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**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION  
FOR THE PROTECTION OF NATIONAL MINORITIES**

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**COMMENTS OF THE GOVERNMENT OF  
REPUBLIC OF MOLDOVA ON THE OPINION  
OF THE ADVISORY COMMITTEE ON THE  
IMPLEMENTATION OF THE FRAMEWORK  
CONVENTION FOR THE PROTECTION OF  
NATIONAL MINORITIES IN THE REPUBLIC  
OF MOLDOVA**

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## **I. Introduction**

The Framework Convention on the protection of national minorities was ratified by the Parliament of the Republic of Moldova on 22 October 1996. For the newly born independent state this event was of special significance, as the national minorities constitute 35.5% of the country population.

For popularisation of the main provisions of the Framework Convention and the international practice of its application, there was the international seminar “The Framework Convention on the protection of the national minorities: the mechanism of realization”, organised by the Department of National Relations and Language Functioning (since 2001 – the Department of Interethnic Relations) with the participation of the experts of the Council of Europe on 9-11 November 1999 in the cities of Chişinău, Belţi, Comrat. The ethno-linguistic environment of the national minorities was analysed in the reports and speeches of the seminar participants, the actual achievements were named and the ways of resolving existing problems were defined.

Since the date of the ratification of the Framework Convention, the bodies of the Republic of Moldova have undertaken a number of measures for the implementation of this document for creation of the conditions for the national and cultural development of the national minorities, legislative guarantee of their rights and freedoms as well as stimulation of the integrative processes in the Moldovan society.

The Law of the Republic of Moldova “About the rights of the persons belonging to the national minorities and legal status of their organizations” (№ 382 –XV) of 19 July 2001 has become the important and progressive step for the recognition and guarantee of the rights of national minorities being competent citizens of the Republic of Moldova irrespective of their number and social status.

The Government of the Republic of Moldova has adopted the following regulations:

- 16 February 2001. Regulation # 131 “About some measures for the support of the Roma of the Republic of Moldova”;
- 26 February 2001 Regulation # 132 “About the National Programme on improvement the learning of the state language of the Republic of Moldova by the adult population (2001 – 2005)”.

In 1999 the Council of Europe was presented the Official report of the Republic of Moldova on the implementation of the Framework Convention about the protection of national minorities. In 2001, on request of the Advisory Committee, the Additional information to the mentioned report was prepared.

These comments have been worked out to the Report of the Advisory Committee on the Framework Convention on protection of the national minorities presented by the group of experts visited the Republic of Moldova on 31 October – 5 November 2001.

It is necessary to mention that the experts of the Council of Europe paid rapt attention to the needs and problems of the national minorities of the Republic of Moldova. In the text of the Advisory Committee (part 3) all the remarks made by the representatives of the social

organizations of the national minorities belonging to the Coordinating Board of the ethno-cultural organizations at the Department of Interethnic Relations.

Following the recommendations of the Advisory Committee, the author of this document – the Department of Interethnic Relations – has sent the text of the Report to the ministries and departments that are supposed to take part in the realization of respective articles of the Framework Convention.

Thus, representatives of 13 ministries and departments of the republic have got acquainted with observations and recommendations of the Advisory Committee: the Chancellery of the Government of the Republic of Moldova, the Ministry of Culture, the Ministry of Education, the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Labour and social protection, the Department of Statistics and Sociology, the State Migratory Service, the State Service on Cult problems, Coordinating Board on television and broadcasting, City Administration of Chişinău, the Human Rights Centre in Moldova, the State Company “Teleradio Moldova”.

Comments, concerning the sphere of activities of these establishments and relating to the observations of the Advisory Committee, were used for working out this document.

It is important to emphasize, that remarkable part of the observations and opinions expressed in the Report, do not need any comments from the official institutions of the Republic of Moldova. At the same time, the report of the Advisory Committee shows the understanding of the ethno-linguistic situation as well as social and political processes in the Republic of Moldova.

These explanations refer to the contents of part 4 of the Report, where the main observations and recommendations of the Advisory Committee are systematized and the assistance to the official establishments of the Republic of Moldova in their resolution is proposed.

In order to inform the members of the Coordinating Board of the ethno-cultural organizations at the Department of Interethnic Relations, these comments have also been worked out in the Russian language, which is understood by all the national minorities.

The Department of Interethnic Relations will continue to inform the establishments of central and local public government of the Report of the Advisory Board in order to take into account the recommendations formulated by its members in the course of further realization of the Framework Convention on protection of the national minorities in the Republic of Moldova.

## **II. Comments to the Report of the Advisory Committee on the realization of the Framework Convention for the protection of national minorities in the Republic of Moldova**

### **Article 3 of Framework Convention**

#### Paragraph 100 of Report

The existing legislation of the Republic of Moldova basically corresponds to the regulations of the Law “About the rights of individuals belonging to national minorities and legal status of their organizations”. However, there are a number of standard acts whose regulations are at variance with the regulations of the Law of the rights of national minorities. In order to bring the existing legislation in accord with the Law about the rights of the individuals belonging to national minorities and the legal status of their organizations, the Department has worked out the Draft of the Law “About introduction of changes and amendments in some standard acts”. The Draft stipulates introduction of changes and amendments in the following standard acts:

1. Law on rationalization activities (№ 138-XV of 10 May 2001);
  2. Law on patents for inventions (№ 461-XIII of 18 May 1995);
  3. Law on protection of protection of microcircuitry (№ 659-XIV of 29 October 1999);
  4. Law on trademarks and names of goods places of origin (№ 588-XIII of 22 September 1995);
  5. Law on protection of industrial designs and models (№ 991-XIII of 15 October 1996);
  6. Law on protection of sorts of plants (№ 915-XIII of 11 July 1996);
  7. Law on state service (№ 443-XIII of 4 May 1995);
  8. Law on enterprise patent (№ 93-XIV of 15 July 1998);
  9. Law on protection of consumer rights (№1453-XII of 25 May 1993).
- Currently, the draft of the law is under consideration.

#### Paragraph 101 of the Report

The state obligations to the Russian language, to be superior among other languages, mentioned in the “observations”, are stipulated by the objective reasons.

The Russian language is the mother tongue for 1 003 563 of the Moldovan citizens: 557 146 Russians, 220 129 Ukrainians, 120 368 Moldovans, 47 872 Jewish, 11 365 Gagauz, 10 924 Byelorussians, that makes 23.1% of population in all. Other 1 962 112 Moldovan citizens (45,3%), including 1 488 865 Moldovans (53.3%), the Russian language is the second to be normally spoken. The Moldovan language is the mother tongue only for 169 893 belonging to the national minorities. Using the Russian language for the interethnic communication is the impartial necessity and does not damage the functioning of other languages.

According to the Law №3465-XI of 01.09.1989 “About the functioning of the languages on the territory of the Republic of Moldova” (Article 3), the Russian language along with Moldovan is the language of interethnic relations. The state of the Russian language by the state does not damage the functioning of the other languages.

The state takes measures to support the Ukrainian, Gagauzian, Bulgarian and other languages, spoken in the Republic of Moldova. According to the Law “About the functioning of the

languages...” (Article 18), the Republic of Moldova creates conditions for realization of the citizens’ rights for upbringing and education in Gagauzian, Ukrainian, Bulgarian, Hebrew, Yiddish and other languages. In the republic there are schools, groups, Sunday schools with the education in Ukrainian, Gagauzian, Bulgarian, Polish, German, Armenian, Greek, Azerbaijan, Lithuanian. There are newspapers, magazines and journals in Gagauzian, Ukrainian, Bulgarian and Polish languages. The National Television and Radio broadcasts programmes in Ukrainian, Bulgarian, Gagauzian, The Roma; Ukrainian, Gagauzian and Bulgarian are used by the electronic mass media in the regions of the compact residence of the respective national minorities.

The Coordinating Board of the television and radio broadcasting of the Republic of Moldova has come to terms with the Embassy of Ukraine to support the initiatives of creation of TV and radio points broadcasting in Ukrainian.

#### Paragraph 102 of Report

The latest census of the population in the republic was conducted in 1989. For the time being the demographic and social registration of the population is conducted. According to the Department of statistics and sociology of the Republic of Moldova, when conducting the registration, nationality, gender and age are taken into account. However, these measures are not sufficient. The only source of obtaining the full information about a state population is the general census. The recommendations regarding the necessity of the census in the nearest time are true.

#### **Article 4 of Framework Convention**

#### Paragraphs 103, 104 of Report

The Roma in the Republic of Moldova are paid special attention of the organs of central and local public administration.

In order to improve the social and economic position of the Roma, on 16 February 2001 the Government of the Republic of Moldova adopted Degree # 131 of 16.02.2001 “About some measures of supporting the Roma of the Republic of Moldova” and approved the Main directions of activities for supporting the Roma of the Republic of Moldova for 2001-2010. According to this Degree, the concrete measures aimed at the improvements of the social status of the Roma residing in the republic. To realize this degree and Main directions of activities for supporting the Roma, were engaged the Ministry of Education, the Ministry of Culture, the Ministry of Labour and Social Protection, the Ministry of Health, the Department of Interethnic Relations, the Academy of Sciences of the Republic of Moldova as well as the organs of the local public administration.

Currently, the plans of actions for realization of the Main directions of activities for supporting the Roma of the Republic of Moldova for 2001-2010 have been worked out and approved.

In particular, the Ministry of Labour and Social Protection of the Republic of Moldova on 12 April 2001 approved the plan of measures providing measures on investigation of the problem of involving the Roma in the job market, reducing The Roma unemployment, stimulating the professional orientation of the Roma as well as the measures of the social support of the Roma women.

The sociologic Gypsy poll has been conducted. The poll results allowed planning new directions of activities to support the Roma and will be taken into account for development of the regional employment programs for 2003-2005. Special attention is given to the Roma representatives when they come to the employment agencies to help them to get a job.

The interests of the socially unprotected The Roma families are considered. The measures of the social support are stipulated in Government Decision # 456 of 15 May 1997 “About the additional measures on the social protection of families with children”, Laws # 933-XIV of 14.04.2000 “About special social protection for some categories of the population”, as well as the National conception on protection of the child and family, approved by Government Decision # 51 of 23.01.2002.

The realization of the Government Decision on some measures to support the Roma of the republic of Moldova and Main directions of activities to support the Roma of the republic of Moldova for 2001-2010 will allow improving the social and economic status of the Roma.

## **Article 5 of Framework Convention**

### Paragraph 105 of Report

The Law of the Republic of Moldova “About the rights of individuals belonging to national minorities and legal status of their organizations” (# 382 – XV of 19 July 2001) correlates with the situation formed in the area of the interethnic relations for the last 12 years.

The law consolidated the main regulations of the existing national legislation of the Republic of Moldova as well as regulations of the international acts on the protection of national minorities.

The Law of the Republic of Moldova “About the rights of the persons belonging to the national minorities and legal status of their organizations” (№ 382 –XV) of 19 July 2001 has become the important and progressive step on the path to the legislative provision of the rights of national minorities of the Republic of Moldova who are the competent citizens of our state irrespective of their number and social status.

In the period having passed since the day the Law (04.09.2001) coming into effect, the important work on its popularization and study of the opinion of representatives of national minorities about the outlook of its implementation has been conducted.

For example, in October-December 2001 a number of advisory meetings took place with the representatives of the public ethnic and cultural organizations of the national minorities – the members of the Coordinating Board at the Department of the interethnic relations who produced their suggestions about the measures necessary to implement this Law. The leaders of the social organizations took part in the meetings regardless of the number of nationalities they represented.

In the membership of the Coordinating Board there are the social organizations of 19 national minorities including the representatives of small ones (the number of each of them constitutes less than 0.1% of the population): the Tatar, Armenian, Azerbaijan, Uzbek, Chuvash, Lithuanian, Greek, Korean, Italian, Udmurt, Ossetin.

Considering the suggestions of the members of the Coordinating Board, the following materials were worked out:

- the program of the top-priority measures of the Department of interethnic relations on the realization of the Law of the Republic of Moldova “About the rights of the persons belonging to the national minorities and legal status of their organizations”;
- the draft of the Law of the Republic of Moldova “About the introduction of changes and amendments in some standard acts” in order to bring them into the conformity with the newly-adopted Law.

The program of activities of the republic of Moldova for the year 2002 comprises the adoption of the Conception of the state policy of the Republic of Moldova in the area of interethnic relations. The draft of the Conception was developed by the Department of Interethnic Relations considering the opinion and suggestions of the members of the Coordinating Board.

The important form of the state support of national minorities of the Republic of Moldova is financing of national and cultural programs accomplished by their social organizations. In 2001 for conducting different actions by ethno-cultural organizations, the Department of Interethnic relations gave 43,015 lei. The municipal ethno-cultural organizations are given 100,000 lei per annum for conducting cultural events out of the Chişinău budget.

The Department of Interethnic Relations of the Republic of Moldova as the organ responsible for the state policy in the area of interethnic relations (according to Article 25 of the Law of the Republic of Moldova “About the rights of the persons belonging to the national minorities and legal status of their organizations” (№ 382 –XV) of 19 July 2001) supervises the implementation of this Law by the organs of the central and local public administration, provides monitoring of the ethno-linguistic and socio-cultural situation in the republic and consultation with representatives of the national minorities about the course of its realization.

## **Article 6 of Framework Convention**

### Paragraph 106 of Report

The gap between the two groups of the population mentioned by the Advisory Committee – the ethnic majority speaking the Moldovan language and Russian-speaking population, that along with ethnic Russians comprises Slav and other minorities whose languages are less spread, is caused by the different number of the above-mentioned linguistic communities, differences in the social functions of the languages as well as by the fact that the Moldovan language is given the status of the state language. The possibilities of the Russian language to be the second official language of the Republic of Moldova has been discussed in the republic. The liberalization of the linguistic legislation will not harm free functioning of other languages and intercultural dialogue.

### Paragraph 107 of Report

The Advisory Committee fairly noted the disaccord positions between mass media functioning in the Moldovan and Russian languages, chiefly on the questions of national and language policy.

The opinion that politicians influence the viewpoint of the press is also correct.

The existing legislation (Constitution, Criminal Code, Laws “About the press”, “About the television and radio”) stipulates the prohibition and responsibility of mass media for provoking national hostility, however, does not enable the authorities of the Republic of Moldova to determine the political course of the mass media as well as to prompt them to play a positive role in achieving the international harmony.

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

#### Paragraph 108 of Report

The problem of the place for the Tatar Community of the Republic of Moldova for the Muslim cemetery is considered by the City Administration of Chişinău with the participation of the department of Interethnic Relations of the Republic of Moldova and the leaders of the Tatar community in order to make the adequate resolve.

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

#### Paragraph 109 of Report

Noted by the Advisory Committee, the fact of the temporary annulment of licenses for the broadcasting of some electronic mass media (in accordance with Article 13, Part 3 “About the Television and Radio”) took place; after adoption of Law # 1257-XIV “About the interpretation of Part (3) of Article 13 of the Law on the Television and Radio”, there was not cases like this.

#### Paragraph 110 of Report

Disproportions in using languages of national minorities in mass media are caused by the existing linguistic situation and historically developed differences in the social functions of the languages. According to the general census (1989), Ukrainian was the mother tongue for 369 999 Ukrainians, Gagauzian – 139 906 Gagauzians, Bulgarian – 69 614 Bulgarians. The number of those to be of a different nationality and speak the respective languages is not big in the Republic of Moldova.

According to the State Company of “Teleradio-Moldova”, along with the programs in the official language (65% of the time of broadcasting), the programs in the national minorities’ languages are already broadcast for 16 years. Currently (2002), the time of broadcasting is the following: in Ukrainian – 30 hours, in Gagauzian – 24 hours, in Bulgarian – 22 hours, in Russian – 12 hours, in Yiddish – 6 hours and in The Roma – 6 hours. The programmes of the Ukrainian radio Укр-1, 1+1 as well as the programmes in Ukrainian on the radio of Tiraspol and Odessa are retransmitted in Moldova. In the regions of the compact residence of Gagauzian and Bulgarian (in Comrat, Taraclia, Ciadâr-Lunga, Tvardiţa) local and private points of TV and radio broadcasting function also using the Gagauzian and Bulgarian languages.

There are no legislative impediments to publishing and spreading of the newspapers and magazines in languages of national minorities in Moldova. In the Ukrainian language the following newspapers: Ykrainskii golos and Promin funded by social organizations are published in the republic. In Gagauzia there are 4 newspapers in Gagauzian (the Ana sosu, Gagaz sesi, Hal birlii, Acic goz) and 2 magazines ( the Sabaa yildizi, Gunescik); other two magazines (the Gagouz, Kirlangac) are published by the Gagauzian residing in Chişinău. The



Rodno Slovo is the newspaper in Bulgarian and the Bulgarian magazine is Bolgarskie Gorizonty. In Belți the Polish society “Polish House” publishes the newspaper of "Jutrzenka" in the Polish and Russian languages.

The question of the organization of the local mass media for The Roma has not been brought up by The Roma social organizations.

### **Article 10 of Framework Convention**

#### Paragraph 111 of Report

The Moldovan legislation determining the order of the languages use, to the great extent reflects the linguistic situation in the Republic. The Russian language is the mother tongue for 1 003 563 of the Moldovan citizens: 557 146 Russians, 220 129 Ukrainians, 120 368 Moldovans, 47 872 Jewish, 11 365 Gagauz, 10 924 Byelorussians, that makes 23.1% of population in all. Other 1 962 112 Moldovan citizens (45,3%), including 1 488 865 Moldovans (53.3%), the Russian language is the second to be normally spoken. The Moldovan language is the mother tongue only for 169 893 belonging to the national minorities. Using the Russian language for the interethnic communication is the impartial necessity and does not damage the functioning of other languages.

The state takes measures to support the Ukrainian, Gagauzian, Bulgarian and other languages, spoken in the Republic of Moldova. According to the Law “About the functioning of the languages...” (Article 18), the Republic of Moldova creates conditions for realization of the citizens’ rights for upbringing and education in Gagauzian, Ukrainian, Bulgarian, Hebrew, Yiddish and other languages. In the republic there are schools, groups, Sunday schools with the education in Ukrainian, Gagauzian, Bulgarian, Polish, German, Armenian, Greek, Azerbaijan, Lithuanian. There are newspapers, magazines and journals in Gagauzian, Ukrainian, Bulgarian and Polish languages. The National Television and Radio broadcasts programmes in Ukrainian, Bulgarian, Gagauzian, The Roma; Ukrainian, Gagauzian and Bulgarian are used by the electronic mass media in the regions of the compact residence of the respective national minorities.

The development of the legislation regulating use of languages in accordance with the Constitution of the Republic of Moldova (articles 13, 35) and Framework Convention, European Charter of minorities’ languages or regional languages, other acts on human rights, national or linguistic minorities that Moldova has joined will allow to reach better satisfaction of national and cultural needs of those concerned.

#### Paragraph 112 of Report

In accordance with Law # 3465-XI of 1 September 1989 “About functioning of languages on the territory of the Republic of Moldova” in the regions where national minorities are the majority of the population, languages of the national minorities (with the exception of the Russian language) can be used for communication with the governmental public establishments. Proceeding from the sense of the Law, “majority of the population” means that in the region the number of the national minority should be more than 50%. This regulation does not contradict Article 10 of the framework Convention on protection of national minorities. 50% threshold, to be rather high, for using the languages of the national minorities (with the exception of the

Russian language) for communication with the public governmental bodies is currently optimal and materially practicable in Moldova.

The proposal of the Advisory Committee about the drop of this threshold needs additional studying for finding the optimal resolve.

#### Paragraph 113 of Report

On 26 February 2001 the Government of the Republic of Moldova approved Decesion # 167 of 26.12.2001 “About the national programme on improvement of learning the official language of the Republic of Moldova by the adult population (2001-2005)”. The programme stipulates the number of concrete measures on improvement of learning the official language.

According to Article 31 # 1392-XIV of 30 November 2002 “About the budget for 2001” funds of 500,0 thousand lei were stipulated for funding the introduction of the official language.

On 17 August 2001 the Government of the Republic of Moldova adopted Decesion # 857 of 17.08.2001 “About the regulation approval of the order of use of finances for the Fund of support of the official language”, that stipulates the order of use Fund of the support of the official language and the staff of direction of the Fund of the support of the official language.

On 7 December 2001 the Government of the Republic of Moldova adopted Decesion # 857 of 17.08.2001 “About the approval of the Programme of measures on introduction of the official language financed by the Fund of support of the official language for 2001”.

These standard acts have resulted in the creation and functioning of the National linguistic center as well as regional/municipal linguistic centers. Currently, there are 8 linguistic centers and more than 100 groups on learning the official language.

#### Paragraph 114 of Report

According to Article 9 of Law # 514-XIII of 6 July 1995 “About juridical system”, the legal procedure is in the Moldovan language. Individuals who do not speak Moldovan can get acquainted with all the documents and materials and use the service of a translator. A legal procedure can also be conducted in the language convenient for the majority of the persons involved in the lawsuit.

Currently legal proceedings in a number of cases are in Russian spoken by the majority of those from national minorities.

There are some incidents of violation of the legislation provisions concerning the use of the languages other than official. However, the respective bodies take steps to ban such violations.

#### Paragraph 115 of Report

The Moldovan legislation, defining the order of the language use to the great extent reflects the linguistic situation in the republic. The Russian language is the mother tongue for 1 003 563 of the Moldovan citizens: 557 146 Russians, 220 129 Ukrainians, 120 368 Moldovans, 47 872 Jewish, 11 365 Gagauz, 10 924 Byelorussians, that makes 23.1% of population in all. Other 1 962 112 Moldovan citizens (45,3%), including 1 488 865 Moldovans (53.3%), the Russian

language is the second to be normally spoken. The Moldovan language is the mother tongue only for 169 893 belonging to the national minorities. Using the Russian language for the interethnic communication is the impartial necessity and does not damage the functioning of other languages.

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The Law “About the rights of the persons belonging to the national minorities and legal status of their organizations” stipulates conducting scientific investigations on history, language and culture of national minorities, state protection of monuments of their history and culture, the right of the individuals from the national minorities to create private pre-school and educational institutions of any level, use the mother tongue both in writing and speaking, have the access to the information in this language, spread such information and change it with one another.

## **Article 12 of Framework Convention**

### Paragraph 116 of Report

The Law of the Republic of Moldova “About education” (1995) guarantees the equal opportunities of the education to all the citizens of the country regardless of the ethnic origin on the basis of the full equality as well as the right of the language of education. In accordance with the mentioned law in Moldova, the conditions for learning the official language by all the citizens of the country are created, for their integration in all the areas of the life of the republic – economic, political and cultural.

At the same time, all the persons belonging to national minorities are provided with the necessary conditions for learning the mother tongue as the basis of their individual development of personality and preserving national and spiritual values.

This is fully relevant to the Roma and representatives of small national minorities.

According to the Ministry of the Education of the Republic of Moldova, 75.4% of the higher institutions of the Republic of Moldova are those with teaching in the official language, 18.4% with the Russian language and 6.2% are mixed (Moldovan-Russian).

In the Republic of Moldova there are schools, gymnasiums, lyceums, forms with teaching in Ukrainian, Bulgarian, Gagauzian, Hebrew/Yiddish and Polish languages.

In the curriculums for 2002-2003 the introduction of the new discipline “History, traditions and culture of a nation (Russian, Ukrainian, Gagauzian, Bulgarian etc.)”.

The social ethno-cultural organizations uniting the representatives small ethnical minorities (the Germans, Poles, Buelorussians, Armenians, Azerbaijani, Lithuanians, Greeks etc), organise “Sundays schools on learning the mother tongue, culture, customs and traditions.

The Law “About education” has no term of “the Sunday school”, yet in its preamble there is the general definition of the educational system that includes “the network of educational institutions of different types and forms of ownership...”. It allows considering “the Sunday school” as a public teaching and educational institution acting according to Article 34 in the network of additional (out-of-school) institution.

For the Lithuanian society of the Republic of Moldova, the Society of Greek culture “Elefteria” of the Republic of Moldova, the Armenian community of the Republic of Moldova, the Centre of the German culture “Hoffnung” of the Republic of Moldova, the Society of Poles of the Republic of Moldova, the League of the Polish women of the Republic of Moldova, the Azerbaijani community “Araz” of the Republic of Moldova – the Sunday school is the priority form of work with children and teenagers.

“Sunday schools” are organised on a voluntary basis; however, their activities are legally supported by the state. Thus, Armenian and Azerbaijan “Sunday schools” function on the basis of secondary schools 13 and 33 of Chişinău, Greek – on the basis of the faculty of foreign languages of Moldova State University, Lithuanian and Polish have their classes in the Department of Interethnic Relations.

#### Paragraph 117

The observation of the experts of the Council of Europe that Roma face the educational problems is grounded. Yet, the results of a number of sociological polls conducted among the Roma in 2001-2002 show that the Roma do not need the school with the Gipsy language; majority of the Roma consider it to be sufficient to learn the Gipsy language as optional.

There are no teachers able to teach the Roma in the Gipsy language and write books of Gipsy and other school disciplines in Gipsy.

To improve the social, economic, national and cultural situation of the Roma, in particular, in the area of education, the Government of the Republic of Moldova adopted Decision # 131 “About some measures to support the Roma of the Republic of Moldova”.

The Ministry of Education of the Republic of Moldova proposes a number of measures for the realization of this Decision. It would increase the coverage of education of the Roma children; the program of the professional orientation and organization of education of traditional professions and crafts, education of teachers etc. of the Roma youth would be created.

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

#### Paragraph 118 of Report

The conflict about teaching the Russian language at the primary school, initiated in January 2002, does not have any cultural or linguistic reasons. The order of the Minister of Education about learning the Russian language in the Moldova school has been reversed. Yet, it is worth mentioning that the state facilitates the learning of the UN languages. Teaching a language other

than the official language of the republic of Moldova cannot harm the learning of the official language and does not prejudice the obligations of those to be from the national minorities to learn and know it.

## **Article 15 of Framework Convention**

### Paragraph 119 of Report

Article 22 of the Law of the Republic of Moldova “About the rights of the persons belonging to national minorities and legal status of their organizations” binds the Government, Ministries and Departments, bodies of local public administration to consult the organizations of the national minorities for formulation and conduction of the policy in the area of culture and education, when the decisions concerns the interests of the latter.

One of the mechanisms of this article realization is the Coordinating Board of ethno-cultural organizations. The status of the public consultative body at the Department is given to the Coordinating Board by paragraph 3, Article 25 of the same Law. The Board comprises the leaders of the republican ethno-cultural organizations accredited at the Department as well as representatives of the Department of Interethnic relations.

In 2002, the Coordinating Board comprises 67 ethno-cultural organizations registered by the Ministry of Justice and accredited at the Department of Interethnic Relations. 53 represent some national minority. 19 national minorities have their representatives in the board: the Ukrainians (6), Russians (8), Jewish (1), Byelorssians (1), Roma (7), German (2), Poles (3), Tatar (1), Armenian (3), Azerbaijan (3), Uzbek (and other representatives of the Central Asia), Chuvash (1), Lithuanian (3), Greek (2), Korean (1), Italian (1), Udmurt (1), Ossetin (1).

3 organizations unite the Gaguzians residing outside Gagauzia; 2 – representatives of Afro-Asian origin; 11 are interethnic and assist the development of culture and system of education of national minorities, conduct human rights and scientific activities.

The Board comprises the representatives of organizations regardless of the number of the nationality they represent. The Tatar, Armenian, Azerbaijani, Uzbeks, Chuvash, Lithuanians, Greek, Koreans, Italians, Udmurt, Ossetin belong to small national minorities and the number of each of them does not exceed 0.1% of the population of Moldova.

Co-chairmen of the Coordinating Board are the Director General of the Department of Interethnic Relations and one of the leaders of ethno-cultural organizations.

The Board expresses the interests of national minorities, acts as mediator between national minorities and state establishments that make decisions in the field of their interests. The problematic discussed by the Board is not limited by the education and culture. Many important questions have been discussed at its meetings and relevant recommendations have been made:

- *the draft of the Law of the Republic of Moldova “About the rights of the persons belonging to national minorities and legal status of their organizations” (1994, 1996, 1999);*
- *the question about abolishing attestation for the knowledge of the official language (1994,1995);*

- *the legal protection of languages of national minorities of Moldova according to the European Charter of regional languages and languages of minorities (1997, 1999);*
- *the question of giving Taraclia region, densely populated by the Bulgarians, the status of the independent administrative and territorial unit (currently, UyezdTaraclia) during the administrative and territorial reform (1999);*
- *problems of education in mother tongues of national minorities (1999);*
- *problems of TV and radio broadcasting in the languages of the national minorities (2000);*
- *activities of “Sunday schools” as social teaching and educational institutions (2001);*
- *proposals to the programme of realization of the Law of the Republic of Moldova “About the rights of the persons belonging to national minorities and the legal status of their organizations” (2001, 2002).*

Similar consulting structures act at regional and municipal organs of the public administration that constantly interact with the social national minorities’ organizations having the local status. It can be exemplified by the Commission for coordination of activities of ethno-cultural organizations of Chişinău. It comprises the representatives of 15 municipal social organizations of national minorities. Another similar board functions in Belţi.

The diapason of problems and questions discussed with the representatives national minorities comes out of the confines of education and culture and enlarges at the meetings with the President of the Republic of Moldova that have become traditional.

The latest meeting took place on 25 March 2002. The leaders of 55 social organizations participated at the meeting. In the process of the open dialogue of the representatives of national minorities with Moldova President Vladimir Voronin, many social, political and economic problems of the political development of the multiethnic Moldovan state were considered. The result of the meeting was the conclusion that the main subject of the constructive dialogue between the power and national minorities would have to become the quest for the ways of attraction of all the citizens of the republic irrespective of national and language belongings.

The practice of consultations with the representatives of every national minority directly corresponds to the recommendations of the Advisory Committee. The consulting meetings of the Direction of the Department of Interethnic Relations with the representatives of social organizations of the Ukrainians, Russians, Bulgarians, Byelorussians, Lithuanians, Azerbaijani, Tatar and others. In the Ministry of Internal Affairs the problems of tolerant relations from the organs of law and order to the Roma and Azerbaijani were considered with the participation of the most active members of these nations’ organizations (2000).

The newly-adopted Law consolidates the status of social organizations of national minorities. In particular, the Law allows designing further outlook of the co-operation with not only the Department of Interethnic Relations as the branch organ of the central public administration, but also other organs of central and local public authority with non-governmental sector for solution of the important social problems of interethnic relations in the Republic of Moldova.

#### Paragraph 120 of Report

The observation of the Advisory Committee that there are some obstacles to the participation of persons from national minorities in the public affairs is fair. As, according to the Law “About functioning of the languages” (Article 7), the knowledge of the Moldovan and Russian

languages is necessary to be taken to work, the persons belonging to national minorities constitute 17.5% of the staff of bodies of central and local authority (personnel of the ministries and departments, regional prefectures and councils), among judges 7.6%, among prosecutors and investigators and Office of Public Prosecutor – 19.4% that is inferior to the total number of national minorities in the Republic of Moldova.

The Constitution of the Republic of Moldova and the Code of Elections grant all the citizens regardless of their ethnic origin and knowledge of the official language equal rights to elect and to be elected. The exception is a candidate to the post of the Moldovan President and Bashkan of Gagauzia. The former must know Moldovan (Article 78(2)), the latter Gagauzian.

The persons belonging to national minorities actively participate in the social life of the country and in the process of the decision making. For the time being among 101 deputies of the Parliament of the republic of Moldova – 58 Moldovans, 14 Ukrainians, 12 Russians, 8 Romanians, 6 Gagauzians, 2 Bulgarians, 1 Georgian. Among 16 ministers 1 Russian and 1 Gagauzian.

The special attention is paid to the initiatives of the Rom social organizations. Currently there are 7 republican organizations uniting the Roma: social and cultural society „Romii Moldovei” (1990), the Social organization of the Rom women „Juvlia Romani” (1997), Ethno-socio-cultural-educational organization „Bahtalo Rom” (199 ), Youth organization „Terminatango-Rroma” (1997), Scientific and cultural organization „Elita Romani” (2001), as well as founded in 2002 Social movement of the Roma of the Republic of Moldova and the Union of young Roma "Tără - Rom".

In the regions of Moldova there are the social Rom organizations having the local status: in the region of Soroca – 2, in the region of Bălți – 1, in the city of Chișiău – 1, in the city of Comrat – 1, in the city of Ciadâr-Lunga –1.

#### Paragraph 121 of Report

On 23 December 1994, the Parliament of the Republic of Moldova adopted Law # 344-XIII of 23.12.94 “About the legal status of Gagauzia (Gagauz Eri)”. Currently the legalization and organization of the Gagauzian autonomy – autonomous territorial formation Gagauzia (Gagauz Eri) has not been completed. The Parliament and Government of the Republic of Moldova are looking for the most convenient solution of the question of the Gagauzian autonomy: introduction of appropriate changes and amendments into the Constitution of the Republic of Moldova, solution of the ownership questions etc.

#### **Article 16 of Framework Convention**

#### Paragraph 122 of Report

On 27 December 2001 the Law about the administrative-territorial system of the Republic of Moldova (# 746-XV of 27.12.2001) was adopted.

According to Article 1 of Law # 1078-XV of 25 may 2002 “About the order of use of Law # 746-XV of 27 December 2001 about the administrative-territorial system of the Republic of Moldova and Law # 781- XV of 28 December 2001 about introduction of changes and amendments in Law № 186-XIV of 6 November 1998 about the local public administration”,

Law # 746-XV of 27 December 2001 about administrative-territorial system of the Republic of Moldova is applied beginning from the date of arrangement of the local elections but not later than 23 March 2003. According to Article 2 of Law # 1078-XV of 25 May 2002, in the period since 29 January 2002 until the date of the arrangement of local elections, the regulations of Law 746-XV of 27 December 2001 about the administrative-territorial system of the Republic of Moldova are used.

When conducting the administrative and territorial reform, the interests of national minorities are taken into account. This way, in the new Law about the administrative-territorial system of the Republic of Moldova, the existing of the region of Taraclia is stipulated, that has the Bulgarian majority of the population.

Besides, in accordance with the new Law about the administrative-territorial system, to organise a separate administrative-territorial unit (a village, community), the number of the population of this unit should be not less than 1,500 residents.

In accordance with the previous Law, this number was 2.500 residents. The establishment of this number of residents resulted in uniting a number of urban areas with a prevailing national minority with other settlements, where the majority of the population was of the title nation, were united in one general administrative-territorial unit – community. As a result, the persons belonging to national minorities were minor that prevent them from using a number of rights stipulated by the local legislation, in particular, use the language of their nationality communicating with the organs of local public administration.

The reduction of the population, as condition of the creation of a separate administrative-territorial unit (a village, community) will allow forming independent administrative-territorial units (villages, communities), where the persons belonging to national minorities will constitute the majority that will allow them to participate more actively in the social and politic life locally and use bigger volume of the national and cultural rights stipulated by the local legislation.