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REPORT ON THE LGBT RIGHTS SITUATION IN THE REPUBLIC OF MOLDOVA IN 2017

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

The year of 2017 was a pre-election year, which affected the speeches and actions of several political parties. The Party of Socialists of the Republic of Moldova was the most active in promoting hate speeches.

On 24 March 2017, eight MPs from the Party of Socialists registered a draft law no. 861 on amending and completing of the Law on Protection of Children against the Negative Impact of Information. The authors of the draft law, MPs Vladimir Odnostalco, Fiodor Gagauz, Oleg Lipskii, Ghenadii Mitriuc, Anatolie Labunet, Vlad Batrîncea, Vasile Bolea and Bogdan Țirdea proposed the Parliament to complete Article 1 of the mentioned law with a new notion as follows: “Homosexuality – a sexual perversion that constitutes a sexual attraction towards individuals of the same sex; pederasty, sexual inversion”, as well as to complete Article 3 with terms such “of homosexual character” and “homosexual” after “pornographic”, and Article 4 with the term “images that promote homosexuality”. The law-enforcement bodies responsible for the application of the Law on Protection of Children against the Negative Impact of Information are the Audio-visual Coordinating Council, State Agency for the Protection of Morality, Ministry of Culture, Ministry of Labour, Social Protection and Family, Ministry of Information Technologies and Communications, Ministry of Interior Affairs and local public administration authorities. The draft law aims to censor public dissemination of information about non-heterosexual relationships and/or identities and will primarily target mass media outlets and civil society organizations working in the field of human rights, especially in carrying out activities such as Pride marches. This is the second draft law tabled in the Parliament in the past 11 months by the Socialist Party, whose former chairman Igor Dodon was elected the President of the Republic of Moldova in November 2016.

<http://parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3682/language/en-US/Default.aspx>

The Democratic Party of Moldova (DPM) proposed to change the current electoral system by switching to the uninominal majority voting system. The Party of Socialists proposed the mixed voting system, which was eventually proposed for adoption to the Parliament and presented as a compromise situation for the two majority ruling parties. The initiative was criticized by several active NGOs, which caused a wave of media attack on civil society in Moldova, including on GENDERDOC-M, who had signed a petition against this system.



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On 5 May the draft law on transition to the mixed electoral system was adopted by 74 MPs from The Democratic Party, Party of Socialists and European People's Group in the first reading.

On 20 July the mixed voting system was adopted by Parliament despite the civil society's protests and recommendations by EU and Venice Commission of the Council of Europe. The voting system benefits the governing party, Democratic Party, controlled by the leader Vlad Plahotniuc and the pro-Russian party, Party of Socialists, of the President Igor Dodon, and disadvantages smaller parties.

In 2017, the 2017 – 2021 National Human Rights Action Plan was drafted. The plan does not foresee a separate pillar concerning LGBT human rights (unlike other groups such as the elderly, people with disabilities, religious and ethnic minorities, etc.), although the Plan mentions that “The maximum social distance remains to be manifested towards LGBT community (being the only group where half of the respondents opted for exclusion of the group representatives from the country)”¹. Nevertheless, the Plan foresees the following: “Ensuring equality is one of the national priorities in the field of human rights in the Republic of Moldova, and its effective implementation implies the implementation of the human rights approach in the process of public policy making towards creating equal opportunities for the enjoyment of fundamental rights for the entire population of the country, including by introducing special measures to ensure equality”.

During the 2016 Universal periodic Review in the UN Human Rights Council, in 2017 Moldova accepted 12 recommendations on reducing discrimination in the country, seven recommendations on preventing hate crimes and legislative changes, as well as one recommendation on preventing hate speech. Seven of those recommendations concern sexual orientation and gender identity.

The Soros Foundation Moldova presented a 2017 study, “Church and State in the Republic of Moldova”². The research also analysed the intolerance of residents of the Republic of Moldova. To measure the level of (in)tolerance in society, researchers applied the classic tool – the social distance scale. For a list of social groups, the respondents were asked to mention those they would not accept in different social relationships ranking them by the distance to the respondent: i.e. to live in the Republic of Moldova, to live in the same locality, to be a neighbour, to be a friend, or to be part of the family. The generalised intolerance is manifested by the rejection of all social groups that are “different” from the majority. A good indicator of generalised intolerance is the average number of groups that were rejected by respondents in a particular situation. For Moldova, this indicator is 6.5 on a scale from 1 to 10. It is a considered high value and is associated with a high level of intolerance. The data show four groups that are almost unanimously rejected: drug users, homosexuals, alcoholics, and people living with HIV/AIDS. These are very specific and well-defined groups. The least rejected group is also the only one with a diffused definition

¹ STUDY ON EQUALITY PERCEPTIONS AND ATTITUDES in the Republic of Moldova (2015)
http://md.one.un.org/content/dam/unct/moldova/docs/pub/ENG-Studiu%20Perceptii%202015_FINAL_2016_Imprimat.pdf

² Church and State in the Republic of Moldova, study (2017)
https://www.soros.md/files/publications/documents/Studiu_Biserica%20si%20Stat_EN.pdf



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in the list, “people of different ethnicity/nationality”. At the same time, when specific ethnic groups – Roma and Jews – were mentioned, the intolerance increased.

These observations show that the Moldovan society is a closed one and enjoys little availability to accept minorities. Its most members reject “different” people, regardless of sexual preferences, habits considered vicious, ethnicity or religion. Rejection is stronger when the group is more specifically defined. It is noted in the study that the degree of rejection of homosexuality is similar to the cases of suicide and prostitution.

A sensitive subject from a church perspective is that of same-sex relationships. Homosexuality is harshly condemned, and discussions about legalising such relationships infuriate most churches. In recent years, many EU Member States have introduced legal instruments for the recognition of same-sex couples, be it in the form of marriage or civil partnership. This has generated reactions from churches, including in states associated with the European Union, like Moldova.

The degree of moral acceptance of homosexuality in the Republic of Moldova was measured on a scale from 1 to 10, where 1 means that it is not justified at all, and 10 means that it is fully justified. The same question had been used in the 2008 EVS study, so we can compare the results. In both instances, the conservative position is overwhelming: 85% of respondents in 2008 and 87% in 2016 respectively reject homosexuality. Under these circumstances, it is no surprise that Moldovans reject any form of legal recognition of same-sex couples: 94% disagree with the recognition of marriage, and 92% reject the civil partnership as an alternative form of regulation. The researchers tried to place respondents in a context where they had to make a decision about a close person: what would they do if a child told them that s/he had a different sexual orientation? The options remain mostly conservative but nuanced. Only 14% of respondents say they would accept it: it is a low percentage, but significantly higher than those who say that homosexuality can be justified (3%) or would accept the legalisation of a same-sex relationship. At the opposite end, 20% said they would break any connection with the child. About 9% of those who did not know what to answer could assume that they would have at least one serious ethical dilemma. The largest group – 57%, consists of those who would resist, but would try to persuade the child to change her/his minds. Asked how it would work, only a few responded: 37% (of those who would try to convince their child that it was wrong) would appeal to religion, tradition, normality; 5% would use reason and 1% would be ready to resort to physical constraints and even violence.

In Moldova, homosexuals are categorically rejected, which means that the chances of a politician who would openly declare their sexual identity different from the majority are very small. Perceptions about discrimination are mixed. Like in the case with rights, school representatives are convinced that they know what discrimination means. However, the examples given suggest that there is no common understanding of the term. In the particular case of homosexuality, discrimination is understood by a respondent as a form of physical violence.

Representatives of the Orthodox Church showed opposing views. They provided a vision of the Rights where their guarantee by the State endangers public morality. It should be



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underlined that none of the respondents in this category provide a simple explanation of this situation. Only one respondent admits that “problems” might arise from guaranteeing certain laws.

However, most respondents say that guaranteeing rights to homosexuals comes “against nature”, because homosexuality is a sin. They are also worried that guaranteeing rights will lead to “too much freedom” in terms of public expression of sexuality, and that children may be exposed prematurely to information on sex and sexuality.

Put into the hypothetical situation in which a gay person would live in their locality, most said they did not think that person was discriminated against. Respondents admitted the existence of jokes and gossip, but did not consider them to be discriminatory. In such cases, only physical violence against a person is considered discrimination. There is absolutely no support for guaranteeing LGBT rights. Even respondents who showed a clear interest in the law said that such protection was not “normal”. The respondent who knew a homosexual person said that it was important to “pray for them”.

In the case of homosexuals, legal protection was understood as promoting the behaviours/identities that are sinful or constitute a disease. Moreover, such protection is regarded as dangerous for public order because it can “attract others” to the same illness or sin; is regarded as dangerous for children because it gives them too much information about sex, which is a sin in itself; and disturbs the peace of mind and the privacy of others.

FAIR JUSTICE

There was registered one case against a transgender woman.

Case 1: N.D., a transgender woman, is in the process of legal gender recognition in court. Within the court trial, it was requested to ensure confidentiality of her data. Despite this, on 19 October and 6 November, the courts official website jc.instante.justice.md published announcements of planned court hearings with indication of her first and last names. It provoked interest from some mass media outlets who published articles that disclosed her name and that the fact that a transgender person was seeking change of documents.

<https://telegraph.md/femeie-nu-te-nasti-femeie-devii-nicanor-primul-moldovean-care-cere-sa-fie-recunoscut-ca-fiind-de-sex-feminin/>

After the intervention of GENDERDOC-M staff and the lawyer, who works on the case, the article deleted some personal data of the transgender woman. The GENDERDOC-M lawyer submitted a complaint to the Superior Council of Magistracy, a governing body of the judiciary.

BIAS-MOTIVATED VIOLENCE

There were registered six cases: five against cisgender men and one against a gender nonconforming person.



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Case 1: G.M., a gay man, had a home video of him dancing dressed in female clothes at the age of 13. One of his classmates took his phone by force watched the video, copied it and made it public. As a result, the video was watched by residents of his home and two neighbouring villages. After this, G.M. was harassed and beaten several times, including by his own cousins. After graduating high school, G.M. moved to Chişinău, however the story continues to be discussed each time he visits his home village. On 23 February 2017, G.M. went to meet that former classmate in one of the village bars. The former classmate started to talk about the video story again. G.M. tried to stop him. The other man got upset, became violent and hit G.M. in the face and twice in the belly saying, “I’ll destroy you. I’ll smash your liver”. G.M. managed to escape. The following day he reached to GENDERDOC-M and following a recommendation called the 902 police number to complain. On 28 February, the aggressor came to him to apologise and to convince him to withdraw the complaint. G.M. refused to conform.

Case 2: On 27 March, GENDERDOC-M Information Centre received a letter from a prison in Moldova describing a situation of a homosexual detainee. The letter communicated that the person was continually being raped and humiliated and that no action was taken by the prison administration. The letter was transferred to the Ministry of Justice. No response was received.

Case 3: On April 17, one of the employees of GENDERDOC-M, Galia Murzin and her girlfriend approached the bus station on Balcani Highway outside of Chişinău. There were eight people at the station, including a group of five drunken people (2 men and 3 women) with a child of about 11 years old. One man from this group, named Denis Rusu, approached Galia and asked for a cigarette. Galia replied that she did not smoke. Then he asked where she was from and what her name was. He could not stand well on his feet, was periodically falling over Galia and speaking without stopping. Galia’s friend asked him to leave them alone, and he said, “*Listen, Aunt Clava, shut your mouth, I want to talk to the guy*”. Galia’s girlfriend insisted, “*You talked to her, now I want to talk*”. Hearing these words, the aggressor widened his eyes and asked Galia, “*Who are you? Are you he, she or it?*” Galia replied that it was none of his business. He tried to take the hood off her head a few times. Galia did not let him and said, “*Why do you put your hands on me. I’m not taking the cap off your head*”, and touched his cap with her finger. The aggressor hit her over her jaw with his fist. Galia’s eyes faded and she fell down. When she recovered, she saw that the aggressor was trying to get out of his friend’s constraining hands, trying to beat her again. Galia immediately called the police. Hearing that she had called the police, the aggressor and those who were with him ran away. A man who witnessed the attack followed them to see where they were going. In 10 minutes the police arrived. The man showed them where the group was hiding. The police detained the aggressor and took him to the police station together with Galia and her girlfriend. At the police station, both women filed a complaint and called the ambulance. At the hospital, Galia was diagnosed with moderate concussion. On April 25, Galia and her lawyer went to the police with a forensic expertise report and filed a complaint again. The police officer asked them, “*Why do you need to blow such a scandal in this case?*” (GENDERDOC-M had released a statement that was widely mediated by the press).

Case 4: In the late evening, on 19 May, during the LGBT Pride party held at the Rust Night Club in Chişinău, a male European Voluntary Service volunteer from Portugal, D.J., was



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physically attacked in front of the club by a group of three unknown young men, whose faces were masked and heads covered with hoods. He was hit in the face and fell on the ground. His female friends, who were with him at the time of attack, called the police making the attackers ran away. The police arrived and a complaint was filed. One his friends managed to identify one of the attackers.

Case 5: On 29 May, a GENDERDOC-M volunteer was physically attacked by three unknown young men while taking a walk in the Valea Morilor Park in Chişinău. He wore the T-shirt with Fără Frică print, symbol of GENDERDOC-M's 2016 – 2017 social campaign. The attackers approached and asked him whether he was a “fag” and threw pine cones and cigarette butts at him. After he had told them that their behaviour was unacceptable, attackers hit him in the face and stomach several times, threatened him with death if he would file a complaint to the police and ran away. A complaint was filed to the police.

Case 6: On June 13, A.C., a 19-year-old gay man, met two men named Vasile and Petru in a park in Chişinău (in a gay cruising area). They all served some alcohol. Then the two men asked A.C. whether he was gay. A.C. answered negatively but Vasile and Petru did not believe him. They kicked him several times in the chest, put off a cigarette on his face and tongue and forced him to perform oral sex on one of them. After that, A.C. was forced to go to a hotel with the two assailants where he was kept, raped and beaten for 24 hours. In the evening, at 21.00h, they sent him to the store after alcohol. Following the opportunity, the victim went to the Buiucani Police Inspectorate. The police crew immediately went to the hotel and detained the offenders. A criminal investigation was opened and forensic expertise was carried out.

BIAS-MOTIVATED INCIDENTS

There were registered 11 cases: five cases against seven cisgender men, one against a gender nonconforming person, four cases against three cisgender women, and one against a transgender woman.

Case 1: On January 21, Alexei Marcicov and Oleg Butucel, two GENDERDOC-M employees, were walking down Korolenko Street in Chişinău. Passing by the military carabinieri unit (special military forces), they were stopped by a carabineer who asked them for a cigarette. Alexei replied that he did not have any, to what another carabineer responded: “*Then get out of here, faggots*”. Alexei told him to apologize, but the carabineer refused. Alexei insisted and asked him to call his supervisors. Six more carabineers came out of the unity territory, surrounded Alexei, twisted his hands behind his back and called the police. The police took both Alexei and Oleg to the police station and tried to detain them for three hours for identification. Alexei and Oleg presented the identity documents and were allowed to leave.

Case 2: On 8 March, the International Women's Rights Day, around midnight, there was an attempt of organised collective attack on the queer-feminist party at the Spălătorie Bar, located in the centre of Chişinău. Approximately 10 men approached the bar, identified as fans of a Chişinău football club. They wanted to enter the venue with the aim of interrupting



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the party, which was organized by Artiom Zavadovschi, an LGBT activist. The bar staff called the private security crew. Arrived on the spot, the private security employees called another one more crew. The attackers spent around 20 minutes by the bar area with the intention of getting closer to the venue entrance again. Seeing that they could not enter the bar, they left. The incident lasted for an hour.

Case 3: On 14 April, a photo of a transgender woman's passport was widely distributed on Facebook. The photo was accompanied by the comment "What a HANDSOME (*male adjective*) lady at Briceni Customs". The photo was uploaded by a male officer of Moldovan Border Police service on duty. GENDERDOC-M filed a complaint to the Border Police and the Personal Data Protection Centre warning both institutions of the illegal personal data dissemination by some customs officers. The Border Police responded that they would only take action if the person concerned addressed to them directly. GENDERDOC-M could not find that person to pursue the case.

Case 4: On 11 May, Angela Frolov, a GENDERDOC-M employee, received a threat message through her Facebook profile from the Facebook page "Православные единые" (The United Orthodox Believers). The message reads: "You have lost fear as we can see. We will remember you".

Case 5: Between 15 and 18 May, the week the Moldova Pride took place, Doina Ioana Străisteanu, lawyer who provides legal services to the GENDERDOC-M Information Centre, was verbally attacked and threatened by her neighbour, Tudor Pașcareanu (a lawyer and law professor at the Academy of Economic Sciences of Moldova). Tudor Pașcareanu came to her with an iron bar in her hand and threatened her with death because "*her only clients are paedophiles and lesbians and he will not let them get close to his children*". The assailant used a homophobic speech and threatened Doina Ioana Străisteanu with death. Moreover, there was caused material damage to the building where the lawyer's office and home are located. The attacker poured the walls with oil. Doina Ioana Străisteanu called the police and filed a complaint against Tudor Pașcareanu. As a result, the attacker's law license was withdrawn.

http://www.realitatea.md/video-nu-e-inscenare-o-avocata-in-drepturile-omului-botezata-de-un-vecin-agresiv-iart-o-doamne-pe-roaba-ta-lesbiana_57665.html

Case 6: Within a few days after the LGBT Equality March (held on 21 May), a female march participant received a message from the Zimbru Football Club group on Facebook. The message was as follows: "Lesbian, if I see you in public, I'll beat the shit out you".

Case 7: A young gay man was threatened by threatened by his relatives because he was out about his homosexuality. His relatives sent him threats via the social network ok.ru.

Case 8: On 19 October, a young gay man named N. addressed to GENDERDOC-M communicating that he had come out to his relatives at the age of 19. He had to leave for Romania because of an uncle who threatened him and told their other relatives that if he caught N., he would put him in the trunk of a car, take him to the forest, bind him to a tree



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and beat him. N. is afraid to come to Moldova, and especially to go to his relatives in the town of Hâncești where his uncle lives.

Case 9: C.A. and C.F. are a gay couple. Both study in the college. At the beginning of December, they were threatened by a female acquaintance of theirs that she would disclose information about their sexual orientation at the college if they stopped being friends with her.

Case 10: A.G., a gay man living the city of Bălți. On 9 December, A.G. communicated to GENDERDOC-M that he had been stalked for a long time by a group of young men who wanted to attack him. Each time A.G. managed to get away from the attackers. GENDERDOC-M provided him legal assistance. A.G. said he would go to the police.

Case 11: On 20 December, the GENDERDOC-M employee Angela Frolov received a hate message via Facebook from the person named Petru Curciuc. The message contained insults and threats towards participants of the next year's Pride March.

BIAS-MOTIVATED SPEECH, INCITEMENT TO HATRED AND DISCRIMINATION

There were registered 10 cases: eight against the LGBT community in general and GENDERDOC-M Center; one against a cisgender woman, and one against a cisgender man.

One of Moldova's problems is that it does not have online regulations. Basically, anyone can create an anonymous mass media website, and the content of the portal can be even slanderous, indecent, and beyond the rules of journalistic deontology.

In recent years, several so-called satirical news websites have been launched in Moldova. They are similar to many satirical news sites such as Romania's Times New Roman or The Onion International. There were previous attempts in Moldova of launching such websites, which have not resisted over time (e.g, Gazeta de perete). Although these websites identify themselves as pamphlet media, they write in such a way that they are perceived as true news by a large number of readers. Sometimes, "news" from these sites is taken over by other media and distributed widely. In this way, they distribute false news and incite hatred and discrimination, as well as they denigrate some political leaders and civic activists, while nobody assumes responsibility for it.

Case 1: On April 5, on a website that identifies itself as a pamphlet media, guralumii.md, a piece of "news" was written about two civic activists who were in opposition to the governing parties. The article was named "*The real reason why Dumitru Alaiba and Pasha Parfeni went to Malta*". The article reads: "*What the media has not told is that at the same time as the political event was taking place, a gigantic homosexual parade took place in Malta. And at this event, Moldova had its representatives: Dumitru Alaiba, who is also the counsellor of Maia Sandu and the person who manages the lady's Facebook page, and also Pasha Parfeni, who has self-declared the "Voice of courage"*". The article is written in a homophobic and humiliating tone.



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<https://guralumii.net/2017/04/05/adevaratul-motiv-pentru-care-au-mers-dumitru-alaiba-si-pasha-parfeni-in-malta/>

Case 2: More than forty NGOs signed a petition expressing their concern about the introduction of the uninominal or mixed voting system in the Republic of Moldova. In their opinion, this voting system, in the conditions of the Republic of Moldova, is antidemocratic. GENDERDOC-M was one of the signatories to this petition. Politically affiliated mass media outlets made some news that the LGBT community protested against this system. The pieces of news about it were of a tendentious and manipulative nature. On 8 May, an article titled *“Sandu, Năstase and Usatîi, helped from behind by homosexuals”* was published on the website today.md. The article began with the phrase: *“The Director of the Legal Resources Center Vladislav Gribincea announced on Monday in a press conference that several other organisations have joined the protest against the change of the electoral system, among them the Gender-Doc Centre, a well-known organisation for the defence of sexual minorities”*.

<http://www.today.md/ro/news/social/13901/Sandu-N%C4%83stase-%C8%99i-Usat%C3%AEi-ajuta%C8%9Bi-din-spate-de-homosexuali.htm>

Case 3: Another piece of news was published on the website moldova24.info under the title *“Together with Sandu, Năstase and Usatîi, gays and lesbians” “are making head against” against the change of the electoral system*. The article begins with the sentence: *“Sexual minorities join the protests against altering the electoral system organised by some opposition parties and several non-governmental organisations affiliated with them”*.

<http://moldova24.info/2017/05/impune-cu-sandu-nastase-si-usatai-gay-ii-si-lesbienele-se-pun-capra-impotriva-schimbarii-sistemului-electoral/>

Case 4: On 7 July, a news story was published on one of the pamphlet sites with the following title: *“Maia Sandu proposes that members of the LGBT community be exempt from taxes and duties: We must protect the sexual minorities in the Republic of Moldova!* The article contains the following information: *“In the wake of the initiative to modify the electoral system, Maia Sandu, the PAS leader, proposes a new bill to the Moldovan Parliament. Maia Sandu wants the sexual minorities in our country not to pay taxes or other duties, based on the example of the church. The PAS leader has argued that there are anyway so few homosexuals and lesbians and the state must protect them. If voted, Moldova will become the first country in the world where LGB members will not pay taxes. We remind you that in the election campaign, the gay community mobilised and supported Maia Sandu”*. The article is followed by a fake photo in which the politician’s image is placed on the background of a Pride parade.

<https://moldovandream.com/?s=Maia+Sandu+propune+ca+membrii+comunit%C4%83%C8%9Bii+LGBT+>

Case 5: On 12 May 2017, during the TV talk show „În profunzime cu Lorena Bogza” (“In Depth with Lorena Bogza”) on ProTV channel, Moldovan President Igor Dodon said the following (minute 72.00): *“It is very difficult to be the president of all. I believe that everyone’s president must be either mute (...) The most citizens, according to all polls, including our internal measurements, trust the President of the Republic of Moldova and (...) the presidential institution. (...) Today we had a meeting with 30 something partners: 40*



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ambassadors, the EU, the CIS, the USA, China, and some of the ambassadors of the EU member states told me: “Look, in a week or two, there will be protests or marches of sexual minorities in Chişinău”. Well, probably, I cannot represent them even now, so I’m sure I will never be able to represent this category [of people]. They are all citizens of the Republic of Moldova”.

<http://inprofunzime.protv.md/emisiuni/shows/in-profunzime-cu-lorena-bogza/video/1876851>

Case 6: On 20 June, being interviewed on the «Персональный акцент» (“Personal Accent”) talk show on the Accent TV channel Igor Dodon said the following (min 57:15): *“As to what the lady said, to be representatives of all the people, I’ve never tried to divide, but there are certain principles, certain categories, certain things that I will never support. There are four main things for me that cannot be negotiated and discussed: 1) It refers to the statehood of the Republic of Moldova (...); 2) I am the advocate of neutrality (...); 3) I am a follower of our Christian values. I believe that our Orthodox faith lies at the heart of the Moldovan statehood. Yes, there are other religious cults, we must absolutely respect everyone, but 98 percent are Orthodox Christians and this thing... I am strongly opposed to anyone trying to say, “Look, let’s register sexual minorities”, and so on. Therefore, those who are for the liquidation of the church, those who are for the registration of sexual minorities, excuse me, but I will not be your representative and I cannot be your president”.*

<https://www.youtube.com/watch?v=CAti3seLFz0&feature=youtu.be&t=57m15s>

A complaint was lodged with the Equality Council. The Council decided that the found facts represent incitement to discrimination on the ground of sexual orientation. The Council recommends to the President of the Republic of Moldova Igor Dodon to apologise publicly for discriminatory claims and incitement to discrimination on the ground of sexual orientation. The Council recommends to the President of the Republic of Moldova Igor Dodon to show more responsibility in his public positions and to refrain from discriminatory and hateful statements. A lawsuit was filed against Igor Dodon by a group of LGBT people.

Case 7: On 14 May, a homophobic activist Sergiu Ungureanu published on his Facebook profile the following message: *“This year, on 21 May, the sodomites (LGBT) want to march through the city centre again. Like every year, this thing becomes a scandal, but they still insist on stupidity. We need guys with eggs”.* The message was followed by the following comments: *“There will be support! We guarantee it from the Afghan people of Moldova [veterans of the Soviet-Afghani war], bikers, athletes, brave guys from our courtyards. I will be able to organise several thousand people!”; “Well, here it is. We just need to organise it”; “Like the last year! I remember they walked no more than 4 blocks! This time they’ll shoot them earlier!”*

A complaint was filed to the police.

Case 8: On 8 March 2017, a 10TV channel presenter, Anatol Ursu, wrote a post on his Facebook page expressing his claim that he was responded in Russian when he telephoned GENDERDOC-M office to ask for an interview. The post sparked homophobic and xenophobic comments that were not moderated by its author.

Case 9: At the beginning of November, the news piece titled “Polina Ceastuhina: The Church and religion must be separate from school” was published on point.md website



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Polina Ceastuhina: Church and religion must be separate from school). The article mentioned that Polina is the chairperson of the GENDERDOC-M Information Centre. The article was commented with curses, incitement to hatred, violence and discrimination, which were not moderated by the website administrators. After a discussion with the moderators of this site, the article was deleted. GENDERDOC-M held a training session on hate speech for the website moderators.

<https://point.md/ru/novosti/obschestvo/seksmenschintsva-tserkov-i-religiia-dolzny-sushchestvovat-otdelno-ot-shkoly/1>

Case 10: On 6 October 6, a group of six priests headed by Ghenadie Văluță, an anti-gay militant, held a press conference titled “The anti-discrimination council’s decisions attack family values, morality, the Church, the presidency of the Republic of Moldova... The tendency of the council and the need for its dissolution or resetting”. This conference was organised following the Equality Council’s decision in which Moldovan President Igor Dodon was found liable for incitement to hatred and discrimination having made the statement that he did not represent LGBT persons as the president of the state. During the conference, the following statements were made:

Ghenadie Văluță: *“They dared to strike even in the presidency, in the person of Mister President Igor Dodon. When we talk about president or presidency, it is about the people and me personally who voted for him... We are talking about the attack on morality, the family values, the Church and the morality that his excellence is obliged to do and actively does in favour of the tradition and the Orthodox Church, that is, he defends and promotes them.... He (the president) elsewhere mentions that he is not the president of the bearers of vices or the bearers of the sins...”*

Vitali Șincari: *“We really bump into contemporary life with active pressure and a real and complicated phenomenon like the propaganda of destructive values for our society. Values that we can call death values; values of the world where everything will be stolen. They will not have their own children. They will take them somewhere, possibly, from the people who have other value orientations. We understand that in this very complicated world it will be very difficult for those who will not share these values of death”.*

Another priest: *“I would associate this thing (propaganda of homosexuality) with drug dealers, who by various means, that is, through schools, through high schools, bring drugs and so the children become drug addicts”.*

EQUALITY AND NON-DISCRIMINATION

There was documented one case against a cisgender woman.

Case 1: C.B., a high school student in Chișinău, participated in the 2017 Fără Frică Pride March. Her teacher saw her among the participants of the march on social media and on 30 May she had a discussion about it with her student. The discussion lasted for 40 minutes and was of homophobic nature. The teacher told C.B. that she had nothing to look for at such marches because she could be influenced and manipulated. At the end the teacher said, *“If I find you are a lesbian, I will hang myself”.*



FREEDOM OF ASSEMBLY

The GENDERDOC-M Centre held the march of solidarity “Fără Frică” (Without Fear) in 2017 as well. Although there was a meeting with representatives of the Ministry of Interior Affairs where the security measures of the announced march itinerary were discussed, the attitude of the MIA staff and the implementation of those security measures that were to ensure the realisation of the right to freedom of assembly for the LGBT community were discriminatory.

As in previous years, especially in 2016, there was noticed a tendency of the police to shorten the march route, announced in the preliminary request, on the grounds that counterdemonstrators had gathered at the intersection of Alecsandri and Bucureşti Streets in the centre of Chişinău. This year, the police were placed at the intersection of Alecsandri and Bucureşti Streets as the final point of the route, one hour before the march to secure safety of the perimeter (adjacent streets). Thus, it was the intention of the police decision-makers to stop the march by shortening the route, using an insignificant number of counterdemonstrators as an excuse.

There was detected the police bodies' inaction in identifying, detaining and bringing to account the aggressive persons, i.e. counterdemonstrators, who violated the provisions of the Law 26/2008 on Assemblies but who enjoyed the support of the police. Police officers say they cannot hold back or stop the counterdemonstrators who hinder the march because those also have the right to assemble. Article 8 of the Law no. 26/2008 indicates that assemblies are prohibited [in cases of]: b) incitement to discrimination or public violence; and c) ... committing of crimes, violating public order or organising mass disturbances, ...the rights and freedoms of others or endangering their lives or their health. Therefore, the counterdemonstrations that incite discrimination against LGBT people and march participants through the “sporadic assembly” are forbidden by law, not to mention the fact that their organisers commit crimes under Article 176 of the Criminal Code, Article 184 of the Criminal Code, and Article 287 of the Code of Administrative Offences at least.

The police did not hold anyone accountable for organising and conducting prohibited assemblies against the GENDERDOC-M marches.