

OSCE Conference on Racism, Xenophobia and Discrimination
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Session I: LEGISLATIVE, INSTITUTIONAL MECHANISMS AND GOVERNMENTAL ACTION, INCLUDING LAW ENFORCEMENT

Mr. President,
Ladies and Gentlemen,

Over the last years, Moldova has taken numerous measures to combat racism and intolerance, particularly by adopting the Act on the rights of persons belonging to national minorities and on the legal status of their organizations. Moldova has signed and ratified many international legal instruments relevant to the fight against racism and intolerance as the Protocol N° 12 to the European Convention on Human Rights signed on 4 November 2000, and of the 1951 Convention on the Status of Refugees ratified by Moldova in November 2001.

The Republic of Moldova, according to its Constitution, make efforts to preserve the national unity and guarantees to all citizens the right to preserve, develop and express their ethnic, cultural, linguistic and religious identity. The Moldovan Constitution establishes the principle of equality before the law and public authorities, irrespective of race, nationality, ethnic origin, language, religion, sex, opinion, political orientation, personal property or social origin.

The Constitution stipulates that the law should prohibit and punish instigation to ethnic, racial or religious hatred and incitement to discrimination, protects freedom of conscience, including freedom of religion, as well as freedom of opinion and expression.

Penal, civil and administrative legislation contains a number of provisions designed to combat racial discrimination. For example, the Labor Code in relation to access to employment and the rights and duties linked to employment, forbids discrimination against employees based on sex, nationality, race or religion.

Although racial discrimination is also prohibited by other civil and administrative law provisions, the Republic of Moldova states that no complaint of discrimination has ever been lodged and that these provisions are not applied because they are never relied on in court.

Ways of improving legislation in the human rights field are also suggested by the Parliamentary Advocates who make general recommendations to the public authorities. There is, as well, a Center for Human Rights that has been established as an independent

institution. The Center helps raise public awareness of human rights. According to the representatives of the Center for Human Rights, no complaint has yet been lodged with the Parliamentary Advocates alleging racial discrimination or racist or intolerant behavior by the public authorities.

A very important state institution in this field in the Republic of Moldova is the Department for Interethnic Relations, which reports directly to the government and is responsible for implementing government policy on interethnic relations and co-operating with civil society in this area. The Department works very closely with sixty-five socio-cultural organizations representing different ethnic groups.

An issue that deserves a particular attention is related to language in Moldova. Being aware that the language problems can lead to language-based discrimination and interethnic tensions which might result in social and political conflict at national level, the Republic of Moldova do its utmost to solve them. As an OSCE participating state that signed the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, Moldova undertook efforts to ensure that persons belonging to national minorities, notwithstanding the need to learn the official language, have adequate opportunities for instruction of their mother tongue or in their mother tongue. Signing and ratifying a number of international documents, Moldova has accepted a series of responsibilities towards persons belonging to national minorities.

The National Minorities Act grants the right to education in a minority language, in accordance with the Constitution, under which the state will enforce under the law the right of each person to choose his/her language in which teaching will be carried out.

Mr. Chairman,

An alarming situation in the field of human rights as a result of a very discriminatory and intolerable policy towards the Moldovan population is observed in the region of Transnistria that is not under the Moldovan authorities' control. The reports of serious human rights violations in Transnistria, especially discrimination relating to education and freedom of religion raise the Republic of Moldova deep concern.

Thank you