



**Resolution ResCMN(2005)8
on the implementation of the Framework Convention for the Protection of National Minorities
by Moldova**

*(Adopted by the Committee of Ministers on 7 December 2005
at the 950th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”);

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;¹

Having regard to the instrument of ratification submitted by Moldova on 20 November 1996;

Recalling that the Government of Moldova transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 14 May 2004;

Having examined the Advisory Committee’s second opinion on Moldova, adopted on 9 December 2004, and the written comments of the Government of Moldova, received on 11 May 2005;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Moldova:

a) Positive developments

Since the adoption of the first opinion of the Advisory Committee in March 2002 and of the resolution of the Committee of Ministers in January 2003, Moldova has continued to pay due attention to the protection of national minorities.

Building on the Law on National Minorities of 2001, Moldova has sought to improve and extend the relevant legal framework and made practical efforts to support national minorities in the fields of culture and education. Dialogue with persons belonging to national minorities continued and the Bureau of Interethnic Relations has played a particularly positive role in this context. National

¹ In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour.”

minorities were consulted and involved in the processes, particularly concerning completed or pending changes in the Moldovan legislation.

At the time of the adoption of the Advisory Committee's first opinion, various tensions were undermining the climate of intercultural understanding within Moldovan society. This climate has since improved and there is now a higher level of tolerance and mutual understanding.

The population census of October 2004 represents a positive development, and should make it easier to monitor the situation of persons belonging to national minorities, and to promote more effective policies in this area.

b) Issues of concern

The question of Transnistria remains a serious concern, especially since this conflict affects a great many developments, political and others, of importance to the whole population of Moldova, and to the implementation of the principles of the Framework Convention.

Aside from the Transnistria question, efforts have been made in most of the sectors relevant to the implementation of the Framework Convention in Moldova. However, the implementation of the guarantees provided by legislation on the protection of national minorities remains a problem. The difficulties are due to insufficient monitoring of the situation by the authorities, inadequate resources and, in some cases, a lack of political will, particularly at local level.

The action taken to support preservation and promotion of the cultures, languages and traditions of national minorities still falls short of expectations of representatives of national minorities.

National minority cultures and traditions are still insufficiently reflected in schools and media coverage of diversity and ethnic relations remains generally unsatisfactory. Moreover, the measures taken to ensure a more balanced use of the various minority languages in schools, in the media and in relations with administrative authorities have not produced the intended results, although there have been some positive developments. Certain minority languages are not sufficiently used in these areas.

Concerning tolerance and intercultural dialogue, shortcomings remain, in particular as regards attitudes reported within Moldovan society, including the police and the media, to the Roma and non-traditional religious communities.

Shortcomings persist as regards participation of persons belonging to national minorities in public affairs. In particular, these persons are not sufficiently represented in the public service.

In spite of the efforts made by the government, the situation of many Roma remains a cause of concern in terms of equality and freedom from discrimination, and of effective participation in the socio-economic life of the Moldovan society, education and decision-making.

2. Adopts the following recommendations in respect of Moldova:

In addition to the measures to be taken to implement the detailed recommendations contained in sections I and II of the opinion of the Advisory Committee, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- Examine the shortcomings which still exist in implementation of the Law on National Minorities and the other laws governing the protection of national minorities, and take the action needed to ensure that they are effectively applied in practice, at central and local level;

- Respond more adequately to the cultural needs of persons belonging to national minorities;

- Continue efforts to combat discrimination and promote tolerance and intercultural dialogue, through more effective monitoring and law enforcement in these areas and take further awareness-raising measures, addressed inter alia to the police and the media;
- Continue efforts to secure a more balanced use of minority languages in fields such as education, media and relations with the administrative authorities;
- Pay more attention to the quality of the education, including as regards the teaching of the state language for persons belonging to national minorities;
- Ensure that suitable school textbooks are available and take additional measures regarding teacher training to expand teaching of – and in – the various minority languages;
- Take further action to reinforce the intercultural and multicultural dimension of education;
- Redouble legislative and practical efforts to increase and make more effective participation by persons belonging to national minorities in public affairs, including the numerically smaller national minorities, and pay special attention to the Roma;
- Give increased political attention to finding concrete solutions to problems faced by the Roma, in particular in the socio-economic and educational areas, and adopt more resolute practical measures in this respect, at central and local level.

3. Invites the Government of Moldova, in accordance with Resolution (97)10:

a) to continue the dialogue in progress with the Advisory Committee;

b) to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.