



REPORT ON THE LGBT RIGHTS SITUATION IN THE REPUBLIC OF MOLDOVA IN 2016

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This report reflects the situation of LGBT people in Moldova, as well as the political and social effects which reflect societal homophobia and transphobia on, and positive changes for the LGBT people in the Republic of Moldova.

Regarding the political situation, the year of 2016 was complicated. On 20 October 2016 (round I) and 13 November 2016 (round II) the presidential elections were held. It was the first time since 1996 (after amending the Constitution in 2000) when the President of the Republic of Moldova was elected directly by the popular vote. Nine candidates participated in the first round, two of them remaining in the second round: Maia Sandu, candidate of the Action and Solidarity Party, and Igor Dodon, candidate of the Party of Socialists of the Republic of Moldova.

The Party of Socialists of Moldova has been using homophobia in political purposes and for supporters' recruitment. Thus, for example, on 28 April 2016, Socialists tabled a draft law (identical to that of Russian Federation's), whereby the so-called "propaganda of non-traditional sexual relations among minors" is prohibited. This draft law aims to complete the Code of Administrative Offences, Article 88, with the following: "*The propaganda of homosexual relations among minors by means of assemblies, mass media, the Internet, leaflets, brochures, images, audio-video spots, films and/or audio-video recordings, by means of audio recordings, amplifiers or other means of sound amplification is sanctioned with a fine from 200 to 300 conventional units (430-714 EUR) applied to individuals, [and] by a fine from 300 to 500 conventional units (714-1190 EUR) applied to legal entities*". Also, the draft law seeks to amend the Article 21 of the Law on the Rights of a Child titled "Protection of family by the state" with paragraph (3) as follows: "*The state ensures protection of a child from the propaganda of homosexuality by any means and ways*".

<http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3206/language/ro-RO/Default.aspx>

This draft law has been approved by the following Parliamentary Committees: Committee on Agriculture and Food Industry; Committee on Foreign Affairs and European Integration; Committee on Human Rights and Interethnic Relations.

On April 27, 2016, the Party of Socialists of Moldova tabled a draft law on repealing the Law on Ensuring Equality.

<http://www.parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3200/language/ro-RO/Default.aspx>

This draft law has been approved by the following Parliamentary Committees: Committee on Agriculture and Food Industry; Committee on Foreign Affairs and European Integration; Committee on Human Rights and Interethnic Relations.

According to the Socialists, "*in the last four years the law not only hasn't furthered the development of democracy in Moldova and vice versa, but has also radicalised society and undermined people's trust in church and traditional values*". Socialists support the idea that the law "*opened Pandora's Box and legalised the marches of zoophiles and paedophiles in the*

country”. Also, Socialists declare that the law promotes homosexuality and European values, which are foreign to the Moldovan nation.

<http://newsmaker.md/rus/novosti/fraktsiya-sotsialistov-zaregistrovala-proekt-ob-otmene-zakona-ob-obespechenii-ra-24684>

On 19 May, on Igor Dodon’s personal website appeared a text titled “*NO to NATO parades, NO to gay parades and marriages in Moldova!*” This text includes the following: “*Gay propaganda in Moldova isn’t only shameless, but it is also becoming aggressive. It noticeably has a lobby and enjoys a serious support from behind, including some embassies, including the financial one. The Constitutional Court of the oligarchy confirmed the legality of the Law on Equal Opportunity, which overtly favours sexual minorities and which was elaborated particularly for these minorities. This is another evidence of how this Constitutional Court is anti-popular, antinational.*

The sexual minorities’ lawyers are warning the priests, who want to protest against gay parades, that they will be prosecuted. All kinds of NGOs energetically promote the joy of living without fear in a pederast society.

We will not tolerate the transformation of the Republic of Moldova into a polygon for sexual and anti-Christian experiments. We, the Socialists, will come out in defence of Orthodox values and will support the priests and those who oppose the mischief that is imposed to us by the West. NO to NATO parades, NO to gay parades and marriages in Moldova”.

<http://dodon.md/nu-paradelor-nato-nu-paradelor-si-casatoriilor-gay-in-moldova/#comments>

Several mass-media sources that belong to some political leaders published a couple of articles about another elections candidate, Mayor of Bălți Renato Usatîi, which perpetuated homophobia in order to attack him.

On 11 April 2016, an article was published on politics.md. This article tells about an alleged visit of Usatîi to a Moscow gay club (Russia) and about the fact that, immediately after he had been elected as mayor, the first gay parade was held in Bălți. In the same article there is also mentioned the allegation that Usatîi adopted a song (“*They Beat Us but We Fly*”) as his party’s anthem, which is claimed to be an anthem of gay people in Russia, as well as about a gay ally, DJ Smash, with whom Usatîi had made a picture. Similar articles were also published on other news portals:

<http://politics.md/?view=articles&id=9847>

<http://www.evzmd.md/special/302-special/39349-alta-nazbatie-marca-renato-immn-%E2%80%9Eguy%E2%80%9D-pentru-partidul-lui-usatii.html>

<http://news.yam.md/ru/story/4334112>

On 27 April 2016, the Metropolitan of Chişinău and All Moldova of the Russian Orthodox Church, Vladimir, held a discourse in the Parliament of the Republic of Moldova in front of the members of Parliament on the occasion of the National Flag Day and on the eve of Easter Holidays, where he expressed his opposition towards the Law on Ensuring Equality: “*The Metropolias of Moldova, Bessarabia, the Catholics, Adventists, Baptists – all had discussed this topic – the sexual minorities. We are a Christian country: 98% had declared then that they were Christians, and only 2% supported these minorities. It is a humiliation for us to be equal to those two percent*”, stated the Metropolitan while being applauded by some of the MPs. Furthermore, he referred to this and other initiatives as „*these temporary laws*”.

On 1 September 2016, the presidential election campaign commenced. A degrading, sexist and discriminatory discourse concerning some aspects of Maia Sandu’s personal life, a woman candidate, started from the very beginning of the campaign, although several candidates had been in a similar or identical situation, especially those without children (e.g. Mihai Ghimpu).

Insinuations about Maia Sandu's lack of family and children were the limelight discourses and debates.

On 19 October, Angela Frolov, Lobby and Advocacy Programme Coordinator at the GENDERDOC-M Information Centre, made the following post on her personal Facebook profile: *"Dear LGBT people, I understand that there hasn't been yet any politician worthy of our votes. I think that now there is a politician who can have our trust. I am not sure that the expectations will be met, but it's worth the effort. It is our only chance for freedom."*

This Facebook status update served as a basis for news by at least six mass media outlets in a tendentious manner, with intention to damage Maia Sandu's image for she had been allegedly backed by the LGBT community and to favour her rival, Igor Dodon, who was intensely appealing to homophobia in his presidential campaign.

<http://gagauzinfo.md/md/top2/2871-homosexualii-i-lesbienele-din-moldova-susin-c-o-vor-vota-pe-maia-sandu.html>

<http://infomoldova.net/maia-sandu-demna-de-voturile-homosexualilor/>

<http://moldova24.info/2016/10/oficial-maia-sandu-este-unicul-candidat-demn-de-voturile-homosexualilor-si-lesbienelor/>

<https://point.md/ro/noutati/politika/homosexualii-din-republica-moldova-vor-vota-pentru-maia-sandu>

<http://www.prime.md/rom/news/politics/item41462/>

http://www.publika.md/homosexualii-si-lesbienele-din-moldova-sustin-ca-o-vor-vota-pe-maia-sandu-foto_2783951.html

On 20 October, Chairman of Criuleni Territorial Organisation of the Democratic Party of Moldova (PDM), Veaceslav Burlac, posted on his Facebook profile the following: *"Is it worthy indeed for this country to be transformed into the new Island of Lesbos? What do the Maya people have to say?"* This post referred to presidential candidate Maia Sandu. In the post's comment section Burlac had also written: *"I have reasons to think about the eventual modification of the national tricolour into a multicoloured flag with the coat-of-arms being a rainbow"*.

<http://unimedia.info/stiri/foto-presedintele-organizatiei-teritoriale-pdm-criuleni-manifesta-homofobie-pe-retelele-de-socializare-121668.html#.WAjZOMM5xys.facebook>

On 25 October, during the MegaFon talk show on NTV-Moldova channel, which belongs to the people affiliated to Igor Dodon, the host Iurie Roșca (former leader of the Christian Democratic People's Party and former Member of Parliament) stated the following: *"Maia has already got a big disadvantage. As unpleasant as it is to discuss this topic, a few days ago it became known that she was supported by a gay and lesbian organisation"*. After that a homophobic commentary by the talk show guest, Valeriu Demidetchi, head of TASS news agency in Moldova, about the fact that he didn't like the gay propaganda followed.

On 28 October, Valeriu Ghilețchi, independent Member of Parliament, on his Facebook page published an interview of a gay activist with the commentary which contained the following: *"Today more than ever we need a firm conservatory position towards stopping the progressive wave, which is coming with an aggressive agenda, to change everything related to family and traditional Christian values."*

During the period of election campaign, discriminatory statements, which incited hate and discrimination, were largely promoted by several clergymen, those who'd pose an authority for many voters. These statements were perpetuated by some local and national mass media outlets.

On 27 October, head of the Moldovan Orthodox Church Vladimir stated the following in an interview: *“During the last years we were against the acceptance of the law which equals a small percentage of sexual minorities and the whole Orthodox Church with all of the Christians, who represent 98%, who stand for normal sexual orientations that exist in our society.”*

<https://www.youtube.com/watch?v=mMKtKAEkcWg&feature=share>

On 4 November 2016, a group of priests headed by the Bishop of Bălți and Făleşti of the Moldovan Orthodox Church, Marchel, held a press conference where they abounded with discriminatory terms, pejorative and degrading qualifications, especially the word “barren”, towards the presidential candidate Maia Sandu. During that conference, Bishop Marchel urged citizens to not vote for Maia Sandu because (primarily): *“...for the first time in history, she is supported by homosexual activists, lesbians, bisexuals and transsexuals..., because she publicly declared that society must tolerate these groups of sexual minorities, but those who will not tolerate them are ill and should be cured in a spirit of tolerance towards them”* (min. 10:00 – 11:00). He added: *„We can’t support this candidate, who promotes the sin of homosexuality and humiliates us, those who have some other opinions. A president like this will destroy the morals of our children”* (min. 27:00 – 27:30).

Vitalie Șîncari, another priest from the Moldovan Orthodox Church, stated: *„We hold nothing against homosexuals. However, we have serious claims against what they promote in our world since this idea, coming as an alleged idea of liberty, as if everyone should be free, as a result, kills me in the relationship towards the critique. I am not able to criticise this phenomenon, because it will be called intolerance and so on”* (min. 19:10 – 19:40).

Another speaker at the press conference, Orthodox priest Roman Pintilii, said the following: *“[Maia Sandu] left the school in the hands of sexual minorities through that book [sexual education] so the children were educated in the manner of tolerance towards this scummy and dark sin. As gratitude, here they are now, homosexuals and lesbians, backing her in the elections. That is why I urge the Christians, good people, to pay attention to who we vote for!”* (min. 25:41 – 26:23).

<https://www.youtube.com/watch?v=-EDEqrcbjI8>

In 2014, representative of Moldovan Orthodox Church, deacon Ghenadie Văluță, tried to perform a religious ritual over Angela Frolov, representative of GENDERDOC-M Information Centre, during a Publika TV live talk show, because of her alleged homosexuality. A complaint on grounds of incitement to discrimination and violation of the freedom of belief (which also includes the lack of religion) was submitted to the Council on Prevention and Elimination of Discrimination and Ensuring Equality. On 16 June 2014, the Council issued a decision by which Ghenadie Văluță was found liable for discrimination based on sexual orientation and belief.

<http://egalitate.md/index.php?pag=news&id=836&rid=482&l=ro>

On 29 December 2014, Ghenadie Văluță submitted a lawsuit demanding cancellation of the Council’s decision. Angela Frolov entered the trial process as the intervener. Due to the fact Ghenadie Văluță used the exception from Article 1 of the Law on Ensuring Equality, which stipulates that *“This law doesn’t extend and cannot be interpreted as prejudging religious cults and their component parts in what regards religious beliefs”*, Angela Frolov’s lawyer filed a claim on lifting the exception of unconstitutionality.

The claim was subsequently admitted by the Constitutional Court of Moldova. On 16 May 2016, the claim was rejected during the Constitutional Court hearing. However, the Constitutional Court issued an explanation to this law exception. The Court emphasised that Article 1 (2) c) from the Law on Ensuring Equality is to be applied to the extent that is related to the teachings, canons and traditions of religious cults, whose stipulations are applicable to the proper believers and sacerdotal actions in spaces designed for this purpose, so that they did not

contradict existing legislation and did not prejudice human rights and fundamental freedoms.
<http://www.constcourt.md/libview.php?l=ro&idc=7&id=807&t=/Media/Noutati/Constitutia-protejeaza-convingerile-religioase-nu-i-discriminarea/>

The situation of trans people remains unchanged. There are no specific provisions in the Moldovan legislation that would provide a quick, transparent and accessible mechanism on legal gender recognition for trans people. The only possibility to recognise one's gender identity through the name and gender marker change in identity documents remains a court decision. GENDERDOC-M Information Centre provides free legal aid for trans people, who, in a relatively reasonable time within existing reality, may receive a positive court decision; however, these services are expensive and time consuming for both the GENDERDOC-M lawyer and State Registry Office, as well for courts. A mechanism provided by law, which would meet international human rights standards and good practices of such countries as Malta, Denmark and Argentina would ease trans people's lives and would decrease the number of court cases.

In May 2016, Ministry of Justice submitted a draft law on amending and completing some legislative acts, and especially Moldova's Criminal Code and Code of Administrative Offences, concerning bias-motivated crimes to the Parliament. The draft law provides a definition of a bias-motivated crime: *"By the grounds of bias, contempt or hatred are understood offender's reasoning determined by their hostile attitude generated by, whether real or perceived as real, race, skin colour, ethnicity, national or social origin, citizenship, sex, wealth, genetic features, language, religion or beliefs, political views, belonging to a group, birth or descent, disability, health, age, sexual orientation, gender identity, or towards those who support people who can be individualized by such criterion or are associated with."* Also, the draft law contains all modifications for tangential articles. According to the amendments, grounds of bias, contempt or hatred constitute an aggravation.

http://www.justice.gov.md/public/files/transparenta_in_procesul_decizional/proiecte_spre_examinare/2016/mai/Proiect_de_lege_hate_crime_actuala163.pdf

On 4 November 2016, Republic of Moldova was evaluated by the UN Human Rights Council within the Universal Periodic Review (UPR). GENDERDOC-M Information Centre had submitted an alternative report on violation of the rights of LGBT people in Moldova. The report contained issues related to hate speech, bias-motivated crimes, access to justice, necessary amendments to the Law on Ensuring Equality, and legal gender recognition.

https://www.upr-info.org/sites/default/files/document/moldova_republic_of/session_26_-_november_2016/gdm_upr26_mda_e_main.pdf

After the evaluation, the Government of Moldova received 14 recommendations on LGBT rights in the field of non-discrimination and bias-motivated crimes. All recommendations were accepted by the Republic of Moldova.

https://www.upr-info.org/database/index.php?limit=0&f_SUR=113&f_SMR=All&order=&orderDir=ASC&orderP=true&f_Issue=All&searchReco=&resultMax=300&response=&action_type=&session=&SuRRgrp=&SuROrg=&SMRRgrp=&SMROrg=&pledges=RecoOnly

During October–November 2016, the independent TV channel TV7 ran a TV show titled "Candidate" with participation of a lesbian activist, Angela Frolov, Lobby and Advocacy Programme Coordinator at the GENDERDOC-M Information Centre. The "Candidate" TV show simulated political debates within the concept of alternative presidential elections with intention to provide TV viewers with an alternative perspective on the culture of political debates based on

reasonable arguments. The TV show was broadcast live every Wednesday over the course of two months. The TV moderator, Natalia Morari, one of the most popular journalists in Moldova, invited 12 people (opinion leaders, civic activists, entrepreneurs, and entertainment professionals) to compete for the position of an alternative country president. Visitors had the opportunity to vote for their favourite candidate by televoting. Each week, the candidate who accumulated the least votes was eliminated. Despite the fact that Angela Frolov was open about her homosexual orientation and the fact that she was an LGBT activist during the show, she was voted by a large number of viewers and became a runner up.

JUSTICE AND FAIR TRIAL

In May 2015, during the local election campaign all over Moldova, the Party of Socialists of the Republic of Moldova launched a political commercial spot. In the video spot, produced in Romanian and Russian, PSRM leader Igor Dodon accused the then government of “*destroying our traditional values and our Christian morality*”, while a video sequence from the March for Equality organised on 17 May 2015 in the centre of Chişinău by GENDERDOC-M appeared in the background. In the foreground of the commercial appeared five representatives of organisation, activists for LGBT rights. In June 2015, GENDERDOC-M Centre filed a lawsuit against the PSRM chairman Igor Dodon and Party of Socialists on grounds of incitement to discrimination. The first court instance issued the decision recognising the fact of incitement to discrimination based on sexual orientation. PSRM appealed the decision and in June 2016 the Chişinău Court of Appeal overturned the decision of the first court instance. The lawyer of GENDERDOC-M Centre filed an appeal to the Supreme Court of Justice. The Supreme Court rejected the appeal. At the moment, the case is being prepared to be submitted to the European Court of Human Rights against the Republic of Moldova.

POLICE AND LAW ENFORCEMENT AUTHORITIES

1. Traditionally, in May, GENDERDOC-M Information Centre organises the LGBT Pride Festival *Moldova Pride*, which culminates with the March for LGBT Equality. It involves participation of the LGBT community and allies. In 2016, the march was held on 22 May.

On 17 May 2016, there was held a meeting between the Equality March organisers and representatives of the National Patrol Inspectorate to negotiate security measures for participants of the “No Fear” Solidarity March (the March title since 2016) and ensure its proper course. At the meeting there were discussed the route, as well as the starting and finishing time.

The police officers claimed that they had received information that the veterans from the Afghanistan and Transnistria Wars Association were planning to attack participants of the March, and that the Platform of Dignity and Truth (a political platform that had been protesting non-stop in the Great National Assembly Square) were against the fact that the March would finish in Great National Assembly Square intending to block entrance to the square. When GENDERDOC-M representatives asked why the police hadn’t taken any preventive measures to ensure the freedom of assembly for LGBT initiative, they responded that “*it wasn’t able to be done according to the law*”.

After the meeting, GENDERDOC-M partners reached the Veterans Association and the Platform of Dignity and Truth. Representatives of both associations claimed they hadn’t planned any action and that the police misinformed organisers.

On 20 June 2016, the representative of GENDERDOC-M Centre Angela Frolov was invited to the Chişinău Central Police Department to submit a complaint about the violations that had occurred during the “No Fear” Solidarity March. When the blockage of the March route by an

counter-demonstrators' group was discussed, a police officer tried to justify their actions by saying, "*Subjectively speaking, some citizens might not agree with your manifestation*".

2. On 2 October 2016, Inna (name changed), a lesbian woman, and her partner were verbally and physically assaulted by her mother and sister for being a lesbian. Sorin Crăciun, a police officer from Ciocana Police Department nr.2 in Chişinău, drew a police report on hooliganism (misdemeanour) against the victims rather than against the aggressors. He also informed Ciocana Child Protection Department in Chişinău that Inna was a lesbian, which „*means she is an alcoholic and mentally ill and isn't taking care of her child properly*". GENDERDOC-M Centre released a media statement about this case. Following its publication, several media reports appeared in the local mass media, which influenced the attitude of the Police Inspectorate.

<http://www.europalibera.org/a/28042719.html>

<http://unimedia.info/stiri/homofobie-in-randul-oamenilor-legii--un-ofiter-de-politie--chemat-sa-solutioneze-un-conflict--a-discriminat-un-cuplu-lgbt-95715.html>

<http://btv.md/moldavskij-politsejskij-unizhaet-zhenshchinu-iz-za-ee-seksualnoj-orientatsii/>

3. On 9 November 2016, Corina (name changed), a lesbian woman, was beaten by her stepfather after he had found out about her sexual orientation. Corina called the police, but the police refused to take any action suggesting that the parties involved sort out the conflict by themselves. Being represented by the GENDERDOC-M Centre's lawyer, Corina filed a complaint to the Prosecutor's Office.

BIAS-MOTIVATED VIOLENCE

Case 1. On 17 February 2016, Stas (name changed), a young gay man, went to visit his parents in his home village. On 20 February, at 23:00h, he went out to local bar with friends, where four other of his acquaintances were. One of them, his former classmate, knew about the fact that Stas was gay. The former classmate started a discussion about Stas's personal life, asking him if it was true that he was gay. Stas confirmed it, and one of those four acquaintances, Vasile Janu, kicked him repeatedly. Then he asked Stas if he would have liked to have sex with him. After receiving a negative answer, he hit Stas again with the fist against the shoulder and right eyebrow. Stas left the bar as he heard them shout insults and incitement, "*This fag must leave the village to not disgrace it!*" On 29 February, Stas filed a police complaint, after which a police report was drawn. The assailant was sanctioned with a fine of 25 conventional units according to Article 78 (2) "*Intentional light bodily injuries, ill-treatment, beating, and other violent actions that caused physical pain*" of the Code of Administrative Offences. The bias behind the physical assault was not taken into consideration. After having filed the complaint to the police, Stas was insulted and threatened by an assailant's friend via the social network Odnoklassniki. After he had filed a complaint against those threats, Stas was insulted and threatened again, by assailant's mother. Stas filed a complaint against her as well. As a result, both perpetrators were sanctioned with a fine of 20 conventional units for insults.

Case 2. On 23 February 2016, at around 19:00h, Janna (name changed), a young transgender woman, was assaulted by a group of men, who had identified her as transgender. They started to yell at her "*It's that boy!*" and "*Why are you walking in our neighbourhood? We are tired of you!*" chased her shouting "*Get him! We'll beat him!*" The young woman managed to escape from them. Her parent called the police. Prior to the arrival of police, they managed to stop a police patrol car and together with police officers tried to find the assailants but failed. The local district police officers arrived only 40 minutes later to the scene and drew a record. There is no information about the measures taken and result of police investigation on this case.

Case 3. On 7 March 2016, Petru (name changed), a gay man, invited several acquaintances to pay him a visit. According to him, at one point, one of the guests proposed him to have sex with him. Petru refused it and asked him to leave, which surprised and offended the guest, who smashed the window of Petru's apartment and left. Shortly after leaving, the man returned with 7 other men bringing a traumatic weapon. They broke apartment door by kicking it and tried to get inside. Petru was keeping the apartment door shut from the inside, trying not to let them enter. Then the assailant pushed his hand with the weapon in through the door's crack, pointed gun at Peter's head and fired. Petru managed to move aside. Six gunshots followed and hit the wall. The noises from gunshots woke up neighbours and they called the police. The police arrived and managed to detain assailant with the gun. The next day, 8 March, the assailant and his seven accomplices returned repeatedly and trespassed in the apartment looking for Petru to "*reach an agreement with him to revoke his complaint*". A criminal case on the violation of private property was initiated. Petru's lawyer filed a complaint to the Prosecutor's Office on grounds that the police investigator hadn't investigated the case properly, hadn't interviewed the victim, hadn't seized the gun, hadn't taken fingerprints, hadn't photographed the crime scene and holes from gunshots in the walls, hadn't photographed the door destroyed from the forced entry and violence that occurred in the apartment, and hadn't qualified the case as an attempted murder. The Prosecutor's Office ordered the Police Inspectorate to resume the case and correct mistakes made during investigation. The case is being under investigation.

Case 4. Cornel (name changed) is a young gay man from Chişinău, whose sister found out about his sexual orientation. She talked in four of her friends to attack him, because her brother allegedly made her feel ashamed of him. On 9 March 2016, at 19:30h, Cornel was attacked by those four men. The assailants asked the woman what they could do to her brother and she said that they "*could do whatever they wanted*". The young man was forcibly taken into their car and brought to the Ciocana forest in Chişinău where he was insulted and threatened with death by four assailants. He was hit several times in the chest; his jewels were ripped and then thrown away. His mobile phone was also taken away. At 23:10h, the offenders arrived to the centre of Chişinău, where they stopped by the UNIC department store to get one more friend in the car. Cornel opened the car door and escaped. Out of fear of being attacked repeatedly, he did not want to submit any complaint to the police.

Case 5. On 19 May 2016, during the LGBT Festival "Moldova Pride" there was held a party for festival participants at the Faraon Night Club in Chişinău. Two gay men with hearing impairment were attacked by a group of three young unknown men, who were wearing hoods on their heads (a sign of the extremist gang "Occupy Paedophilia"), right after they had got off a taxi cab that stopped close to the club entrance. Victims of the attack started to screaming, but the police, who had been ensuring safety outside the club, didn't hear them despite the fact that two police officers hadn't standing on duty at the club entrance. After the police had been notified of the attack, two police officers came to the scene and tried to draw a report. However, this was not possible due to the absence of a sign language interpreter. They neither issued referral paper to the forensic expertise nor did they start investigation into the misdemeanour. GENDERDOC-M Centre's lawyer tried to find a sign language interpreter at the authorized institution to talk to one of the attack victims and to sign the lawyer's mandate in order to represent them in filing a police complaint and for undergoing forensic examination. However, the aforementioned institution was over solicited and the sign language interpreter was to be offered just 11 days later. Over the course of 11 days injuries were no longer visible and victims refused to lodge the complaint to the police.

BIAS-MOTIVATED INCIDENTS

Case 1. On 30 January 2016, four gay men were harassed by some visitors at the T5 night club. During the evening, the gay men noticed unpleasant glances from male visitors followed by hysterical laughter directed at them. One of the visitors had even opened the backpack of one of the gay men and put his head inside. The young man, targeted with this bizarre action, did not understand the purpose and message of that gesture.

Case 2. On 2 February 2016, Artiom Zavadoschi, LGBT Community Development Programme Coordinator at the GENDERDOC-M Information Centre, was harassed via social network Odnoklassniki by a resident of Vulcănești town named GE. The messages contained homophobic insults directed at the LGBT activist in an aggressive, vulgar and obscene language. Likewise, the insults were followed by threats such as: *“Your head needs to be cut off”, “Tell me where you live and I will come and beat your ass”, “I bet you’ll be found soon. We have saved your picture. We will bury you and you won’t even be found”*.

Case 3. In February 2016, Denis (name changed), a 17-year-old gay man, was sent from his home town to Chișinău by his parents, because had been repeatedly harassed by his classmates and neighbours. In Chișinău, his uncle was going to take care of him. Denis’s uncle rented for him a room in an apartment with a retired landlady. The landlady, having noticed that Denis was different, asked him questions about his personal life. Denis told her that he was homosexual, after which she spat in his direction, called him a *“pervert”* and *“paedophile”* and said that she was kick him out as a tenant. Thereafter, the landlady told his uncle about the fact that she would not admit him as a tenant because he was a *“fag”*. Denis’s uncle also intimidated him with homophobic insults and threats.

Case 4. On 2 March 2016, Artiom Zavadoschi, an out queer person and LGBT Community Development Programme Coordinator at the GENDERDOC-M Information Centre, was walking from Kira’s Club down Mihai Eminescu Street (in Chișinău) at 3:00h in the morning, wearing an big earring in the left ear. Between 31 August 1989 Street and Ștefan cel Mare Boulevard a group of three young men in their 20s passed by him. While passing by, one of them started to shout at him: *„Fags can’t give birth!”*, *“Fags don’t have sex with women”*.

Case 5. On 19 May 2016, Denis (name changed), an 18-year-old gay man, was employed at one of the restaurants at the Shopping MallDova named *“Seasons Brasserie”*. Two restaurant cooks, named Dima and Petea, found out that he was gay and harassed him daily. The young man was approached only by *“Fag, come here!”* He was kicked every time he passed by them, and on June 5 those two restaurant employees threw a dirty rag at him. Denis was advised to file a complaint to the police, but he didn’t do it out of fear of revenge. Eventually, he decided to quit the job.

Case 6. On 6 June 2016, Stas (name changed), a 20-year-old gay man, who participated in the Solidarity March *“No Fear”* organized by GENDERDOC-M Information Centre on May 22 in Chișinău and displayed an image with the slogan of the march *„No Fear”* on his personal profile in Odnoklassniki social network, was repeatedly threatened and insulted by one of his fellow villagers, who had been already fined by the police for similar violations in the past.

Case 7. At the beginning of September 2016, Nelu (name changed), a 17-year-old gay man from Hâncești District, was harassed and beaten by his parents after they had found out about his homosexuality. Parents took away his phone, limited his access to all sources of

communications, prohibited him to attend his school and took him along to their work every day. Without consulting any doctor, they bought him some anabolic medication and forced him to take it.

Case 8. On 15 October 2016, an event within the Coming Out Days Festival organised by GENDERDOC-M Information Centre was held at Korovva night club in Chişinău. Organisation's representative and a drag performer Artiom Zavadovschi was verbally and physically assaulted by a group of unknown male visitors at the club entrance. They uttered insulting homophobic slurs towards him and pushed him. The security guard intervened and prevented the escalation of attack.

Case 9. On 29 October 2016, parents of a 17-year-old gay man, Andrei (name changed), from the rural area, found out about his homosexuality from having accessed messages on his personal Facebook account. Andrei's parents, while he was away in Chişinău visiting one of his friends, came along with their other son and a nephew of theirs to Chişinău. Being in a drunken condition, they intended to take him home saying that they'd better kill him than feel ashamed because of him. On their way to take Andrei, they were calling him on the phone and constantly threatening. All attempts to calm them down were unsuccessful. Andrei's father and brother applied physical violence against him and put him in the car while him. A complaint was filed to the police.

Case 10. On 6 November 2016, relatives of a young gay man, Andrei (name changed) called his friend, Stas (name changed), with whom Andrei rented a room in an apartment in Chişinău, asking him to come and take some of the Andrei's personal belongings. The meeting was planned for 12:00h in front of the UNIC department store. When arrived at the meeting spot, Stas was attacked by Andrei's brother and two unknown young men. After some bystanders intervened, the assailants ran away. Stas called the police and filed a complaint on the incident occurred.

HATE SPEECH, INCITEMENT TO HATRED AND DISCRIMINATION

Case 1. At the end of February 2016, a GENDERDOC-M outreach worker, Alexandru Goja, noticed a sign displayed next to the parking lot of the company "Viknograd SRL" in Chişinău. The sign had the following message: "*Parking for Viknograd clients and homosexuals*". Information about the sign reached some news sites. After the news had been broadly distributed, the sign was removed by the representatives of "Viknograd SRL" company themselves.

<http://independent.md/foto-o-companie-discrimineaza-persoanele-care-parcheaza-neregulamentar-loc-pentru-homosexuali/#>

Case 2. Grigore (name changed) is a gay man, works as a driver in one of the trolleybus parks in Chişinău. Since January 2016, one of his colleagues, whenever he saw him, would say "*That's a fag*" in front of other colleagues. This happened at least once a week. After consulting the lawyer of GENDERDOC-M Centre, Grigore filed a complaint to the trolleybus park director with request to take measures to prevent harassment from his colleague.

Case 3. On 12 June 2016, a terrorist attack on a gay night club occurred in Orlando, USA. 49 people were killed and 53 were injured. Several people from the Republic of Moldova commented this news on social network with hate and contempt. Here are just some of the examples of these commentaries:

- 3.1. “50 less AIDS spreaders” (a comment left by Dima Ne Vidima on Facebook);
- 3.2. “Thank god that no people have died!!!” (a comment left by Vitalie Televca on Facebook);
- 3.3. “One guy like this visiting each gay club would be ok” (a comment left by Sergiu Karoli on Facebook);
- 3.4. “If among the victims are only homosexuals... I would lie if I said that I feel very sorry for them! Still, leaving the irony aside... “Welcome to America”, the country of all possibilities” (a comment left by Florea Costin Razvan on Facebook).

Case 4. On 6 September 2016, on Facebook appeared a picture of an announcement displayed inside the Sports Palace of State University of Moldova. The announcement had the following message: „*Failure to return the equipment back after use is permitted only to pregnant women and persons of non-traditional sexual orientation*”.

Case 5. On 11 October 2016, on the International Coming Out Day, GENDERDOC-M Information Centre launched a series of events dedicated to this day. On Facebook was created a homophobic group inciting to hatred and violence against LGBT people. In the group were published the following messages: “*Bring the bat!*”; “*We’ll extinguish them... like candles in the church*”; “*No brass knuckles [needed], snap the head and they’re bent*”; “*Let them rest in peace*”.

Case 6. On 2 November 2016, on guralumii.net website appeared a homophobic pamphlet titled “*Investigation. Maia Sandu and Angelica Frolov has a secret meeting with LGBT community from Moldova*”. In the pamphlet were mentioned several public figures (journalist Natalia Morari, journalist and activist Nata Albot, and civic activist Polina Ceastuhina) in a homophobic and insulting manner. The pamphlet was published during the second round of presidential elections campaign, in which Maia Sandu was one of the presidential candidates. Pamphlet was widely distributed via social media. In the Republic of Moldova, in most cases, pamphlets are spread and perceived as news without a disclaimer that it’s a pamphlet. This phenomenon is well-known and used in order to mislead public opinion.

<https://guralumii.net/2016/11/02/investigatie-maia-sandu-si-angelica-frolov-au-avut-o-intalnire-secreta-cu-membrii-comunitatii-lgbt-moldova/>

EQUALITY AND NON-DISCRIMINATION

Case 1. At the beginning of 2016, Denis (name changed), a young gay man, was employed in the Coffeemolka Café in Chişinău. Since Denis was underage (being 17 years old at the time), he was unofficially employed as a janitor. Realising that Denis was gay, cafe owners fired him without paying entire wage, telling him that his place was around the corner (where the Spălătorie bar is located which, among others, hosts diverse LGBT thematic events). Denis couldn’t do anything because he wasn’t able to prove that he had worked in that place.

Case 2. On 26 October 2015, a teacher of a transgender student, Janna (name changed), from the Theatre Lyceum of Chişinău found her photo on VK.com social network, where Janna wore makeup. The teacher initiated a transphobic discussion with the transgender student’s classmates on social media. The discussion was discriminatory and humiliating. On 11 March 2016, one of Janna’s classmates found out about this conversation. Being bothered by the fact that the teacher had initiated this discussion, allowing herself insults against her trans student, Janna’s classmate made a screen copy of this conversation and sent it to Janna. Janna filed a complaint to the school director. There is no additional information on the results of this action.

Case 3. On 21 April 2016, a young gay man named Tolia (name changed) wanted to apply to the modelling agency “VOGUE” in Chişinău. The agency’s administrator named Vova Stavinschii refused him by saying, “*Sorry, we don’t need any fags here*”.

Case 4. Mihail (name changed), a young gay man from Chişinău, is being harassed by his colleagues and manager at work. In June 2016, Mihail participated in the Diversity March within Bucharest Pride (Romania), and one of his friends shared a common picture with him from the event on his Facebook profile. After this, Mihail’s manager changed his attitude towards him and said that, in case of staff downsizing, he will be the first to be fired. On another day, he told Mihail that if he submitted an application for release from the service, he would sign it with pleasure. One of Mihail’s colleagues asked him what kind of girls liked and, immediately after, another colleague added mockingly, “*Or boys?*”. While passing by two other colleagues, Mihail jokingly asked them “*Are you talking about me?*” to which one of them responded “*Yes, Stas told us you were a fag*”.

Case 5. On 14 November 2016, a male volunteer of GENDERDOC-M Centre called the number of “Klubok” knitting store manager following the announcement of employment of a shop assistant published on 999.md website. The store manager told him that the company was only looking for women shop assistants. Then the volunteer said that he was a transgender woman. The employer responded the following: “*Are you a minority member? That’s a nightmare! No, our shops are normal, traditional. Sorry, but you have mistaken the place. This would look quite absurd in our shops...*”

FREEDOM OF ASSEMBLY

On 22 May 2016, within the Moldova Pride Festival, the Solidarity March “No Fear” was held. The march was supposed to take place in the centre of Chişinău, beginning from the intersection of Ismail Street and Ştefan cel Mare Boulevard and aiming to finish in the Grand National Assembly Square. A few days prior to the march, organisers noticed that on Ştefan cel Mare Boulevard began renovation of the roadway, with construction materials having been unloaded on the sidewalk. These materials could be used in attacking peaceful march participants. Chişinău City Hall representatives hadn’t informed the organisers about these impediments in advance and didn’t ensure a smooth conduct of the march, which had been announced in advance and coordinated with the local authorities. In these unpredictable circumstances, it was decided to change route of the march with a starting point on Bucureşti Street and finishing point in front of the Palace of Republic located on Maria Cibotari Street. The march started at 12:00h, participants managed to walk half of the planned way being protected by the police. At the intersection with Bulgară Street, two young men, aged 22 and 29, threw eggs at the participants from the fourth floor of an administrative building situated along the march route.

<http://newsmaker.md/rus/novosti/politsiya-vyyavila-dvuh-narushiteley-obshchestvennogo-poryadka-na-marshe-lgbt-soob-25254>

The march continued until the intersection with Alecsandri Street, where it was blocked by a group of aggressive counter-demonstrators that wouldn’t allow further passage to the final destination of event. They were holding banners reading “*Don’t equalize ethnic and cultural minorities with a psycho-sexual pathology*”; “*No to homosexual propaganda*”; “*Stop the homosexuality*” and shouting homophobic insults at participants of the march. Counter-demonstrators had also assaulted journalists, who were covering the event, by telling them „*Who do you defend, do you defend the fags?*” and violently making them pray. As a result, the police suspended the march and evacuated participants instead of the counter-demonstrators.

<https://www.youtube.com/watch?v=hWmtpabLAHo>

<https://www.youtube.com/watch?v=TNB6-IibECA>

SITUATION OF LGBT PEOPLE IN THE TRANSNISTRIAN REGION

Case 1. Carolina Dutka, a young photographer and student at Taras Shevchenko Transnistria State University in Tiraspol, developed a photo exhibition entitled “No Silence” and reflecting discrimination of LGBT people in the Transnistrian region. The exhibition was to be held on 2 November 2016 in the №19 Civic Club in Tiraspol. On 31 October 2016, Carolina was summoned to the Special Department of the University for a discussion with a representative of the State Security Committee (KGB) of Tiraspol, who threatened her with physical punishment and made her sign a document that would confirm that the photos would not be exhibited in public anymore. When Carolina refused to sign the document, the representative of Transnistrian authorities insisted that she complied with his advice adding, “*I haven’t put a gun to your head yet*”. For security reasons, Carolina cancelled the exhibition in Tiraspol. Eventually, she appealed to Promo-LEX Association for legal assistance. This event was covered by several media sources in Moldova.

https://apriori-center.org/no_silence_kgb/

<http://newsmaker.md/rus/novosti/v-tiraspole-otmenili-fotovystavku-posvyashchennuyu-problemam-lgbt-28243>

<http://www.europalibera.org/a/28098615.html>

<http://locals.md/2016/po-prosbe-kgb-v-pridnestrove-ne-sostoyalas-vyistavka-v-podderzhku-lgbt/>

Case 2. On 11 December, 2016, Artiom Zavadovschi, LGBT Community Development Programme Coordinator at the GENDERDOC-M Information Centre, while travelling by bus from Kiev to Chişinău, was detained and questioned at the Transnistrian customs only because he had leaflets about the work of GENDERDOC-M Center in his backpack. When activist asked the customs officer what the problem was, the employee of Transnistria State Security Service responded that “*the problem was in equality*”. After Artiom explained that he worked for the GENDERDOC-M Information Center, which is a non-governmental organisation from Chişinău, the customs officer said that it would be bad if the organization was a governmental one. After the interrogation and search in activist’s personal luggage, he was allowed to continue his journey.

Case 3. Timofei, a young gay man from Bender, had to drop out from community college in Bender because he had been harassed by his peers and teachers. His parents, who found out about his sexuality, tried to place him in a psychiatric hospital to cure him the “disease”, i.e. homosexuality. The young man took refuge in Chişinău and had to hide from his parents.