policy of the Republic of Moldova in the field of interethnic relations and human rights.

### **Article 7 of the Framework Convention**

Currently, in the Republic of Moldova there are the following groups of ethno-cultural organizations set up on the basis of ethnic criteria<sup>30</sup>:

- ECONM for culture protection – teaching history, traditional culture of one or another ethnic group, renaissance of popular cultural traditions;
- ECONM in charge of cultural creations - revitalization, preservation and use of cultural values, establishment of artistic groups, publishing activity;
- ECONM for teaching activities – organizations dealing with teaching of/in minority languages; social organizations and organizations on human rights protection;
- ECONM for recreation activities - organizations in charge of entertainment activities, including family and group activities.

Organizations of persons belonging to national minorities,<sup>31</sup> enjoy the State support under the national legislation, particular attention being paid to cooperation between State institutions and ECONM<sup>32</sup>.

In pursuance to priorities in its activity BIR provides ECONM with substantial support<sup>33</sup>. BIR's competences and objectives include ECONM accreditation, their implication in social and cultural life of the country, constant and lasting partnership dialogue with the State authorities.

BIR and ECONM joint efforts contribute also to collaboration between civil structures and LPA on solving problems related to national minority interests, such as preservation, development and expression of their cultural, linguistic, religious and ethnic identity.

Another BIR's prerogative is to support ECONM leaders in familiarization with international documents pertaining to national/ethnic minority rights; to provide all ECONM with informational assistance, as well as partial or total financing of national cultural projects and programs carried out by them.

Organization of conferences, round tables, open meetings, with the participation of senior decision makers, representatives of international organizations, foreign experts etc., is a method widely used in the process of making cardinal decisions.

As an example to the point the following should be mentioned. On 18 September 2014 a first Forum of Ethnic Minorities of Moldova "Moldova is my heart" was held in Chisinau. The event was organized by BIR in collaboration with ECONM, under the patronage of the Parliament Speaker.

The forum was attended by over 700 participants, including the country's top leadership, members of the Parliament, ministers, representatives of CPA and LPA, civil society, ethnic and

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<sup>30</sup> Article 18 of the Law No. 382 of 19 July 2001 on the rights of persons belonging to national minorities and the legal status of their organizations

<sup>31</sup> 89 associations (registered by the Ministry of Justice and holding the republican status) are accredited under BIR. About 100 similar organizations operate at the local level in municipalities of Chisinau and Balti; in the districts of Soroca, Taraclia, Rezina, Soldanesti, Edinet, Cahul, Drochia, Criuleni, Donduseni, Glodeni, Riscani, Ungheni, Calarasi, Orhei, Straseni, Falesti.

<sup>32</sup> Art. 20-22 of the Law on the rights of persons belonging to national minorities and the legal status of their organizations No 382 of 19 July 2001.

<sup>33</sup> The Regulation on organization and functioning of the Bureau for Interethnic Relations, its structure and staff list of central apparatus thereof (GD No.43 of 2 February 2010).

cultural organizations, representatives of Diplomatic Corps and International organizations as well as experts, teachers and people of art. The event was aimed to become a platform for *internuncio* dialogue to promote cohesion and social unity, ensuring stability through dialogue, intercultural cooperation and civic participation in the process of European integration.

Support for ECONM in their activity in the field of culture preservation and development is carried out through the House of Nationalities (hereinafter referred as to HN) - a cultural, methodic and information centre, which operates under BIR. Only during 2013-2014, 550 events, including: exhibitions, book presentations, homage and remembrance events, festivals, conferences, roundtables, seminars, concerts, shows, competitions, holidays, etc., were held at the HN.

In 2013 a great part of ECONM celebrated their jubilees. The 20<sup>th</sup> anniversary since foundation was celebrated at the republican level by the following organizations: the Russian Community in Moldova, the Ukrainian Community in Moldova, the Belarusian community of Moldova, the Lithuanian Society of Moldova etc. All these organizations have a large number of active members, contributing to promotion of ethnic minority national identities, but also to the development of Moldovan society and participation in the process of integration of the Republic Moldova in the European family.

Attention of the State administration to activity realized by ethnic minority communities is proved by the fact that some ECONM leaders and members were acknowledged by State Awards and Diplomas of the Government of the Republic of Moldova.

For example, the following ECONM leaders were awarded with the State Distinctions for considerable contribution to promotion of intercultural dialogue and the spirit of tolerance: Moraru Valentina, chairmen of Women's Ukrainian Community in the Republic of Moldova – the Medal for Civil Merits (2011); Muharib Allahverdiev, chairmen of Organization on “Moldova-Azerbaijan” Collaboration – the Award of Labour Glory (2011); Vasili Mikhailov, chairmen of Slavic Community from Cahul – the Medal for Civic Merits; Simion Jeleapov, chairmen of Bulgarian Community in Moldova, “Bessarabian Bulgarians” - the Award of Labour Glory (2013).

In the period 2010-2013 the Government Diplomas of I, II and III degree were handed to 38 ECONM leaders and members. Only in 2013, BRI has offered diplomas of excellence for 240 active members of these organizations. (*See also Part III, art. 17-18*).

### **Article 8 of the Framework Convention**

To ensure the right to freedom of religion it was adopted **the Law No. 278 of 27 December 2011 on amending and supplementing the Law on religious denominations, No. 125 of 11 May 2007**.

It provides for the following amendments:

- renaming the law in “*the Law on freedom of conscience, thought and religion*”. It was stressed the need to make the freedom of thought be the subject of the law, alongside with the conscience and religion;
- clarifying the registration procedure and extending the time limit for examination of submitted documents from 15 to 30 days;
- introduction of provisions stipulating: 1) postponing decision on application for registration, allowing applicants to improve the documents needed according to the legal requirements; 2) unifying registration procedure for all types of nonprofit organizations;
- as suspension and cessation of the religious organizations constitute the most serious penalties for religious entities, corresponding chapter has been amended so as the

competent body has tools in its disposal for alerting religious entities in case of insignificant infringements. The suspension and cessation of activity of religious entities thereof shall be applied for the most serious violations. Besides, involvement in politics by making election campaigning and/or material or financial support of the electoral candidates was included in the grounds of decision for suspension of religious activities.

The situation of Muslims in the Republic of Moldova has improved<sup>34</sup>. Currently, the Muslims are represented formally by the **Islamic League of the Republic of Moldova** (hereinafter-ILM)<sup>35</sup>, registered on 14 March 2011 by the Ministry of Justice.

ILM joins Muslim associations of the Republic of Moldova and represents their interests in the country and abroad.

One of ILM main aims is to contribute at the realization of the right to freedom of religion through manifestation of religious beliefs by religious cult members in accordance with traditions, and ceremonial rites of the Islamic cult without any distortions, extremities and extremism.

The Muslims of the Republic of Moldova received possibility to declare openly their religious affiliation, to manifest freely religious beliefs and to promote Islamic values, and to have dedicated space in the cemetery.

Promotion of inter-religious dialogue is a very urgent issue for the Moldovan society, in particular with respect to increasing role of youth in building a dialogue among representatives of different ethnic groups, cultures, religions based on tolerance and mutual respect.

In this context, the project “Promotion of interreligious dialogue and mutual respect among young people from the Republic of Moldova” “Faith heals”, implemented by the Association of Ukrainian Youth in the Republic of Moldova “Zlagoda” in 2013 is worth attention.

The youth from different regions of the country, representing various ethnicities and religions, were instructed on how to combat prejudice and stereotypes, and are expected to further convey information about human rights and tolerance to the members of their communities.

The beneficiaries of the project visited places of worship; have learned the history of religions; participated in the educational roundtables and learned that everybody’s voice must count in the decision-making process and promoting efficient cooperation between representatives of various ethnic, religious and cultural groups.

The project was implemented with the financial support of the U.S. Department of State and the Dutch Jewish Humanitarian Fund, in cooperation with BIR, Coordinating Council of Ethno-Cultural Youth Organizations and Jewish community in the Republic of Moldova.

## **Article 9 of the Framework Convention**

Since the Republic of Moldova has proclaimed its independence, **specific legal framework** was created to assert freedom of expression and access to information. Real progress has been registered for the last six years in improving legal and practical frameworks on freedom of expression, protection for press freedom and journalists’ rights. In addition, state broadcaster

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<sup>34</sup> According to the 2004 census, 1.667 people declared themselves to be Muslims, representing 0.05% of the total population. Most of them live in Chisinau and municipality of Balti.

<sup>35</sup> According to the State Register of Non-Commercial organizations, registration certificate No. 002924.

management was professionalized and new private broadcast media outlets opened, leading to greater media diversity.

The implementation of the *Strategy of development of the national public broadcaster "Teleradio-Moldova" for 2010-2015* continues. *Teleradio-Moldova* editorial policies were developed according to the principles of quality broadcasting. Currently, a new *Teleradio-Moldova* Statute is being drafted.

The *Regional Public Broadcasting Company Teleradio-Gagauz-Yeri* is also implementing "Strategic Directions of Development 2012-2016".

In the Transnistrian region of the Republic of Moldova overall situation of freedom of expression in media is different. The Moldovan TV channels are not accepted in the region.

In the context of recommendations 110 and 115 of the Third Opinion on Moldova on minority language broadcasting, it is worth mentioning that domestic law in this field grants to national minority representatives the right to free access to mass media, including TV and radio, in minority languages.

The Moldovan media market is represented by a diversity of opinions and news formats. The Internet's role as an alternative source of information has increased significantly. In 2009-2010 activity of these means of mass communication, completed additionally with appearance of new competitive media outlets, has gradually removed a vacuum on media market and highlighted pluralism in this sector. Currently, there are **59 radio stations** (broadcasts via terrestrial frequencies and satellite) and **64 television channels** (broadcasts via terrestrial channels, cable networks and satellite), **148 cable TV operators**, **17 news agencies**, **147 newspapers**, **108 journals**, operating and editing in the country. The access to all media outlets is guaranteed as well throughout the Internet.

The Moldovan legislation contains positive provisions, which ensures the right to distribution and production of audiovisual works in the minority language.

Article 11.9 of the **Audiovisual Code** No. 260 of 27 July 2006 states that broadcasters serving minority language regions carry 80% content broadcast in minority languages and at least 20% in the official language.

Article 29.4 of the Code stipulates that in localities where representatives of a nationality or ethnicity constitute more than 20%, service distributors, which hold retransmission licence, shall also ensure retransmission of programme services in the language of respective minority.

Under these conditions, majority of radio stations in areas densely inhabited by ethnic minorities seek to broadcast predominantly in the Russian language allocating reduced airtime to programs in minority languages.

However, in competitions for terrestrial radio spectrum CCA as an authority responsible for implementing and ensuring respect for the Audiovisual Code, international broadcasting conventions, to which the Republic of Moldova adhered, gives preferences to broadcasters offering the programs in minority languages.

Currently, there are *6 radio stations*, in particular: Radio Gagauzia, Bass FM, Albena, Pro 100 radio, Bugeak, FOCUS Radio and *7 television broadcast stations*: TV Gagauzia, BIZIM DALGAMIZ, Aiin Aciic, NTS, Eni Ai, BIZIM AIDINIC, BAS TV on the territory of the country, in areas compactly populated by ethnic minorities NTS TV station carries broadcasts in Bulgarian, Romanian and Russian languages and rebroadcast Bulgaria's BNT TV channel; other



broadcast in Gagauz, Romanian and Russian languages and rebroadcast either the MIR channel or other channels from the Russian Federation.

Alongside with indicated private radio and TV stations the National Public Broadcaster "Teleradio-Moldova" provides media outlets destined and made in national minorities languages.

According to the Art. 51.1 (f); Art. 54 a) of the Audiovisual Code "Teleradio-Moldova" fulfills the mission of ensuring respect for interests and right to information of all citizens of the Republic of Moldova, including national minorities.

The Minority programmes in case of the "Teleradio-Moldova" Company are prepared by the TV "Moldova 1" Department (Ethnicity Section) and the National Minority Editorial Staff under Radio Moldova station. They act basing on the Audiovisual Code, the Law No.382-XV of 19 July 2001 on the rights of persons belonging to national minorities and the legal status of their organizations, the Law No.1320-XV on July 26 on the National Public Broadcaster "Teleradio-Moldova", the Regulation on the activity of "Teleradio-Moldova" Company and other normative acts and internal regulations.

Ethnicity Section under the TV "Moldova 1" Department prepares 6 cycles of programs for national minorities:

"Svitanoc" – a program in Ukrainian;

"Gagauz Ogea" - a program in Gagauz;

"Bugeac Wave" - a program in Bulgarian;

"Petalo Romano" - a program in Romany;

"Russchii Mir" - a program in Russian;

"Under the same sky" - a program in Russian about the life of other ethnicities (Poles, Byelorussians, Azeris, Hebrews, Lithuanians, Jews, Arabs etc.).

The emission quota for programmes in minority languages constitutes 7% of the total TVM emission volume. In **2009-2013** 480 original programmes were aired with a total broadcasting volume of 2.480 hours. The programmes are broadcasted on each Tuesdays, Wednesday and Thursday and are subtitled in Romanian.

National Minority Editorial Staff under Radio Moldova station prepares the radio programmes in 6 minority languages:

-Russian ("Russian House" on Wednesday; "Cultural Space" on Tuesday);

-Ukrainian ("Renaissance" on Thursday);

-Bulgarian ("Radiomegdan" on Friday);

-Gagauz ("Unda Bugeacului" on Monday);

-Yiddish ("Jewish Life" on Wednesday);

-Romany ("Romano glasos" on Tuesday).

In 2009 -2013 1020 original programmes were developed and broadcasted, among them: 48 programmes of 45 min. duration; in 2009-2012 – 972 programmes of 30 min. duration. Since 2013, TV programmes of 40 min. duration in Bulgarian, Ukrainian, Gagauz, and TV programmes of 20 min. - in Jewish, Romany and Russian ("Russian House" and "Cultural Space") have been aired weekly.

For 8 months of 2013 there were broadcasted 105 programs of 40 min. duration and 210 programmes of 20 min. duration.

**Geography of broadcasts covers** Southern and Northern regions of the country, districts of the Transnistrian region of the Republic of Moldova, villages and towns compactly inhabited by national minorities.

However, among 8 news programmes broadcasted by the “Moldova 1” TV station 3 are made in Russian, with a total duration of 40 min. News programmes in the Romanian language have a total duration of 1 hour 10 min.

The regional public company “Teleradio Gagauzia” is the second public broadcasters in the Republic of Moldova. It ensures retransmission of radio and television programme services for Gagauz population in the territory of Gagauzia.

Of the four private TV stations with the national coverage and of the general format broadcasting through the ether, **Prime TV station** airs two-a-day news programme in the Russian language and retransmits the programmes of the Channel One from the Russian Federation; **Channel 3 TV station** broadcasts several news programmes in Russian, as well as shows, and movies purchased from the Russian television. News TV station **Publika TV** which carries 100% domestic content broadcast, provides several programs in Russian with a share of at least 20% of the total programme services. Other TV stations with regional or local coverage air news, informational-analytical programmes in Russian, except Pro TV Chisinau TV station.

In 2011, following request by the Director of the radio station "Radio Focus" from Bulgaria and basing on Retransmission Agreement between CCA and “Focus Nunti” Ltd. of the Republic of Bulgaria CCA has granted this radio station a right to broadcast on the territory of the Republic of Moldova at the frequency of 97.0 MHz in Taraclia, the area densely populated by Bulgarians.

On the approval of the list of retransmitted channels CCA seeks that distributors of cable television provide subscribers with e retransmission of programme services in national minority languages. Thus, the stations broadcasting in minority languages, including in the languages of numerically-smaller minorities, are included in the list of over 230 channels retransmitted in Moldova, approved by CCA.

Hence, the right to comprehensive, objective and accurate information in the Republic of Moldova is guaranteed by the law (Art.10 of the Broadcasting Code).

CCA in his capacity of a representative and guarantor of public interest in the audiovisual field is by the law obliged (Art. 39, 41 of the Broadcasting Code) to ensure respect for democratic principles and expression of pluralist ideas and diverse opinions in programmes aired by broadcasters (art. 41, (1) a) of the Broadcasting Code), but respect for human rights, including minority rights is one of the priority directions in CCA activity.

## **Article 12 of the Framework Convention**

### **Scientific research**

The Centre of Ethnology (hereinafter referred as to CE)<sup>36</sup> under the Institute of Cultural Heritage within the Academy of Sciences of Moldova has continued its activity on researching national minority ethno-cultural heritage in the Republic of Moldova.

There are the following sections, departments and groups under the Centre of Ethnology:

Section on general problems of ethnography;

Section on ethnic minorities;

Section on Moldovans ethnology;

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<sup>36</sup> Initially, there was a subdivision of scientific research on national minorities under the Academy of Sciences of Moldova. In 1991, the Section on National Minorities was established; since 1992 it was awarded status of the Institute of National Minorities, in 1999 reorganized in the Institute for Interethnic Research , but in 2006 – in the Centre of Ethnology. Its task implied a complex research on the problems of history, language, literature, ethnography, folklore and art of national minorities in the Republic of Moldova.

Department for inter-ethnic relations;  
Department of Russians;  
Department of Gagauz ;  
Department of Ukrainians;  
Department of Bulgarians;  
Department of Roma;  
Department of Jews;

Currently, CE scientific researches activate within the institutional project „*European dimension of ethnographic heritage of the Republic of Moldova*” (2011-2014) (Code **11.817.07.20 F**). The project’s priority is studying and enhancing value of the historic and cultural heritage of the Republic of Moldova. The projects’ strategic direction implies building the rule of law and harnessing cultural and historic heritage of the Republic of Moldova in the context of the European integration.

In recent years CE has increased attention to surveys on ethno-historic, ethno-psychological, ethno-social, ethno-linguistic peculiarity of cohabiting ethnic communities, and cultural contribution of e national minorities to preservation and promotion of intangible ethnographic heritage of the Republic of Moldova.

In 2009-2013, CE undertook the following practical activities at the national level:

- **publication** of scientific papers - 19 monographs, 136 magazine articles, 115 articles in miscellanies;
- **organizing** scientific events - 21 scientific events (on the national and international scale);;
- **developing** expertise and scientific - methodological recommendations on draft legislation - 19 expertise and recommendations on the draft laws, including on the Action Plan to support Roma population for 2011-2015; on the amendment of Ethnic Classification of the State Register of Population of the Republic of Moldova; on the Framework Regulation on employment modalities and organization of community mediators activity in communities populated compactly or jointly by Roma; on the draft law on ratification of the European Charter for Regional or Minority Languages, etc.
- **presentation of scientific communications** at national conferences / seminars / roundtables - 132 communications.

Based on ethnographic field research and interdisciplinary analyses of ethnological materials, CE scientific collaborators have obtained new essential results in the process of studying origin, evolution, history, traditions, material and intangible culture of ethnic communities cohabiting in the Republic of Moldova: Ukrainians, Russians, Bulgarians, Gagauz, Jews, Roma, etc.

## **Article 14 of the Framework Convention**

### ***Teaching of the State language to adult persons belonging to national minorities***

The right of persons belonging to national minorities to maintain their identity can only be fully realized if they acquire a proper knowledge of their mother tongue during the educational process. At the same time, persons belonging to national minorities have a responsibility to integrate into the wider national society through the acquisition of a proper knowledge of the State language.<sup>37</sup>

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<sup>37</sup>The Hague Recommendations Regarding the Education Rights of National Minorities". 1996 (OSCE)

Respect for the rights of national minorities is approached in the Republic of Moldova from the perspective of, *inter alia*, social inclusion and equal opportunities. Therein, linguistic integration of national minorities is the most delicate issue as it generates for them the possibilities to hold leadership positions in State administration: state language proficiency increases chances of being promoted in public service.

During the reporting period some progress has been made in the field of adaptation and socio-linguistic and professional integration, promotion of interethnic tolerance by means of teaching and creation of linguistic environment appropriate for the national minorities.

In this regard efforts were undertaken on the basis of principles enshrined in art.14, par. 3 of the Framework Convention that provides for adequate opportunities for being taught the minority language or for receiving instruction in this language are ensured without prejudice to the learning of the official language or the teaching in this language.

The activity on promoting and teaching of state language to adult population is held according to legislation in force and is supported by State administration, including financial assistance.

BIR has contributed to getting national minority representatives, in particular from among adult population, involved in the learning process of the state language collaborating for this purpose with the OSCE High Commissioner on National Minorities (hereinafter referred as to HCNM), LPA and ANTEM.<sup>38</sup>

ANTEM is an organization specialized on systematic social, professional, cultural and linguistic teaching of the state language to national minority adults and foreigners; on promoting intercultural dialogue and raising standards of spoken state language in the Republic of Moldova.

At BIR's initiative and with the financial assistance of OSCE/HCNM since 2010 ANTEM has been realizing the project "Language training programme for national minorities in the Republic of Moldova". The project aims at teaching of the state language to public sector representatives from the northern and southern regions of the county and Chisinau; involving all beneficiaries in Discussion Clubs to improve their state language communication skills and to debate on actual problems of the Moldovan society in different spheres: environment protection, intercultural communication, gender equality, tolerance, etc. Thereby, the project is intended for the civil servants and other specialist from the local regions of the republic and implies organization of linguistic training courses for these groups of people with emphasis on specific terminology relevant to them.

With BIR's support ANTEM signed partnership agreements with LPA in Comrat, Ceadir-Lunga, Taraclia, Briceni, Ocnita, Donduseni, Edinet, Balti on implementation and financial support of the language training programme.

In 2010 BIR initiated a draft GD on allocation of 90 000 MDL from the state budget for publication of the state language learning textbooks adapted for adults.

Furthermore, in 2013 BIR contributed to allocation of financial resources from the Government reserve fund for the implementation of the said project. A sum allocated amounted 150 000

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<sup>38</sup> ANTEM, registered on February 19, 2008 is a non-governmental, non-political, and non-profit organization that promotes linguistic and cultural integration of adult national minority representatives in the multilingual society.

MDL. (GD No.924 of 20 November 2013). A part of financial resources allocated BIR used for purchasing necessary equipment for the Romanian E-learning course.

Tabel 1

**Language training programme for national minorities  
in the Republic of Moldova  
Statistical Dynamics  
2010-2013**

**1. ANTEM's trainers**

Period	Total number of trainers	Employed trainers	In reserve
2010-2011	52	20	32
2011-2012	61	20	41

**2. Beneficiaries of the project in the Republic of Moldova**

Period	Level A1-A2	Level B1-B2	Level C1-C2	In total
2010-2011	290	273	235	<b>798</b>
2011-2012	281	261	50	<b>592</b>
2012-2013	332 ought to graduate			<b>332</b>
Total	903	534	285	<b>1722</b>

**3. Beneficiaries of the project in ATU Gagauzia**

Period	Level A1-A2	Level B1-B2	Level C1-C2	In total
2010-2011	150	128	16	284
2011-2012	110	100	28	238
2012-2013	73 ought to graduate		31 graduates	104
Total	333	228	85	646

**4. Statistics by localities**

Period	Locality	In total
2010-2011	Basarabeasca, Taraclia, Briceni, Riscani, Otaci, Glodeni, Chisinău, Gagauzia (Ceadar-Lunga, Vulcanesti, Comrat, village of Svetlii)	11
2011-2012	Taraclia, Cahul, Cimislia village of Troitcoe, Briceni, Drochia, Otaci, Balti, Chisinău, Gagauzia (Ceadar-Lunga, Comrat, Vulcanesti, Etulia)	12
2012-2013	Cahul, Cantemir village of Stoianovca, Taraclia, Briceni s.Balcauti, Briceni, Balti, Drochia, Riscani village of Nihoreni, Ocnita, Chisinău, Gagauzia (Ceadar-Lunga, Comrat, Vulcanesti)	15

Following this project four-level training programs, teaching materials, including audio, for different groups of beneficiaries as: civil servants, doctors, journalists, police, etc. were developed based on the European standards.

Since July 2013 ANTEM in collaboration with BIR has been in the process of implementing the project „**Integrating youth in society by means of distance learning**” financially supported by the Ministry of Youth and Sport.

The project is intended to **facilitate remote language training of young people** and contribute to their integration in society through cultural and linguistic immersion at a distance.

Currently, this project is in progress in Comrat and Ceadir-Lunga. The final public presentation of mentioned E-platform was held in Chisinau in June 2013.

According to Art. 8 of the Law on education, teaching state language is compulsory in all educational institutions. The requirements are regulated by the State educational standards.

The aim of the **National Plan for Improving the Quality of the State Language Teaching to the representatives of national minorities for 2013-2017** is to contribute at improving the communication skills of children from institutions teaching in Russian or other minority languages.

In 2011, ME launched an educational program “The sociolinguistic integration of pupils belonging to national minorities by increasing a number of subjects taught in the Romanian language” approved by the Order No. 751 from 20 August 2011. Currently, the project is implemented by 23 pre-university educational institutions in the southern, northern and central districts of the Republic of Moldova. Thus, 51 teachers teach 8 school subjects in the State language within the project. Pupils from 125 classes enjoy the opportunity to develop their knowledge in the State language.

At the same time, the number of schools providing teaching in the State language for national minority pupils has extended in the last 2 years. A group of parents launched an initiative to introduce the State language teaching since kindergarten. Currently, ME is in the process of drafting curriculum for kindergartens.

### ***Promoting tolerance in education***

Referring to the principles of tolerance promoted by means of teaching socio-humanistic disciplines, since 2010 courses of Romanian and Universal history have been taught on the basis of 10 key/transversal competences, one of which is formation of pupils’ civic and moral development. Hence, educational process is built on the basis of eight specific competences, one of which is formation of democratic behavior and general human values. The history curriculum allows formation of civic skills, values and attitudes, basing on the normative acts that underlie the educational process.

Awareness and respect for other peoples’ culture, tolerance and combating stereotypes and prejudices is the main principle enshrined in the Romanian and Universal history discipline and is followed by teachers during the educational process.

Since 2009-2010 academic year “Civic education” discipline has been taught in I-XII forms. The discipline is aimed at defining the Moldovan citizen in the context of the contemporary world: acquiring knowledge about the fundamental human rights and responsibilities and their practical realization; education on the basis of general human and democratic values; formation of a sense of responsibility for social activities; cultivating the civic sense.

“Civic education” discipline is aimed at achieving the following goals:

The student will be informed about:

- fundamental human rights and freedoms;
- principles of inter-group relationships in a democratic society;
- legal provisions pertaining to a person’s status;
- mechanisms for the protection of human rights at local and national level;
- characteristics of a democratic society institution;
- different problems encountered by the community/society and ways to overcome them.

The Ministry of Education has engaged itself in a series of measures, including development of Curricula for the subject “*History, culture and traditions of Roma from Moldova*” and its inclusion as an optional subject in the secondary education programmes. As an outcome for the 2015 Roundtable on Holocaust there was a commitment for the Ministry of Education in partnership with Jewish Community of Moldova to develop “*History, culture and traditions of Jewish people*” Curricula.

### ***Teaching in/of minority languages***

The process of improving multilinguistic educational system, including teaching in minority languages in the context of the recommendations formulated in the Third Opinion on Moldova and Resolution CM/ResCMN (2009) 6 has continued.

In recent years, educational system in the Republic of Moldova underwent some reforms aimed at modernizing education; creating conditions for harnessing each child potential; free and harmonious development of human creative personality able to adapt to changing living conditions.

According to the UN Convention on the Rights of the Child<sup>39</sup>, that underlay the **Law on education No. 547-XIII of 21 July 1995**, children's potential is to be fully exploited, regardless of the economic status of child’s family, his residence, ethnicity, language or religious choices of the parents.

Thus, the Law on education (as amended in 2013, 2012, 2011, 2010, 2009, etc.), contains the principles that served a foundation for the educational reforms, aimed at building a modern and democratic educational system, focused on the national and universal values.

According to Art. 6 of the Law: The right to education is guaranteed regardless the nationality, sex, race, age, social origin and situation, political or religious affiliation, criminal record. The state guarantees equal opportunities and access to the state institutions of secondary vocational and higher education, depending on the abilities and skills.

According to article 8 of the Law: The state guarantees the right to choose the language of education and instruction at all levels and degrees of education, according to the Constitution and articles 18, 19, 20 of the Law on the functioning of languages on the territory of the Republic of Moldova (1989).

The right of citizens to education in/of their mother tongue is ensured by creating of required number of educational institutions, classes, groups, and conditions for their functioning.

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<sup>39</sup> The UN Convention on the rights of the child was ratified by the Republic of Moldova on 12 December 1990. In 1994, the Parliament adopted the Law on the rights of the child.

Ministry of Education<sup>40</sup> (hereinafter referred to as ME) develops annual plans /programs for teaching in/of minority languages, as well as the State language.

Three models of teaching of minority languages have been developed in the Republic of Moldova:

- **schools with instruction in Russian** where representatives of national minorities, traditionally, do their studies: 265 gymnasiums and lyceums;
- **schools with instruction in Russian:** the Ukrainian, Gagauz, Bulgarian languages are studied as a discipline 3 hours per week; the discipline “History, culture and traditions of populations: Russian, Ukrainian, Gagauz, and Bulgarian is taught 1 hour per week;
- **gymnasiums and experimental schools**, providing teaching in Ukrainian language in separate classes at both primary and secondary level of education (Theoretical Lyceum of Ungureni, the district of Ocnîța; and Theoretical Lyceum “K. Popocivi” in Nihoreni, the district of Riscani)

Table 3

### The dynamics of minority language research

Studied Language	2001-2002 academic year	2008-2009 academic year	2012-2013 academic year
Ukrainian	50 schools (7011 students)	57 schools (6034 students)	49 schools (5931 students)
Gagauz	52 schools (24056 students)	52 schools (23844 students)	48 schools (18504 students)
Bulgarian	30 schools (7897 students)	32 schools (6772 students)	30 schools (5112 students)
Polish	1 school (65 students)	1 school (141 students)	1 school (124 students)
Jewish	2 schools (345 students)	2 schools (656 students)	2 schools (541 students)
German	1 school (77 students).	1 school (186 students).	1 school (276 students).

One of today’s education realities for national minority children implies the necessity of studying 4 languages: State language, Russian, native and one of the international languages. This objective could be achieved by means of introducing multicultural and multilinguistic education.

However, in accordance with international standards, since 2004 the National Bureau of Statistics hasn’t collected data on ethnicity of persons up to 16 years. Thus, reports on students do not include such information.

Furthermore, an educational reform is currently implemented. For this purpose a National Action Plan for the Implementation of Structural Reforms in Education was approved by the GD No.484 of 05 July 2011.

<sup>40</sup> According to art. 41 of the Law of Education, the Ministry of Education is the central authority of public administration that promotes the State policy in the field of education, develops and implements strategies, including on ensuring quality education.

Mission of the Ministry of Education consists in elaborating and promoting the State policy in the field of education, as provided by the international tendencies of socio-economic development; in determining strategic guidelines for development, continuing modernization and integration of educational system in the Republic of Moldova in the European system of education, professional formation and ensuring access to education and to scientific achievements for all citizens of the Republic of Moldova (GD No. 653 6of November 2011).



The quality education reform objectives are derived from the population indices and do not tend to rely on the principle of ethnic origin. Until now, 12 local institutions have been transformed (from primary school into secondary schools or high schools in gymnasiums), and 28 educational institutions have been optimized by LPA for various reasons (defective conditions of the school premises, schools with a small number of pupils, etc).

Students are transported to nearby educational institutions with transport provided by LPA, or by route transportation paid by the local councils. With their consent the teachers of these institutions, were employed in the educational institutions to which the students were transferred.

To ensure quality education and effective management of financial resources, District Directorates General of Education, Youth and Sport suggest LPA, if that's the case, to restore the network of educational institutions. The process of educational institutions optimization lies within LPA competence in coordination with ME.

The pre-university educational institutions of the Republic of Moldova include:

**2010-2011 academic year** -1484 (395079 pupils) of institutions (primary schools, gymnasiums, high schools); among them 280 institutions provide teaching in Russian, and 82 are mixed-mode institutions;

**2012-2013 academic year** -1449 of institutions (primary schools, gymnasiums, high schools), among them 265 institutions provide teaching in Russian, and 81 are mixed-mode institutions.

To ensure national minorities access to quality education, ME has developed the teaching materials for the Russian, Ukrainian, Gagauz, Bulgarian languages, among which:

- Standards for language and literature (grades 1-12; all minority languages);
- Language and literature Curriculum (classes 1-12);
- Methodological guidelines for curricula implementing;
- Textbooks on language and literature (grades 1-9);
- Programs and tests for national testing (grades 1-9);
- Baccalaureate Programs for language and literature;
- Curriculum for "History, culture and traditions of the Russian, Ukrainian, Bulgarian and Gagauz peoples (grades 1-4).

"History, traditions and culture of (Russian, Ukrainian, Gagauz, and Bulgarian) people" discipline is taught in the educational institutions providing teaching for national minority representatives.

In order to systematize the educational process in national minority languages a basis for the preparation and professional training of teaching staff was developed under the following institutions:

- kindergarten educators and primary school teachers with teaching in the Ukrainian, Gagauz and Bulgarian language (colleges in Lipcani, Comrat and Taraclia);
- teachers of Russian language and literature (State University of Moldova)
- teachers of Romanian-Ukrainian philology (A. Russo University in Balti);
- teachers of Russian-Romanian, Romanian-Gagauz and Romanian-Bulgarian philology (I. Creanga Pedagogical University, Chisinau);
- teachers of Gagauz-Romanian, Romanian-Bulgarian philology (Comrat State University).

Annually, on the basis of Protocols on Inter-Ministerial Cooperation on Education scholarships are granted to teachers and higher education students belonging to national minorities.

On 17 July 2014 the Parliament of the Republic of Moldova adopted a new Education Code. The Code follows three main goals. The first one is related to access to education for all, the second goal focuses on improving the quality of education, and the third aims at increasing the relevance of education. The new elements presented in the Code are: rights and social guarantees for teachers, strengthening the autonomy of educational institutions, change of grading system in primary education, increasing the duration of compulsory education to 18 years, etc.

Article 2 of the current Education Code provides the legal framework of education among which the Framework Convention for the Protection of National Minorities is mentioned.

Among fundamental principles of education (Art.7) the Code provides for the principle of recognition and guaranty of the rights of persons belonging to national minorities, including the right to maintain, develop and express their ethnic, cultural, linguistic and religious identity.

Art.9 “Access to education” of the Code specifies the following:

- (1) The citizens of the Republic of Moldova shall have equal rights to education and initial and continuing professional training through the national education system, according to the present Code.
  
- (7) The State shall guarantee the training and development of efficient communication skills in the Romanian language, in the national minority languages, as appropriate, and in at least two languages of international circulation.
  
- (8) The State shall ensure the conditions for training and development of communication skills in English, French and Russian languages in all public institutions of general education.

Article 10 “Language of training in the education system” of the Code stipulates the following:

- (1) In the education system, the education process shall be carried out in the Romanian language, and within the possibilities of the education system - in one of the languages of internal circulation, or under paragraph (2), in the languages of the national minorities.
- (2) In areas inhabited traditionally or by substantial number of persons belonging to national minorities, if there is sufficient demand, the State shall ensure within the possibilities of the education system that persons belonging to these minorities have adequate conditions to learn their minority language, or to receive education in this language, at the compulsory education level.
- (3) The study of the Romanian language shall be compulsory in all educational institutions of any level and shall be regulated by the state educational standards.

Furthermore, a Sector Development Strategy of Education for 2014-2020 “Education 2020” was approved by the GD No.944 of 14 November 2014.

The general objectives of the Strategy are educational system modernization to achieve sustainable human development by ensuring fair and non-discriminatory access to quality education at all levels of education for all children, including those from vulnerable families, those with special educational needs, as well as ethnic minority representatives.

## Article 15 of the Framework Convention

Effective participation of the national minorities in public life constitutes an essential component of a peaceful and democratic society. The Republic of Moldova, based on the experience of the European countries, seeks to ensure the promotion of such participation<sup>41</sup>.

It became apparent that, CC<sup>42</sup> under BIR represents the exponents/"barometers" of public opinion on the situation of ethnic minorities and their interests, carrying out the function of intermediaries between the national/ethnic minorities and the State.

BIR coordinates its activities with CC to provide the representatives of national minorities with the possibility to participate in the decision-making process.

Until 2013, 89 leaders of ECONM accredited to BIR have been members of the CC. In total, 30 national minorities have their representatives in the Coordination Council: Ukrainians (8), Russians (9), Gagauz (4), Bulgarians (7), Jews(3), Belarus (1), Roma (10), Germans (10), Poles (5), Tartars (2), Armenians (4), Georgians (1); Azeri (3), Uzbeks (1), Chuvashes (1), Lithuanians (3), Latvians (1), Greeks (2), Koreans (1), Italians (1), Udmurts (1), Osetins (1), Estonians (1), representatives from Afro-Asian countries (2).

The most imperative and problematical issues related to the social-economic and political sphere of life are examined at CC meetings. Thus, in the period 2009-2013, under the BIR's direction, CC members had the meetings with:

- The Prime Minister of Moldova (2009);
- The President of the Moldovan Parliament (2011);
- OSCE High Commissioner on National Minorities, Knut Vollebaek (2012);
- OSCE High Commissioner on National Minorities, Astrid Thors (2013)
- Antti Korkeakivi, Chief of Indigenous Peoples and Minorities Section, Office of the High Commissioner for Human Rights, OHCHR (2013).

The main objective of these meetings was to examine the process of national minorities' integration, elimination of any form of discrimination and identifying means for involving all citizens in the decision-making process, regardless of ethnic and linguistic affiliation. Following these constructive dialogues a complex of actions was realized by BIR in collaboration with CC.

With a view to ensuring efficient CC functioning BIR, within its competence, applies the following working methods:

- **Support for** the cooperation between ECONM and LPA on solving minority-related problems in respective localities;
- **Involving CC** members in the process of developing proposals and recommendations on the draft laws and regulations concerning national minority interests ;
- **Organizing** meetings with the high-level State administration, members of the Parliament, lawyers, and representatives of the ministries;
- **Providing financial support** to some projects and actions carried out by ECONM.

At the same time, **the Regulation on CC functioning** was subjected to some amendments.

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<sup>41</sup> The Lund Recommendations on the effective participation of national minorities in public life, 1999.

<sup>42</sup> Coordinating Council of Ethno-cultural Organizations is a public advisory body under BIR, Art.25 para. (3) of the Law No. 382-XV of 19 July 2001 on the rights of persons belonging to national minorities and the legal status of their organization,.

Following the recommendations from the Resolution CM/ResCMN (2010) 6 referring to measures undertaken to increase participation of persons belonging to national minorities in State administration and public services, the following data are relevant:

**Balti** Municipal Council<sup>43</sup> consists of 34 counselors, including:

- Moldovans-10
- Ukrainians-10
- Russians-9
- Poles-1
- Bulgarians-1
- Romanians-1
- Gagauz-1
- Chechens-1.

**In Edinet district**<sup>44</sup> the representation of national minorities in public administration is as follows: out of 33 members of administration there are 5 Ukrainians, 4 Russians, 1 Azeri. In central and local public administration out of the total number of 354 persons employed, the minorities present: Ukrainians - 68, Russians-11, Gagauz-3, Bulgarians -1, Roma-1.

**In Chisinau city hall**<sup>45</sup>

No d/a	Ethnicity	2009	2010	2011	2012	2013
1.	Moldovans	100	107	112	128	130
2.	Romanians	9	8	8	8	7
3.	Russians	1	3	4	6	6
4.	Bulgarians	-	-	-	1	1
	Total	110	118	124	143	144

### Article 16 of the Framework Convention

In order to properly implement the provision of Art.16 on preventing actions on limiting national minority rights and freedoms in localities densely populated by them, LPA representatives undertaken considerable efforts, in particular example of LPA from Edinet and Balti rayon worth to be mentioned.

### Municipality of Balti

According to the census of 2004 ethnic composition of the population in the Municipality of Balti is as follows: Moldovans accounted for 52.4%, while those who identified themselves as Romanians made up 1.8%. Next to the Moldovans in Balti, there are Ukrainians representing 23.7%, Russians - 19.2%, Poles - 0.68%, Jews - 0.32%, Bulgarians-0.23%, Roma/Gypsy - 0.21%, Gagauz-0.2% and 1.2% - other ethnic groups. 0.2% (183 persons) of the inhabitants did not declare their ethnicity, being included under the category “other ethnicities/nationalities”.

<sup>43</sup> According to the population census of 2004, out of the total population in Balti there are 52.4% Moldovans, Romanians-1.8%, Ukrainians-23.7%, Russians-19.2%, Poles-0.68%, Jews-0.32%, Bulgarians-0.23%, Gypsies/Roma-0.21%; Gagauz-0.2% other ethnicities-1.2%.

<sup>44</sup> According to 2004 population census, ethnic composition of the population of Edinet district is as follows: Moldovans -58749 pers., Ukrainians – 16084 pers., Russians – 5083, Gagauz-143 pers., Romanians-446 pers., Bulgarians-91 pers., other nationalities-792 pers.

<sup>45</sup> According to the 2004 population census the ethnic composition of urban population (in the sectors of Chisinau) is as follows: 68.62% Moldovans, 9.17% Ukrainians, 15,72 Russians, 1.01% Gagauz, 1.41% Bulgarians 0.44% Jews, 0.13% Poles, 0.05%Gypsies, 3.44% other ethnicities.

In accordance to the Decision of the Balti Council No. 7/17 of 21 June 2012, by the Mayor's disposal No. 359 of 9 July 2012, the Municipal Control Commission of the territory of the Balti municipality, presided by the Vice Mayor of Balti, was established under the provisions of the Law No. 3465 of 1 September 1989 on functioning of the languages spoken on the territory of the Republic of Moldova.

The commission monitors implementation of the above mentioned Law by a number of organizations and institutions in the municipality. It was found, that the Russian language, as the language of communication between the persons belonging to national minorities is used alongside with the State language as the language of communication between ethnicities. The Commission has developed a specific background about the work performed, as well as recommendations for improving linguistic situation in the territory.

A Municipal Enterprise "Language study centre "Our language" functions in Balti. Its main task is to organize the State and other languages courses for adults and children aiming at rising level of adults' proficiency in the State language necessary to fulfill their functional obligations.

120 thousand lei were annually allocated to the Language Study Centre "Our language" from municipal budget for studying languages by the national minority adults. The courses are organized on the basis of the Teacher's Guide "Teaching and learning through communication" and the collection of teaching materials "Language that unites us" (textbook, notebook exercises, audio cassette) developed by ANTEM.

The necessary conditions for teaching of minority languages to the persons belonging to national minorities are created in Balti:

- **Ukrainian** - The *Ukrainian language and literature* course is taught according to the curriculum in the Gymnasium No.9.

The Russian, English, German (4 schools) and French languages are taught in the pre-university educational institutions according to the curriculum.

In "A. Russo" State University English, German and Ukrainian languages are studied, and until May 2013 the Polish language was also taught, on the basis of the Polish Language Center under the University.

- **Russian** - *Russian language and literature* course is taught according to the curriculum in all schools providing teaching in the State language.

In addition, the courses for studying the Polish and Jewish languages are organized in the municipality under ECONM.

The right of citizens to choose the language of instruction (State or Russian) at all levels and degrees of education is fully realized. In Balti there are the following education institutions:

- 2 primary schools: providing teaching in the state language-1; in Russian- 1;
- 10 gymnasiums: providing teaching in Russian - 8; in state language - 1; mixed- 1;
- 13 lyceums: providing teaching in the state language - 6; in Russian - 7;
- 6 colleges: providing teaching in the state language; mixed - 5;
- 5 vocational schools: mixed (teaching in the state and Russian language) - 5.

The provisions of domestic law and national standards, including the Framework Convention on inadmissibility of discrimination on the ground of national minority membership are respected. In this context, the right of every citizen to freedom of association is guaranteed.

Currently, there are 16 ethno-cultural organizations in the municipality:

1. The Ukrainian Community from Moldova "Zapovit-Legacy";
2. Balti branch of the Society of Ukrainian Culture in the Republic of Moldova;
3. The Russian community from Balti;
4. The Association of Jewish Organizations;
5. The Jewish Charity Center "Hasad-Iaacov";
6. Balti branch of the Jewish Agency "Sohnut";
7. Balti branch of the Bulgarian Community in Moldova;
8. The Society of Polish Culture „Polish House”;
9. The Byelorussian community;
10. The Roma Community from Balti "SATRO";
11. The Roma Association "Baht Romala";
12. Ethno-cultural Association "Terna Seae";
13. Balti branch of the Chyvash Community in the Republic of Moldova;
14. The German Community from Balti „Renaissance”;
15. The Armenian Community from Balti;
16. The Hungarians Community in the Republic of Moldova.

Balti LPA recognizes the right of each of these organizations to promote and preserve culture, customs, language and traditions of their ancestors. Methodical, organizational and financial support is provided for various cultural events held by the persons belonging to national minorities.

On the basis of written application, in total 30.000 MDL are annually allocated from the municipal budget for ethno-cultural organizations aimed at organizing cultural activities or other events for preserving national minorities' culture and traditions. Numerous cultural events, such as the Ethnic Festival, the Days of Slavic writing and culture, etc. are organized in cooperation with ECONM from Balti.

### **District of Edinet**

According to the 2004 population census, the ethnic composition of Edinet district population is the following: Moldovans-58749 pers., Ukrainians-16084 pers., Russians-5083 pers., Gagauz-143 pers., Romanians-446 pers., Bulgarians-91 pers., other nationalities-792 pers.

Among 49 municipalities of Edinet district, Ukrainians compactly inhabit 14 localities (2 towns, 12 villages), Russians densely live in cities of Edinet and Cupcini and 1 rural settlement (Slobodca), forming 14 municipalities.

According to the legal provisions official correspondence in these 14 municipalities is both in the State and Russian languages. The ordinary meetings of the Local Council are conducted in the Russian language and the normative acts (decisions, orders) are elaborated in the State language. Orders with regard to basic competence and public information are done both in the State and Russian languages.

Persons belonging to national minorities have the right to address public institutions orally or in writing in both State and Russian language and to receive a reply in the language in which they formulated their request.

LPA takes concrete measures to support promotion of culture and education of the national minorities.

30 out of 44 pre-university educational institutions from the district provide teaching in the State language, 9 - in Russian, and in 5 mixed institutions – teaching is provided both in the State and Russian languages. Ukrainian is studied in 7 educational institutions.

There are 47 public libraries with the book collection about 493 thousand books, among which 224,2 thousand - in Romanian; 166 thousand - in the Cyrillic script; 268.7 thousand in the national minority languages (Russian, Ukrainian).

The following ECONM are registered and function in Edinet: the Ukrainian Community, the Russian Community, the Jewish Community and the Association of Roma.

In order to form and support national minority culture and traditions there are 8 folk groups in the district (5 Russian, 3 Ukrainian) that participate in the cultural manifestations organized and carried out all over the district each year, for example: Our Language Day, Golden Autumn Festival, Winter Customs and Traditions Festival, The Last Sheaf Day Ethnic Festival of Ethnicities, Days of Slavic writing and culture, etc.

In 2011 the ensemble “Vodograi” from V. Suhomlinskii High School, Edinet was awarded the title the Ukrainian Folk Collective. Financial resources in the amount of 24 thousand MDL were allocated from the state budget in order to purchase the Ukrainian traditional costumes for this ensemble.

As a positive result of solving issue of gagauz minority the Parliament of the Republic of Moldova adopted a **Law No. 344 of 23 December 1994 on the Special Status of Gagauzia (Gagauz Yeri)**.<sup>46</sup>

The Law stipulates establishment of an autonomous territorial entity within the Republic of Moldova with a special status that as a form of self-determination of Gagauz people. Following regional referendums it included all localities densely inhabited by the Gagauz. Being governed by the Constitution UTA Gagauz-Yeri is enabled to establish legislative and executive bodies. Being in charge of solving social and cultural development-related issues Gagauzia, in fact, has competences characteristic to state structures, including its own capital and original presidential institution “Baskan”. Gagauzia has its own symbols, applied alongside with the state symbols of the Republic of Moldova; it developed its own Constitution (Regulations of Gagauzia), has the Parliament (People’s Assembly) and regional legal framework.

Thus, on 14 May 1998, the People's Assembly of Gagauzia has adopted the Regulations of Gagauzia (Gagauz Yeri) No. 28-XXXI/I of 5 June 1998, which is the fundamental law, having an exclusive legal effect over local laws on the whole territory of Gagauzia.

According to the Regulations, being the custodian of national culture, historical and cultural patrimony of Gagauz people, Gagauzia guarantees their preservation and development for present and future generations (art. 13).

Official languages of Gagauzia are Gagauz, State language and Russian. Gagauz language functions on the basis of Latin script and represents a foundation of national identity of Gagauz people. Revival, preservation, development and extension of Gagauz language use are the priority objectives of Gagauz public authorities.

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<sup>46</sup> The area of Gagauz-Yeri is 1831,5 km<sup>2</sup> (5.4% of the surface of the Republic of Moldova). The total population of Gagauzia is 172,500 people or 4% of the total population of Moldova. The Gagauz number 78.7% of total population of autonomy, Bulgarians - 5.5%, Moldovan (Romanian) - 5.4%, Russians - 5%, Ukrainians - 4%, Gypsies and other ethnic groups - 1.3%.

Gagauzia recognizes and guarantees equal rights to preservation and development of languages and cultures of all nationalities living on its territory; creates possibilities for their free development (art. 16).

All citizens are equal before the law. The equality of rights and freedoms of citizens is guaranteed regardless of gender, race, nationality, ethnic origin, language, property and official status, social origin, place of residence, attitude toward religion, occupation, political and other views (art. 18).

On 31 October 1995 the People's Assembly of Gagauzia adopted the local Law on the Use of Languages on the Territory of Gagauzia (Gagauz Yeri) (No 3-IV/I from 31.10.1995). The law has been passed, as it is indicated in its preamble, for ensuring the Moldovan, Gagauz and Russian languages functioning, use of the Ukrainian, Bulgarian and other languages on the territory of Gagauzia.<sup>47</sup>

At the same time, there are different opinions on the current socio-political situation in Gagauzia<sup>48</sup>.

Taking into account Gagauzia's special status and diversity of ethnic groups living in this region, the Institution of Ombudsman exposed some minority rights-related issues<sup>49</sup> during 2012.

Thus, in Gagauzia there are 57 schools providing teaching in the Russian language. In pursuance of the school curriculum the mother tongue and history in these schools are taught as disciplines. In some schools, students are provided with an opportunity to choose what language to study, in particular: Gagauz or Bulgarian. The village of Feropontievca in Comrat district is the only village in Gagauzia where teaching in the Ukrainian language is carried out.

Another problem consists in the protection and promotion of the Gagauz people cultural identity and heritage, in particular through studying the Gagauz history, language and traditions in the Republic of Moldova.

The Russian language mass media prevails in Gagauzia; some programs are only broadcasted in Gagauz and partly in the State language. It refers equally both to the public and private media outlets.

According to Ombudsman's opinion, in these circumstances the State doesn't ensure State language teaching to the national minorities to a necessary extent; but national minorities are put in a situation of using the Russian language to maintain the interethnic dialog in the region, which, in its turn, slows down the process of their integration in society.

Furthermore, there are some problems with the quality of State language teaching to the students belonging to ethno-linguistic minorities in Gagauzia in the pre-university educational institutions.

According to 2012 survey on the integration of Gagauzia's population in the Republic of Moldova conducted by the Institute for Public Policies, 28,80% of the Gagauz respondents

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<sup>47</sup> Detailed information on the national culture situation of Gagauzia was reflected in the Third periodic Report of the Republic of Moldova on the implementation of the Framework Convention, part II "Information on relevant developments on an article-by-article basis", art.16.

<sup>48</sup> <http://www.trm.md/ro/regional/exper-i-este-nevoie-de-o-strategie-nationala-de-integrare-a-gagauzilor/>

<sup>49</sup> Report on respect for human rights in the Republic of Moldova for 2012, developed by CHRM, published on the website [http://www.ombudsman.md/sites/default/files/rapoarte/raport\\_2012\\_final1.pdf](http://www.ombudsman.md/sites/default/files/rapoarte/raport_2012_final1.pdf)



consider the State language proficiency to be important. At the same time, only 45% are satisfied with the level of state language teaching in schools.

At the practical level, only 1 out of 10 respondents in Gagauzia may fluently communicate in the State language, every second – understands the language, while every third – don't speak the language at all. As a result both the urgent need to improve the knowledge of the State language and the necessity to increase the level of the State language teaching in schools.

The Gagauz people recognize the need of proactive measures to be taken by the authorities on the State language teaching; hence, more than two thirds of the respondents suggest that the offering language courses in all localities as well as improving the quality of State language teaching by means of extension schools and state language teaching within the higher education would solve the existing problems.

BIR, within the limits of its competence, maintains collaborative relationships with the authorities of Gagauzia in the field of inter-ethnic relations, involve the Gagauz public associations from Chisinau in this process.

For example, on 20 December 2013 BIR in collaboration with the Gagauz Community in the Republic of Moldova, as well as with the participation of high-level officials from autonomy, organized a celebration of the 19th anniversary of Gagauz autonomy proclamation, organized in the HN in Chisinau.

On the same day, a roundtable was held in the context of the event, attended by the Bashkan, state officials, CC members and the citizens of Gagauz origin. Also, the exhibition of fine arts and crafts dedicated to Gagauz cultural values with the participation of artists and craftsmen from Gagauzia was inaugurated. The event culminated with a festive concert by the renowned ensembles from Gagauzia, such as: the National Song and Dance Ensemble "Diuz-Ava" and the National Fanfare Orchestra.

### **Articles 17 and 18 of the Framework Convention**

The foreign states authorities and diplomatic missions accredited to the Republic of Moldova have increased interest in certain ethnic communities on the territory of the country and supporting their cultural and linguistic identity.

The Republic of Moldova is a part of a series bilateral agreements and treaties on friendship and cooperation concluded with such countries as: Ukraine<sup>50</sup>, Russia<sup>51</sup>, Belarus<sup>52</sup>, Bulgaria<sup>53</sup>, Poland<sup>54</sup>, and Azerbaijan (in force as of 04.11.2003), Greece (in force as of 15.05.2000), Georgia (in force as of 20.06.2002), Lithuania (in force as of 05.04.1996) etc. These treaties enshrine ensuring of certain national minority rights.

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<sup>50</sup> Treaty on good-neighborhood, friendship and cooperation between Ukraine and the Republic of Moldova, signed in Chisinau on 23 October 1992, ratified by the Law No.1015-XIII from 03 December 1996, in force as of 05 January 1997.

<sup>51</sup> The treaty on friendship and cooperation between the Russian Federation and the Republic of Moldova, signed in Moscow on 19 November 2001, ratified by the Law No. 760-XV of 27 December 2001, in force as of 17 January 2002 .

<sup>52</sup> The Treaty on friendship and cooperation between the Republic of Moldova and the Republic of Belarus, signed in Chisinau on 21 December 1992, ratified by the Law No. 84-XIII of 28 April 1994, in force as of 10 August 1994.

<sup>53</sup> The Treaty on friendship and cooperation between the Republic of Moldova and the Republic of Bulgaria signed at Sofia on 07.09.1992, ratified by the Law No. 1488-XII of 10.06.1993, in force as of 26.11.1993.

<sup>54</sup> The Treaty of friendship and cooperation between the Republic of Moldova and the Republic of Poland, signed at Warsaw on 15.11.1994, ratified by the Law No. 456-XIII of 16.05.1995, in force as of 02.03.1996.

Listed countries grant various forms of support to national minorities in the Republic of Moldova within their State policies on supporting diaspora living abroad, which corresponds to both international standards and national legislation.

Among these minorities are Ukrainians, Russians, Belarusians, Bulgarians, Poles, Azerbaijanis, Greeks, Lithuanians, Latvians, Estonians, etc.

Priority directions in humanitarian activity of a number of embassies accredited to the Republic of Moldova is maintaining constant dialogue and cooperation with local ECONM and granting assistance to respective ethnic communities in the field of cultural education.

This assistance includes providing of national minority educational institutions with textbooks, conducting of language courses, trainings for teachers, children leisure activities in the kin states, equipping schools with the modern equipment as well as providing support to the libraries, museums, cultural institutions and fine arts.

Assistance is provided by one or another state whenever possible, with the participation and approval of the Moldovan authorities.

The Moldovan government appreciates measures on supporting the national minorities, especially in areas densely populated by them, taken by the diplomatic missions of Ukraine, Russia, Belarus, Bulgaria, Germany, Israel, Poland, Azerbaijan, Armenia, Lithuania, Estonia, etc.

*Annually offered scholarships for studies abroad:*

- the Republic of Bulgaria annually offers 100 undergraduate and postgraduate scholarships for ethnic Bulgarians from Moldova;
- the Russian Federation annually allocates 150 places for the Moldovan citizens in higher education institutions;
- Ukraine annually offers 100 places in higher education institutions for ethnic Ukrainians - citizens of the Republic of Moldova (from both banks of the river Nistru);
- Polish Government scholarships for studying at higher education institutions are granted to ethnic Poles on the basis of competition; the Special Sectoral Committee comes to Moldova for this purpose.

*Information and cultural centers of national minority kin states are set up and operate in Moldova:*

- Ukraine Information and Cultural Centre under the Ukrainian Embassy in Chisinau and the Ukrainian House in Tiraspol;
- Information and Cultural Centre of Israel in Chisinau;
- Russian Information and Cultural Centers under the State University of Moldova in Chisinau and "A. Russo" State University in Balti;
- The Russian Center for Science and Culture was opened in Chisinau in 2009.

These Centers have premises, are equipped with the modern technical equipment and have the libraries with large book collections in corresponding languages. Also, the Centers are in charge of training-methodological work; they provide consultations, held seminars, trainings, language study courses, cultural manifestations.

Given the national cultural interests of the Belarusian national minority the **Moldovan-Belarusian cooperation** continues based on the Cooperation Agreement between the Government of the Republic of Moldova and the Government of the Republic of Belarus in the field of ensuring the rights of national minorities (1997).

During the reporting period attention to the Moldovan-Belarusian cooperation in the sphere concerned has been increased. Thus, between 2011 and 2013 at BIR's initiative related issues were considered at the meetings of the Moldovan-Belarusian inter-governmental commission for economic cooperation, held in Chisinau.

Members of the Commission agreed upon the fact that cooperation between Moldova and Belarus in the field of interethnic relations as well as on supporting the Belarusian and Moldovan diasporas, preservation of their cultural traditions and identity is one of the factors strengthening mutual understanding and developing relationships between the parties.

**The Agreement between Ukraine and the Republic of Moldova on co-operation in the field of protection of minority rights** signed on 17 December 2009 with a view to assure national, cultural needs of the Ukrainian population was drafted on the basis of the Treaty on Good Neighbor Relations, Friendship and Cooperation between Ukraine and the Republic of Moldova (23.10.1992) related to the commitments of the parties on ensuring the rights of persons belonging to national minorities (article 7,8,9).

Representatives of the Ukrainian Community<sup>55</sup> express its interest in the early ratification of the agreement by the Moldovan party, due to the fact that its ratification by the Parliament of the Republic of Moldova will positively influence the Moldovan-Ukrainian relations in the field of protection of national minority rights.

## CONCLUDING REMARKS

Following recommendations of the Advisory Committee on the Framework Convention of the Council of Europe, the Fourth periodic Report of the Republic of Moldova on the implementation of the Framework Convention was based on information presented by CPA and LPA, public associations of national minorities, as well as from other information sources.

The Republic of Moldova, as a State-Party to the Framework Convention, supporting assumed international commitments, has achieved significant results in the field of national minority rights. Responsibility of the Moldovan authorities regarding the application of the adopted legal framework has increased; national legislation was improved for the purpose of adjusting it to the needs of multiethnic society; the overall climate of tolerance and interethnic cooperation in the Moldovan society has been improved; public servants awareness about the national and international standards in the field of national minority rights has been raised; CPA, LPA and representatives of civil society established partner and collaborative relationships.

There are the following positive results achieved during the reporting period::

- considerable efforts taken by the Moldovan authorities to develop domestic legislative framework adjusting it to international law in the field of human rights protection, including to the EU standards. The principle of non-discrimination and respect for the rights to promote and develop ethnic identity represent an essential element of the national legislation, in particular, the *Law on ensuring equality*;
- Respect for the freedom of association on criterion of ethnic affiliation. The relevant national legislation provides for, in general, smooth registration procedure of national minority public organizations. In the Republic of Moldova there are about 250 ECONM, which operates at both national and local levels;

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<sup>55</sup> According to the census of 2004 282.406 ethnic Ukrainians (8.3 % of the population) live in the Republic of Moldova. There are also 24 ethno-cultural organizations of the Ukrainians.

- Accomplishment of two cycles of monitoring under the implementation of the *Law on the rights of persons belonging to national minorities and legal status of their organizations* and the *Law on functioning of languages spoken on the territory of the Republic of Moldova*;
- Respect for the right of the national minorities, without any discrimination, to establish relationships with people and institutions from other countries; the right to freedom of movement is guaranteed in the first place;
- Considerable improvements of the Roma population situation; adoption and implementation of the *Action Plan to support the Roma population in the Republic of Moldova for 2011-2015*;
- Improvements on respecting the right to freedom of religion, adoption of the *Law on freedom of conscience, thought and religion*, Islamic League of the Republic of Moldova registration;
- Ensuring favorable conditions for the State language teaching to the national minorities aiming at their social and linguistic integration;
- Facilitation of foreigners and stateless persons integration in the Moldovan society;
- Strengthening capacities of the Bureau for Interethnic Relations, which is in charge of promoting the State policy in the field of interethnic relations, functioning of the languages spoken on the territory of the Republic of Moldova as well as support for the Moldovan diaspora. In particular, assigning BIR by the GD to be an institution responsible for the implementation of art.14 of the International Convention on Elimination of All Forms of Racial Discrimination;
- Organization of the 2014 Population and Housing Census.

However, this report does not cover information about the implementation of the Framework Convention and the situation of national minorities in the Transnistrian region of the Republic of Moldova, being outside of the effective control of the Moldovan Government.

Basing on public opinion of national minority representatives and their public associations, further implementation of the Framework Convention for the Protection of National Minorities will be geared to achieving the following objectives:

- strengthening the Moldovan know-how for national minorities integration;
- enhancing efforts of the national authorities and civil society to exploit national minority rights, which includes the following: strengthening consensus between the stakeholders by means of identification comprehensive solutions, principles of cultural pluralism, tolerance and respect for the national identity of each ethnic group;
- promoting principles of equality and non-discrimination in application of the national and international legislation in the concerned domains;
- creation of proper conditions for linguistic integration of national minorities for their adaptation in various fields of State activity;
- ensuring national minorities' participation in state and local administration (ministries, offices, agencies, etc.);
- development of Strategy policy document pertaining to the national minorities in the Republic of Moldova.

On the assumption that the Republic of Moldova wasn't invited to answer specific questions that might arise from specific national circumstances, as indicated in the Outline for State reports to be submitted under the fourth monitoring cycle of the Framework Convention for the Protection of National Minorities, the present report does not contain this sort of information.