



**FIFTH OPINION ON
THE REPUBLIC OF MOLDOVA**

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



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SUMMARY OF THE FINDINGS

1. The Republic of Moldova is a multi-ethnic country and the ethnic diversity forms part of its history and culture with over 150 different ethnic groups residing in the country and living in harmony and good understanding. Interethnic relations in the Republic of Moldova continue to be generally characterised as stable, harmonious, and peaceful.

2. They remain even so at the level of the population despite the conflict close to the country's borders following the Russian Federation's aggression against Ukraine and the influx of several hundreds of thousands of refugees. Since February 2022 more than one hundred thousand of them requested temporary protection. The Republic of Moldova's successful management of its ethnic diversity, including in difficult circumstances, is to be praised. The fact that Ukrainian refugee pupils and students could pursue their education in schools with Russian as the language of instruction without any tensions or difficulties is another example of this capacity. Bearing in mind the exceptional situation close to its borders, it is also commendable that the fifth-cycle monitoring could still take place in September 2022 and with excellent co-operation with Moldovan authorities throughout the monitoring process.

3. All this shows the potential of the Moldovan society to develop a shared civic identity which is still a work in progress. It is therefore regrettable that, as an indirect consequence of the Russian Federation's aggression against Ukraine, incidents and heated debates find an echo in the Republic of Moldova, primarily at the political level, and fortunately to a limited extent.

Scope of application

4. The authorities continue to apply an inclusive and pragmatic approach towards the application of the scope of application of the Framework Convention. No proof of citizenship or birth certificates is necessary to access minority rights which is welcome. Organisations representing religious groups could be invited to participate in the Co-ordinating Council of Ethno-cultural Organisations to have the possibility to express the specific concerns of their respective communities.

Data collection and population census

5. Bearing in mind the ethnic diversity of the Moldovan population, the authorities' intention to give the 2024 census respondents the possibility to declare multiple ethnic and linguistic affiliations, as well as to recruit persons belonging to national minorities as interviewers, is welcome. The results of the census should display separate data on multiple ethnic and linguistic affiliations. The good practices of the

Ethno-barometer and the mapping of the Roma population should be pursued.

Legal, institutional and policy frameworks for combating discrimination

6. The anti-discrimination and equality legal frameworks are comprehensive and amendments to the Criminal Code and the Contraventions Code concerning hate speech and incitement to discrimination have been adopted. The reporting period saw repeated initiatives on the part of the authorities to strengthen the policy framework in this respect through the drafting of a new National Human Rights Action Plan. The creation of a position of an adviser to the Prime Minister for human rights occupied by a person belonging to a national minority was another good practice worth pursuing. Both the Equality Council and the People's Advocate are active in combating discrimination and have been recently granted additional human resources to fulfil effectively their mandates, especially in terms of reaching out to persons belonging to national minorities and religious communities in most vulnerable situations. They face, however, difficulties in filling vacancies allegedly due to too low salaries. A more consistent implementation by the authorities of the legislation and the decisions of the Equality Council when it comes to 'language' as a protected ground against discrimination is expected.

Institutional and policy frameworks for the protection of national minorities and Roma inclusion

7. Several policy developments took place over the monitoring period. A recent redistribution of roles and competences that affect the drafting, funding, implementation and monitoring of national minorities and Roma inclusion policies, in particular between the Ministry of Education and Research, the Ministry of Culture and the Agency for Interethnic Relations took place. It is urgently needed to clarify the new set up for representatives of national minorities and local authorities. The Agency for Interethnic Relations should receive sufficient human and financial resources to fulfil effectively its mandate. The Institute of Cultural Heritage, and its Centre of Ethnology, should also receive sufficient and sustainable funding and academic freedom to pursue its activities. Whilst strong support to the programme of Roma community-based mediators, including through ensuring state funding to recruit these mediators, was positively noted, these mediators tend to have too many responsibilities which is difficult to cover. Other measures foreseen in the 'National Programme to Support Roma Integration' and action plans should be implemented as well. Consideration should be given to introduce the

practice of 'Roma school assistants', 'legal clinics' providing free legal aid and advice, and to set up a working group to discuss the need and feasibility to recognise anti-Roma racism as a specific form of racism in the legislation.

Support for the preservation and development of minority identities, cultures and media

8. Whilst financial support for ethno-cultural organisations and their activities continues to be provided by the authorities, overall, such funding remains limited compared to the needs. The support to ethno-cultural festivals is much appreciated by representatives of national minorities, but the development of more contemporary expressions of minority cultures should be equally promoted. The specificity of the Russian language which has been for a long time considered as the "language of interethnic communication" among national minorities, the growing number of Ukrainian-speakers and the need also to better promote and protect languages spoken by numerically smaller minorities should be borne in mind in the context of the envisaged ratification of the European Charter for Regional or Minority Languages. The availability of printed media in minority languages and a pluralistic media environment should be promoted and enhanced.

9. Regrettably, there has been no progress, despite previous Advisory Committee's recommendations in this respect, to have full personal names, including patronymics, officially recognised and used in identity and administrative documents. This lacuna prevents persons belonging to several national minorities in the Republic of Moldova to have their ethnic, cultural, linguistic or religious identities respected.

Mutual respect and intercultural dialogue

10. Despite considerable progress noted over the monitoring cycle, notably in the field of supporting the learning of Romanian and its acceptance by authorities and persons belonging to national minorities alike as being the state language, a shared civic identity remains a challenge in the Republic of Moldova. A more active promotion of the country's wide cultural and linguistic diversity, including the many numerically smaller minorities, could meaningfully contribute to the development of a sense of a shared civic identity amongst all citizens as integral elements of society. This is a two-sided process that should not be limited to showing loyalty to the state but also respecting ethnic diversity, languages, cultures, traditions and religious beliefs. An element of suspicion of

disloyalty and resentment against some national minority communities from the authorities' part due to poor electoral support have been observed and has manifested itself in drawbacks in longstanding practices of minority representation in institutional structures and in minority rights.

Racial discrimination and intolerance

11. The Moldovan society remains largely tolerant, and few racist attacks are reported. Nevertheless, some cases of ethnic racial profiling at border controls, a few attacks against Roma, antisemitic graffiti and a different treatment of Roma refugees have been reported and need to be more systematically prevented, condemned and sanctioned. Stigmatisation and stereotyping remain widespread in society and among public officials, fuelling discriminatory attitudes towards Roma and other minorities. Roma continue to face major obstacles with respect to their equal access to rights and basic services, particularly in the areas of education, employment and housing.

Education

12. Efforts have been made over the years to enhance proficiency in Romanian among persons belonging to national minorities. Overall, however, language barriers still exist, especially for older generations, thus impeding access to rights and to participation in public services. Minority languages are, for instance, still primarily taught at Russian-language schools. Persons belonging to national minorities have therefore difficulties to gain full proficiency in Romanian. In order to fulfil all the needs and requests for learning Romanian, bilateral co-operation with neighbouring Romania could be envisaged, whilst incentives for teachers of the Republic of Moldova to reach out to administrative territorial units and rural areas inhabited by persons belonging to national minorities should be introduced.

Participation in decision-making and in socio-economic life

13. Moldovan authorities show a continuing commitment to the protection of the rights of persons belonging to national minorities whilst also promoting their effective participation in public life. Representation of national minorities should however be guaranteed not only in cultural matters but also in other policies and legislation immediately affecting them. The economic revitalisation and modernisation of infrastructure should be further supported, including through European Union funding and foreign investments.

RECOMMENDATIONS

14. The Advisory Committee considers that the present concluding remarks and recommendations could serve as the basis for the resolution to be adopted by the Committee of Ministers with respect to the implementation of the Framework Convention by the Republic of Moldova.

15. The authorities are invited to take account of the detailed observations and recommendations contained in the present Opinion of the Advisory Committee. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action

16. The Advisory Committee urges the authorities to pursue, in close consultation with national minority representatives and local authorities concerned, their efforts to support and promote a shared civic identity based upon common interests and to continue protecting and promoting ethnic linguistic and religious diversity as the society's integral and valued part.

17. The Advisory Committee urges the authorities to adopt, in response to the request of representatives of national minorities, comprehensive and long-term measures to substantially enhance the availability and quality of teaching in and of Romanian in public education, from preschool to higher education, including through bi- and trilingual teaching methodologies, for persons belonging to all national minorities with the broader aims of supporting and promoting a shared civic identity and ensuring equal opportunities. These measures should be simultaneously complemented by further measures aimed at strengthening the teaching and use of the languages of national minorities.

18. The Advisory Committee urges the authorities to further address the obstacles to equal access to education experienced by Roma children, in co-operation with the relevant ministries and local authorities, and in close consultation with minority representatives, parents and school administrations. The authorities should also consider establishing the position of 'Roma school assistants' to assist Roma pupils with a view to increasing school performance and decreasing school dropouts.

Further recommendations¹

19. The Advisory Committee calls on the authorities to ensure through relevant outreach actions, in particular in rural areas, that existing anti-discrimination legislation, institutional frameworks and available legal remedies against discrimination, are widely known amongst the public, notably amongst persons belonging to national minorities and religious groups that are most exposed to such discrimination.

20. The Advisory Committee calls on the authorities at all levels to ensure sustainable financing and comprehensive implementation of measures foreseen under the National Programme to Support Roma Inclusion for 2022-2025 and its national and local action plans and to ensure that the implementation of these action plans is regularly assessed, also from a gender perspective, involving Roma representatives, and effectively co-ordinated within all relevant line ministries, public institutions and local authorities.

21. The Advisory Committee calls on the authorities to increase the available financial support for the cultural activities of persons belonging to national minorities, ensure access to resources available for all minorities, in particular numerically smaller ones, and include more contemporary expressions of minority cultures. Representatives of national minorities should be closely involved in relevant decision-making processes on the allocation of funding.

22. The Advisory Committee reiterates its call on the authorities to take all the necessary measures to ensure that persons belonging to national minorities may have, upon request, their full personal names, including patronymics, used in their identity and administrative documents in Latin script. In this regard, international standards regarding the transliteration and transcription of names, surnames and patronymics should be fully respected. The authorities should also consider the possibility to introduce bilingual identity documents in Romanian and Russian, using both Latin and Cyrillic scripts.

23. The Advisory Committee calls on the authorities to enter into a close dialogue with minority representatives, parents and school administrations to enhance the available opportunities to study in minority languages by ensuring high-quality learning of different languages in integrated education environments. The authorities should also enhance their efforts to develop a corresponding curriculum or prepare teachers and education assistants for the study of and in Romani.

¹ The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

24. The Advisory Committee calls on the authorities to ensure that persons belonging to national minorities are systematically consulted and effectively participate in all decision-making processes, not only on cultural matters but also on other policies and legislation immediately relevant to their access to minority rights, including on any envisaged reforms of public administration.

25. The Advisory Committee calls on the authorities to further prioritise the economic revitalisation and modernisation of infrastructure of areas where persons belonging to national minorities reside, in close consultation with them. The authorities should ensure access to adequate housing for persons belonging to the Roma minority in order to overcome the existing patterns of marginalisation and extreme poverty. They should also pursue their efforts to attract European Union funding, as well as financial economic support and foreign investments to improve living conditions and infrastructure in territorial administrative units, municipalities and villages inhabited by national minorities, in close consultation with persons belonging to national minorities.

Follow-up to these recommendations

26. The Advisory Committee encourages the authorities to organise a follow-up event after the publication of this fifth-cycle Opinion. It considers that a follow-up dialogue to review the observations and recommendations made in this Opinion would be beneficial. Furthermore, the Advisory Committee stands ready to support the authorities in identifying the most efficient ways of implementing the recommendations contained in the present Opinion.

MONITORING PROCEDURE

Follow-up activities related to the recommendations of the Fourth Opinion of the Advisory Committee

27. The Fourth Opinion was translated into Romanian and Russian, published on the Agency for Interethnic Relations' website, and circulated to line ministries, relevant public authorities and to members of the Co-ordinating Council of Ethno-cultural Organisations of National Minorities. It was discussed at a National Conference organised on 22 December 2016 on the occasion of the 15th anniversary of the adoption of Law No. 382–XV on the Rights of Persons Belonging to National Minorities and the Legal Status of their Organisations. The Resolution CM/ResCMN(2021)16 on the implementation of the Framework Convention by the Republic of Moldova, adopted by the Committee of Ministers on 7 July 2021, was also translated into Romanian and Russian and discussed during the round table 'Tolerance – an integral part of respect for the fundamental human rights and freedoms', held by the Agency for Interethnic Relations on 16 November 2021 on the occasion of the International Day for Tolerance.

Preparation of the state report for the fifth cycle

28. The state report was due on 1 February 2019 and was received on 22 May 2019. It was completed with additional information received from the authorities on 22 December 2021. The draft fifth state report was discussed at a round table organised on 6 December 2018 which was attended by members of the cross-sectoral working group and members of the Coordinating Council of Ethno-cultural Organisations. The state report was published on the government website² for public consultation with the civil society. Some gender-related aspects of minority rights were addressed in the state report.³

Country visit and adoption of the Fifth Opinion

29. This fifth-cycle Opinion on the implementation of the Framework Convention for the Protection of National Minorities (hereinafter "the Framework Convention") by the Republic of Moldova was adopted in accordance with Article 26(1) of the Framework Convention and Rule 25 of Resolution (2019)49 of the Committee of Ministers. The findings are based on information contained in the fifth state report and additional information submitted by the authorities, other written sources, as well as

information obtained by the Advisory Committee from governmental and non-governmental sources during its visit to Chişinău, Briceni, Edineţ, Comrat/Komrat/Комрат and Ceadăr-Lunga/Çadır-Lunga/Чадър-Лунга from 19 to 23 September 2022. The Advisory Committee expresses its gratitude to the authorities for their excellent co-operation before, during and after the visit, and to the other interlocutors it met during the visit for their valuable contributions. The draft opinion, as approved by the Advisory Committee on 17 February 2023, was transmitted to the Moldovan authorities on 21 February 2023 for observations, according to Rule 37 of Resolution (2019)49. The Advisory Committee welcomes the observations received from the Moldovan authorities on 2 May 2023.

* * *

30. A number of articles of the Framework Convention are not covered in the present Opinion. Based on the information currently at its disposal, the Advisory Committee considers that the implementation of these articles does not give rise to any specific observations. This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. Rather, the Advisory Committee considers that the obligations of the Framework Convention require a sustained effort by the authorities. Furthermore, a certain state of affairs which may be considered acceptable at this stage may not necessarily be so in further cycles of monitoring. Finally, it may be that issues which appear at this stage to be of relatively minor concern prove over time to have been underestimated.

31. Owing to the fact that the Transnistrian region remains outside the effective control of the Moldovan authorities, the Advisory Committee cannot direct recommendations towards a more effective implementation of the Framework Convention in that region to them. It underlines, however, its concern regarding the access to rights contained in the Framework Convention of persons belonging to national minorities residing in the Transnistrian region and will draw attention to particular issues under relevant articles. The Advisory Committee reiterates its call to all parties concerned to take a constructive approach with a view to ensuring access to minority rights as an integral part of universally applicable human rights throughout the territory of Moldova.

² See [government website](#).

³ The [fifth state report](#) refers to gender equality legislation and national strategy (pp. 26-28), gender balance (p. 37), exhibition of Ukrainian women's folk costumes (p. 30) and successful stories of Roma women in the media (p. 41).

ARTICLE-BY-ARTICLE FINDINGS

Personal scope of application (Article 3)

32. There has been no change in the legislative framework regarding the scope of application of the Framework Convention since the fourth monitoring cycle. According to the Law No. 382 of 19 June 2001 on the Rights of Persons Belonging to National Minorities and the Legal Status of their Organisations, the protection provided by the Framework Convention formally extends only to citizens of the Republic of Moldova.⁴ In practice, however, this limitation continues to be disregarded, as no proof of citizenship is required in daily life when accessing minority rights.

33. According to the State Register of Population, more than 150 ethnic groups reside on the territory of the Republic of Moldova. According to the last population and housing census data from 2014, the majority ethnicity makes up slightly more than 80% of the total population.⁵ The numerically larger national minorities are Ukrainians (6.6% of the total population), Gagauz (4.6%), Russians (4.1%), Bulgarians (1.9%) and Roma (0.3%).⁶ Organisations defending the interests of the Ukrainian, Russian, Gagauz, Bulgarian, Jewish, Roma, Polish, Belarusian, German, Armenian, Azeri, Georgian, Ossetian, Lithuanian, Estonian, and Greek national minorities continue to form part of the Co-ordinating Council of Ethno-cultural Organisations, set up under the Agency for Interethnic Relations in line with Article 25 of the Law No. 382/2001. In addition, a number of organisations that are not strictly cultural, ethnic or linguistic minority associations have also been accredited by the Agency for Interethnic

Relations and participate in this Co-ordinating Council.⁷

34. Whilst the Jewish community is regarded as a national minority in the Republic of Moldova, representatives of the Muslim, Lutheran and Roman Catholic religious groups indicated that, due to the fact that they form a numerical minority in relation to the Christian Orthodox majority, they have limited possibilities to influence decision-making processes affecting them or to raise issues of concern for persons belonging to these communities (see also Article 8). They would welcome the possibility to be considered as national minorities, and eventually to be part of existing consultative structures.

35. The Advisory Committee welcomes the authorities' inclusive and pragmatic approach towards the application of the scope of application of the Framework Convention and for not requiring any proof of citizenship for accessing minority rights. It considers that this approach is all the more commendable as there are still several thousands of persons residing in the Republic of Moldova who are either *de facto* stateless, including persons belonging to the Roma minority due to a lack of valid identity documents or birth certificates, or with undetermined nationality.⁸

36. The Advisory Committee highlights that there is existing practice in Europe to consider persons belonging to religious groups forming a numerical minority in relation to the majority religious faith as 'national minorities' and notes in this light that the Jewish community in the Republic of Moldova is already considered as both a religious group and a national minority. Furthermore, considering that the Moldovan

⁴ Article 1 of the Law No 382/2001 reads as follows: "In the present law, persons belonging to national minorities shall include persons who reside on the territory of the Republic of Moldova, have Moldovan citizenship, possess ethnical, cultural and linguistic features that differ from the majority of the population (Moldovans) and consider themselves to be of a different ethnical origin".

⁵ According to the [results of the 2014 population and housing census published by the National Bureau of Statistics](#) in August 2017, 73.7% of the respondents self-identified as Moldovans and 6.9% as Romanians. The National Bureau of Statistics considers in its results analysis both 'Moldovan' and 'Romanian' as one single ethnicity. On that basis, the 'majority population' can be estimated at 80.6% of the total population.

⁶ The figure for Roma should, however, be taken with caution since many persons belonging to the Roma minority do not identify as such and local estimates vary. As an example, the number of persons belonging to the Roma minority recorded by the Bălți Statistical Service does not match the number recorded by the Bălți City Hall Health Service (see the [fifth state report](#), pp. 54-55). According to the 2021 Mapping of Roma population, there are 27 074 Roma living in the Republic of Moldova.

⁷ The [list of 74 ethno-cultural associations accredited to the Agency for Interethnic Relations](#) also includes two associations representing Afro-Asiatic communities, one association representing refugees, two associations representing the interests of foreign children and one those of foreign women.

⁸ According to UNHCR, "based on the government's figures, at the end of 2021, the Republic of Moldova hosted 1 909 stateless persons and 1 434 persons with undetermined nationality". The number of Roma adults who are stateless remains low. However, the problem of statelessness has increased over recent years due to the migration and return of Roma families from Western European countries. The registration procedure of Roma children lacking valid birth certificates born in other countries or coming as refugees from Ukraine is difficult, timely and costly. Furthermore, access to birth registration and to a birth certificate is hindered in practice by the requirement that parents must be documented to register birth. In this regard, Roma are at a higher risk of remaining unregistered.

authorities follow an open and flexible approach towards the scope of application of the Framework Convention, and pointing out that the Agency for Interethnic Relations already accredits organisations that are not strictly cultural, ethnic or linguistic minority associations, the Advisory Committee is of the view that the Coordinating Council of Ethno-cultural Organisations could give consideration to this request by associating representatives of religious groups in its work.

37. The Advisory Committee encourages the authorities to continue pursuing a pragmatic and flexible case-by-case approach to requests for the enjoyment of minority rights and to apply the provisions of the Framework Convention to persons belonging to religious groups on the basis of an article-by-article approach.

Data collection and population and housing census (Article 3)

38. The next population and housing census will be conducted in 2024 and will be regulated by a permanent normative framework, unlike the past practice where new regulations were elaborated for each census. New methods to collect data will be introduced such as using the personal interview method assisted by a mobile electronic device, the use of GPS tablets to monitor and trace the interviewers, and the use of administrative data from the databases of public and private legal entities to conduct the census. In order to avoid a repeat of the insufficient participation in the census in 2014⁹ and so as to improve qualitative and quantitative data collection regarding persons self-identifying as belonging to national minorities, awareness-raising activities aimed at informing in particular national minority associations on how the population and housing census will be conducted and the need for persons belonging to national minorities to participate in the census are also envisaged by the National Bureau of Statistics.¹⁰ This Bureau also stated that the census questionnaire would be developed in Romanian and Russian and translated into Bulgarian, Gagauz, Romani, and Ukrainian.

39. The Advisory Committee was informed by a representative of the National Bureau of Statistics that the census questionnaire has already been prepared and will be similar to the 2014 census form and will include questions about 'ethnicity', 'mother tongue' and 'main language of communication'. In order to address past criticism that respondents were not informed during the last census of the possibility of indicating multiple affiliations, resulting in few individuals doing so, and that some interviewers reportedly filled out the forms by themselves, based on their own assumptions about the respondent's name or appearance,¹¹ the National Bureau of Statistics indicated that the respondents would have the possibility to declare multiple ethnic affiliations and to list multiple linguistic affiliations. It stated that census interviewers would be trained to avoid past incidents and persons belonging to national minorities, including Roma community mediators, would be temporarily recruited as census interviewers.

40. The Advisory Committee stresses the importance of avoiding significant delay¹² as regards the analysis and publication of the 2024 census data and emphasises the importance of hearing feedback from minority representatives regarding the conduct of the census, in particular related to the census variables, questionnaires and tabulation plan (expected output indicators), prior to the analysis of the census data, in particular when such data form a basis for access to minority rights. It also reiterates that census data cannot be exclusively relied upon; they should be complemented with information gathered through independent research.¹³ The Advisory Committee finds it particularly relevant to collect disaggregated data on the living conditions and effective enjoyment of minority rights by persons belonging to the Roma national minority who tend to refrain from declaring their ethnic affiliation during censuses, through independent qualitative and quantitative research or surveys, involving Roma representatives and, where possible, Roma community-based mediators. In this respect, the Advisory Committee welcomes the Mapping of the Roma Population conducted in 2021 at the request of

⁹ In the capital alone, over 145 000 individuals were not enumerated (see [Advisory Committee's Fourth Opinion on the Republic of Moldova](#), adopted on 25 May 2016 and published on 7 February 2017, footnote 7).

¹⁰ [Moldovan authorities' additional information on national minorities \(June 2019 - August 2021\)](#), provided in December 2021, p. 6. One of the objectives of the 2024 Census Communication and Promotion Strategy is to increase the participation of ethnic minorities in the census. In this context, a communication plan has been developed with the aim of mobilising persons belonging to national minorities across the country to participate in the census. This plan will be implemented through information and promotion materials in minority languages.

¹¹ See the [Advisory Committee's Fourth Opinion on the Republic of Moldova](#), para. 16.

¹² According to the national legislation, the deadline for publication of the final results shall not exceed 27 months from the census reference moment. The 2014 census results were published eight months after such deadline due to insufficient and untimely financial resources for data processing.

¹³ See the [Advisory Committee's Thematic Commentary No. 3 – The Language Rights of Persons Belonging to National Minorities under the Framework Convention](#), adopted on 24 May 2012, para. 21.

the Ministry of Education and Research and the Agency for Interethnic Relations and with financial support from donors.¹⁴

41. In this respect, the Advisory Committee welcomes the initiative of an 'Ethno-barometer Moldova – 2020' which was undertaken in 2019-2020 with the participation of the Agency for Interethnic Relations and financial support from international partners¹⁵ with a view to providing data about the current situation regarding minority protection and identifying any challenges and potential risks. This study explored various aspects of life among different ethnic groups, how the multi-ethnic Moldovan society functions, and the role of the state as a manager of diversity. The Advisory Committee takes a positive note of the intention to repeat this study in 2024.¹⁶

42. Legislative regulations foresee that the heading "nationality and/or ethnic origin" can be inserted in the birth certificates at the request of parents.¹⁷ In this respect, the Advisory Committee welcomes the fact that the term 'Roma' was introduced into the classification of ethnicity in the State Population Register making it possible for persons belonging to the Roma national minority to self-identify as 'Roma' and to record their respective ethnic identity in civil status documents if they so wish. Since the term 'Gypsy' (*țigăn*) was also retained in the State Population Register for those persons who may prefer to self-identify as such, it is unclear to the Advisory Committee how this will be handled for statistical data purposes or for the enjoyment of minority rights. For the design of policies and measures aimed at supporting Roma inclusion and its financial implications, and with the view to encompassing in practice the widest possible targeted population, the authorities shall consider self-identification as 'Roma' or as 'Gypsy' as the same ethnicity (as they do for 'Moldovan' and 'Romanian' in their census data analysis – see above).

43. The Advisory Committee commends the authorities' intention to continue the practice to give census respondents the possibility to declare more than one ethnicity as it *inter alia* encourages persons belonging to national minorities most exposed to prejudice and discrimination to provide their respective ethnic affiliation in combination with another. The Advisory Committee also welcomes the authorities' intention to give census respondents the possibility to declare multiple linguistic affiliations. It underlines that declarations of multiple affiliations, not only ethnic but also linguistic ones, could, if duly counted and published, be a potential asset for reinforcing interethnic dialogue and demonstrating diversity within society. It therefore considers it important that the data on such multiple affiliations are also shown in published census results. The Advisory Committee also reiterates the importance that census interviewers receive adequate training to avoid affiliation of a person to a specific group based on the presumption of visible or linguistic characteristics and that persons belonging to national minorities are recruited among census interviewers. The Advisory Committee welcomes the authorities' intentions to also meet these two requirements.

44. The Advisory Committee asks the authorities to count and publish census results about both multiple ethnic and linguistic affiliations, as well as to conduct an awareness-raising campaign about the relevance of the census for persons belonging to national minorities. The authorities should also ensure, as planned, that the electronic census questionnaire is made available in minority languages, that census interviewers are adequately trained so as to ensure the right of respondents to free self-identification, that persons belonging to national minorities are recruited among census interviewers and that the option to declare

¹⁴ The [2021 report on the mapping of densely populated Roma towns in the Republic of Moldova](#) was produced at the request of the Ministry of Education and Research and the Agency for Interethnic Relations, with the assistance of the project "Advising the Government of the Republic of Moldova in economic policies", implemented by GIZ1 Moldova with the financial support of the Governments of Germany and Switzerland.

¹⁵ The '[Ethno-barometer Moldova – 2020](#)' was developed with the financial support of the Office of the OSCE High Commissioner on National Minorities to assist the Government of the Republic of Moldova with the implementation of the Strategy for the Consolidation of Interethnic Relations and the related Action Plan for 2017–2020. The main objective of this research was to measure, monitor and analyse the perceptions, attitudes, and beliefs of the numerically larger ethnic groups (i.e. Moldovans/Romanians, Russians, Ukrainians, Gagauz, Bulgarians and Roma) regarding: (1) one's own self-identification; (2) relation to the Republic of Moldova; (3) relation to "kin-states"; (4) relation to other ethnic groups; (5) "integration into Moldovan society", including the use of languages, and (6) relation to the mass media. In total, 2 622 individuals were interviewed, except in the Transnistrian region.

¹⁶ According to information received from the Ministry of Education and Research, another ethno-barometer is planned for 2024 in the draft 2023-2025 Action Plan of the Programme for the implementation of the Strategy for consolidating the interethnic relations for 2017–2027.

¹⁷ See the Law No. 248 of 24 October 2013 on amending and supplementing the Law No. 100-XV of 26 April 2001 on the Civil Status Acts. Furthermore, by virtue of legislative regulation of the right to ethnic self-identification, a person over the age of 16 is entitled to request inscription of his/her nationality in the birth certificate, upon his/her declaration of honour, if this was not done by his/her parents at birth.

multiple ethnic and linguistic affiliations is timely communicated to all census respondents.

45. The Advisory Committee strongly encourages the authorities to conduct regular ethno-barometer surveys on the perceptions, attitudes, and beliefs of persons belonging to ethnic communities. The authorities should also collect regularly disaggregated data on the living conditions and effective enjoyment of minority rights by persons belonging to the Roma national minority through independent qualitative and quantitative research that could complement census data, involving representatives of this minority and, where applicable, Roma community-based mediators.

Legal, institutional and policy framework for combating discrimination and ensuring equal access to human rights of persons belonging to national minorities (Article 4)

46. The anti-discrimination legal framework prohibits discrimination based *inter alia* on “race”, colour, nationality and religion. ‘Language’ is also specifically referred to as a protected ground against discrimination in Article 1 of the Law No. 121/2012 as amended in 2023 on Ensuring Equality.¹⁸ During the reporting period, the principles of non-discrimination and equal treatment in relation to national minorities and their inclusion into various spheres of public life have been strengthened through various legal, institutional and policy initiatives.

47. In 2018, the Parliament approved the National Human Rights Action Plan for 2018–2022 (hereinafter “the NHRAP 2018–2022”).¹⁹ The NHRAP 2018–2022 was designed on the basis of recommendations addressed to the Republic of Moldova by international human rights monitoring bodies. It covers 16 fields of intervention, including the rights of persons belonging to national minorities. Overall, the NHRAP 2018–2022 values the ethnic, cultural, linguistic and religious diversity of the Moldovan society, as well as acknowledges that individuals may have multiple identities.

48. Following the adoption of the NHRAP 2018–2022, and in pursuit of objectives set out in the National Action Plan for the Implementation of the Republic of Moldova-European Union Association Agreement for 2017–2019, the government established the National Human Rights Council (NHRC), the Permanent Secretariat of the NHRC, local structures of the NHRC, and human rights co-ordinators at central and local levels in order to ensure an efficient

mechanism for drafting and evaluating human rights policy documents, the effective implementation of international human rights, and to monitor compliance with international standards and commitments. The mandate and competencies of the NHRC include *inter alia* co-ordination and implementation of a uniform state policy in the field of human rights and the examination and approval of half-yearly reports on the implementation of the NHRAP 2018–2022, which includes an extended chapter devoted to measures related to national minorities.²⁰ The Permanent Secretariat of the NHRC is in charge of annual monitoring the implementation of the NHRAP. Its implementation progress reports are presented to the Parliament and published on the official website of the State Chancellery. Furthermore, a new policy document in the field of human rights has been approved under the Government’s Action Plan for 2023.

49. A position of ‘adviser to the Prime Minister on human rights and interethnic relations’ was also created in 2020 and, at the time of the visit, was occupied by a person belonging to the Roma minority. Later, in 2022, this title was changed into ‘adviser to the Prime Minister on human rights’. A number of representatives of national minorities met by the Advisory Committee regretted this change; they perceived it as a signal of a lower priority given to minority issues by the authorities (see also Article 6). Since February 2023, this position has been vacant.

50. The Council for Preventing and Eliminating Discrimination and Ensuring Equality (hereinafter “the Equality Council”) is an independent central public authority which reports to the Parliament.²¹ Its mandate covers individuals and legal entities from public and private sphere. The Equality Council is responsible for reviewing complaints of alleged discrimination on all the protected grounds and issuing decisions, which are legally binding unless challenged before courts; for assessing the existing legal framework and drafting laws from the perspective of equality and non-discrimination standards; and for raising awareness about equal opportunities. A third attempt to include in legislation the possibility for the Equality Council to initiate proceedings before the Constitutional Court (like the People’s Advocate) was rejected both by the Moldovan Government and the Parliament in 2022. The adoption of Law No. 2/2023 on amending some normative acts has strengthened the functional capacities of the Equality Council and increased the number of its staff from 20 to 33 units. Furthermore, based on the new regulations, the

¹⁸ [Law No. 121/2012 on Ensuring Equality](#) as amended in 2023.

¹⁹ Parliament Decision No. 89 of 24 May 2018.

²⁰ For further details, consult [Moldovan authorities’ additional information on national minorities](#), p. 6.

²¹ The Equality Council is composed of five members appointed by the Parliament for a five-year term.

President of the Equality Council may be assisted by personnel acting according to the Law No. 80/2010 on the status of public officials. A position of General Secretary of the Equality Council has been established and supplementary legal guarantees have been introduced for the members of the Equality Council so that they cannot be persecuted or held legally responsible for the opinions they express and the powers they exercise according to the law.

51. In 2021, the Equality Council received 310 complaints²² (82% received in Romanian and 18% in Russian), resolved 282 cases, initiated two *ex officio* investigations, and issued 255 decisions.²³ Discrimination was found in 49 cases (19%) and the main areas for which discrimination was found concern violation of human dignity (25%), discrimination at work (25%), in access to publicly available goods and services (18%), as well as in access to justice (14%). Only 4% of the decisions concerned discrimination in education. The Equality Council reports that people's negative attitudes are the strongest towards 'Muslims', 'Roma' and 'persons of African descent', whilst 'Russians' and 'people who do not speak Romanian'²⁴ are the most accepted.²⁵

52. In 2017, Title II of the Constitution of the Republic of Moldova was supplemented by Chapter III¹ entitled "The People's Advocate."²⁶ Its mandate is to ensure the protection of human rights and freedoms by preventing their violation by public authorities, organisations and companies, as well as by non-commercial organisations and decisions-makers at all levels. It receives and reviews complaints and submits to the authorities and/or individuals in key positions recommendations on the redress of rights for the individuals whose human rights and freedoms have been violated. The People's Advocate can initiate cases before the Constitutional Court and regular courts,²⁷ present

an opinion at the request of the Constitutional Court and initiate *ex officio* investigations. In February 2023, the Law No. 52/2014 on the People's Advocate was amended: alongside increasing the number of employees within the Office of the People's Advocate from 65 to 72.²⁸ The People's Advocate for the Rights of the Child - whom the Advisory Committee met during its visit - ensures the protection of children's rights and freedoms by central and local public authorities and decision-making officials at all levels in line with the provisions of the United Nations Convention on the Rights of the Child.

53. According to the 'Ethno-barometer Moldova 2020',²⁹ with the notable exception of the Roma, the perception of discrimination among respondents is low. Persons belonging to the Russian minority experience the most significant level of discrimination in the labour market, while persons belonging to the Gagauz minority feel more discriminated against in the health sector. Persons belonging to the Roma minority, however, feel discriminated against in every sphere of life, and especially in contacts with public servants or in the health and employment sectors. Alleged victims might report their case to the police; however, burdensome bureaucracy prevents them from taking it further. This is particularly true for the Roma who additionally seem to lack knowledge of the legal and institutional framework for combating discrimination to report their cases. Several representatives of this minority reported the need to have access to professional legal advice – and eventually legal assistance – to bring their case forward. It was further reported to the Advisory Committee that discrimination based on gender (therefore possibly amounting to multiple discrimination in the case of women and girls

²² Complaints can also be submitted by a representative or in the interest of another person or group of persons. Most of the complaints (90%) were settled by decisions (4% were friendly settled; 5% led to an advisory opinion; 1% were withdrawn). 73% of the decisions concerned discrimination in the public domain. See [Equality Council Report on Discrimination in the Republic of Moldova-2021](#), pp. 7 and 9.

²³ It also made 100 recommendations, examined 12 normative acts, issued 20 advisory opinions on draft laws and trained 1 511 persons (see [Equality Council Report on Discrimination in the Republic of Moldova-2021](#), p. 3).

²⁴ In line with the request of Moldovan authorities recalling the Constitutional Court Decision No. 36 of 5 December 2013 stipulating that "the State language of the Republic of Moldova is Romanian" (position reaffirmed in the [Constitutional Court Decision No.4 of 21 January 2021](#)), the present Opinion refers to 'Romanian' as being the official language of the Republic of Moldova.

²⁵ See the [Equality Council Report on Discrimination in the Republic of Moldova-2021](#), p. 2.

²⁶ See Law No. 70 of 13 April 2017.

²⁷ See Articles 11, 16, 25 and 26 of the [Law on the People's Advocate](#) (in Romanian).

²⁸ The amendments further provided for immunity granted to the People's Advocate and privileges for officials who act on behalf of the People's Advocate during the exercise of established tasks, a special selection procedure of the People's Advocate and amendments to the procedure for appointing his/her deputies, as well as the establishment of additional safeguards and guarantees in the procedure of removal from office of the People's Advocate.

²⁹ See the '[Ethno-barometer Moldova – 2020](#)', p. 6.

belonging to national minorities) can occur in the Transnistrian region.³⁰

54. The Advisory Committee notes that both the Equality Council and the People's Advocate play an important role in ensuring equality and human rights of persons belonging to national minorities – although it regrets that the enlargement of competences of the Equality Council was rejected by both the Moldovan Government and the Parliament and notes that more outreach efforts about their role and mandate in rural areas and more frequent *ex officio* investigations from their side on national minority related matters would be welcomed by representatives of national minorities. Both institutions seem to receive sufficient financial means to fulfil their mandate; however, their main area of concern remains filling staff vacancies. Whilst welcoming additional job positions granted in February 2023 to both the Equality Council and the People's Advocate respective offices, the Advisory Committee expects that these vacancies will be soon filled. In this respect, the Advisory Committee was informed that there are, in general, very few candidates applying to both institutions, reportedly due to the low salaries offered. In addition to awareness-raising efforts by the Equality Council and the People's Advocate, the Advisory Committee is of the view that supporting projects providing low threshold and free legal advice and assistance services to persons belonging to national minorities, especially for persons belonging to the Roma minority, could help them increase their knowledge of the legal and institutional frameworks for combating discrimination and receive assistance on how to address their cases.³¹

55. Whilst welcoming the fact that 'language' is a protected ground in the national equality legislation, the Advisory Committee is concerned about a non-consistent implementation of the existing legal provisions and reluctance of the authorities to implement decisions of the Equality Council in this respect (see Article 10).

56. The Advisory Committee calls on the authorities to ensure through relevant outreach actions, in particular in rural areas, that existing anti-discrimination legislation, institutional frameworks and available legal remedies against discrimination, are widely known amongst the public, notably amongst persons belonging to national minorities and religious groups that are most exposed to such discrimination.

57. The Advisory Committee asks the authorities to take any measures that could facilitate the filling of vacancies in the Equality Council and the People's Advocate's Office by making the positions more financially attractive. The authorities should also pay attention and provide timely follow-up to the Equality Council's and People's Advocate's decisions, reports and queries related to national minorities.

58. The Advisory Committee encourages the authorities to fully implement existing legislation and decisions of the Equality Council when it comes to 'language' as a protected ground against discrimination.

59. The Advisory Committee invites the authorities to consider supporting projects providing low threshold and free legal advice and assistance services to persons belonging to national minorities, in particular those belonging to the Roma minority, such as easily accessible 'legal clinics'.

³⁰ In the Transnistrian region, job segregation "laws" ban women from more than 300 jobs. Prohibited occupations include a wide variety of occupations deemed "too dangerous or demanding" for women, including welding, pouring, driving, snow blowing, gas extracting and climbing. See [Moldova 2021 Human Rights Report](#), p. 59.

³¹ Such counselling and legal assistance services can be provided by legal professionals and/or law students. Roma community-based mediators could play a role in helping Roma individuals to interact with these legal clinics (for more information, see the Council of Europe/European Commission joint programme [JUSTROM](#)).

Institutional and policy framework concerning the protection of national minorities (Article 4)

60. At the institutional level, several developments took place and new policy frameworks of importance for national minority issues have been adopted. In 2022, the National Development Strategy "European Moldova 2030" was approved by the Parliament and provided with budgetary and institutional resources. In order to meet objectives set for four basic pillars by 2030,³² the government has set 10 Sustainable Development Goals at the national level, including ensuring quality education, effective governance, increasing people's access to infrastructure, and improving conditions for work.

61. Representatives of the Gagauz minority, of the People's Assembly of Gagauzia and of the Office of the Bashkan (Governor) met during the visit complained about a lack of effective implementation of the Law on the Special Legal Status of Gagauzia (Law No. 344 of 23 December 1994). They consider that public authorities and the judiciary in Chişinău have a limited understanding of what territorial autonomy means, resulting in legislation or decisions passed by the People's Assembly regularly being challenged by the Moldovan Government and Parliament or Comrat Appeals Court (see a recent example of this in Article 6).

62. The authorities also established 14 cross-sectoral working groups between Chişinău and Tiraspol.³³ The Moldovan authorities regretted, however, that Tiraspol does not show openness towards discussing minority issues despite their repeated calls in this direction. The Advisory Committee takes positive note about the central authorities' intention to increase co-operation between the two banks of the Nistru river specifically on matters related to ethnic minorities and would welcome the establishment of a cross-sectoral working group dealing specifically with minority issues, or alternatively include them in the already existing working group on human rights.

63. The Advisory Committee was also informed about a redistribution of roles concerning minority issues, on the one hand between the Agency for Interethnic Relations and the Ministry of Education and Research, and on the other hand, between the Ministry of Education and Research and the Ministry of Culture. Whilst the authorities indicated seeing no difficulties or misunderstandings regarding their respective duties, interlocutors of the Advisory Committee were somewhat confused with the new distribution of roles and competences. The authorities confirmed that the drafting of policies concerning national minorities, minority languages and Roma inclusion and the co-ordination at inter-ministerial level of their implementation are now the responsibility of the Ministry of Education and Research. The Agency for Interethnic Relations remains responsible for ensuring the implementation of the state policies in the field of interethnic relations, such as the 'Strategy for the Consolidation of Interethnic Relations in the Republic of Moldova 2017-2027', the 'National Programme for the Support of Roma Integration' and their respective action plans, as well as for the supervision and management of certain structures.³⁴ The Advisory Committee is, however, deeply concerned by the recurrent lack of human and financial capacity of the Agency for Interethnic Relations to effectively fulfil its mandate to implement these policies and supervise these structures.

64. Furthermore, confusion exists among researchers on national minority and interethnic issues about the role and competences, including financial ones, of the Ministry of Culture. In 2018, the Institute of Cultural Heritage, then under the Academy of Sciences of Moldova, had been transferred under the Ministry of Education, Culture and Research and included in the list of public organisations in the field of research and innovation.³⁵ In 2021, the government decided to create a separate Ministry of Culture which, according to the authorities, has no competences in the field of interethnic relations.³⁶ However, following the Government Decision No. 485/2022 on the re-organisation by merger (absorption) of some institutions in the fields of education, research and innovation,³⁷ the Institute of Cultural

³² These four pillars are: a) sustainable and inclusive economy; b) robust human and social capital; c) honest and efficient institutions; and d) healthy environment.

³³ See the [fifth state report](#), p. 7.

³⁴ In accordance with the Government Decision No. 593 of 25 June 2018 on the Organisation and Functioning of the Agency for Interethnic Relations, the Agency manages and supervises the activities of the House of Nationalities (acting as a cultural and documentation centre of ethno-cultural organisations), the "Memory of the Holocaust and Interethnic Tolerance", and the Co-ordinating Council of Ethno-Cultural Organisations.

³⁵ Following the Government Decision No. 50 of 16 January 2018 on the reform of public administration.

³⁶ Government Decision No. 147/2021 regarding the organisation and operation of the Ministry of Culture.

³⁷ [Government Decision No. 485 from 13 July 2022](#) (in Romanian). From the authorities' point of view, the reform is oriented toward the consolidation of universities and their modernisation and should contribute to increasing their competitiveness and attractiveness. The reform also envisages to shift funds dedicated to administration towards

Heritage,³⁸ which includes *inter alia* the Centre of Ethnology, was placed under the portfolio of the Ministry of Culture. Beyond their confusion, academics expressed a certain degree of fear about the present and future status of interethnic and national minority-related research in the Republic of Moldova. They are concerned that the Institute of Cultural Heritage and its Centre of Ethnology might no longer be on an equal footing in terms of funding possibilities and autonomy compared with research institutes in other scientific fields that remained under the supervision of universities. In this respect, the Advisory Committee would find it necessary to secure long-term funding from the state budget for the Institute of Cultural Heritage and its respective centres and to encourage and, in addition, facilitate these research institutions and academics in the field of ethnology to develop projects with partner research institutes abroad.

65. In view of the above, the Advisory Committee considers that there is a need for better communication with national minority representatives and organisations, as well as with local authorities, about the distribution of roles and competences of the abovementioned institutions, their priorities and funding possibilities. The Advisory Committee also considers highly relevant to ensure that the Agency for Interethnic Relations and the Ministry of Education and Research have sufficient financial and human resources, as well as political leverage, to allow them to effectively fulfil their mandate.

66. The Advisory Committee asks the authorities to clarify the role and competences of the respective governmental institutions, in particular those of the Agency for Interethnic Relations, the Ministry of Education and Research and the Ministry of Culture and raise awareness among national minority representatives and local authorities accordingly. The authorities should also ensure that the Agency for Interethnic Relations, as well as the

Institute of Cultural Heritage and its Centre of Ethnology, receive sufficient and sustainable financial resources to effectively fulfil their mandate.

National Strategy and Action Plans for Roma Inclusion (Article 4)

67. Since 2011, the Republic of Moldova implements a specific national programme and action plans for inclusion of the Roma population. As admitted by the authorities themselves,³⁹ the National Roma Action Plan 2011-2015 had resulted in poor implementation due to the decentralisation reform, which had shifted responsibility for implementation of a large number of activities to local public authorities. Whilst one of the positive outcomes of this Action Plan had been the establishment of the 'Roma community-based mediator' (hereinafter "Roma mediator" or "community mediator") position⁴⁰ in, then, 40 localities densely populated by persons belonging to the Roma minority, the situation regarding the employment of Roma mediators started deteriorating after the new provisions on decentralised funding entered into force in 2015. Local public authorities were supposed to allocate funds from their own budgets for a number of local services, including for the activities of the Roma mediators, but lacked the necessary budget to do so. As a result, the hiring process of Roma mediators by local authorities was stopped. To remedy the situation, the government, by amendments introduced to the relevant legislation, decided in May 2018 to allocate state funding for Roma mediators from the state budget. At the same time, the Agency for Interethnic Relations took over the competences to elaborate proposals regarding the number of Roma mediators employed by local public authorities and to calculate financial means necessary to ensure that they are functional.⁴¹

68. The 'National Action Plan to Support the Roma Population in the Republic of Moldova for 2016-2020'⁴² set up five priority objectives.⁴³ It

education and research so as to strengthen the research system and increase the interconnection between science and education. The government expects with this reform that universities, as centres of training and research, will pay more attention to the transfer of knowledge and technologies, as well as to co-operation with the business environment, thus ensuring the relevance of studies and research for the economy and society at large.

³⁸ See the [website of the Institute of Cultural Heritage](#) for more information (in Romanian).

³⁹ See footnote 28 of the [fifth state report](#), p. 13.

⁴⁰ See the Government Decision No. 557 of 17 July 2013 on approval of the framework regulations on the organisation of the activities of Roma community-based mediators.

⁴¹ According to the Law No. 289 of 15 December 2017 on the State Budget MDL 2 239 600 (€108 000) were allocated in the 2018 state budget for the remuneration of Roma mediators. This amount was estimated based on the cost of one mediator - 46 600 Moldovan Lei (MDL) or €2 200 and the total number of beneficiary localities (48).

⁴² Government Decision No. 734 of 9 June 2016.

⁴³ The main objectives were as follows: to create an inclusive and effective educational system based on the principles of equity, non-discrimination and respect for diversity; to increase employment of Roma in the labour market, as well as their economic well-being to a significant extent; to improve their health status and to ensure their non-discriminatory access to medical services; to ensure decent living conditions for Roma and to improve the quality of their life; and to improve Roma participation and to reduce discrimination.

further reinforced the functionality of Roma mediators, increasing the number of localities to 48 and creating synergies between them.⁴⁴ The Agency for Interethnic Relations was given the mandate to allocate state financial support and to monitor and co-ordinate local needs. This Action Plan also encouraged local authorities to elaborate local action plans to support the Roma population residing on the territory of the respective administrative-territorial unit and held local authorities' accountable for their implementation. Such local Roma Action plans were designed, approved and implemented, for instance, in Chişinău and Bălţi municipalities.

69. At the time of the visit, a new National Programme to Support Roma Inclusion for 2022-2025 and its Action Plan were being drafted by the Ministry of Education and Research in consultation with relevant public institutions and Roma minority representatives and organisations. It was adopted on 3 August 2022 and set eight priority areas⁴⁵ and on 17 October 2022, the Ministry of Education and Research convened the first meeting of the inter-institutional working group responsible for co-ordinating and monitoring the implementation of this programme. The efficiency of co-operation and the intensification of the dialogue between the central and local public authorities, as well as the strengthening of the capacity of the Roma mediators in order to successfully implement the activities of the Action Plan, were the main priority areas identified at the meeting.⁴⁶ Furthermore, the goal to protect the rights of the Roma national minority was reflected in Chapter 15 of the National Human Rights Action Plan 2018–2022 under the title “Ethnic Roma fully enjoy their rights without discrimination.”

70. During its visit, the Advisory Committee met several community mediators, both men and women, not all of them being Roma themselves. Mayors of the municipalities visited by the Advisory Committee - Briceni, Edinet and Ceadăr Lunga - all expressed satisfaction about the work of community mediators and highlighted the positive effect of their activities in strengthening co-operation with the local authorities, as well as with educational and health institutions, thus contributing to a better integration of society as a whole. Whilst the Roma mediators are helpful in establishing contacts between Roma families and school professionals, they are not entitled to be physically present in classrooms unlike ‘Roma

school assistants’ in some other states.⁴⁷ The assistance to Roma pupils provided by Roma community mediators – owing to the fact that they have extensive thematic responsibilities - is therefore limited to eventually reduce school absenteeism but has little effect on Roma pupils’ school performance and early school dropouts. In Edineţ, both the mayor and Roma mediators complained about the lack of community mediators, indicating that due to a large number of local Roma residents, the current number of community mediators (two) was insufficient. This was all the more surprising given that, in parallel, the Advisory Committee was informed by the Agency for Interethnic Relations that not all community positions were occupied and that annual funding for Roma mediators was still available in September 2022.⁴⁸ On the last day of the visit, the Advisory Committee was pleased to hear that the mayor of Edineţ had already contacted the Agency, requesting additional community mediators and that the Agency would be looking into this matter.

71. Whilst praising the authorities’ political will and financial efforts deployed to strengthen the position of Roma mediators and to increase their number and for having promptly taken measures to remedy the negative effects of the decentralisation process in the hiring of such mediators, the Advisory Committee is nevertheless concerned about the lack of a general overview of the Agency for Interethnic Relations of the needs of community mediators at the local level. Although staff of the Agency sometimes travel to certain municipalities to monitor the situation, it has insufficient human and financial capacities to do this more systematically. The Advisory Committee is also of the view that the distribution of community mediators should not be fixed and limited in number between municipalities, but municipalities with numerically larger Roma communities or municipalities already engaged in the improvement of their local Roma population should be granted more financial support from the state budget to recruit community mediators. At the same time, all municipalities where such a need exists should be encouraged to recruit community mediators.

72. In addition, the Advisory Committee considers that a reflection could be conducted in the framework of the 2022-2025 National Programme to Support Roma Inclusion and its

⁴⁴ In December 2017 and 2018 respectively, the first and the second Forum of Roma mediators were held in Chişinău also with the participation of leaders of Roma ethno-cultural organisations, mayors of municipalities densely inhabited by Roma, representatives of local public administration and international organisations.

⁴⁵ Government Decision No. 576 of 3 August 2022. The eight priority areas are: education; healthcare; labour and entrepreneurship development; social protection and housing; Roma participation in public life; combating discrimination; culture and media; and the activity of Roma community-based mediators.

⁴⁶ See [news](#) published (in Romanian) on the Ministry of Education and Research’s website on 18 October 2022.

⁴⁷ For the difference between ‘Roma school mediators’ and ‘Roma school assistants’, see Council of Europe, [Education of Roma children in Europe - The training of Roma school mediators and assistants](#) (2004), pp. 7-8.

⁴⁸ In 2018, 31 community mediators were employed. See the [fifth state report](#), p. 17.

Action Plan about the feasibility to introduce in the Republic of Moldova the practices of 'Roma school assistants' and of 'legal clinics' (see related recommendations under Articles 12 and 4 respectively).

73. The Advisory Committee calls on the authorities at all levels to ensure sustainable financing and comprehensive implementation of measures foreseen under the National Programme to Support Roma Inclusion for 2022-2025 and its national and local action plans and to ensure that the implementation of these action plans is regularly assessed, also from a gender perspective, involving Roma representatives, and effectively co-ordinated within all relevant line ministries, public institutions and local authorities.

74. The Advisory Committee strongly encourages the authorities to pursue the recruitment and funding of Roma community-based mediators, whilst ensuring that such positions are geographically distributed according to the size of the local Roma population and municipalities' needs. The authorities should also step up their efforts in raising awareness among the municipalities of the available funding opportunities for Roma community-based mediators.

Support for the preservation and development of minority identities and cultures (Article 5)

75. Financial support to national minority organisations provided through the House of Nationalities which operates under the Agency for Interethnic Relations doubled between 2015 and 2018.⁴⁹ However, the budget of the Agency for Interethnic Relations remains limited compared to the needs, resulting in many projects and events (over 1 000) supported with very little funding each. Such scarce funding mainly deals with the preservation of traditional music or folklore, festivals, concerts and exhibitions, translation, printing and presentation of books, conferences, as well as homage and remembrance events or the celebration of special days for national minorities and for their languages.⁵⁰

76. Some more innovative actions are also reported: in 2021, a virtual round table was organised on the promotion of linguistic and cultural diversity, which was attended by representatives of the State Chancellery, the Ministry of Education and Research, the Equality Council, the National Association of European

Trainers of Moldova (ANTEM) and members of ethno-cultural organisations of national minorities. Discussions focused on the recognition of the value of linguistic diversity, its preservation and promotion in the specific context of the Republic of Moldova. An exhibition of Roma victims of the Holocaust was also displayed in 2022 in the House of Nationalities.

77. Representatives of national minorities were very enthusiastic about the renewed practice – after two years of Covid-19 pandemic – of an Ethno-cultural Festival "Unity through Diversity", organised by the Agency for Interethnic Relations in both Taraclia and Chişinău on 17-18 September 2022. The Advisory Committee arrived in the capital the day of that event and could observe good participation from minority organisations and many members of the public visiting minority stands and concerts.

78. Overall, representatives of national minorities welcome the support provided by the state for their cultural associations and activities but consider it as insufficient. Some complained that the rules of procedure for fund allocation are available exclusively in Romanian which hinders their access to information. Some, like representatives of the Gagauz minority, regretted that total funds allocated to their minority was lower in terms of percentage in comparison with their share of the total population. On the other hand, numerically smaller minorities objected to this argument highlighting that if funds allocated were to be based exclusively on their share of the population according to census results, they would not be able to organise one single activity.

79. The Advisory Committee was reminded by many different interlocutors of the authorities' intention to ratify the European Charter for Regional or Minority Languages (hereinafter "the Language Charter"). At the time of the visit, a parliamentary working group was to be set up to discuss this objective, involving parliamentarians, representatives of the Equality Council, independent experts and national minority representatives. The authorities explained to the Advisory Committee that they find it appropriate to adopt a gradual approach, given the complexity of the ratification process of the Language Charter, and taking into account the political implications this would have, the current budgetary restrictions, the inaccuracy of the past estimates regarding the implementation costs, as well as the current insufficient preparation of state and local authorities for implementing Language Charter provisions. Given the previous

⁴⁹ See the [fifth state report](#), p. 36: relevant expenditures from the Agency's budget amounted in 2015 to MDL 371 700 (about €18 000). This amount - as compared to 2015 - increased by 8.6% in 2016 (MDL 403 800 or €19 630); by 142.5% in 2017 (MDL 901 400 or €43 820) and by 99.2% in 2018 (MDL 740 300 or €36 000).

⁵⁰ As an example, every 21 February, the Agency for Interethnic Relations holds actions dedicated to the 'International Mother Language Day' as a means to contribute to the promotion of national minority languages.

developments and the current circumstances, the Ministry of Education and Research, responsible for this file within the government, considers it appropriate to evaluate prior to ratification a pilot project on the applicability of the Language Charter in seven settlements densely populated by persons belonging to national minorities⁵¹ and to review and clarify the undertakings that would be made for each language. Further reflection is also needed to identify the mechanisms for applying the provisions of the Language Charter at the central and local levels, as well as to agree on a uniform mechanism for monitoring its implementation.

80. National minority representatives are all supportive of a speedy ratification process. This is notably the case of representatives of the Russian national minority who consider that ratification of the Language Charter would ensure sustainable protection of the Russian language. It is also the case for numerically smaller minorities who see little official communication in their respective minority languages, which may soon be endangered due to a constant decrease in the number of speakers. All national minorities agree that a key element of the reflection around ratification is the future status of the Russian language, and the implications ratification of the Language Charter may have in practice, including for their respective language.

81. In this respect, during its visit, the Advisory Committee observed the complexity of the situation: whilst the official language of the Republic of Moldova is Romanian, Russian is one of the three official languages in the ATU Gagauzia⁵² and it is the main official language in the Transnistrian region (see also Article 11). All adopted texts published in the Official Gazette are systematically translated into and made public in Russian. Despite progress over the last monitoring period in the use of Romanian among persons belonging to national minorities, the Russian language largely remains a “language of interethnic communication”, certainly for persons belonging to national minorities and for the elderly, but it is also used in their daily communication by 20% of persons self-affiliating in the census as Moldovans.⁵³ Most of the 20% quota for local audiovisual programmes in

minority languages is filled with programmes in Russian and minority organisations often prefer to print their magazines in Russian rather than in their own language. Many pupils and students from the majority population and from the national minorities continue to be taught in Russian in primary and secondary education, whilst Russian can also be taught as a ‘foreign language’ at universities. At the same time, the Advisory Committee heard from the authorities the wish to upgrade the status of the Ukrainian language, for instance by increasing the number of schools with Ukrainian as a medium of instruction, as the Ukrainian national minority is the numerically largest minority group in the Republic of Moldova.

82. The Advisory Committee reiterates that the creation of suitable conditions for persons belonging to national minorities to preserve and develop their cultures and languages and to assert their respective identities is considered essential for an integrated society.⁵⁴ It therefore considers that more funding could be made available at the level of the Agency for Interethnic Relations and other relevant institutions to preserve and promote minority identities and cultures. Rules of procedure for allocating funding should be made clearer and accessible in minority languages. The Advisory Committee is also of the view that the lack of more contemporary expressions of minority cultures among financed projects contributes to the perception of minority cultures as marginalised rather than as integral parts of present-day Moldovan society. It is also concerned by the growing assimilation process observed among numerically smaller national minorities and the little attention they receive in all fields compared to the numerically larger minorities (see also Articles 9, 12, 14 and 15).

83. As regards the ratification process of the Language Charter, the Advisory Committee takes note that the draft Action Plan of the Programme for the implementation of the Strategy for the consolidation of interethnic relations for 2023-2025 (hereinafter “the draft Action Plan on Interethnic Relations 2023-2025”)⁵⁵ provides among its priority actions to continue the process of preparation for the ratification of this

⁵¹ Chişinău, Bălţi, Ceadr-Lunga, Soroca and Taraclia municipalities, Ciobanovca village of Anenii Noi district, and Vulcăneşti village of Nisporeni district. See the [fifth state report](#), p. 22.

⁵² Alongside Moldovan and Gagauz. The text of the Law on the Special Legal Status of Gagauzia, passed in 1994, still refers to the state language as ‘Moldovan’.

⁵³ See the [‘Ethno-barometer Moldova – 2020’](#), p. 5.

⁵⁴ See the Advisory Committee’s [Thematic Commentary No. 3](#), The Language Rights of Persons belonging to National Minorities under the Framework Convention, adopted on 24 May 2012, para. 25. See also OSCE High Commissioner on National Minorities (2012), [The Ljubljana Guidelines on Integration of Diverse Societies](#), guideline 10.

⁵⁵ Under “Specific Objective 2.2. “Ensuring the protection and development of national minority languages, as well as the promotion of linguistic diversity by respecting the country’s international commitments in the field of national minority languages, so that by the end of 2025 the number of activities promoting them will increase by 5%”.

convention.⁵⁶ However, it deeply regrets that the earlier planned pilot project in seven localities never started and also highlights that an assessment study on the financial assessment of the implementation costs of the Language Charter in the Republic of Moldova was already conducted in 2016. It considers that a ratification of the Language Charter could help the authorities to promote in a structured way the languages spoken by national minorities, including numerically smaller ones, and help to provide conditions necessary for persons belonging to national minorities to develop their respective language and culture as essential elements of their identity, thereby contributing to the implementation of Article 5 of the Framework Convention.

84. More generally, although this reflection would also likely impact the ratification of the Language Charter, the Advisory Committee considers that further clarification should be provided regarding the current status and future protection of the Russian language within Moldovan society. This reflection would have to be conducted with due regard, for historical reasons, to specificities of the Russian language in Moldovan society, such as its use as co-official language and/or as a “language of interethnic communication” by persons belonging to several national minorities, as well as to any possible impact on the existing practices regarding its present use.

85. The Advisory Committee calls on the authorities to increase the available financial support for the cultural activities of persons belonging to national minorities, ensure access to resources available for all minorities, in particular numerically smaller ones, and include more contemporary expressions of minority cultures. Representatives of national minorities should be closely involved in relevant decision-making processes on the allocation of funding.

86. The Advisory Committee strongly encourages the authorities to clarify the current status and the future protection of the Russian language taking into account its historical and practical specificities in Moldovan society.

87. The Advisory Committee encourages the authorities to pursue and finalise the ratification process of the European Charter for Regional or Minority Languages, in close consultation with

representatives of national minorities, with a view to achieving this longstanding commitment.

Promotion of intercultural dialogue and mutual respect (Article 6)

88. The reporting period saw repeated commitments by the authorities at legal and policy levels to facilitate intercultural dialogue and support and promote a shared civic identity based upon common interests and the protection and promotion of ethnic, linguistic and religious diversity. A new Law No. 139/2020 entered into force in January 2021 amending the previous law (No. 274/2011) on the integration of foreigners in the Republic of Moldova in order to strengthen the functionality of the national mechanism for inclusion of migrants, protection of minorities and integration of the gender perspective in the development and planning of public policies. Furthermore, a new Action Plan 2023-2025 implementing the 2017-2027 Strategy for consolidating the interethnic relations is being finalised by the Ministry of Education and Research. On 23 September 2022, the Development Strategy in the field of internal affairs for the years 2022-2030 was approved (Government Decision No. 658/2022) and, subsequently, the government approved the ‘Programme regarding the management of the migration flow, asylum and integration of foreigners for the years 2022-2025’ (Decision No. 808/2022).

89. On 14 July 2017, a bilateral Co-operation Agreement was signed between the Ministry of Education, Culture and Research and the Jewish Community of the Republic of Moldova to respond to the need to establish a formal partnership for the implementation of joint projects, programmes and other initiatives and the development of educational policies on teaching the Holocaust. This Agreement also entrusts this ministry to develop new training programmes for teachers of general and university educational institutions as regard the teaching of the Holocaust, as well as of the history, cultures and traditions of national minorities. On 27 January 2018, the “Memory of the Holocaust and Interethnic Tolerance” Centre-Museum was inaugurated within the House of Nationalities in Chişinău.⁵⁷ The Centre-Museum displays historical documents and books, monographs, photographs and documentary films. A separate exhibition devoted to the memory of the Roma victims of the Holocaust has

⁵⁶ The following actions are included: defining the steps and responsibilities of key partners; exchanging with international experts on practices of other states parties; convening meetings with stakeholders to review and clarify the provisions that would be applied for each language; organising a public consultation; providing training for central and local public authorities and national minorities’ organisations, legal and law enforcement professionals, teachers, and journalists; as well as carrying out awareness-raising events about the opportunities offered by the ratification.

⁵⁷ The Centre-Museum, established by the Agency for Interethnic Relations with the political and financial support by the government, is meant, *inter alia*, to serve as an educational for teachers, students, representatives of academic circles and any other interested persons to discuss and study the Holocaust.

become a distinguishing feature of the Centre-Museum.

90. As observed by the Advisory Committee during its visit, current interethnic relations in the Republic of Moldova can be generally characterised as stable, harmonious, and peaceful. They remain even so at the level of the population despite the conflict at the country's borders following the Russian Federation's aggression against Ukraine and the influx, since February 2022, more than 800 000 refugees from Ukraine, out of which almost 109 000 have requested temporary protection in the Republic of Moldova and been accommodated in more than 100 authorised placement centres and emergency shelters, whilst approximately 710 500 were redirected by air, land and rail to other country destinations. In April 2023, there were approximately 87 924 foreigners on the territory of the Republic of Moldova, out of which 81 529 were Ukrainian citizens and 6 395 were citizens of other countries.⁵⁸ The Advisory Committee notes with satisfaction that a Green Line, provided by the authorities, processed around 9 000 calls during the influx of refugees and that social and information centres (including three in Comrat by the authorities of the ATU Gagauzia) and an internet platform were created to collect aid and donations from citizens. The Advisory Committee highlights Moldovan citizens belonging to national minorities largely contributed to this welcoming effort, as reported by its interlocutors in Briceni, Chişinău, Edineţ and in the ATU Gagauzia.⁵⁹

91. In the field of education, all necessary information to support refugee children from Ukraine was made available in Romanian, Russian and Ukrainian on the official website of the Ministry of Education and Research. The ministry also monitors the inclusion process of Ukrainian children and young people coming as refugees from Ukraine in one of the three schooling options available: schooling of refugee

children as students in educational institutions; children's attendance of courses together with Moldovan students, as an audience; and the possibility to attend online lessons organised by the educational institutions where they studied in Ukraine.⁶⁰ The fact that young Ukrainian refugees can be found in schools where the language of instruction is Russian without this creating any tensions or difficulties is to be praised.

92. Whilst cohabitation between various ethnic groups and the attitudes of the authorities in this regard remain exemplary as reflected by the equal participation of all national minorities at the Ethno-cultural Festival held in Taraclia and Chişinău, the Russian Federation's aggression against Ukraine has, nevertheless, an indirect – though limited – impact on the overall atmosphere. As an example of this, a certain hesitance by some individuals to visit this year the Russian minority stands at the annual ethno-cultural festival in Chişinău was observed by the Advisory Committee.

93. Another example concerns heated debates between the state authorities and the authorities of the ATU Gagauzia resulting from the ban by the Moldovan Parliament of 7 April 2022 on the use, display and distribution of the Saint George's Ribbon symbol, which until then had not been an issue.⁶¹ The law foresees that in case of violation of this interdiction, individuals could face fines ranging from 4 500 MLD (€218) to 9 000 MLD (€436) or unpaid work from 30 to 60 hours for the benefit of the community. The military symbols "Z" and "V" were also banned. In response to this ban, on 29 April 2022, the People's Assembly of Gagauzia adopted unanimously a special law to allow the use of the Saint George's Ribbon on the ATU Gagauzia's territory.⁶² The special law stipulated that on the territory of Gagauzia, the manufacture, possession and wearing of the symbols of the "Great Victory of 9 May 1945", which are the Saint George Ribbons and Victory Banners, are authorised. According to the

⁵⁸ Statistical data provided by the Ministry of Internal Affairs. See also [UNHCR data](#).

⁵⁹ As an example, for six months, the Jewish community created an anti-crisis team and provided social and/or medical assistance to 15 000 Ukrainian citizens fleeing the war and opened and equipped 11 temporary accommodation centres.

⁶⁰ According to data collected by educational institutions, 1 854 refugee children/youth from Ukraine were enrolled in the 2022-2023 academic year in schools and kindergartens, out of which 1 167 were pupils/students and 687 were pre-schoolers. In terms of language of instruction, from the 1 067 students enrolled in general education institutions, 155 of them studied in Romanian and 1 012 in Russian (source: additional information provided by the Ministry of Education and Research).

⁶¹ This invalidation was reportedly due to the current international context of the Russian Federation's aggression against Ukraine since the Saint George's Ribbon is regarded by some people as a pro-Russian symbol, whilst others consider it as a symbol introduced during the time of the Soviet Union to commemorate the "Great Victory of 9 May 1945" of Soviet troops against the German troops of the Nazi regime. The ban was also condemned by politicians from the opposition and some Moldovan public organisations, as well as in the Transnistrian region. It also led to some demonstrations in the centre of Chişinău.

⁶² The Gagauz Territorial-Unit Autonomy's Law on the Use of the Victory Symbols on the Territory of Gagauzia. The People's Assembly also approved on the same day a decision on organising and holding a Saint George's Ribbon action in Gagauzia, despite the legal interdiction by the central authorities.

explanatory note of this special law, the Gagauz lawmakers condemned the Moldovan authorities' attempt to distort the essence of the Victory Day and to present it as "war propaganda" in the context of the Russian Federation's aggression against Ukraine.⁶³ They believed that the state authorities' ban violated the right to freedom of expression and opinion and contradicted the norms of the Universal Declaration of Human Rights, the Constitution, as well as the Law on the Special Legal Status of Gagauzia. On 5 May 2022, the Comrat Appeals Court (CAC), on the inquiry of the Comrat territorial sub-division of the State Chancellery Office acting as the plenipotentiary representation of the Moldovan Government in the ATU Gagauzia, suspended the Resolution of the Gagauzia People's Assembly. The People's Assembly of the ATU Gagauzia then passed a resolution allowing the manufacture, possession and wearing of the Saint George's Ribbon on its territory just for the Victory Day on 9 May.⁶⁴

94. Furthermore, according to some of the Advisory Committee's interlocutors, some decisions by political leaders from the ruling party or communication from such leaders casting doubt on the loyalty to the state on the part of certain national minorities at large put at risk the longstanding tradition of interethnic dialogue and mutual respect in the Republic of Moldova. Such doubts are even in contradiction with responses collected in the context of the Ethno-barometer.⁶⁵ They expressed regrets that minority issues and minority cultural events have occasionally been politically instrumentalised and that some of the decisions taken have created unnecessary tensions, being perceived as retaliatory measures against electoral constituencies inhabited by large numbers of persons belonging to national minorities which gave less support to the ruling political party at the last elections. Referred examples heard from interlocutors during the visit included the attempt to exclude, for the first time since 1994, the Bashkan (Governor) of the ATU Gagauzia from the cabinet of ministers, the exclusion of the chief prosecutor of the ATU Gagauzia from the Superior Council of Prosecutors, the ban on the use of the Saint George's Ribbon, the intention to have ballot voting papers available exclusively in Romanian, the two-year vacancy of the position of general

director of the Agency for Interethnic Relations and the unexpected dismissal of the Agency's deputy director on the eve of the Ethno-cultural Festival in Chişinău, as well as the deletion of the term 'ethnic minorities' from the title of the adviser to the Prime Minister on human rights. According to these interlocutors, this may foment fear and resentment among persons belonging to national minorities, particularly among persons belonging to the Russian and Gagauz minorities, but also among Russian speaking national minorities overall, who feel negatively and unnecessarily targeted. They reported that this attitude is counterproductive and not conducive to peaceful interethnic relations and a cohesive society. On the contrary, it could result in an increase of interethnic tensions in a country which so far manages its ethnic diversity very well. They also fear that such statements could also lead in practice to national minorities' exclusion from certain structures, to further alienating persons belonging to national minorities from the majority society, to inhibit them from working in public services, or to cause them not to declare their ethnicity in the forthcoming census.

95. The Advisory Committee reiterates that it is essential that all segments of society, majorities and minorities alike, are addressed in order for integration strategies to effectively facilitate the formation of societal structures where diversity and its value are acknowledged and encouraged, through recognition, mutual respect and active engagement by everyone. Furthermore, it stresses that programmes promoting respect and intercultural understanding and societal integration need to be developed as an all-encompassing process, involving persons belonging to minorities and majorities alike and including all relevant spheres of life, based on the recognition of minority communities and persons belonging to them as an equal and integral part of society. The task of integration must not be left to persons belonging to national minorities alone; it is a process of mutual accommodation and active engagement involving all members of society as individuals or organised groups.⁶⁶

96. The Advisory Committee considers that, as a whole, the capacity of the Republic of Moldova to successfully manage ethnic diversity, including in difficult circumstances, is to be praised and

⁶³ According to the executive summary of the '[Ethno-barometer Moldova – 2020](#)', p. 5: "Culturally, the majority, Moldovans, and national minorities are very similar: they celebrate the same holidays, and a mix of religious dates and dates passed down from Soviet times can be found in their holiday calendar. Victory Day is still important for Moldovans and for nearly half of those who identify themselves as Romanians, but to a lesser degree than for the minorities. National minorities and ethnic Moldovans alike do not consider Europe Day, which coincides with Victory Day, to be as important a holiday."

⁶⁴ [Парламент молдавской автономии Гагаузии разрешил носить георгиевские ленты 9 мая](#) (in Russian).

⁶⁵ See the '[Ethno-barometer Moldova – 2020](#)', p. 4: "The relationship between the cultural affinity of national minorities to other States and their loyalty to the State in which they reside is complex. All national minorities feel close cultural ties with a number of States, which could be interpreted as a normalization of multiple identities. At the same time, minorities espouse their loyalty to the State and overwhelmingly see Moldova as their only home."

⁶⁶ See the Advisory Committee's [Thematic Commentary No. 4](#), paras. 53-54. OSCE High Commissioner on National Minorities (2012), [The Ljubljana Guidelines on Integration of Diverse Societies](#), guideline 12.

could even serve as a model. It finds it all the more regrettable that, as an indirect consequence of the Russian Federation's aggression against Ukraine, incidents with an interethnic dimension finds echo – fortunately in a limited extent – in the Republic of Moldova itself. This denotes that supporting and promoting a shared civic identity remains a challenge in the Republic of Moldova and is still an objective in progress – despite considerable improvements observed during the last reporting period – as seen for instance in an increased willingness by the population, including persons and officials belonging to national minorities, to consider Romanian as being the official state language, to use Romanian in their (official) communication and to request more opportunities for learning it. Furthermore, the Advisory Committee firmly believes that supporting and promoting a shared civic identity is a two-sided process: it should not be limited to showing loyalty to the state; it also implies mutual respect and acceptance of ethnic diversity, as well as different cultures, traditions and viewpoints. In this respect, mainstream political parties need to refrain from adopting measures and using a discourse that has negative effects on persons belonging to national minorities or is geared against them.

97. The Advisory Committee urges the authorities to pursue, in close consultation with national minority representatives and local authorities concerned, their efforts to support and promote a shared civic identity based upon common interests and to continue protecting and promoting ethnic linguistic and religious diversity as the society's integral and valued part.

Protection of persons belonging to national minorities from racism and hate speech, including in the media, and law enforcement and respect for equality and human rights (Article 6)

98. During the reporting period, significant new legislation has been adopted and practical actions taken⁶⁷ to prevent racial discrimination and intolerance, combat all forms of racism, xenophobia and antisemitism, including in the media. The general provisions of the Government

Decision on Condemning Antisemitism and the Promotion of Tolerance adopted on 18 January 2019 unequivocally confirm the government's position with regard to condemning, preventing and combating any manifestations of hatred, xenophobia, antisemitism and other forms of discrimination. In April 2021, a definition of the term 'Holocaust' was also introduced to the Criminal Code.⁶⁸ In April 2022, the Parliament adopted Law No. 111/2022 amending the Criminal Code regarding the criminalisation of hate speech.⁶⁹ In addition, the Contraventions Code has been supplemented by Article 70¹, which punishes intentional actions, public solicitations, dissemination of information or other forms of public information aimed at inciting discrimination committed based on prejudice.⁷⁰

99. The Audiovisual Media Services Code⁷¹ that entered into force in January 2019 transposes the provisions of the Audiovisual Media Services EU Directive and provides for the regulation of TV and radio stations. It defines and regulates hate speech and establishes clear sanctions for hate speech in the audiovisual media. The Code expressly prohibits broadcasting of audiovisual programmes that amount to hate speech in the national audiovisual space. The Code also prohibits discrimination in any audiovisual programme such as news and debates, information on public interest issues, or of political, economic, social and cultural nature, and provides that in any audiovisual programme of news and debates on issues of public interest regarding ethnic and religious minorities, the opinions of these minorities are presented.⁷² A wide range of sanctions are provided in Article 84 of the Code starting with public warnings and fines of 5 000 MDL (€250) up to fines ranging from 40 000 MDL (€2 000) to 100 000 MDL (€5 000) for violation of Articles 12 and 17 concerning hate speech.

100. The Audiovisual Council advises audiovisual media service providers to respect these principles. Furthermore, it organises training seminars for broadcasters, journalists and editors from television and radio stations on diversity coverage and non-discrimination in the media. The Equality Council together with the People's

⁶⁷ For more details about these actions, see the [fifth state report](#), pp. 15-16.

⁶⁸ See Parliament Decision No. 78 of 23 April 2021 which defines 'Holocaust' as "the systematic state-sponsored persecution, annihilation and extermination of a large number of members of the Jewish community by Nazi Germany and its allies and its collaborators between 1933 and 1945". The definition was inspired by the working definition of 'antisemitism' adopted by the International Holocaust Remembrance Alliance (IHRA).

⁶⁹ See Article 346 of the [Criminal Code](#) and Article 70¹ of the [Contraventions Code](#) (both in Romanian).

⁷⁰ See Article 70¹ of the [Contraventions Code](#) (in Romanian).

⁷¹ The [Code of Audiovisual Media Services](#) expressly prohibits audiovisual programmes that are "susceptible to propagate, incite, promote or justify racial hatred, xenophobia, antisemitism or other forms of hatred based on intolerance or discrimination on grounds of sex, "race", nationality, religion or belief, disability or sexual orientation" (Art. 11 para. 2 letter A). The Code also prohibits commercial audiovisual communications that include and/or promote any discrimination based on those grounds. (Article 63, para. 4, letter D).

⁷² See Article 13 para. 6 and 10 and Article 17, para. 3 of the [Code of Audiovisual Media Services](#).

Advocate Office also provided a series of training sessions in the fields of human rights, equality and/or combating racism and discrimination. Training was targeted at public civil servants, mass media, civil society, judicial assistants, experts of district departments for social assistance and family protection.⁷³ Training has also been organised outside the capital, such as for the staff of the Public Prosecutor's Office in Bălți, Anenii Noi and Orhei.

101. More recently, in order to strengthen the capacities of police officers, training courses on human rights protection with a special focus on national minorities, remedies against hate crime and racial violence, effective investigation, sanction and monitoring of all related complaints were organised. The application of the criminal and contravention legislation in the field of crimes motivated by prejudices, contempt or hatred was included as a specific topic in the training curriculum for 2020. The particularities of investigating and examining crimes motivated by prejudice or hatred were also included in the Modular Plan for continuous training of judges and prosecutors, as well as police officers. During 2019, 19 training activities were carried out on this topic with 620 beneficiaries. Furthermore, in the period of 2019-2020, the National Institute of Justice conducted the electronic HELP Course in the field of anti-discrimination and five training activities in the field of "non-discrimination and equality". Within the regional project 'Strengthening access to justice through non-judicial compensation mechanisms for victims of discrimination, hate crimes and hate speech' under a joint CoE/EU Eastern Partnership countries programme, two cycles of training of trainers were also organised between 2019 and 2021 on discrimination and equality, and on the dimension of criminal prosecution. The 21 trainers later trained 1 900 district police officers and 625 prosecuting officers.⁷⁴

102. Despite these legal developments and training, the Advisory Committee heard from its interlocutors about a few cases of racism and intolerance, essentially against persons belonging to the Roma and to the Jewish minorities. Representatives of both minorities reported a lack of condemnation and reaction by the police and public authorities and highlighted that, due to this lack of reaction, it happens that incidents are not always documented or reported. One such reported case was an attack (mob violence) in a Roma neighbourhood in Otaci which had not been strongly condemned by the public authorities. Some persons belonging to the

Jewish minority also complained about a lack of reaction by the police and Chişinău municipal authorities when a graffiti representing a swastika was painted on a wall nearby a shop owned by a Jew. It remained visible until the owner decided to finally clean the wall himself. Furthermore, interlocutors from religious groups reported that Muslims or persons with a darker skin colour, either nationals or foreigners, are allegedly more scrutinised at border controls or during police checks.

⁷³ As concrete examples, the Equality Council organised a training course "Messages that empower, unite and promote zero tolerance for stigmatisation and discrimination" for 15 journalists, and a training on discrimination, racism and xenophobia for employees of both the National Patrol Inspection, and the Northern Patrol Regiment of the National Patrol Inspection, in Chişinău and Bălți respectively. For more details about names, dates, locations, number of participants and partner organisations of these training sessions, see the [fifth state report](#), pp. 28-29.

⁷⁴ For more information about the number of trained participants and related projects, consult [Moldovan authorities' additional information on national minorities \(June 2019 - August 2021\)](#), p. 9.

103. Concerns were expressed by Roma representatives about persisting prejudices in society and among public officials that, on occasions, amount to hate speech. During its visit, the Advisory Committee heard statements by some public officials that were full of negative stereotypes, referring to Roma as being people living from social benefits and not interested in working, and as parents not valuing education and not wanting to send their children to school, as if this was a general practice.

104. The Advisory Committee also heard debates about different treatment of Roma refugees from Ukraine. In March 2022, the People's Advocate's Office requested the Chişinău municipality to close immediately the temporary refugee centre opened at a hospital in Chişinău which treated patients with tuberculosis and Covid-19, arguing that medical institutions serve another purpose. The Office said the refugees need places where they could benefit from social assistance rather than medical assistance and should not be accommodated in a place that can pose threats to the refugees and can limit access to medical services. During a site visit carried out by the Ombudsperson's Office, it was found that the centre hosted more than 600 refugees, most of them being Roma. The People's Advocate, in a letter addressed to the Mayor of Chişinău, the Prime Minister and the Minister of Social Protection, stated that hosting Roma refugees in an inappropriate medical institution may be perceived as a stigmatising approach towards this category of refugees. In response to that letter, the head of the Health Department of Chişinău stated on 28 March 2022 that this refugee centre will be closed as of 1 April. He also declared that the assertions that the persons could become infected with tuberculosis or Covid were deceptive, stressing that the refugees were initially placed in a separate building where there were no patients with tuberculosis. According to him, there were therefore no risks of becoming infected, and the areas had been disinfected before housing the refugees.

105. Following this intervention, Ukrainian Roma refugees were placed almost exclusively at the Manej Sports Arena (alongside with a few Azerbaijanis and Uzbeks). This was criticised by organisations defending the rights of Roma.⁷⁵ The Advisory Committee was informed that this decision came up following a discussion involving various authorities and institutions, members of

parliament, representatives of the Equality Council and of the People's Advocate Office, and representatives of Moldovan Roma organisations and Roma community mediators. All participants but one concluded that it would be preferable to put all Roma refugees together to make the work of community mediators and humanitarian workers easier and less costly in terms of transport, documentation and food provision.⁷⁶

106. The Advisory Committee observes that the right to education for children from refugee families from Ukraine had been systematically guaranteed – with the notable exception of Roma children.⁷⁷ Although the right to access education is provided by the authorities to all refugees from Ukraine, including to Roma refugees, the Advisory Committee regrets that only a small number of Ukrainian Roma refugee children have actually been enrolled in the education system, either in kindergartens or at school. The Advisory Committee takes positive note, however, that Roma refugee children were nevertheless provided with the necessary basics and have internet connection, and some benefitted from instructive-educational activities thanks to the support of institutional partners and Roma non-governmental organisations.⁷⁸

107. Whilst the Advisory Committee acknowledges that the placement of Roma refugees from Ukraine in separate refugee centres has been – at least at a second stage – the result of a collegial decision involving also representatives of the Roma national minority (but not necessarily Roma refugees concerned by the measure), it highlights that this decision may amount to ethnic profiling and discrimination based on skin colour and ethnicity.

108. The Advisory Committee observes that despite existing and persisting forms of intolerance and prejudices towards Roma in Moldovan society, antigypsyism is not recognised as a specific form of racism or regarded as an aggravating factor. Consideration could be made to set up a mixed working group composed of representatives of relevant state authorities, equality and human rights institutions, academics, legal professionals and representatives of the Roma civil society, on the need and feasibility to recognise antigypsyism (or alternatively 'anti-Roma racism') as a specific form of racism in legislation. Furthermore, the Advisory Committee regrets that the definition of 'Holocaust' adopted in the Criminal Code does

⁷⁵ For more details, see European Roma Rights Centre (ERRC), '[Ukrainian Roma In Moldova Face Segregation, Poor Conditions And – Without Documentation – Nowhere To Go](#)', published on 8 March 2022.

⁷⁶ The Manej Sports Arena was closed. Ukrainian Roma refugees were moved to the Testimiteanu refugee centre.

⁷⁷ All children from refugee families from Ukraine can participate in the educational process, at the request of their parents or legal representatives. The People's Advocate for the Rights of the Child indicated that public institutions have not always been successful in convincing Roma parents to send their children to schools.

⁷⁸ Information and data provided by the Ministry of Education and Research.

not include any reference to Roma victims of the Holocaust, which is not in line with relevant Council of Europe recommendations to member states.⁷⁹

109. Furthermore, despite various training measures promoting human rights, equality and the fight against racism, the Advisory Committee observes that such training does not yet necessarily result in more immediate reactions and condemnations by the police or public authorities, or to an increase of trust in these institutions by persons belonging to national minorities. More awareness-raising and training efforts are needed, involving as speakers also persons belonging to national minorities most vulnerable to racist violence and hate speech as they could share their own experiences. The recent amendments to the Criminal Code and the Contraventions Code regarding the criminalisation of hate speech and the sanctioning of public information aimed at inciting discrimination, are a positive step. The Advisory Committee is looking forward to receiving information on the implementation of this amended legislation, including statistical data relevant to national minorities.

110. The Advisory Committee asks the authorities to effectively investigate and adequately react to all alleged cases which could amount to racial discrimination and ethnic profiling of persons belonging to national minorities and religious groups. The authorities should more systematically condemn and sanction anti-minority incidents and refrain from spreading prejudices and from treating Ukrainian Roma refugees differently.

111. The Advisory Committee invites the authorities to consider setting up a working group, involving *inter alia* relevant state authorities, equality and human rights institutions, academics, legal professionals and representatives of the Roma civil society, to examine the need and feasibility to include anti-Roma racism as a specific form of racism in relevant legislation.

Right to manifest one's religious belief (Article 8)

112. According to the 2014 population census, 2 611 800 people declared a religious affiliation. Out of this number, 96.8% declared themselves as Christian Orthodox (1.3% more than in 2004).⁸⁰ About 193 000 persons (6.9% of the population) did not respond or specify any religious affiliation.

113. According to a new law adopted by the Parliament in April 2018, the responsibility to register non-profit organisations, including religious denominations, was transferred from the Ministry of Justice to the Public Services Agency (PSA) set up in May 2017.⁸¹ According to this law, the PSA shall refuse the registration of a denomination, indicating the reasons for its decision, "if the constitutive documents submitted by the religious denomination do not comply with the provisions of the present law and/or performance of some of its religious practices and rites affects interests of society, state security, human life and physical and mental health, endangers public order, seriously contradicts the principles of morality and the rights and freedoms of other persons".⁸² Furthermore, the processing time for the registration of religious denominations was reduced up to a maximum of 15 days.⁸³ Following the entry into force of the Law No. 31/2018, no religious denominations have been refused registration. Currently, 40 religious denominations are recorded in the State Register of Legal Entities of the Republic of Moldova.⁸⁴

114. During its visit, the Advisory Committee met with representatives of various confessions, including from the Jewish, Muslim, Roman Catholic and Protestant (Lutheran) confessions. They underlined that, whilst the right to manifest one's religious belief is overall respected, they struggle to have their voice heard on minority or religious issues due to their minority position in comparison with the Christian Orthodox Church (see Article 15). One of the most problematic areas of concern raised by interlocutors of

⁷⁹ See [Recommendation CM/Rec\(2022\)5 on passing on remembrance of the Holocaust and preventing crimes against humanity](#), adopted by the Committee of Ministers on 17 March 2022: "*Remembrance of the Holocaust and of the crimes committed by the Nazis, their accomplices and collaborators*" is primarily the remembrance of all victims of Nazi crimes, namely the Jews, who were the chief and systematic targets of the National Socialist regime, people with disabilities, Roma and Sinti, Slavs – in particular Poles –, homosexuals, Jehovah's Witnesses, political opponents, resistance movement members, Soviet prisoners of war, "social misfits" and others."

⁸⁰ About 1% declared themselves as Evangelical Christian Baptists, 0.7% as Jehovah's Witnesses, 0.4% as Pentecostal Christians, 0.3% as Seventh-day Adventists, 0.1% as Roman Catholics and 0.5% indicated confession different from those mentioned above. The share of persons identified themselves as atheists and non-religious (agnostics) was 0.2% (1.2% more than in 2004).

⁸¹ See Parliament Law No. 31 of 16 April 2018 on amending and supplementing some legal acts. The PSA was set up by the Government Decision No. 314 of 22 May 2017.

⁸² Pursuant to Article 19 (7) of the Law No. 125 of 11 May 2007 on Freedom of Conscience, Thought and Religion.

⁸³ Pursuant to Article 19 (4) as amended by the [Law No. 31/2018](#) (in Romanian).

⁸⁴ For a full list of registered religious denominations, see the [fifth state report](#), p. 37.

Muslim confession is the absence of a Muslim cemetery.

115. The Advisory Committee reiterates the importance for persons belonging to national minorities practicing a particular religion of having adequate access to places of worship. It welcomes the fact that the legal amendment concerning the abovementioned transfer of authority has facilitated the registration of religious organisations, thus answering one of its last cycle recommendations.⁸⁵

116. The Advisory Committee invites the authorities to enter into dialogue with representatives of the Muslim community on their request to have their own cemetery.

Broadcast and print media in minority languages (Article 9)

117. The right to produce and broadcast radio and television programmes in national minority languages is guaranteed under the Code of Audiovisual Media Services.⁸⁶ The Code contains provisions on the principles of audiovisual communication, by which all media service providers are bound.⁸⁷ Its various chapters concern broadcasting languages, which include national minority languages, the audiovisual programming balance, and compliance with the orthographic, pronunciation, morphological and syntactic rules of languages. According to Article 4 (7) of this Code, media service providers must broadcast local audiovisual programmes in at least 80% in Romanian, while 20% may be in other languages. In the regions of the Republic of Moldova in which persons belonging to national minorities make up the majority of the population, audiovisual media service providers are obliged, according to Article 4 (8) of this Code, to broadcast local audiovisual programmes in the language of that minority in a maximum of 75% and at least 25% in Romanian (it used to be at least 20% during the previous monitoring cycle). In practice, however, regional and local TV and radio output mostly consists of Russian-language programmes, often through the re-broadcasting

of shows produced outside the Republic of Moldova.⁸⁸

118. Eight radio stations and eight TV stations broadcast programmes in the languages of national minorities, namely Bulgarian, Gagauz, Romani and Russian. Some of these TV channels also retransmit TV channels from Bulgaria or Türkiye.⁸⁹ In addition to these private radio and television stations, the National Public Broadcasting Company 'Teleradio-Moldova' offers several audiovisual programmes in the languages of national minorities on 'Moldova-1' and 'Moldova-2' TV channels and on 'Radio Moldova'. As an example, in 2020, 'Moldova-1' produced and broadcast 77 programmes in the languages of national minorities, such as "Svitanok" (in Ukrainian), 'Unda Bugeacului' (in Bulgarian) and 'Russkii Mir' (in Russian), with a total volume of 38 hours and 30 minutes. Furthermore, the regional public broadcasting company 'Teleradio Găgăuzia' provides TV and radio services targeting the Gagauz population residing in the ATU Gagauzia.

119. In terms of printed media, there are very limited numbers of newspapers, magazines or internet resources in Bulgarian, Gagauz, Romani or Ukrainian languages. During its visit to Briceni, the Advisory Committee observed that a journalist from a Ukrainian minority association preferred publishing the association magazines and newsletters in Russian and partly in Romanian, instead of Ukrainian, considering that this would reach out to more readers. The lack of an attractive selection, including regular news and quality entertainment on contemporary issues of interest to national minorities reportedly contributes to a sense of marginalisation amongst them and results in the consumption of foreign media. National minority representatives also consider the TV and radio programmes on offer to have little appeal for their communities since they feature mainly traditional culture and music programmes, without giving national minority representatives the opportunity to influence the content of such programmes.

⁸⁵ See the [Advisory Committee's Fourth Opinion on the Republic of Moldova](#), para. 51.

⁸⁶ The [Code of Audiovisual Media Services](#) (Law No. 174 of 8 November 2018) has come into force on 1 January 2019. On the date of entry into force of this Code, the Audiovisual Code No.260/2006 was hereby repealed.

⁸⁷ These principles include freedom of expression, editorial independence, accuracy of reporting, protection of minors and persons with disabilities, gender balance, protection of the national audiovisual area, transparency of ownership, access to important events and the protection of journalists.

⁸⁸ There are reportedly biweekly 30-minute broadcasts in Ukrainian and monthly broadcasts of 30 minutes each in Bulgarian, Gagauz and Romani.

⁸⁹ Two TV stations (NTS and STV) and one radio station (Albena) broadcast in Bulgarian; five TV stations (TV-Găgăuzia, ATV Coguk, ATV, TV Bizim Dalgamız and ENI Ai) and six radio stations (GRT FM, Bugeac FM, Bizim Dalgamız FM, PRO 100 Radio, Autonomia Noastră and Radio Sud) broadcast in Gagauz; one TV station (NOAH TV) and one radio station (Romano Patrin FM) broadcast in Romani. The television channel NTS broadcasts in Bulgarian and Romanian, as well as in Russian, and retransmits the television channel BNT from Bulgaria. The television channel TV-Găgăuzia retransmits the Turkish-language television channel TV TRT from Türkiye. Other television channels broadcast in Bulgarian, Gagauz, Romanian and Russian.

120. The Advisory Committee was informed that, since January 2022, the programme "Under One Sky" on the public TV channel 'Moldova 1' that covered for many years the activities of several minorities, including the Jewish one, was closed. Representatives of national minorities regretted this decision. The authorities reported that this decision by the National Public Broadcasting Company "Teleradio-Moldova" was motivated by the need to optimise available resources, review broadcasting grids, and modernise audiovisual products. They highlighted, however, that several audiovisual programmes in minority languages, notably in Bulgarian, Gagauz, Romani, Russian and Ukrainian,⁹⁰ are still broadcast by the state TV channel and that, in 2023, the broadcasting time reserved for such programmes includes 748 hours 15 minutes, a slight increase compared to the 2022 broadcasting time. The Advisory Committee was also informed that between 1 January 2018 and 10 April 2019, the Audiovisual Council performed thematic monitoring of the broadcast time and space dedicated to the Roma community by media service providers. During this period, of the 57 television service providers active in the country, 21 devoted airtime and space to the Roma community. Of the 55 radio service providers in operation, only five provided airtime to the Roma community. The 21 television media service providers devoted 27 hours of airtime to cover Roma issues, while radio service providers devoted only 25 minutes.⁹¹

121. The lack of technical capacity at local level, as well as a serious shortage of funding to produce quality programmes in minority languages, in particular during the digitalisation process, identified by the Advisory Committee in its Fourth Opinion remains an issue.⁹² The Advisory Committee also considers it vital that media professionals and journalists obtain adequate training to increase their awareness of and sensitivity towards the specific and contemporary needs and concerns of diverse communities in society, and ensure that they are able to portray minority communities as an integral part of society (see Article 6), including by actively involving minority journalists and media professionals in the preparation, presentation and production of both mainstream and minority language programmes.

122. The Advisory Committee further notes that under the new Code the minimum quota for broadcast in Romanian in the regions of the Republic of Moldova in which persons belonging to national minorities make up the majority of the

population increased from 20% to 25%. Although as a matter of principle, any reduction of the share of broadcasting in minority languages could be regarded as a step back of minority rights, the Advisory Committee acknowledges that a higher percentage of TV and radio programmes broadcast in Romanian could contribute to increasing the level of knowledge of Romanian, a request heard from all representatives of national minorities met during the visit, provided that such programmes are designed to also address national minority interests and concerns, and they are prepared also by media specialists belonging to national minorities. It takes note that the draft Action Plan on Interethnic Relations 2023-2025 provides among its priority actions to address the limited access to audiovisual programmes in minority languages and the insufficient promotion of diversity in mass-media. In this respect, the Advisory Committee notes that there are no positive measures in place in the Audiovisual Council to recruit persons belonging to national minorities although a few staff members allegedly belong to such groups. The fact that no applications have been received from persons belonging to national minorities for the 49 vacant positions advertised by the Audiovisual Council in 2022 reflects the difficulty for persons belonging to national minorities to meet recruitment criteria. Considering that part of the work of the Audiovisual Council is to monitor the use of national minority languages by media service providers, the Advisory Committee is of the view that the work of this council would benefit from a more pro-active recruitment policy of persons belonging to national minorities. The Advisory Committee considers that positive measures could be introduced, such as promoting and valuing minority language competences and knowledge of minority cultures in recruitment procedures.

123. The Advisory Committee encourages the authorities to increase public TV programmes for/about national minorities at attractive broadcasting hours and to enhance the availability of print media in minority languages. The authorities should take all the necessary steps, including in the digitalisation process, towards the promotion of a pluralist media environment where diversity is presented as an integral and valued part of society, including through the training and the recruitment of persons belonging to national minorities in public

⁹⁰ Such as the bi-monthly programmes "*Unda Bugeacului*" in Bulgarian" and "*Gagauz Occa*" in Gagauz, the programme "*Petalo Romano*" in Romani, the programme in Russian "*Our common house*" broadcast twice a month and the weekly programme "*Щототижневик*" ("*Weekly*") in Ukrainian launched in 2022 to satisfy the interests of the refugees who temporarily settled or requested asylum in the Republic of Moldova.

⁹¹ Combined twelfth to fourteenth periodic reports submitted by the Republic of Moldova under Article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination to the Committee on the Elimination of Racial Discrimination (CERD) on 18 June 2020, para. 204.

⁹² See the [Advisory Committee's Fourth Opinion on the Republic of Moldova](#), para. 53.

service broadcasting, as well as in the Audiovisual Council.

Use of minority languages in public life at central and local levels and in courts (Article 10)

124. Around half of the national minority respondents of the 2020 Ethno-barometer survey experienced language difficulties in their encounters with public services and the courts. Around a third could not read legal acts and official information. Only one out of four persons belonging to Russian, Ukrainian and Bulgarian national minorities speak and understand Romanian well, while the proportion is even lower among the Gagauz minority – one out of 10. Every third person belonging to Russian, Ukrainian and Roma national minorities and every second person belonging to Bulgarian and Gagauz national minorities barely understands Romanian at all.⁹³

125. In 2018, the Constitutional Court found as obsolete the Law No. 3465/1989 on the Use of Languages Spoken on the Territory of the Moldovan Soviet Socialist Republic.⁹⁴ According to the court, several legislative developments⁹⁵ had developed or even radically changed the provisions of the Law No. 3465/1989. Furthermore, the civil and criminal procedural laws set out an approach differing from that of the Law No. 3465/1989 as regards the language of applications and judicial procedures.⁹⁶ Still, according to Article 12 of the Law No. 382/2001, “(1) persons belonging to national minorities have the right to address public institutions orally and in writing, in the Moldovan language or the Russian language, and to receive a response in the language in which they formulated the address; (2) in localities that have been granted a special status of autonomy, one of the official languages established by the respective laws may serve as the language of communication in relations with public authorities; (3) in territories where persons belonging to a national minority constitute a considerable part of the population, the language of this minority may also serve as the language of communication with the public authorities.”

126. Following the Decision No. 172 of 10 February 2021 of the Commission on Human Rights and Interethnic Relations of the

Parliament of the Republic of Moldova on the General Report on the situation in the field of preventing and combating discrimination in the Republic of Moldova for 2020, the General Police Inspectorate is involved in identifying viable solutions to ensure the observance of the rights of persons belonging to national minorities and the effective exercise of the right to receive a response in the language in which they formulated the address. Currently, 18 translator positions have been established within 18 subdivisions of the General Police Inspectorate and 474 persons belonging to national minorities have been employed.⁹⁷

127. The Advisory Committee notes that language is the most frequent alleged ground of discrimination in accessing justice. Complaints examined by the Equality Council highlighted failures to ensure reasonable accommodation of the language needs in the judicial system and to register a lawsuit lodged in the courts of law based exclusively on the fact that the application was filed in the Russian language.⁹⁸

128. During the visit, several interlocutors from national minorities indicated that their insufficient knowledge of Romanian was an obstacle to find a job, especially in the public service, where this is a clear requirement in published vacancies. The older generation speaking at home national minority languages using the Cyrillic script, whilst having improved over time their oral communication in Romanian, still experiences difficulties with the Latin script.

129. The Advisory Committee welcomes the pragmatic approach followed by several state and local institutions in their communication: for instance, mayors of municipalities located in the northern part of the country, in which residents belonging to national minorities do not yet have a sufficient level of Romanian, start official meetings or commemoration events in Romanian, and then switch to Russian or Ukrainian for instance. The staff of the Agency for Interethnic Relations, whilst having considerably increased over the reporting period its regular communication in Romanian with representatives of national minority organisations (as did national minority representatives), accept also the use of

⁹³ See the [‘Ethno-barometer Moldova – 2020’](#), p. 7.

⁹⁴ See Decision No. 17 of 4 June 2018 on constitutional review of some provisions regarding the use of languages spoken on the territory of the Republic of Moldova and of Article 4 (2) of the Constitutional Jurisdiction Code (Law No. 502 of 16 June 1995).

⁹⁵ Such as the Law No. 382 of 19 July 2001 on the Rights of Persons Belonging to National Minorities and on the Legal Status of Their Organisations that contains certain guarantees regarding minority languages, the Law No. 344 of 23 December 1994 on the Special Legal Status of Gagauzia and the Law No. 173 of 22 July 2005 on the Basic Provisions of the Special Legal Status of the Region of the Left Bank of Dniester River.

⁹⁶ For more details, see the [fifth state report](#), pp.42-43, which refer to the grounds supporting the Constitutional Court Decision No. 17 of 4 June 2018, Section “In Law. A. Admissibility”, paras. 30-35.

⁹⁷ [Moldovan authorities’ additional information on national minorities \(June 2019 - August 2021\)](#), p. 3.

⁹⁸ See [Equality Council Report on Discrimination in the Republic of Moldova-2021](#), p. 15.

minority languages (mainly Russian as being still in practice a “language of interethnic communication”) if these representatives have difficulties to express their views in Romanian. The Advisory Committee also welcomes the translation of the Constitution of the Republic of Moldova in five national minority languages: Bulgarian, Gagauz, Romani, Russian and Ukrainian.⁹⁹

130. Recalling the rights contained in Article 10(2) of the Framework Convention asking states parties to ensure that the use of minority languages in official contacts with local authorities is actively facilitated in an effort to accommodate the linguistic diversity in the country through the effective promotion of multilingualism, the Advisory Committee is of the view that more actions and communication tools should be developed in minority languages other than Bulgarian, Gagauz, Romani, Russian and Ukrainian. Whilst the authorities reported translating various official or information documents in these five languages (see also Articles 3, 5 and 15), the Advisory Committee notes that official communication in other minority languages spoken by numerically smaller national minorities is almost never promoted.

131. The Advisory Committee encourages the authorities to fully implement the existing Law on National Minorities as regards the use of the Russian language and, in the case of the ATU Gagauzia, also the Gagauz language, in relation with public officials. The authorities should also continue providing public information in Russian, Ukrainian, Gagauz, Bulgarian and Romani minority languages, whilst inviting them to pay more attention to languages spoken by numerically smaller minorities. The authorities should value linguistic competences in minority languages for the recruitment of civil servants at all levels of public administration and in the judiciary and find ways to accommodate requests from persons belonging to national minorities to use the “language of interethnic communication” in their contacts with the judiciary.

Personal names (Article 11)

132. The authorities indicated that a mechanism for transcription or transliteration of names or surnames of persons belonging to national minorities has been developed in order to facilitate spelling of names and surnames in official documents, in particular in civil status documents and identity cards.¹⁰⁰

133. Following identification of problematic issues faced by the Civil Status Registration Services in providing correct spelling of names and surnames of foreign origin and of names of persons belonging to other ethnic groups, general rules and procedure for amending civil status documents were elaborated and subsequently transposed to the Rules of spelling family names and surnames in civil status documents following their change, rectification or transliteration approved by the Decision of the Ministry of Justice No. 566 of 26 May 2016. According to point 13 these rules, when transliterating proper names of foreigners or names with foreign origin, some exceptions to the grammatical rules of national onomastic¹⁰¹ are permitted to ensure the correct phonetic transcription of names.¹⁰²

134. The authorities emphasised, as regards the objections about a considerable change of the spelling of national minority names in the process of adapting to the grammatical rules of the Romanian language, what eventually results in change of their spelling, such as transcription of “Sergey” or “Serhii” into “Sergiu”, that the adopted transliteration rules do not in any way require modification of the name in accordance with the Romanian language onomastics. Transcription (ex. Сергей into Serghei) and modification of personal names (ex. Сергей into Sergiu) are considered by the authorities to be two distinct processes, the latter being made only at an individual’s request. However, only the Romanian language diacritics are reportedly used, thus changing the Gagauz names “Güüllü” into “Ghiuliu” or “Kürkü” into “Chiurciu”, for instance.

135. Currently, issued civil status certificates do not include the holder’s patronymic. Personal names in identity documents are entered

⁹⁹ These new linguistic versions were launched on 21 February 2017, on the occasion of the celebration of the ‘International Mother Tongue Day’ organised by the Agency for Interethnic Relations. They were edited by the Constitutional Court with the financial support of UNDP Moldova as part of the project “Strengthening the Rule of Law and Protection of Human Rights in Moldova” and EU Project “Support for the Constitutional Court of Moldova”.

¹⁰⁰ See the [fifth state report](#), pp. 43-46.

¹⁰¹ According to the Republican Commission for Regulation and Protection of the National Onomastic and the Institute of Philology of the Academy of Sciences of Moldova, national onomastic formula of the Moldovan people follows the Romanic pattern: name + surname (ex. Dorin Marcu). On Romanic territory, the patronymic means “a name that all members of a family bear (paternal surname) which is a family name” (e.g. Niculescu, Țurcanu, Stere etc.). From an etymological point of view, patronymic exactly means “father’s (family) name”. However, for some nations, the patronymic means “a name given to the family members comprising of a father’s name supplemented by a patronymic suffix (e.g. Петров- ич, Иванов – ич, etc.)”.

¹⁰² By using characters typical just for these names (e.g. *Spivakov*); by allowing the doubling of letters (e.g. *Anna*) or by using female gender (e.g. *Kuznețova*).

exclusively according to a binary naming convention, that is, one that no longer allows the possibility of entering patronymics, middle names or other additional names.¹⁰³ Only first names and surnames are used. The authorities consider it unreasonable to include the individual's patronymic in the identification document of the citizen of the Republic of Moldova (issued only in Romanian since 7 March 2013). They justify their position proceeding from the fact that patronymic is not characteristic of all onomastic systems of the different ethnicities present in the Republic of Moldova, and if it is, it may have different meanings. The present system also "aims at avoiding introduction of confusing/distorted information into the identity documents of generation II (format ID-I)",¹⁰⁴ they say. The authorities further refer to the need to harmonise their national legislation with the legislation of the European Union following the status of a candidate country for the accession to the European Union granted to the Republic of Moldova by the European Council on 23 June 2022, and to the EU Regulation 2019/1157 of the European Parliament and of the European Council on strengthening the security of identity cards of EU citizens and of residence documents issued to EU citizens and their family members exercising their right of free movement, as well as to the specifications in ICAO document 9303, to justify their position.

136. The authorities are therefore of the view that introducing an additional field (optional element) "Patronymic/Отчество" to the identity cards of the citizens of the Republic of Moldova will generate the situation when patronymics of persons of Russian and Moldovan ethnicity are written differently, causing confusing interpretations and complaints from the document holders. They further stated that "returning to the model when personal data was introduced to identity cards, *inter alia*, in the Russian language (which is only one of many minority languages spoken in the Republic of Moldova) aiming at correct indication of patronymics of persons belonging to the Russian national minority, may affect the rights of other national minority representatives to use the name and surname (patronymic) in the form accepted in their first languages, which contradicts the principles of ensuring national minority rights, as well as the principle of equality of all citizens

before the law, enshrined in Articles 10 and 16 of the Constitution."¹⁰⁵

¹⁰³ According to Article 3 (5.g) and (5.h) and Article 3 (6) of the Law No.187/2012 of 11 July 2012, the name and surname of the identity document holder are indicated only in Romanian. Article 3 (6) of this law stipulates that "identity documents and residence permits are filled out in the state language" and Article 3 (7) that "the titles of information fields in the identity document of the citizen of the Republic of Moldova are written in the state language and in the Russian language".

¹⁰⁴ Introduced by the Government Decision No. 53 of 17 January 2013 "on approval of models and application of the new type of identity documents".

¹⁰⁵ See the [fifth state report](#), p. 46.

137. Representatives of the Russian national minority, among other national minorities concerned, regretted that the Advisory Committee's recommendation under the previous monitoring cycle¹⁰⁶ had not been implemented. They consider it as an infringement of Article 11 of the Framework Convention. They reiterated their request to have their personal names, including patronymics, officially recognised in their minority languages and used in their identity and administrative documents. As regards the script, representatives of the Russian national minority met by the Advisory Committee during its visit indicated that they would prefer to have the spelling of names, surnames and patronymics in official documents also in Cyrillic; they showed, however, flexibility and would be ready to compromise regarding this aspect.

138. While, according to Article 11 of the Framework Convention, authorities may require that personal identity documents contain a phonetic transcription of the personal name into the official language, the Advisory Committee notes with concern reports regarding the practice of adjusting the personal name in line with the state language norms, which results in at times substantial changes. The Advisory Committee considers that the current practice raises serious issues with regards to the right to use one's personal name in a minority language and to have it officially recognised, which is widely viewed as a core linguistic right that is closely linked to personal identity and dignity.¹⁰⁷

139. It also emphasises that not being able to have its patronymic officially recognised on official documents is a matter of deep concern not only for persons belonging to the Russian national minority, but also for persons belonging to Bulgarian, Ukrainian and other national minorities using Slavic language traditions, as well as for the Gagauz and Roma who have, over decades of residing in Russian-speaking regions, adopted the tradition of carrying their fathers' names as an integral element of their personal names. Although the Advisory Committee notes that some representatives of the Russian national minority would be ready to compromise as regards the script, it wishes to underline that the Cyrillic script is also a marker of the linguistic identity of several national minorities. It also emphasises that several Member States of the European Union produce national identity documents with personal information in several languages and various scripts, including patronymics in those countries where the use of patronymic is part of a person's identity. Access to rights protected under human rights

instruments, such as the Framework Convention, should not be hampered by technical standards. Furthermore, considering that official documents are published in both Romanian and Russian (notably in the Official Gazette), that Russian remains a language of communication and not only among persons belonging to national minorities, and that Russian is a co-official language in the ATU Gagauzia and in the Transnistrian region (the latter using Cyrillic script), the Advisory Committee is of the view that bilingual Romanian and Russian identity documents, using possibly also the Cyrillic script, would contribute to reflect the diverse and multicultural Moldovan society.

140. The Advisory Committee reiterates its call on the authorities to take all the necessary measures to ensure that persons belonging to national minorities may have, upon request, their full personal names, including patronymics, used in their identity and administrative documents in Latin script. In this regard, international standards regarding the transliteration and transcription of names, surnames and patronymics should be fully respected. The authorities should also consider the possibility to introduce bilingual identity documents in Romanian and Russian, using both Latin and Cyrillic scripts.

Topographical signs and indications (Article 11)

141. According to Article 10 of the Law No. 382/2001 as amended in 2006¹⁰⁸ "the names of localities and streets are indicated in the Moldovan language, but, as the case may be, at the decision of the local public administration authorities, in another language, in accordance with the legislation in force. The names of public institutions and premises are indicated in the Moldovan and Russian languages. In localities that have been granted a special status of autonomy, the nominated names are also indicated in other official languages, established by the respective laws."¹⁰⁹ According to its Article 11(1), "public information that directly relates to health protection, ensuring public order and citizens' security, as well as visual information in the institutions of the Ministry of Internal Affairs, the Ministry of Justice, the Prosecutor's Office, in medical institutions in municipalities and cities, in means of transport, in car, railway and river stations, in airports, on highways are displayed in the Moldovan language, but, as the case may be, in another language at the decision of the local public administration authorities, and in accordance with the legislation in force." Article 11(2) stipulates that "in localities that have been granted a special status of autonomy, the

¹⁰⁶ See the [Advisory Committee's Fourth Opinion on the Republic of Moldova](#), para. 66.

¹⁰⁷ See the [Advisory Committee's Thematic Commentary No. 3](#), para. 61.

¹⁰⁸ See [Law No. 382/2001 as amended](#) (in Romanian).

¹⁰⁹ For instance, according to Article 3 (1) of the [Law on the Legal Special Status of Gagauzia](#), "the official languages in Gagauzia are Moldovan, Gagauz and Russian languages".

information provided for in paragraph (1) can also be completed in other official languages established by the respective laws and Article 11(3) that “in territories where persons belonging to a national minority constitute a considerable part of the population, the information provided for in paragraph (1) is published, as appropriate, in the language of this minority.”

142. There is, however, no consistent application of rules regarding bilingual or trilingual signposting. In practice, Gagauz appears on certain buildings and topographical signs in the ATU Gagauzia, and Ukrainian is also reportedly visible on names of villages, streets and administrative buildings in the northern part of the country, for instance in Nihoreni (Rișcani district), Danu (Glodeni district) and Unguri (Ocnița district). The Advisory Committee further notes that strict naming conventions that are exclusively based on the Romanian language are also applied to topography, which is regrettable as the transformation of traditional names may be interpreted as disrespectful and unappreciative of the specific identity and shared history of a locality. While recognising the necessity of maintaining official lists of place names for administrative purposes, the Advisory Committee notes that the exclusive use of Romanian in these lists has resulted in a situation where the accepted use of minority languages is hindered.

143. The Advisory Committee notes that persons belonging to national minorities seem unaware of the legislation and of available mechanisms through which they could address requests to have topographic signs in their minority languages. Some representatives of national minorities reported that the few signs that are available in minority languages in their localities have often been there for many years and sometimes display spelling mistakes.

144. The Advisory Committee regrets this apparent lack of appreciation for the important role that the use of minority languages on place names can have for the development of a sense of inclusion amongst the population, and to demonstrate that the diverse character of a specific region, traditionally and at present, is acknowledged and valued. It would welcome an assessment of the current practice, in close consultation with national minority representatives, so as to identify whether the system for the use of place names in minority languages is in line with Article 10 of the Law on National Minorities and Article 11 of the Framework Convention.

145. The Advisory Committee encourages the authorities to raise awareness of the legislative

framework in place with respect to the use of minority languages in topography, and to promote close consultations between local authorities and representatives of the population regarding the display of multilingual signage as a meaningful demonstration of the presence of diversity and of its appreciation and as a means to demonstrate a shared history of a locality. The authorities should assess, in close consultation with national minority representatives, whether the way of using place names in minority languages is in line with Article 10 of the Law on National Minorities and Article 11 of the Framework Convention.

Education materials, teacher training and intercultural education (Article 12)

146. In the framework of the 2016-2020 National Roma Action Plan, the Ministry of Education and Research provided teaching and managerial staff of the educational institutions with continuous training on intercultural education. Training sessions on cultural differences within pre-school and general education programmes were also organised in partnership with Roma organisations. As a result of a project called ‘Promotion and development of intercultural education in initial teacher training’ implemented by the Educational Centre “Pro Didactica” with the support of the “Pestalozzi” Foundation for Children, starting with the academic year 2020-2021, higher education institutions with pedagogical profile had to develop and organise a course on “Intercultural Education” for students of Cycle I – Bachelor of Education Sciences, as a compulsory component in initial training of teachers in higher education. Other universities have developed an optional course on “intercultural education” within the socio-humanistic department. The State University of Moldova, the State University of Comrat and the State University “A. Russo” from Bălți developed a new curriculum in the speciality “Intercultural Education” supported by the “Pro Didactica Educational Centre” which was approved by the Ministry of Education and Research and proposed to other universities as a pilot project.¹¹⁰ The Agency for Interethnic Relations also promoted initiatives of young activists belonging to national minorities in the Co-ordination Council and supported youth projects intended to develop intercultural dialogue and education.¹¹¹

147. In 2017-2018 the Centre of Ethnology (see Article 5) developed a series of textbooks for the following school subjects: Bulgarian literature and language (grades 4-7) and Ukrainian literature and language (grades 1-2, 4, 6-7). In 2018, for the first time, a publication entitled “History, culture and traditions of Roma people in the

¹¹⁰ See [Moldovan authorities’ additional information on national minorities](#), p. 12.

¹¹¹ For example, projects realised by the Association of Ukrainian Youth in the Republic of Moldova “Zlagoda”, the Public Organisation “Priority”, the Jewish Student Cultural Centre “Hillel”, the Youth Platform of Interethnic Solidarity, etc. (for more information, see [Moldovan authorities’ additional information on national minorities](#), p. 5).

Republic of Moldova” was edited, as well as a curriculum for primary education (classes 1-4) and a guide to teach this discipline were elaborated and edited. A course entitled “History, culture and traditions of Russian, Ukrainian, Gagauz, Bulgarian, Roma and other people” is included in the curriculum for Russian, Ukrainian and Bulgarian pupils in schools with Russian as a medium of instruction and is taught in their respective “mother tongue”.

148. The Advisory Committee points out that States Parties to the Framework Convention are expected to review, in close consultation with minority representatives, the curricula and educational materials in subjects such as history, religion and literature regularly so as to ensure that the diversity of cultures and identities is reflected and that respect and intercultural communication are promoted among all pupils and students.¹¹²

149. The Advisory Committee welcomes various initiatives undertaken to promote intercultural education and would consider it appropriate to extend pilot projects to other educational institutions if pilot projects are positively assessed. It particularly appreciates the involvement of minority youth representatives in such projects, as well as the new publication on “History, culture and traditions of Roma people in the Republic of Moldova” which responds to the Council of Europe’s recommendation on the inclusion of the history of Roma in school curricula and teaching materials addressed to all its member states.¹¹³ The Advisory Committee takes note that the draft Action Plan on Interethnic Relations 2023-2025 provides among its priority actions to address insufficient knowledge of the cultural and linguistic diversity, history and traditions of national minorities across all parts of society.

¹¹² See the [ACFC Thematic Commentary No. 3](#), para. 34. See also OSCE High Commissioner on National Minorities (2012), [The Ljubljana Guidelines on Integration of Diverse Societies](#), p. 56.

¹¹³ See the Council of Europe [Recommendation CM/Rec\(2020\)2](#) on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials, adopted by the Committee of Ministers on 1 July 2020.

150. The Advisory Committee strongly encourages the authorities to ensure that school curricula and education materials adequately reflect the ethnic, linguistic and religious diversity of Moldovan society and support the broader aim of supporting and promoting a shared civic identity, and that teachers in all schools are effectively trained in the fields of intercultural and inclusive education to accommodate diversity in the classroom and be able to teach about national minority cultures and history. Specific financial mechanisms to support the teaching of national minority history, including about Jewish and Roma victims of the Holocaust, in all schools should be set up.

Equal access of Roma to education, including during the Covid-19 pandemic (Article 12)

151. A lower enrolment of Roma children in education, school absenteeism and early school dropouts remain an issue of concern in the Republic of Moldova. Several causes have been identified, including poor material conditions, homelessness, resettlements and reluctance by some parents.

152. To address these problems, the Ministry of Education and Research actively co-operates with local public authorities and non-governmental organisations promoting Roma inclusion. This Ministry, in partnership with a number of stakeholders, including representatives of civil society, regularly organises information and awareness raising campaigns for parents on the necessity to register and enrol their children in the education system and on the importance of compulsory primary and secondary education.¹¹⁴ Furthermore, a large network of pre-university educational institutions provides free access to education for all students, including Roma.

153. In the framework of the 2016-2020 National Roma Action Plan, the Ministry of Education and Research took the following positive measures: free transport for children from localities mainly inhabited by Roma to the nearest educational institution if located not less than three kilometres away; after-school programmes to help Roma children do their homework and engage in extra-curricular activities, as well as providing accommodation for Roma students in student residences of technical and higher education institutions.

154. The Advisory Committee was also informed that the Covid-19 pandemic had a negative effect on Roma children's access to education.

According to a survey by the OHCHR, during the pandemic, 76.4% of Roma respondents indicated that all children in the family went to school, while 18.1% of the respondents indicated that none of the children were in school.¹¹⁵

155. During the Covid-19 state of emergency, no educational institution interrupted its activity. The Ministry of Education and Research undertook several actions to ensure equal right to education to all children. The ministry recommended to educational institutions several models for organising the educational process in the 2020-2021, and 2021-2022 academic years, which created opportunities to combine training with the physical presence of students in classes and in online training. Digital hardware was purchased or donated by development partners and other organisations to ensure students' access to online studies. At the same time, as part of the Online Education project carried out by the ministry and the Chişinău municipality, over 7 000 video lessons were filmed for students from all classes, in all school subjects, in Romanian and Russian.¹¹⁶ Also, to provide access to resources to students who did not have access to the internet or did not have digital devices, educational resources in video format were placed and transmitted on the national television network (13 TV channels).

156. The Ministry of Education and Research indicated having drawn lessons from that experience, such as the need to ensure access to information through various communication channels, including in the languages of national minorities; the need to increase the capacity of staff in the field of communication regarding the accessibility of information and the involvement of people with different types of disabilities in testing the accessibility of information provided to the general public; the need to more actively involve community mediators and ethnocultural organisations in information campaigns on prevention and vaccination against the Covid-19 and the need to seek medical advice or social assistance services, especially in rural areas (see also Article 15); the need to increase access to digital equipment and to increase the degree of digital literacy, including among the elderly, people with disabilities, Roma and other vulnerable groups; the need to identify, together with community mediators, effective measures to prevent school dropout or to facilitate return of Roma children to school, as well as to raise awareness among parents about the importance

¹¹⁴ In 2017, 35 such information and awareness raising campaigns were organised for 876 parents. In 2018, 21 information and awareness campaigns were held for 567 parents in all districts of the country.

¹¹⁵ See OHCHR (2 August 2021), [Impact of COVID-19 on Human Rights in the Republic of Moldova](#), p. 36.

¹¹⁶ They were placed on a [platform](#) and the YouTube channel, thus providing free access to these digital resources.

of ensuring the continuity of the educational process.

157. The Advisory Committee takes positive note of the state authorities' efforts to improve Roma children's access to education and of lessons learnt from an assessment of the educational situation during the Covid-19 pandemic. It also notes the adoption of municipal action plans and welcomes several positive initiatives taken by Bălți¹¹⁷ and Chişinău¹¹⁸ municipalities to improve school enrolment of Roma children and their access to education, whilst regretting the absence of information concerning measures taken by other municipalities in this area. The Advisory Committee remains, however, deeply concerned by the fact that too few Roma children attend schools, including among refugees from Ukraine (see Article 6) or drop out of school before completing their compulsory education. This situation should be promptly remedied. Whilst the Roma mediators are helpful in establishing contacts between Roma families and school professionals, they are not entitled to be physically present in classrooms unlike 'Roma school assistants' do in some other states. Their assistance to Roma pupils is therefore limited to eventually reduce school absenteeism but has little effect on Roma pupils' school performance and early school dropouts. Consideration could be given to introduce the practice of 'Roma school assistants' in the Republic of Moldova.

158. The Advisory Committee urges the authorities to further address the obstacles to equal access to education experienced by Roma children, in co-operation with the relevant ministries and local authorities, and in close consultation with minority representatives, parents and school administrations. The authorities should also consider establishing the position of 'Roma school assistants' to assist Roma pupils with a view to increasing school performance and decreasing school dropouts.

Teaching in and of minority languages (Article 14)

159. The second dominant language in the Republic of Moldova is Russian: nearly all of the Russian, half of the Ukrainian and a third of the

Gagauz and Bulgarian respondents to the 2020 Ethno-Barometer survey identified Russian as their first language, while the rest considered their ethnic group's language to be their first language. Bilingualism or multilingualism among national minorities in the Republic of Moldova means that they speak both their "mother tongue" and Russian, not Romanian. A miniscule share of persons belonging to national minorities who took part in the survey identified Romanian (or Moldovan) as their first language, with the notable exception of 20% of the Roma respondents. The overwhelming majority of national minority respondents studied in schools with Russian as a medium of instruction. Roma respondents attended Russian-speaking schools and Romanian-speaking schools in nearly equal proportions. Bilingual and multilingual education seems to offer a way out of this "linguistic segregation". All ethnic communities overwhelmingly support this option. While over 95% of national minorities had Russian as the language of instruction at school, this number drops to around 50% when respondents are asked about their own education preference or education for their children. With the notable exception of persons belonging to the Gagauz minority who still tend to prefer Russian as the language of instruction at school (70%), about a third of respondents belonging to other national minorities opt for the Romanian language. This trend becomes even more remarkable when parents opt for the Romanian-Russian-English triad with varying hierarchy of the languages in bilingual schools. About a fifth of all respondents want the Russian language to be the second school language. It appears that everyone wants their children to live and study in a more diverse linguistic environment than the current one.¹¹⁹

160. Support for minority language education in Moldovan schools continues to be applied in line with Article 6 of the Law on National Minorities. The special status of the Russian language is anchored in the education system, where instruction in the Russian language from preschool level through to university is guaranteed.¹²⁰ During the academic year 2021/2022, 19.3% of all students received

¹¹⁷ In order to ensure school enrolment of all children in the municipality of Bălți, managers of educational institutions pay visits to all families with children between 6 and 16 years old twice annually (in April and August), i.e. to about about 10 000 families, of whom over 50 are Roma families. The community mediator employed within Bălți Town Hall Social Assistance and Family Protection Department also raises awareness among Roma families about the necessity to send children to school. About 80% of Roma children in Bălți attend Gymnasium no. 4 which provides instruction in Russian; others go to different educational institutions. See the [fifth state report](#), p. 54.

¹¹⁸ A Municipal Action Plan for the Support of the Roma population in the municipality of Chişinău for 2016–2020 was adopted (Mayor Order No. 878-d of 1 August 2016). Concrete achievements of the 2016-2017 Municipal Action Plan include 304 informative sessions involving 182 Roma parents to encourage them to enrol Roma children in the compulsory education; 72 children involved in counseling sessions; 75 children benefited from free textbooks and 44 from free food. See the [fifth state report](#), p. 58.

¹¹⁹ See 'Ethno-barometer Moldova – 2020', pp. 4-5 and 7.

¹²⁰ At university, over 12% of students study in Russian (see the [fifth state report](#), p. 52).

education in Russian (80.6% did in Romanian and 0.1% in other languages).¹²¹ There are 260 public and private schools across the country that teach in Russian as the main teaching language. Neither of these schools have any other minority language as the main teaching language with the exception of the “Levschi / Levski” High School in Chişinău where some subjects at the primary level are taught in Bulgarian. The Ukrainian language is taught as a subject in 37 schools in 14 different localities; Gagauz in 42 schools, all located in the ATU Gagauzia; Bulgarian in 28 schools in Taraclia, Cahul, Chişinău, Leova, Cauşeni, Cantemir, and in the ATU Gagauzia; and Hebrew in two schools, both in Chişinău. Polish and German are also taught in one school in the capital.¹²²

161. Three models of teaching minority languages continue to be applied: schools with teaching in Russian in which most of national minority pupils and students are enrolled; schools with teaching in Russian where Ukrainian, Gagauz, Bulgarian and other languages are studied as a subject of three hours per week and where the subject ‘History, culture and traditions of the Russian, Ukrainian, Gagauz, Bulgarian, Roma and other minorities’ is studied one hour per week; and education institutions in which, in separate classes, primary education is carried out in the national minority language.¹²³

162. Altogether, however, the education system provides too few opportunities for persons belonging to national minorities to learn their languages at a satisfactory level. Bălţi offers a rare example of a municipality promoting the teaching of a variety of minority languages, including languages of numerically smaller minorities.¹²⁴ Another positive example exists in the ATU Gagauzia where the Gagauz authorities approved a Regional Bilingual Learning Programme in Gagauz and Romanian in early education institutions. Currently, 56 such institutions implement this programme of simultaneous learning of Gagauz and Romanian.¹²⁵ Moreover, the fact that such an optional teaching of minority language and literature is still available only in Russian

language schools limits the choice of national minorities with respect to further educational and employment opportunities. Given the continued shortcomings in the teaching of the Romanian language at minority language schools, many persons belonging to national minorities feel obliged to choose between either foregoing their guaranteed right to minority language education by enrolling in a Romanian teaching school, or attending a minority language school, knowing that their professional future in the Republic of Moldova will be compromised by their low proficiency of Romanian (see also Articles 10 and 15).

163. The Advisory Committee further notes with concern that persons belonging to national minorities are in addition faced with declining levels of quality in education in their minority languages, as well as in Russian. Persistent shortcomings in minority language schools regarding the adequate supply of educational materials and teacher training opportunities have led to a reduction in the number of students at such schools over recent years. Fears for the maintenance of the schools are now compounded by the Education Code and stricter rules regarding the minimum number of students required to maintain a lyceum introduced by the Ministry of Education and Research.¹²⁶ While efforts have reportedly been made to avoid the closure of minority language schools, in particular when they constitute the only option for studying in minority languages within a certain locality, the lack of legal certainty regarding the continuity of those schools has led to significant concerns amongst parents.

164. The Advisory Committee welcomes the continuous efforts to recruit specialists for the various languages to ensure that the standards of education in minority language schools are effectively monitored and that adequate attention is given towards high quality education. It is further pleased to note the substantial increase of support provided to education in and research of the Gagauz language, as well as the plans to open preschools with Gagauz and Bulgarian as languages of instruction in Comrat and Taraclia

¹²¹ [Publicația Educația în Republica Moldova](#), BNS, 2022 (in Romanian).

¹²² Additional information provided by the Ministry of Education and Research in January 2023.

¹²³ Additional information provided by the Agency for Interethnic Relations in January 2023.

¹²⁴ The following educational institutions function in Bălți municipality: one bilingual gymnasium with instruction in Romanian and Russian languages; seven high schools and eight gymnasiums with education in Russian, including one Gymnasium teaching the subjects ‘Ukrainian language and literature’ and ‘History, traditions and culture of the Ukrainian people’. Since 2017 the Polish language has been learnt in primary classes in a Gymnasium and a Lyceum and is also taught within “The Polish House” under the Polish Culture Society. Furthermore, since 2016, the public association ‘Hungarian community in the Republic of Moldova’ has conducted free Hungarian language courses. A Jewish Charity Centre provides teaching of Hebrew and Yiddish.

¹²⁵ This is an expansion of the bilingual programme implemented by the National Association of European Trainers of Moldova which had been supported by the Office of the OSCE High Commissioner on National Minorities.

¹²⁶ According to interlocutors, new regulations prescribe that lyceums in urban environments must be able to fill two classes of 25 students per year to remain open. In rural areas, the number is reduced to 20 students per class.

respectively. It reiterates its concern, however, with respect to the fact that the study of Romani is not included at any school, as no apparent efforts have been made to develop a corresponding curriculum or prepare teachers and education assistants for the study of and in Romani, despite the creation of a curriculum in Romani. Furthermore, the Advisory Committee highlights the need for the authorities to provide for legal certainty in access to minority language learning and education in minority language at all educational levels. It also reiterates that persons belonging to national minorities have the right to learn both the official language and their respective minority language, so as to enable their societal integration.¹²⁷

165. The Advisory Committee calls on the authorities to enter into a close dialogue with minority representatives, parents and school administrations to enhance the available opportunities to study in minority languages by ensuring high-quality learning of different languages in integrated education environments. The authorities should also enhance their efforts to develop a corresponding curriculum or prepare teachers and education assistants for the study of and in Romani.

Learning of the state language (Article 14)

166. Some progress was achieved under the '2016-2020 National Programme on Improving Quality of the State Language Teaching in the Educational Establishments with National Minority Languages of Instruction' including the extension of the educational project "Socio-linguistic integration of pupils belonging to national minorities by increasing the number of school subjects studied in Romanian". In the framework of this project, piloted in 45 pre-university educational institutions over the country, including in schools in Comrat, Ceadřr Lunga and Taraclia, the following subjects were taught in Romanian: "Moral-spiritual Education", "Technological Education", "Musical Education", "Physical Education" and "Civic Education".¹²⁸

167. One of the strategic priorities of the Strategy for the Consolidation of Interethnic Relations for 2017-2027 is to improve linguistic competences in and the learning of Romanian among persons belonging to national minorities. Furthermore, the 2023-2025 National Programme for the learning of the Romanian language by persons belonging to national minorities, including the adult population, for the period 2023-2025 was adopted by the government following public

consultation held in May-June 2022.¹²⁹ The Ministry of Education and Research is currently finalising the 2023-2025 Action Plan for the first phase of implementation. This programme provides for the following envisaged measures: developing the legal, normative and linguistic policy framework regarding the learning of the Romanian language by persons belonging to national minorities; increasing the quality of Romanian language learning in general education institutions; the didactic assurance of the teaching-learning process of the Romanian language in general education institutions combined with the teaching in the languages of national minorities in higher education institutions; as well as strengthening the capacity of teaching staff in order to implement multilingual education models. In respect of the latter, in October 2022, by an Order of the Minister of Education and Research, a working group was established responsible for the elaboration of the concept of multilingual education in primary and secondary education and for the methodology for implementing multilingual education models in general education institutions.¹³⁰

168. In 2021, a virtual round table was organised for persons belonging to national minorities to inform them about the Romanian language Distance Learning Programme implemented by the National Association of European Trainers of Moldova (ANTEM).¹³¹ In 2021-2022, ANTEM provided Romanian language training for persons belonging to national minorities and the Agency for Interethnic Relations financially supported ANTEM training for two groups of adults willing to study the Romanian language. On 23 September 2022, a new joint project was launched, offering Romanian language distance learning training for young people belonging to national minorities from Bălți, Comrat and Taraclia, as well as for young refugees in Chiřinău.¹³²

169. All representatives, officials and persons belonging to national minorities met by the Advisory Committee during its visit unanimously expressed the need to have more opportunities for both children/youth and adults to learn the Romanian language. Whilst the elderly who used to communicate in Russian or in another Slavic language using the Cyrillic script find it even more difficult to adapt to the Romanian language and Latin script, even the younger generation does not necessarily master the Romanian language to a level that would make them feel comfortable

¹²⁷ See the [Advisory Committee's Fourth Opinion on the Republic of Moldova](#), para. 88, as well as the Advisory Committee's [Thematic Commentary No. 3](#), para. 53.

¹²⁸ For further details concerning the number of pupils, teachers and schools, see the [fifth state report](#), pp. 50-52.

¹²⁹ See [government website](#) (in Romanian).

¹³⁰ Additional information provided by the Ministry of Education and Research.

¹³¹ See the free Romanian language distance learning training [platform](#) (at A1-A2 and B1 levels). About 350 students were enrolled, primarily people employed or who intend to work in state administrative bodies.

¹³² The project is financially supported by USAID.

to pursue higher education or as public servants, where this a compulsory requirement.

170. Whilst there has been overall noticeable progress during the monitoring period, the needs and interests among persons belonging to national minorities are to be addressed further and the capacity to do is insufficient, either in terms of teaching hours of Romanian in schools where this is provided, or in terms of sufficient number of teachers. Some local authorities, such as the mayor of Ceadr Lunga, indicated that the demand largely exceeds the offer, despite a better situation than some years ago. It has also great difficulties to convince Romanian teachers to come every day from Chişinău or even Comrat to give lessons. Another issue identified is the lack of teachers who do not just teach the Romanian but also other subjects in Romanian. Both persons belonging to national minorities and local authorities would appreciate additional human and financial resources to respond to the existing needs. In order to fill in the immediate gap, several municipal authorities, including in the ATU Gagauzia, said they would welcome bilateral partnerships agreement between the Republic of Moldova and neighbouring Romania to support additional Romanian language teachers and teachers teaching other subjects in Romanian.

171. Whilst the Advisory Committee heard positive messages by the authorities, and in particular the Ministry of Education and Research, as regards the political priority given to implement the 'National Programme on Improving the Quality of the State Language Teaching in the Educational Establishments with National Minority Languages of Instruction', it also observes that funding available to this programme decreased between 2016 and 2018.¹³³ In order to achieve the programme objectives, the Advisory Committee considers that more sustainable financial and human resources are needed. In this respect, the Advisory Committee reiterates the importance for persons belonging to national minorities of having access to the right to learn the state language and acquire adequate linguistic competences.¹³⁴ Furthermore, the Advisory Committee is of the view that consideration could be given to extend the good practice of the ANTEM Romanian Language Distance Learning Programme to online teaching of minority languages and make

such online teaching available for the entire population.

172. The Advisory Committee urges the authorities to adopt, in response to the request of representatives of national minorities, comprehensive and long-term measures to substantially enhance the availability and quality of teaching in and of Romanian in public education, from preschool to higher education, including through bi- and trilingual teaching methodologies, for persons belonging to all national minorities with the broader aims of supporting and promoting a shared civic identity and ensuring equal opportunities. These measures should be simultaneously complemented by further measures aimed at strengthening the teaching and use of the languages of national minorities.

173. The Advisory Committee strongly encourages the authorities to take measures to make conditions for teachers more attractive in areas of the Republic of Moldova where national minorities live and, in the meantime, to develop partnerships and bilateral co-operation agreements with a view to providing qualified teachers of the Romanian language and teachers teaching other subjects in Romanian so as to compensate the current lack of such teachers in various parts of the Republic of Moldova inhabited by national minorities.

Consultation and participation in decision-making processes and representation in elected bodies and public administration (Article 15)

174. The Agency for Interethnic Relations supervises the activities of the Co-ordinating Council of Ethno-cultural Organisations (hereinafter "the Co-ordinating Council"), a public advisory body acting as a platform for dialogue between the state authorities and national minorities.¹³⁵ Leaders of ethno-cultural organisations (see also Article 3) are consulted through this Co-ordinating Council and engaged in the decision-making process on issues that affect national minorities. They can also advocate for minority rights.

175. During the reporting period, the number of ethno-cultural organisations accredited to the Agency for Interethnic Relations slightly increased to 74 organisations, probably as a result of the legal reform,¹³⁶ representing now

¹³³ See the [fifth state report](#), p. 50.

¹³⁴ See the Advisory Committee's [Thematic Commentary No. 3](#), para. 31.

¹³⁵ The Co-ordinating Council of Ethno-Cultural Organisations is composed of the Agency's director general, deputy director general and heads of departments, as well as leaders of national minority associations.

¹³⁶ The Law No. 86/2020 on non-profit organisations, approved in 2020 by the Parliament, simplifies the procedure for the registration of non-profit organisations, provides additional guarantees to protect the freedom of association and eliminates territorial restrictions on the activity of non-profit organisations.

almost 40 different national minorities.¹³⁷ Their role is to preserve, maintain and express ethnic, cultural and linguistic minority identities, as well as traditions and customs of respective national minorities. Young people belonging to national minorities showed stronger interest and willingness to join the process of establishing public associations: 12 public organisations of young people belonging to the Belarusian, Bulgarian, Gagauz, Greek, Jewish, Polish, Roma, Russian and Ukrainian national minorities are now accredited under the Agency for Interethnic Relations.¹³⁸

176. A 'Study on Effective participation of national minorities in public life of the Republic of Moldova' was launched on 20 November 2020 to determine the level of representation and participation of national minorities in the public life.¹³⁹ According to the results, in 2020, there were 100 representatives of national minorities employed in 30 levels of public administration. The number of representatives of national minorities involved in the Co-ordinating Council of Ethno-cultural Organisations was 103, out of which 26 were women. Overall, national minority representatives feel that they are less capable of influencing politics than the majority population. Among the national minorities, the Gagauz are most confident that they can impact politics due a higher degree of self-governance. Interest in running for public office is highest among Roma¹⁴⁰ (allegedly due to the fact that half of the Roma population is educated in Romanian and have the required linguistic competences, unlike many persons belonging to other minorities).

177. In order to prioritise the recruitment of civil servants with minority language competences at local level, the new Action Plan for the implementation of the Strategy for strengthening interethnic relations provides activities to encourage equal participation of all citizens in the state administration and public services. This

objective is to be reached through several measures, such as in-service training programmes, internships in ministries, governmental agencies and in the Parliament for persons belonging to national minorities, especially young graduates, as well as the empowerment and mentoring of persons belonging to national minorities to encourage their participation in public life. Specific communication efforts have been made towards young people belonging to national minorities by drafting, editing and distributing information guides in Bulgarian, Gagauz, Romani, Russian and Ukrainian minority languages regarding the civil service and the status of civil servants. Free Romanian language courses are also being offered for persons belonging to national minorities, especially young people, in order to recruit them at all levels of public administration and in the judiciary.

178. On 26 September 2018, electoral education materials adapted to various groups of voters were launched to ensure a fair and accessible electoral process in the February 2019 parliamentary elections. Apart from the Voice Guide, an easy-to-read and easy-to-understand guide printed in Romanian, Russian and English, the booklet "Democracy counts - Participate!" and an explanatory poster on the mixed electoral system informative materials were disseminated in Romanian, Russian and Gagauz languages. This was an innovation for both the Central Electoral Commission of the Republic of Moldova and the Electoral Commission of the ATU Gagauzia and was part of the Project "Strengthening Democracy in Moldova through Inclusive and Transparent Elections".¹⁴¹

179. Officials of the ATU Gagauzia complained about the revision of the Electoral Code, by which Romanian would be the only language used for ballot papers throughout the country.¹⁴² They consider that this provision would violate the Law

¹³⁷ Russians are represented with 12 associations, Ukrainians with 11, Roma with seven, Bulgarians with six, Jews with five, Armenians with four, Azeris, Belarusians and Poles with three each, Gagauz, Germans and Lithuanians with two each, and Estonians, Georgians, Greeks and Ossetians with one each. The full list of accredited organisations is available on the [website of the Agency for Interethnic Relations](#) (in Romanian and Russian). Other residing minorities, such Chuvash, Koreans, Latvians, Tatars, and Uzbeks, have no accredited associations.

¹³⁸ In addition, approximately 120 local public ethno-cultural organisations were registered and perform activities in the municipalities of Chişinău, Bălţi, Soroca and Comrat, in the districts of Taraclia, Edineţ, Cahul, Drochia, Criuleni, Glodeni, Ungheni, Rîşcani, Orhei, Călăraşi, Străşeni and Floreşti.

¹³⁹ This study was conducted by experts from the Office of the OSCE High Commissioner on National Minorities in partnership with the Agency for Interethnic Relations and the Ministry of Education and Research. It identified the number of representatives of national minorities employed at various levels of public administration and the number of persons belonging to national minorities involved in training programmes for their recruitment in various levels of the public administration. It also collected disaggregated data by age and gender and included an assessment of policies in the field of ensuring representation of national minorities at all levels of the public service.

¹⁴⁰ See the '[Ethno-barometer Moldova – 2020](#)', p. 5.

¹⁴¹ This project was implemented by UNDP Moldova with the financial support of the United States Agency for International Development, the British Embassy in Chişinău through the 'Good Governance Fund' and the Embassy of the Netherlands through the 'Matra Programme'.

¹⁴² Article 73(7) of the draft Electoral Code states that the ballot papers are printed exclusively in Romanian. The other electoral documents could be available in other languages in the different localities upon request.

on the Special Legal Status of Gagauzia, as well as international recommendations on this matter.¹⁴³ They also complained about the change of the status of the prosecutors in the ATU Gagauzia envisaged by the government and the decision to exclude the chief prosecutor of the ATU Gagauzia among new elected members of the Superior Council of Prosecutors.¹⁴⁴ This has been perceived among the minority concerned as a step back in their rights as a national minority and a retaliation measure for their low support to the ruling party during the last elections (see Article 6).

180. The Advisory Committee reiterates that it is not sufficient for states parties to formally provide for participation of persons belonging to national minorities. They should also ensure that their participation has a substantial influence on decisions which are taken, and that there is, as far as possible, a shared ownership of the decisions taken. It is also important to ensure that an obligation to consult such bodies is entrenched in law and that their work adequately reflects the actual needs of national minorities and has a substantial influence on decision-making. The work of consultative bodies must be of a regular and permanent nature and their meetings be convened frequently. Furthermore, the Advisory Committee reiterates that representation and participation of persons belonging to national minorities in elected bodies, public administration, judiciary and law-enforcement agencies is an essential but not sufficient condition for effective participation.¹⁴⁵

181. The Advisory Committee welcomed the appointment of an adviser to the Prime Minister on human rights who belongs to the Roma national minority. It underlines, however, the regrets expressed by representatives of national minorities that the term “interethnic relations” had been recently deleted from its title which raised questions as to whether this mandate still covers national minorities. The Advisory Committee was informed that this position has been vacant since February 2023. It also welcomes the existence of consultative structures for national minorities, although it regrets that such consultation remains largely limited to the planning and funding of cultural activities and that consultation

mechanisms are not always effective at local level. In this respect, the Advisory Committee notes information provided by the authorities that the draft Action Plan on Interethnic Relations 2023-2025 provides among its priority actions to address the insufficient participation of national minorities in public life and the poor efficiency of consultative bodies at the local level. The Advisory Committee reiterates that representatives of national minorities should also have a say on issues which are not of exclusive concern to them but affect them as members of the society as a whole.¹⁴⁶ It is also of the view that such consultative structures could include in the future representatives of religious groups (see Article 3).

182. The Advisory Committee positively notes the concrete efforts of the Moldovan authorities to encourage and facilitate the recruitment at all levels of public administration of persons belonging to national minorities. The focus given to the younger generation is to be praised. On the other hand, the Advisory Committee considers that further efforts could be made, for instance by implementing with flexibility the Romanian language requirement until the vast majority of persons belonging to national minorities master Romanian, so as not to create unnecessary barriers in their current recruitment as civil servants. The Advisory Committee also notes that a ‘Strategy for the Reform of the Public Administration of the Republic of Moldova 2023-2030’ was adopted on 15 March 2023 (Decision No. 126/2023). According to the authorities, extensive public consultations with all interested stakeholders, both at central and local levels and including national minorities, have accompanied the development of this strategy, and submitted proposals were taken into consideration in the final version of the strategy.

183. As concerns the revision of the Electoral Code, the Advisory Committee fully shares the concerns of the OSCE/ODIHR and Venice Commission expressed in their joint opinion published in October 2022 that printing the ballot papers only in Romanian “threatens to adversely affect the electoral participation of national minorities by reducing the possibility of making an informed choice, especially in the case of

¹⁴³ The General Comment of the United Nations Human Rights Committee to Article 25 of the ICCPR recommends that “information and materials about voting should be available in minority languages” (para. 12). This view has also been consistently held by the Venice Commission and the OSCE-ODIHR. See also the [Advisory Committee's Thematic Commentary No. 2](#), para. 77.

¹⁴⁴ The [Superior Council of Prosecutors of the Republic of Moldova](#) is “an independent government institution that works within the judicial power, responsible for prosecuting criminal cases investigated by the police and other investigating bodies throughout Moldova.” The bill presented in Parliament stipulates that the ATU Gagauzia Prosecutor's Office is to be transformed from a territorial prosecutor's office, as it is now, into a general prosecutor's office with territorial sub-divisions. This could be led by a Prosecutor of Gagauzia, who will also be a member of the Superior Council of Prosecutors.

¹⁴⁵ See the [Advisory Committee's Thematic Commentary No. 2](#), paras. 19, 72, 107 and 117.

¹⁴⁶ See the [Advisory Committee's Thematic Commentary No. 2](#), para. 17.

referendums, when there may be multiple questions. International standards in this regard require that positive measures be taken to overcome specific difficulties, such as language barriers. In localities where specific such barriers exist, readily accessible information and materials about voting should be provided in minority languages.¹⁴⁷ The Advisory Committee also shares their view that, in order to facilitate the effective exercise of voting rights in localities where minorities represent a certain per cent of the population, the ballot papers and the relevant voter information need to be produced in both Romanian and the languages spoken by national minorities. In this respect, the Advisory Committee observes that the new Electoral Code voted on 8 December 2022 by the Moldovan Parliament¹⁴⁸ indicates in its Article 73 (7) that “ballots are drawn up in Romanian. In order to facilitate the voting participation of ethnic minorities, the ballots are drawn up in another language, at the request of the electoral bodies in the respective constituency”. The Advisory Committee, whilst noting an improvement compared to the initial proposal, regrets that the possibility to have ballot papers drawn up in minority languages is allowed only at the request of the electoral bodies and not of voters belonging to national minorities.

184. The Advisory Committee also regrets that the government did not support the legislative proposal of the Gagauz People’s Assembly regarding the change of the status of the prosecutors in the ATU Gagauzia. Furthermore, it considers that the decision to exclude the chief prosecutor of the ATU Gagauzia among newly elected members of the Superior Council of Prosecutors is a move backward, bearing in mind the particular legal special status of these territorial-administrative units and the longstanding practice of having the chief prosecutor of the ATU Gagauzia participating in this Council.

185. The Advisory Committee calls on the authorities to ensure that persons belonging to national minorities are systematically consulted and effectively participate in all decision-making processes, not only on cultural matters but also on other policies and legislation immediately relevant to their access to minority rights, including on any envisaged reforms of public administration.

186. The Advisory Committee asks the authorities to ensure that ballot papers and

relevant voter information are produced in both Romanian and languages spoken by persons belonging to national minorities, especially those who have a co-official status in territorial administrative units.

Effective participation in socio-economic life – Roma access to healthcare, employment and social services, including during the Covid-19 pandemic (Article 15)

187. A number of issues persist within the Roma minority, such as the lack of healthcare insurance¹⁴⁹ (due to the lack of registration of residence and the lack of identity documents), the difficulty to access expensive surgery services, and the prevalence of children and adults with disabilities. In order to address these problems, territorial agencies of the National Health Insurance Company (NHIC) regularly organise informational meetings in rural areas, including in villages and settlements inhabited by Roma. The NHIC also organises seminars, workshops and other awareness-raising activities to bring a larger number of people, including Roma, into the compulsory medical insurance system. It also develops and disseminates, including through national and local media outlets and TV and radio stations, information and educational materials to raise public awareness in the field of health promotion and disease prevention. Medical staff delivers lectures and conducts individual conversations.

188. A study on the impact of Covid-19 on human rights published in 2020 revealed that, in the context of the pandemic, the language barrier affected the access of persons belonging to national minorities to the full spectrum of information about the measures taken to mitigate the effects of the pandemic, as well as information related to the Covid-19 vaccines and the vaccination process. Persons belonging to the Roma minority have been disproportionately affected both economically and socially, a situation mainly determined by the low standard of living and the accentuated level of social marginalisation of numerous Roma families. Most Roma (81.7% compared to 32.5% non-Roma) needed social assistance allowances during the pandemic, while 68% of Roma who applied for them did not receive them. The main reason was their ineligibility and the lack of information regarding the procedure for handling such a request.¹⁵⁰

¹⁴⁷ See the Joint OSCE/ODIHR and Venice Commission’s Opinion on the draft Electoral Code, adopted by the Venice Commission at its 132nd Plenary Session on 21-22 October 2022, para. 111.

¹⁴⁸ The [new Electoral Code](#) (in Romanian) was published on the Official Gazette on 23 December 2022.

¹⁴⁹ The [fifth state report](#) (pp. 54-55) provides this example: according January 2018 to data from the Bălți City Hall Health Service, 261 Roma were on the register of family doctors, of whom 154 were insured and 107 were not.

¹⁵⁰ See OHCHR (2 August 2021), [Impact of COVID-19 on Human Rights in the Republic of Moldova](#), pp. 26-27.

189. In view of international organisations' recommendations regarding human rights in the context of the Covid-19 pandemic, the authorities have co-operated with civil society and international partners¹⁵¹ to implement a series of measures to raise awareness about the pandemic, including among persons belonging to national minorities, particularly by making the relevant information accessible in national minority languages. Since 16 April 2020, a Russian language version of an online platform provides the latest information on Covid-19 cases, the rules of conduct during a pandemic and preventive measures. In addition, guidance on the Covid-19 pandemic has been published and distributed in four minority languages: Gagauz, Romani, Russian and Ukrainian. Civil society representatives, journalists and public figures also worked together to create a Facebook page, which contains Russian translations of official documents adopted by the Emergency Situations Commission and other governmental bodies regarding the state of emergency introduced in the country due to the spread of Covid-19. Since February 2020, the Decisions of the National Extraordinary Commission on Public Health and the Decisions of the Commission for Exceptional Situations have been regularly published in both Romanian and Russian on the website of the government.

190. According to the data of the National Employment Agency (NEA) for 2020-2021, 4.5% of the total number of unemployed are persons belonging to the Roma minority. The NEA identified the low level of qualification of unemployed Roma as one of the main obstacles and, together with its territorial structures, took a series of measures to remove barriers that impede Roma's access to employment. As a result, it creates barriers to include this category of unemployed people in professional training programmes. To counteract this obstacle, the NEA counsels people looking for a job, including Roma, about active employment services and measures, as well as about vacancies registered in its database. Job seekers belonging to the Roma minority registered as unemployed can be beneficiaries of various local employment agencies' measures and services¹⁵² to facilitate their inclusion in the labour market, such as free practical information about an employment

agency's database listing services and vacancies which is accessible through a Labour Market Employment Call Centre, websites or an on-line fair platform.¹⁵³ Among other services, the NEA offered labour intermediation services, vocationally oriented courses, information about opportunities of engagement in the remunerated public works, as well as tailored guidance and occupational counselling services. In 2017-2018, the NEA, jointly with mobile teams, conducted field visits to hundreds of localities across the country, including settlements predominantly populated by Roma, to provide assistance to those seeking employment.¹⁵⁴

191. In August 2018, three persons within the General Police Inspectorate of the Ministry of Internal Affairs were appointed responsible for conducting information campaigns for the Roma community on employment opportunities with the public order services. The municipality of Chişinău has also taken several initiatives to improve access of Roma to employment and social services.¹⁵⁵

¹⁵¹ Were involved the Ministry of Health, the Ministry of Education and Research, the Office of the United Nations Population Fund in the Republic of Moldova, the Youth Platform for Inter-Ethnic Solidarity, the National Youth Council of Moldova, the Office of the People's Advocate and the Agency for Interethnic Relations.

¹⁵² See p. 19, table no. 1, of the [fifth state report](#) for measures involving Roma registered with the NEA, and the number of beneficiaries for the period 2014-2018.

¹⁵³ See [angajat](#) and [anofm](#) websites, as well as the [on-line fair platform](#).

¹⁵⁴ In 2017 and 2018, 170 and 154 such field visits were conducted in 173 and 164 localities respectively. It should be further noted that the trend to temporarily migrate for economic reasons and then return to the Republic of Moldova is very high among the Roma minority.

¹⁵⁵ In the framework of the 2016–2020 Municipal Action Plan for the Support of the Roma population in the municipality of Chişinău, 32 Roma families benefited from social assistance services or consultancy; five families benefited from compensation for transport services; eight families benefited from free lunch; and 20 Roma families were registered and monitored within the territorial directions of social assistance (see [fifth state report](#), p. 58).

192. The Advisory takes positive note of the efforts by the NHIC, the NEA, the General Police Inspectorate and other public institutions to improve access of Roma to healthcare, employment and social services. It also welcomes several positive initiatives taken by the municipality of Chişinău, whilst regretting the absence of information concerning similar measures taken by other municipalities. Although a number of barriers in the access of Roma to employment, healthcare and social services have been identified by the authorities, the Advisory Committee is of the view that prejudice and discrimination by public servants should not be underestimated (see Article 4), thus requiring further comprehensive training and awareness raising activities.

193. The Advisory Committee takes positive note that Covid-19 pandemic information was translated and distributed in four minority languages; however, considering that international studies on the impact of Covid-19 related measures on national minorities show mitigated results, it considers that an assessment on the outreach, effectiveness and impact of measures taken for persons belonging to national minorities would be needed with a view to learning lessons for the future.

194. The Advisory Committee observes that community mediators partly contribute to the improvement of the health situation within the Roma community. It considers, however, that their scope of activities is quite extensive and would suggest the authorities to consider creating specific positions of 'Roma health mediators', including for women, using the longstanding experience of such mediators in other member states.

195. The Advisory Committee encourages the authorities at all levels to pursue measures aimed at improving access of persons belonging to national minorities, and of persons belonging to the Roma minority in particular, to healthcare, employment and social services. The authorities should also consider assessing the outreach, effectiveness and impact of measures taken in respect of the Covid-19 pandemic as regards persons belonging to national minorities and creating the specific position of 'Roma health mediators', bearing in mind gender balance.

Effective participation in socio-economic life – access to housing and infrastructure (Article 15)

196. The overall housing situation of Roma families remains precarious. However, several municipalities have taken measures under their municipal action plan to support the Roma population to enjoy adequate living conditions.¹⁵⁶

197. Gagauz officials regretted the marginalisation of the ATU Gagauzia in terms of infrastructure development projects. They considered, however, that the situation has recently improved thanks to European Union funding received as a result of recent developments in the process of accession of the Republic of Moldova to the European Union. Out of 28 projects submitted by the ATU Gagauzia, 19 have been selected and awarded funding.¹⁵⁷ As the Advisory Committee could observe, the ATU Gagauzia also benefits from investments and economic support from countries with Turkic population, such as Türkiye and Azerbaijan.

198. Despite state and some municipalities' investment efforts in developing infrastructure and rehousing projects for the Roma minority, the Advisory Committee regrets the lack of visible and tangible progress in improving the substandard housing conditions faced by too many Roma families. It would welcome more political attention and financial support to the improvement of housing conditions of the Roma population under the new 'National Programme to Support Roma Integration' and respective national and local action plans to remedy the poor housing conditions and access to basic services and infrastructure of many Roma living in the Republic of Moldova. While highlighting that the respect for and protection of minority rights is the primary responsibility of the state where the minority resides, the Advisory Committee welcomes the use of European Union funding and foreign investments supporting the development of infrastructure and economic conditions in the ATU Gagauzia. It also heard that villages in rural areas and municipalities, such as Bălți, would also welcome an increase in European Union funding and foreign investments.

199. The Advisory Committee calls on the authorities to further prioritise the economic revitalisation and modernisation of infrastructure of areas where persons belonging to national minorities reside, in close consultation with them. The authorities should ensure access to adequate housing for persons belonging to the Roma minority in order to overcome the existing patterns of marginalisation and extreme poverty. They should also pursue their efforts to attract European Union funding, as well as financial economic support and foreign investments to improve living conditions and infrastructure in territorial administrative units, municipalities and villages inhabited by national minorities, in close consultation with persons belonging to national minorities.

¹⁵⁶ As an example, the Bălți Municipal Council, through its Decision No. 12/3 of 8 December 2016, did an inventory of Roma living conditions and of Roma non-residential houses as part of its Municipal Action Plan to support the Roma population 2017-2020 (see [fifth state report](#), p. 55).

¹⁵⁷ See the [European Village National Programme](#), [government information](#), and the list of [awarded projects](#).

The Advisory Committee on the Framework Convention for the Protection of National Minorities is an independent body that assists the Committee of Ministers of the Council of Europe in evaluating the adequacy of the measures taken by the Parties to the Framework Convention to give effect to the principles set out therein.

The Framework Convention for the Protection of National Minorities, adopted by the Committee of Ministers of the Council of Europe on 10 November 1994 and entered into force on 1 February 1998, sets out principles to be respected as well as goals to be achieved by the states, in order to ensure the protection of national minorities. The text of the Framework Convention is available in English and French, as well as in Romanian, Armenian, Azerbaijani, Bulgarian, Estonian, Georgian, German, Greek, Lithuanian, Polish, Romani, Russian and Ukrainian, among other languages.

This Opinion contains the evaluation of the Advisory Committee following its fifth country visit to the Republic of Moldova.

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