

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

COUNCIL OF EUROPE



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**Comments of the Government of the Republic of Moldova on the Fourth Opinion of the Advisory Committee on the implementation of the Framework Convention for the Protection of National Minorities by the Republic of Moldova - received on 7 February 2017**

**COMMENTS OF THE MOLDOVAN AUTHORITIES  
ON THE FOURTH OPINION OF THE ADVISORY COMMITTEE ON THE IMPLEMENTATION OF THE  
FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES  
BY THE REPUBLIC OF MOLDOVA  
adopted on 25 May 2016**

**INTRODUCTION**

The fourth State report of the Republic of Moldova on the implementation of the Framework Convention<sup>1</sup> was submitted to the Advisory Committee on the Framework Convention for the Protection of National Minorities<sup>2</sup> under the fourth cycle of monitoring on 10 June 2016. From 14 to 18 May 2016 the Advisory Committee carried out a visit to Moldova, including the municipalities of Chisinau, Balti and Comrat and the city of Taraclia.

Basing on information contained in the fourth State report, other written sources, and information obtained from governmental and non-governmental representatives during the visit to Moldova, the Advisory Committee elaborated the fourth Opinion on Moldova<sup>3</sup> adopted on 25 May 2016. The document was submitted to the Moldovan authorities for elaboration of relevant comments on findings and recommendations that it contains regarding the situation of national minorities and protection of their rights in the context of the Framework Convention for the Protection of National Minorities<sup>4</sup> implementation.

Comments on the fourth Opinion on Moldova were developed by the Bureau of Interethnic Relations (BIR) - a body of central public administration that at national level coordinates the process of implementing and reporting under the Framework Convention basing on information presented by relevant authorities.

Aiming at ensuring transparency and informing the public at large on the fourth Opinion on Moldova BIR has translated the document into the State language and submitted it for consideration to line ministries and other interested central public administration bodies and structures competent to participate in realization of mentioned document.

The findings and recommendations of the Advisory Committee were, therefore, considered by the following state institutions: Parliamentary Committee for Human Rights and Interethnic Relations, State Chancellery of the Republic of Moldova, Ministry of Culture, Ministry of Education, Ministry of Internal Affairs, Ministry of Justice, Ministry of Economy, Ministry of Labour, Social Protection and Family, Ministry of Information Technology and Communications, National Bureau of Statistics, Bureau for Migration and Refugees under the Ministry of Internal Affairs, Coordinating Council of

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<sup>1</sup> Hereinafter referred as to “the fourth State report”.

<sup>2</sup> Hereinafter referred as to “the Advisory Committee”.

<sup>3</sup> Hereinafter referred as to “the fourth Opinion on Moldova”.

<sup>4</sup> Hereinafter referred as to “the Framework Convention”.

Audiovisual, Council on Prevention and Combating Discrimination and Ensuring Equality, the State company “Teleradio-Moldova”.

It should be mentioned that Advisory Committee’s experts paid a particular attention to the needs and problems of national minorities of Moldova voiced by the leaders and members of ethno-cultural public organizations of national minorities during their meetings with the Advisory Committee’s delegation.

For information of members of the Coordinating Council of Ethno-cultural Organizations of National Minorities BIR has also translated the fourth Opinion on Moldova into the Russian language<sup>5</sup> that under the law in force is used on the territory of the republic along with the state language as the language of communication between nations<sup>6</sup>. The conclusions and recommendations formulated by the Advisory Committee were discussed at the National Conference held on 22 December 2016 by BIR in cooperation with the Governing Board of the Coordinating Council of Ethno-cultural Organizations on the occasion of the 15<sup>th</sup> anniversary since adoption of the Law No. 382–XV of the Republic of Moldova on the Rights of Persons Belonging to National Minorities and the Legal Status of their Organizations. As it was mentioned by the participants at the conference, the fourth Opinion on Moldova contains recommendations for tackling a number of issues of major importance for national minorities in Moldova, including by modification of some rules/provisions of national legislation.

It is gratifying that the Advisory Committee notes that interethnic relations in the Republic of Moldova overall have remained friendly and respectful over recent years. The Advisory Committee also recognizes and welcomes measures taken by the Moldovan authorities to develop national minority protection system and to implement legislation in the sphere concerned. To this end, the Advisory Committee notes that the 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. Furthermore, the Advisory Committee welcomes authorities’ overall constructive and co-operative approach of the authorities towards the monitoring process and the considerable assistance provided by them with respect to the fourth cycle visit.

At the same time, following the examination of the fourth Opinion some ministries and other interested structures note that the document contains some erroneous conclusions, unsupported allegations and a number of inaccuracies, especially concerning analysis of state financial support granted to public associations; respect for the Art. 11 of the Framework Convention on spelling and transliteration of personal names in official documents, particularly identity cards, etc.

Therefore, the present Comments reflect a consolidated position of the Moldovan authorities on conclusions formulated in the fourth Opinion on Moldova. Furthermore, it contains a number of additions, information about progress achieved in the field concerned in the period from June 2016

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<sup>5</sup> For increasing public awareness and ensuring transparency the fourth Opinion on Moldova was published on the website: [www.bri.gov.md](http://www.bri.gov.md)

<sup>6</sup> See Article 3 of the Law No. 3465-XI of 1 September 1989 “On the Functioning of the Languages Spoken in the Territory of the Republic of Moldova”

to January 2017 following the adoption of the fourth Opinion on Moldova as well as some clarifications in the context of the Advisory Committee's recommendations.<sup>7</sup>

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<sup>7</sup> The information is provided in accordance with the structure of the fourth Opinion on Moldova.

## I. GENERAL CONCLUSIONS

### ***On actions undertaken in the period from June 2016 to January 2017 following the adoption of the fourth Opinion on Moldova***

#### *Adoption of the Strategy on Consolidation of Interethnic Relations in the Republic of Moldova for 2017-2027*

One key milestone in the process of improving national minority protection system was adoption of the **Strategy on Consolidation of Interethnic Relations in the Republic of Moldova for 2017-2027**<sup>8</sup> (approved at the meeting of the Government on 14 December 2016). This significant step is consistent to the relevant recommendations contained in the fourth Opinion (*in particular in paragraphs 40, 41, 42, 43*) and affirms the government's determination to take tangible measures to ensure the protection of minority rights, in law and in fact as well as and to promote the integration of society in order to strengthen social cohesion and stability in the country.

The Strategy is a direct responsibility of the state; it stems from the need to formulate policies that ensure a strategic vision for the process of integration and consolidation of multiethnic society of the Republic of Moldova.

The Strategy sets out the long-term objectives (11 years) and determines arrangements and national mechanisms for ensuring effective participation of national minorities in public life; providing the allophone citizens, including the adult ones, with necessary conditions to study and apply the state language; promoting national minority languages; consolidating interethnic concord; facilitating the intercultural dialogue; consolidating the sense of civic identity to the State of the Republic of Moldova; providing national minorities with access to information and mass media in their languages; promoting diversity in society.

The document provides clarity, consistency and convergence of state policy and practices, contributing to national minority integration in four priority areas: 1. Participation in public life. 2. Language as a means of integration: policies in relation to the state language and minority languages. 3. Intercultural dialogue and civic belonging to the State of the Republic of Moldova 4. Mass media.

Thereby, implementation of activities included in each priority area of the Strategy will contribute to realization of a number of recommendations contained in the fourth Opinion on Moldova (See paragraphs 15 - 16, 28, 31, 55-56, 61-62, 92, 94, 98-100).

Objectives outlined in the Strategy are to be put into practice gradually, in three stages, on the basis of action plans approved by the Government; costs will be covered via the State budget and funding provided by the development partners. The first Action Plan for the Implementation of the Strategy for 2017-2020 is envisaged to be developed by BIR within two months since the Strategy's adoption.

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<sup>8</sup> Hereinafter referred as to „Strategy”.

Launching of the Strategy will take place at a National Forum which is scheduled to be held on 16 February 2016. The main objective of this launching event will be to promote the concept of the Strategy as a key policy document, to discuss the way of its realization, to increase cooperation between public authorities and civil society in the process of national minority integration, to consider the first Action Plan on the Strategy implementation for 2017-2020. The Forum will be organized by BIR in partnership with the Office of the OSCE High Commissioner on National Minorities. Representatives of diplomatic missions accredited to Moldova, central and local government authorities, civil society, ethno-cultural associations of national minorities, and mass media will be invited to participate in the Forum.

*Adoption of the Action Plan on supporting the Roma population in the Republic of Moldova for 2016-2020*

The **Roma Action Plan for 2016-2020** was approved by the Government Decision No. 734 of 9 June 2016 which is in line with the recommendations set out in the fourth Opinion on Moldova (*in particular in paragraphs 25, 30*).

The new Roma Action Plan 2016-2020 comes as a continuity of Government's commitment to enhance Roma social inclusion enshrined in the previous Roma Action Plan 2011-2015. It is intended to supplement existing national regulatory framework for Roma.

The Action Plan represents a policy document setting out the way to address problems of Roma communities, and is meant to ensure that national policy is based on Roma-specific approach. The Plan stipulates specific measures and responsibilities in such fields like education, health, labor and social protection, housing and community development, participation in decision-making process and combating discrimination.

An important task set out in the Plan is to ensure continuity of introducing and promoting a service of community mediators at national level aimed at facilitating Roma access to public services, enhancing communication between public authorities and Roma community, and overcoming discriminatory attitudes towards Roma.

The realization of the right of Roma communities to participate in public life, decision-making and solving problems that affect them at different levels is a key element of the new Action Plan. At the same time, document includes some new measures to ensure Roma social security at labour market.

Funding of the Plan will be made from state budget allocations with the support from European funds, technical assistance projects/programmes, public-private partnerships and other sources acceptable under the national legislation etc.

Annual local Action Plans are expected to be elaborated by local authorities with a view to ensuring a proportional and concrete implementation of activities envisaged in the national Action Plan as well as allocation of adequate financial resources from state budget.

Measures and activities that are envisaged to be carried out within the priority areas of the Plan will contribute to implementation of a number of recommendations made in the fourth Opinion on Moldova (See paragraphs 15-16, 28,31, 55-56, 61-62, 92, 94, 98-100).

*Elaboration of a new National Human Rights Action Plan for 2017-2021(PNADO III)*

With a view to developing a new **National Human Rights Action Plan for 2017-2021** (NHRAP III) a Working group consisting of representatives of public institutions, civil society and development partners was set up by the Decision of the Ministry of Justice No. 1056 of 18 November 2016. The new human rights policy document will incorporate both recommendations received following the Universal Periodic Review (UPR) cycle in November 2016 in Geneva, and recommendations to Moldova made by other international human rights monitoring mechanisms. The first meeting of the Working Group was held on 16 December 2016. At the meeting a Matrix of human rights recommendations made by international experts was presented. The matrix was developed by representatives of the Office of the High Commissioner for Human Rights in Moldova. Following discussions the Working Group decided to supplement the Matrix with the recommendations by the CoE monitoring mechanisms.

A second meeting of the Working Group on elaboration of PNADO III was held on 27 December 2016. During the meeting Sub-working groups were formed to set to work immediately on elaboration of a new human rights policy document. Furthermore, future Plan's priority areas of intervention were identified. NHRAP III will include, in particular, a separate compartment on the rights of national, ethnic, linguistic and religious minorities.

*Adoption of the National Action Plan on the Implementation of the Moldova – European Union Association Agreement for 2017-2019*

The Republic of Moldova continues its efforts focused on the European integration. A National Action Plan on the Implementation of the Moldova – European Union Association Agreement for 2014-2016 approved by the Government Decision No. 808 of 7October 2014 concluded last year.

In the interest of continuous implementation of the Moldova – European Union Association Agreement on 28 December 2016 the Government approved a new National Action Plan on the Implementation of the Moldova – European Union Association Agreement for 2017-2019. The document sets the principal measures due to be undertaken by the authorities to fulfill the commitments taken before the European institutions, including concerning the adjusting national legislation to the EU acquis. In this regard the new Action Plan 2017-2019 in line with the Advisory Committee's recommendations provides the implementation of the *Strategy for Interethnic Relations Consolidation in the Republic of Moldova for 2017-2027* and the *Roma Action Plan for 2016-2020* and etc.

**II. COMMENTS ON SEPARATE ARTICLES OF THE FRAMEWORK CONVENTION**

**Article 3 of the Framework Convention**

*On 2014 Population and Housing Census in the Republic of Moldova*

***On paragraph 9***

The enumerators were trained based on the Census Personnel Handbook where it is specified that „ Ethnicity should be recorded as an individual declares. If a person declares two ethnicities (e.g. in multi-ethnic families) both are to be recorded”.<sup>9</sup>

The National Bureau of Statistics (NBS) received no complaints on „enumerators filling out the forms by themselves”, which is one of the most serious possible violations of a census procedure. Throughout the census a Hotline for complaints on census functioned. Each questionnaire had to be signed by the respondent to ensure that it was accurately filled out.

Proceeding from the sensitivity of ethno-cultural characteristics NBS took certain measures to ensure the quality of such indicators being collected at local level: **i)** all census personnel signed a commitment to ensure the confidentiality of information; **ii)** No corrections of answers to the questions under this chapter could be made (questions No. 23-27, in cases where corrections occurred, relevant questionnaire was annulled).

***On paragraphs 16, 17***

NBS regrets the misinformation that „a third of the population was not enumerated at all” invalidating it with certitude. NBS assumes all responsibility for the fact that census in the municipality of Chisinau was hampered by some difficulties.

According to estimations basing on preliminary results 48 858 housings remained uncovered in the municipality of Chisinau, among which 20 501 refused to participate. To estimate a number of people not covered by 2014 Population and Housing Census due to refusals or non-contacts of the respondents, administrative data sources (data registries, lists, databases, etc) of central public authorities will be used in accordance with Art. 7(7) of the Law No. 90 of 26 April 2012 on 2014 Population and Housing Census.

NBS is open to collaboration with civil society, including ethnic minority representatives to raise their awareness of methodology applied during 2014 Population and Housing Census in the Republic of Moldova.

The results of the census will be made available in March 2017 in line with the legal provisions – Decision of the Government No. 967 of 21 December 2012, paragraph 26 and the Calendar of 2014 Census Data Processing approved by the National Commission for 2014 Population and Housing Census No.6 of 1 April 2016, paragraph 9.

The results of the census will be disseminated on the basis of indicators collected from the census questionnaire and at different levels of disaggregation. Published final data will be analyzed, studied and used by civil society, academia and business environment for various purposes. According to

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<sup>9</sup> See pag. 57 [http://www.statistica.md/public/files/Recensamint/Recensamint\\_pop\\_2014/Manual\\_RPL2014\\_rom.pdf](http://www.statistica.md/public/files/Recensamint/Recensamint_pop_2014/Manual_RPL2014_rom.pdf).



the Law on official statistics, data obtained from the census questionnaires is confidential and may be used only for statistical purposes. Census data protection as well as liability in case of breaching it are stipulated by the Law No. 90 of 26 April 2012 on 2014 Population and Housing Census.

#### **Article 4 of the Framework Convention**

##### ***On paragraph 18***

The Council to Prevent and Combat Discrimination and Ensure Equality specifies the data on complaints which were declared inadmissible. Thus, statistically, around 50% of the *complaints* are *declared inadmissible*. Also, according to Council's statistics the fact of discrimination was found in about 69% of admissible cases. The majority of these relating to discrimination based on disability (25 %), sex /gender (22%), language (12%) and age (6%).

##### ***On paragraph 19***

With regard to the observation of the Advisory Committee on appointment of the second Ombudsperson with a mandate for the protection of children's rights it should be emphasized that at the sitting of the Parliament on 8 April 2016 Mrs Maia Banarescu was appointed to this position for a period of 7 years by 60 votes in favor.

According to the Law No. 52 of 3 April 2014, art. 1 (3) "The People's Advocate for the protection of children's rights performs his/her duties to ensure the protection of children's rights and freedoms, at the national level, by central and local public authorities, decision making officials at all levels of provisions of the UN Convention on the Rights of the Child".<sup>10</sup> Selection of candidates for the relevant position was made on the basis of competition held by Special Parliamentary Commission.

##### ***On paragraphs 24, 29***

Currently, a new **National Human Rights Action Plan for 2017-2021** (NHRAP III) is being drafted. To this end, a Working group consisting of representatives of public institutions, civil society and development partners was set up by the Decision of the Ministry of Justice No. 1056 of 18 November 2016. The new human rights policy document will incorporate both recommendations received following the Universal Periodic Review (UPR) cycle in November 2016 in Geneva, and recommendations to Moldova made by other international human rights monitoring mechanisms. The first meeting of the Working Group was held on 16 December 2016. At the meeting a Matrix of human rights recommendations to Moldova made by international experts was presented. The matrix was developed by representatives of the Office of the High Commissioner for Human Rights in Moldova. Following discussions the Working Group decided to supplement the Matrix with the recommendations by the CoE monitoring mechanisms.

A second meeting of the Working Group on elaboration of PNADO III was held on 27 December 2016. During the meeting Sub-working groups were formed to set to work immediately on elaboration of a new human rights policy document. Furthermore, future Plan's priority areas of intervention were identified. NHRAP III will include, in particular, a separate compartment on the rights of national, ethnic, linguistic and religious minorities.

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<sup>10</sup> The Law No. 52 of 3 April 2014 on the People's Advocate (Ombudsman).

***On paragraphs 25, 30***

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The new Roma Action Plan 2016-2020 comes as a continuity of Government's commitment to enhance Roma social inclusion enshrined in the previous Roma Action Plan 2011-2015. It is intended to supplement existing national regulatory framework for Roma.

The Action Plan represents a policy document setting out the way to address problems of Roma communities, and is meant to ensure that national policy is based on Roma-specific approach. The Plan stipulates specific measures and responsibilities in such fields like education, health, labor and social protection, housing and community development, participation in decision-making process and combating discrimination.

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The realization of the right of Roma communities to participate in public life, decision-making and solving problems that affect them at different levels is a key element of the new Action Plan. At the same time, document includes some new measures to ensure Roma social security at labour market.

Funding of the Plan will be made from state budget allocations with the support from European funds, technical assistance projects/programmes, public-private partnerships and other sources acceptable under the national legislation etc.

Annual local Action Plans are expected to be elaborated by local authorities with a view to ensuring a proportional and concrete implementation of activities envisaged in the national Action Plan as well as allocation of adequate financial resources from state budget.

***On paragraph 26***

It appears that the Advisory Committee misrepresented the problem related to the lack of documentation amongst Roma. The statement outlining that the lack of registration at the place of residence hamper the Roma people access to identity documents is unfounded on the ground that according to pt. 24 of the "Regulation on issuing identity documents and evidence of the inhabitants of the Republic of Moldova" approved by the Government Decision no.125 of 18 February 2013 individuals who are unable to be registered at their place of residence shall obtain identity card of the citizen of the Republic of Moldova at the subdivisions of the State Enterprise "CRIS Registru".

Also, the case of individuals lacking the civil status certificates and those whose identity is to be established by the court has been worded confusingly. It is to be mentioned that, according to pt. 31 of the aforementioned Regulation, in case of issuing provisional identity card to individuals

lacking the civil status certificates, the S.E. "CRIS Regstru" or diplomatic missions and consular offices establish existence of civil status acts issued on the applicant's name using information resources of the State register of population or officially requesting this information from Civil Status Service of the Ministry of Justice.

Thus, for those people whose birth was not registered with the civil status registers in due time according to the legislation in force, there are special legal conditions of drawing up civil status documentation including by addressing the court.

According to pt. 36 of the above Regulation, individual's identification by the courts occurs when all the administrative channels for this purpose have been exhausted.

The issues outlined in the fourth Opinion on ensuring national minorities in the Republic of Moldova with the identity documents are in the spotlight of the Ministry of Information Technology and Communications, which is currently developing a Government Decision on amending the Regulation on issuing identity documents and evidence of the inhabitants of the Republic of Moldova, with a view to introducing into it a wide range of modifications, one of which refers to the enlargement of administrative means for identification of individuals.

It is to be mentioned that although there are some objective impediments for obtaining the identity documents by Roma people, the subjective ones (as individuals' irresponsibility) prevail. In the majority of cases it happens because of non-compliance with the provisions of Art.22 (5) of the Law No.100 of 26 April 2001 on the Civil Status Acts, according to which parents are obliged to register the birth of a child with the civil status authority within 3 months from the date of child's birth.

***On paragraph 27***

*With regard to particulars stated in paragraph 27 of the forth Opinion it may be relevant to mention the following progresses registered in eradicating the phenomenon of statelessness:*

By the Law No.24 of 13 March 2014 amendments to the Law on Citizenship No.1024-XIV of 6 June 2000 were introduced in order to implement the provisions of the 1961 UNHCR Convention on the Reduction of Statelessness, the Art.32 of the 1954 United Nations Convention relating to the Status of Stateless Persons and the Art.34 of the 1951 Convention on Refugees Status, to which the Republic of Moldova is a party. According to these amendments, as at 5 July 2014 procedure for the acquisition of Moldovan citizenship by naturalization for non-citizens legally residing in Moldova was simplified namely by excluding condition of renouncing the citizenship of another state. Also, the method of calculating the period of legal stay in Moldova for non-citizens applying for Moldovan citizenship was amended. Now, it also includes the period of temporary stay provided that it is continuous.

Furthermore, on the initiative of MITC in 2014 the Regulation on the procedure for acquisition and loss of the Moldovan citizenship approved by the Government Decision No.197 of 12 April 2001 was amended. According to the amendments individuals which do not have valid identity documents and request the status of stateless persons are legally entitled to apply for the Moldovan citizenship

on the basis of the act, issued by the competent authority of the Republic of Moldova to foreigners, that identifies them and confirms their residence in the Republic of Moldova.

***On paragraphs 28, 31***

One of the strategic directions of the Strategy on Consolidation of Interethnic Relations in the Republic of Moldova for 2017-2027 is to improve the system of collection and analysis of ethnic statistics in the Republic of Moldova (Chapter 3.1 of the Strategy). To this effect the Strategy includes the following priority actions: improving the system of collection and analysis of data related to interethnic relations (collecting at the same time gender-disaggregated data); knowledge of languages and other criteria which may contribute to drafting sectorial policies on integration, while fully respecting international standards on personal data protection and collection, carrying out fundamental surveys and research, including statistical, in the field of interethnic relations in the Republic of Moldova.

The independent surveys and research on the living conditions and concerns about access to rights of persons belonging to national minorities organized within this scope will provide qualitative and quantitative data for the elaboration of policies and specific measures aimed at promoting effective equality.

**Article 5 of the Framework Convention**

***On paragraph 32***

The Ministry of Culture (MC) finds erroneous conclusion made in the paragraph 32 of the fourth Opinion on Moldova: *“There is no established procedure for the allocation of funds to minority cultural associations within the Ministry of Culture and no specific budget line set aside for that purpose, as all applications for cultural projects go through the same process. The rules regarding these procedures, however, are reportedly not available in minority languages or in Russian, which hinders access to information and is particularly disadvantageous for newly formed associations, which do not have long-standing experience with local or central level decision-making procedures regarding the allocation of cultural support”*. In this context MC notes that the Regulation on *“allocation of state budget funds to public associations of the Republic of Moldova with a view to supporting creative potential and to ensure adequate conditions for cultural activity by civil society”* is also available in Russian (Government Decision No. 834 of 8 October 2014 approving the Regulation on state budget funding of cultural projects implemented by public associations <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=355054&lang=2>).

**On paragraph 35**

With regard to the remark made by the Advisory Committee concerning a „case being submitted to the European Court of Human Rights by the Catholic Church in 2012 concerning the restitution of a cathedral and other church properties” the Ministry of Justice (MJ) informs that the Government of the Republic of Moldova hasn't so far been communicated of such case.

According to the Rules of Court (Rule 54(b)) the legal proceedings against the respondent state is launched when the Government is given notice of the application. Until that time, all proceedings related to submitted application pertain solely to the applicant and the European Court without involving the Government.

Consequently, mentioned application is apparently under the stage of examination for its admissibility/inadmissibility in line with Art. 28 of the European Convention on Human Rights. At this stage, the Government isn't informed about such application being lodged before the European Court.

**On paragraph 36**

MC considers unjustified and undocumented the observation exposed in paragraph 36 according to which: *„the attempts by representatives of national minorities to have their traditions and cultures reflected in national holidays have not been successful amid a perceived tendency to give precedence to the promotional activities of only one cultural identity in Moldova”*. In recent years, MC has organized at national level a number of activities for various social groups, including events highlighting and promoting authentic cultural values of ethnic minority groups.

Annually, on the occasion of the Independence Day of the Republic of Moldova the Folk Costume Parade is held. Traditional costumes of the citizens of the Republic of Moldova: Moldovans, Gagauz, Bulgarians, Ukrainians, and Russians are promoted at this event.

On the initiative of the Ministry of Culture, a national Popular Costume Day was instituted by the Parliament Decision No. 194 of 19 November 2015. At the first edition of the Popular Costume Fest held on 26 June 2016 at the Republican Palace, 140 costumes were exhibited, including traditional costumes of 8 ethnic groups – Gagauz, Bulgarian, Russian, Ukrainian, Polish, Romanian, Belorussian, Jewish. Furthermore, intangible heritage of these ethnic minorities residing in Moldova was promoted, inter alia, through various artistic events organized on this day. The artistic groups performed pieces of art traditional to culture of each ethnic group. It is to be mentioned that this was the conceptual framework of the event.

Integration and promotion of ethnic minority cultural heritage was also a part of other events of national dimension held in Moldova: Day of Traditional Blouse, second edition (21 June 2015), the first and second editions of National Carpet Fair *“Covorul Dorului”* (13 December 2014, 11 December 2015), attended by the representatives of ethnic minorities – Ukrainians, Gagauz, Bulgarians, Azeri, and Turkish. In the same vein, MC as a founder of *“Moldova Concert”* - Concert and Impresario Organization, financially supports Gagauz Popular Song and Dance Ensemble *“Kadınja”* from Comrat and Bulgarian Song and Dance Ensemble *“Rodoliubie”* from Taraclia. These

artistic bands are regularly invited to participate in cultural and artistic events, held including at international scale.

### ***On paragraph 37***

Recommendation made in paragraph 37 which stipulates that: “*The Advisory Committee calls on the authorities [...] to ensure equal access to resources for representatives of all groups, including numerically smaller minorities, the rural population, women and youth*” is met through application of the Regulation on state budget funding of cultural projects implemented by public associations<sup>11</sup>. The Regulation provides for the opportunity and equal access of public associations to funding of cultural projects they submit and it is applied on the principle of *free competition* and *diversity*. The principle of free competition is enunciated by the phrase “creation of conditions for any applicant to be entitled to become a beneficiary” as well as the principle of diversity is established by the reference to “non-discriminatory treatment of applicants representing different fields of activity and territories”.

Also, to provide all applicants with equal opportunities, selection and cultural projects funding criteria are applied in non-discriminatory manner. In the light of the transparency principle MC allows easy access to information on application procedure, contact details of responsible people, which is published on the website of the institution.

It is to be noted that MC has identified financial recourses even within an austere budget and will continue to develop programs and projects targeting all categories of the Moldovan citizens, including representatives of ethnic minorities, in a coherent manner.

## **Article 6 of the Framework Convention**

### ***On paragraph 44***

In the light of recommendations by the Advisory Committee on the protection from hate crimes it is relevant to mention some initiatives aimed at improving national legislation in the field concerned.

Currently, Moldova undergoes the process of ratification of the Additional Protocol to the CoE Convention on cybercrime, as regards the criminalization of acts of a racist and xenophobic nature committed through computer systems adopted in Strasbourg on 28 January 2003.<sup>12</sup> On 24 October 2016 the Parliamentary *Committee for Culture, Education, Research, Youth, Sport and Mass-media examined a draft law on ratification of mentioned Additional Protocol to the Convention, registered in the Parliament under No. 399 of 13 October 2016, approved by the Government Decision No. 1067 of 21 September 2016.*

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<sup>11</sup> The Decision of the Government No.834 of 8 October 2014 on approval of the Regulation on state budget funding of cultural projects implemented by public associations <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=355054&lang=2>).

<sup>12</sup> The purpose of this Protocol is to supplement, as between the Parties to the Protocol, the provisions of the Convention on Cybercrime, opened for signature in Budapest on 23 November 2001, as regards the criminalisation of acts of a racist and xenophobic nature committed through computer systems.

On 17 June 2016 the Government adopted a Decision No. 764 on the approval of the draft law on amending and supplementing some legislative acts, which was submitted to the Moldovan Parliament for consideration. The draft law provided for adjusting the national legislation to the requirements of the abovementioned Convention. The document registered under number 277 was examined on 6 July 2016 at the meeting of the Parliamentary Committee on Public Administration, Regional Development, Environment and Climate Change.

At the same time, the Ministry of Internal Affairs (MIA) has proposed the amendments to the Criminal and Contravention Codes. These amendments involved supplementing the Criminal Code with new articles, such as Article 134/14 „Racist and xenophobic information”, Article 135/2 „Advocating genocide or crimes against humanity” as well as amending and complementing the Articles 155 and 346. Similarly, the Contravention Code is also proposed to be supplemented with a new Article 691 „Insult with racist or xenophobic motivation”.

Furthermore, MJ has developed a draft law on amending and supplementing some legislative acts registered with the Parliament under the number 301 of 1 July 2016. The document envisages amending of the Criminal Code with a view to criminalizing a new category of offences „on grounds of prejudice, contempt or hate”.

***On paragraph 45***

Upon accession to the International Holocaust Remembrance Alliance as an observer (in 2014) and establishing the National Holocaust Memorial Day (in 2015), Moldova has made considerable progress towards perpetuating the memory of the Holocaust. The consolidated efforts undertaken in recent years by authorities in partnership with civil society, including the Jewish community, contribute substantially to the official recognition of the Holocaust and prevent reformulating historical narrative and negation of the tragedy.

Therefore, on 22 July 2016 the Parliament of the Republic of Moldova adopted a *Decision No. 190 on approval of the Declaration concerning acceptance of the Final Report of the International Commission for the Study of the Holocaust, chaired by Elie Wiesel*. By doing so, Moldova has committed itself to take practical measures in social and educational field for the study of the Holocaust and organization of commemorative events.

The present Declaration comes to strengthen national policies on reinforcing tolerance and combating all forms of discrimination, xenophobia and Anti-Semitism, as well as to contribute to the assumption of historical facts in order to strengthen social cohesion and human values.

In line with the above-mentioned Decision of the Parliament<sup>13</sup>, currently, an *Action Plan on Implementation of the Declaration* has been drafted and approved by the Government on 25 January 2017. The Plan’s development stems also from the Moldova’s obligations as an observer to the International Holocaust Remembrance Alliance. In that regard, on 26 November 2015 the Parliament

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<sup>13</sup> Art. 2 of the Decision of the Parliament No. 190 stipulates development of an Action Plan in social and educational field for the study of the Holocaust and organization of commemorative events.

of the Republic of Moldova established 27 January as the National Day of Commemoration in Memory of the Victims of the Holocaust.

This Action Plan is the first of its kind for Moldova and is in line with the European states' practice regarding Holocaust education, research and commemoration.

The draft Action Plan has been drawn up in close cooperation with the line ministries with contribution from the Jewish Community and Roma associations of Moldova, taking into account proposals and suggestions by the OSCE Office for Democratic Institutions and Human Rights and the International Holocaust Remembrance Alliance.

### **Article 8 of the Framework Convention**

#### ***On paragraph 51***

With regard to the conclusion made by the Advisory Committee on the registration procedure of the religious organizations that is allegedly difficult, MJ informs that in the period 2015 -2016 there was taken no decision to dismiss the initial registration of cults and/or their component parts.

### **Article 9 of the Framework Convention**

#### ***On paragraphs 52-53, 55-56***

Currently, six radio stations function on the territory of the Republic of Moldova in localities densely populated by ethnic minorities: GRT FM, Bas FM, Albena, Pro 100 radio, Bugeac FM, FOCUS Radio and eight TV stations: TV Gagauzia, TV Bizim DALGAMIZ, Aiin-Aciic, NTS, Eni Ai, BIZIM AIDINIC, BAS TV, Zona M. NTS TV channel broadcasts programmes in the Bulgarian, Romanian, Russian languages and rebroadcasts programmes from BNT TV channel from Bulgaria. TV Gagauzia broadcasts the Turkish TV channel TRT. Other TV channels produce their own programmes in the Gagauz, Romanian, Russian, Bulgarian languages. Besides above-mentioned radio and television, the National Public Broadcasting Company "Teleradio-Moldova" offers several media programmes in minority languages. However, the regional public company "Teleradio Gagauzia" provides TV and radio services intended for Gagauz population residing on the territory of Gagauzia.

Unfortunately, due to lacking financial sources, local and regional broadcasters cannot produce 100% programmes in minority languages, causing them to purchase and broadcast program services in the Russian language. Thus, in recent years, the Coordinating Council of Audiovisual (CCA) has taken positive steps to support domestic audiovisual production allocating financial resources from the Broadcasters' Support Fund to local and regional broadcasters participating in the *Contest for audiovisual projects selection* (Decisions No. 136 of 12 September 2013, No. 158 of 26 September 2013 and No. 165 of 24 October 2013). Therefore, in 2014 18 broadcasters produced 293 programmes in the Romanian, Russian, Bulgarian and Gagauz languages, being financially supported by CCA.

On 5 June 2015, by the Decision No. 20/102, CCA announced a new *Contest for selection of audiovisual projects* and allocated funds for 17 projects for the production of programmes in the



Romanian, Russian, Bulgarian, Gagauz languages. All 5 regional broadcasters which submitted projects in minority languages (Russian, Romanian, Bulgarian, Gagauz) won and were granted financial support for realization of submitted projects. The produced programmes reflected themes of social interest with/about/for national minorities, and programmes with/about/for children and youth in their languages.

At the same time, during the public meeting on 4 November 2016, CCA announced a new *Contest for the selection of audiovisual projects* addressing issues and problems of public interest. Priority will be given to the projects that are to be realized in minority languages.

On 17 and 18 December 2015 CCA organized two regional seminars in Comrat and Balti intended for local and regional broadcasters and service providers. The representatives of the Office of the High Commissioner for Human Rights and the Council for Preventing and Eliminating Discrimination and Ensuring Equality (CPPEAE) were invited to the seminars. The experts presented recommendations to the broadcasters explaining how to avoid ethnic discrimination, combat and prevent stereotypes, prejudices and discriminatory attitudes towards Roma people, and how to interact with the relevant stakeholders. The CPPEAE's representative referred to the protection from stereotypes and prejudices, emphasizing the role of mass media in facilitating intercultural dialogue and highlighting that the message to the public must be fair, unbiased, objective and free from incitement to hatred, discrimination and hate-speech.

On 22 March 2016, CCA organized a training session for journalists with participation of experts from the Office of the High Commissioner for Human Rights. The topic discussed related to discrimination of national minorities in mass media, with special emphasis on cases affecting the Roma people.

At the same time, within the contests for the use of terrestrial radio frequencies in localities densely populated by ethnic minorities, CCA gives priority and supports all the proposals containing programmes in minority languages. The same approach is applied to the procedure of issuing rebroadcasting authorization because CCA insists that as many TV channels in minority languages as possible are included in the channel list.

## **Article 10 of the Framework Convention**

### ***On paragraphs 57, 58, 60, 61***

One of the strategic directions of the *Strategy on Consolidation of Interethnic Relations in the Republic of Moldova for 2017-2027* is to ensure adequate protection and development of the national minority languages, and promoting linguistic diversity (Chapter 3.2 of the Strategy). To this effect the Strategy includes the following priority actions: improving the teaching of national minority languages in the educational institutions, developing the normative framework for the implementation of the Education Code provisions related to studying and teaching in the national minority languages, supporting protection and development of the Russian language and other languages used on the territory of the Republic of Moldova, etc.

Besides, the ratification of the European Charter for Regional or Minority Languages (ECRML) by the Republic of Moldova remains to be one of the major commitments within the established dialogue with the Council of Europe with regard to minority languages protection. The work at national level on studying the state's real opportunities to ratify the Charter is coordinated by BIR.

In this context BIR will continue preparations and seek state's potential for the ratification of the European Charter for Regional or Minority Languages, by realizing the following activities:

- rationalization of a number of possible commitments under the Charter and their coordination with national minority communities in the Republic of Moldova, given the fact that the state ratifying the Charter assumes a limited number of engagements in the first stage (at least 35 out of 68);
- internal consultations with local authorities from localities densely populated by national minorities on the list of Moldova's commitments under the Charter in relation to the Ukrainian, Russian, Gagauz, German, Yiddish, Polish, Romany languages;
- trainings for local, central government officials and NGOs in applying the Charter;
- Identifying mechanisms of implementation at local and central levels;
- Implementation of a pilot project on simulation of the Charter's application in some municipalities in partnership with the Council of Europe Office in Moldova and the State Chancellery. For the participation in this project 7 pilot localities were selected and coordinated with stakeholders. Within this project the identified municipalities are expected to adopt objectives and principles of the Charter and to select concrete measures from among the Charter's provisions in order to promote the protection and use of national minority's (-ies') language (-s) that reside compactly on their territories.

## **Article 11 of the Framework Convention**

### ***On paragraphs 63-66***

With regard to the objections made by the Advisory Committee on respect for Article 11 of the Framework Convention concerning transcription of personal names, in particular in identity cards it may be relevant to present comments of the Ministry of Information Technology and Communications (MITC).

With a view to adjusting identity documents form and content to the international requirements set for machine readable identity documents, namely for putting into circulation the card model of identity documents of ID-I format, by the Law No.187 of 11 July 2012 on amending and supplementing of some legislative acts modifications have been introduced to Art.3 of the Law No.273-XIII of 9 November 1994 on identity documents of the National Passport System, but paragraphs (6) and (7) of Art.3 were updated.

Hence, according to Art.3 (6) „Identity documents and residence permits are filled out in the State language” and in line with Art.3 (7) „The titles of information fields in identity document of the citizen of the Republic of Moldova are written in the State language and in the Russian language”.

The previous version of Art.3 (6) stated that „Identity documents are filled out in the State, Russian and English languages, except the identity documents issued to refugees and beneficiaries of humanitarian protection, which are filled out only in the State language”, but Art.3 (7) stipulated that „When filling out identity documents in the Russian language at the request of an individual, belonging to a national minority, his/her middle name is specified in accordance with the norms of his/her native language”.

Currently, according to Art.3 (5) letters (g) and (h) and Art.3 (6) the name and surname of identity document holder are indicated only in the State language.

At the same time, as a consequence of amendments introduced by the Law No.187 of 11 July 2012 to Art. 3 of Law No.273-XIII of 9 November 1994 on identity documents of the National Passport System, since 7 March 2013 identity documents and residence permits of generation II (ID-I format) have been introduced. Their models were approved by the Government Decision No.53 of 17.01.2013 „on approval of models and application of the new type of identity documents”.

While developing these new models of identity documents and residence permits the practice of EU member states in the field was followed. It affirms rationality of using machine readable identity documents of the format ID-I, which are of dimension identical to bankcards what proves to be very practical.

New models of identity documents and residence permits have been elaborated in accordance with the provisions of Moldovan pre-standards SMV ISO/CEI 7501-3:2012 „Identity Cards. Machine readable travel documents. Part 3: Machine readable official travel documents”, developed strictly in compliance with Technical Instructions of the International Civil Aviation Organization (Doc 9303 ICAO) and approved by the decision No.873-ST of 24.04.2012 of the National Institute of Standardization and Metrology.

According to the ICAO Guidelines the visual control zone from the machine readable identity documents of card type in the ID-I format include both mandatory and optional fields of information depending on requirements of the states and document issuing authorities.

Regulations on writing of personal data of the document holder, stated in the ICAO Guidelines, provide that the State or document issuing authority determines which element of this data shall be considered as primary identifier. This can be the surname (family name), one of the first names and in some cases full name and surname. Thus, according to consecutiveness of elements constituting the data that identify the document holder, which are placed on the recto of ID-I, the family name serves as a primary identifier and the surname comes as a secondary one, followed by sex, citizenship, date of birth and other optional personal data.

In order to diminish the role of a sheet accompanying the identity card, which has proved to be inefficient, one of the optional elements containing in it, namely “the citizen’s permanent place of residence” was put on the back side of the new identification document in place where in previous

identification documents (format ID-II) the document holder's name and patronymic in the English and Russian languages were introduced.

It is important to mention that in the identity cards of generation I (ID-II format), issued since 01.06.1996 in the English language using the Latin script, the patronymic (Father's name) was indicated and in the Russian language using the Cyrillic script patronymic (Отчество) appeared. These two notions were often confused.

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 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 particular suffix (a patronymic suffix – e.g. Петров - ич, Иванов - ич etc.)”.

From the scientific point of view:

- in the national system of the Moldovan people, the onomastic formula comprises a name + surname and patronymic which is a synonym of „a family name”;
- in the system of Slavic languages (Russian, Ukrainian, Bulgarian, Polish, Belarusian, etc.) the onomastic formula consists of a name + „patronymic” (made with adding a specific suffix) + surname.

Thus, 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 origin are written differently from patronymics of person of Moldovan origin, causing confusing interpretations and complaints from the document holders.

However, returning to the model when personal data were introduced to identity cards, inter alia, in the Russian language (which is only one of many minority languages spoken in Moldova) aiming at correct indication of patronymics of persons belonging to Russian ethnic group, may affect the rights of other national minority representatives to use the name and surname (patronymic) in the form accepted in their mother tongue, fact that eventually contradicts the principles of ensuring national minority rights, as well as the principle of equality of all citizens before the law, enshrined in Art.10 and Art.16 of the Constitution.

It is worth mentioning that according to Section 12 of the “Regulation on issuing identity documents and evidence of the inhabitants of the Republic of Moldova” approved by the Government Decision No.125 of 18 February 2013, personal data of the citizens of the Republic of Moldova are introduced to the identity cards basing on civil status certificates.

By the Decision No.28 of 30 May 2002 on reviewing constitutionality of some provisions of the Law No.100-XV of 26 April 2001 on the Civil Status Acts and the Law No.382 of 19 July 2001 on the Rights of Persons Belonging to National Minorities and the Legal Status of Their Organization, the Constitutional Court declared unconstitutional the phrase „... and the Russian language” in Art.5 (4) of Law No.100-XV of 26 April 2001 on the Civil Status Acts. As a result of amendments made to this legislative act, while issuing civil status documents any designations shall be made only in the State language. Currently, issued civil status certificates do not include the holder’s patronymic.

Thus, taking into account diverse ethnic background of the Republic of Moldova (according to the State Register of Population there are attested over 150 ethnic groups) and proceeding from the fact that patronymic is characteristic not to all onomastic systems of different ethnicities, but in case if they do have it, it may have different meanings, as well as aiming at avoiding introduction of confusing / distorted information into the identity documents of generation II (format ID-I), it was considered unseasonable to include the individual’s patronymic in the identification document of the citizen of the Republic of Moldova that since 7 March 2013 has been issued only in the State language.

As to the phonetic transcription of names from the Russian language to the State language, it should be noted that according to Art.16 (2) of the Law no.382 of 19 July 2001 on the Rights of Persons Belonging to National Minorities and Legal Status their Organizations, if the mother tongue of a person belonging to national minorities uses an alphabet different from the Latin alphabet, his/her first name and surname shall be transliterated in the State language in accordance with its grammar norms of transliteration of names of foreign origin.

It is worth mentioning that on 26 May 2016 MJ issued a Decree No.566 on approving the Rules for writing surnames and names in civil status documents following their change, correction or transliteration (Official Journal of the Republic of Moldova, 2016, No.150 (5583), art.988).

According to point 13 of above-said rules, while transliterating proper names of foreigners or names with foreign origin it is allowed to make some exceptions to the grammar rules of national onomastic as to ensure correctness of proper names phonetic transcription (by using characters typical just for these names – Spivakov; by allowing the doubling of letters – Anna; or by using female gender - Kuzneţova).

Also, according to Section 12 of the “Regulation on issuing of identity documents and evidence of the inhabitants of the Republic of Moldova” approved by the Government Decision No.125 of 18 February 2013, in case when applicant's personal data (name, surname) in the civil status certificates is indicated in the Russian language, its transliteration shall be made in accordance with the civil status normative acts, i.e. in line with the rules specified above.

Additionally, it can be assumed that national legislation doesn’t stipulate adjustment of the name of an individual belonging to national minority to the State language grammar rules, that eventually results in its considerable change (such as transcription of „Sergey” into „Sergiu”). The phonetic transcription and changing of personal names are considered to be two distinct procedures, the first

(ex. Серрей into Serghei) being made in accordance with transliteration rules mentioned above, and the second (ex. Серрей into Sergiu) being made just at an individual's request and in accordance with the provisions of Art.66 of the Law no.100-XV of 26 April 2001 on the Civil Status Acts.

## **Article 14 of the Framework Convention**

### ***On paragraphs 81, 88, 91***

A National Program on Improving Quality of the State Language Teaching in the Educational Establishments with National Minority Languages of Instruction for 2016-2020 was adopted by the Decision of the Government no. 904 of 31 December 2015. The Program represents a strategic planning document for institutionalized state language study.

The document describes the current situation in the field and identifies existing problems. Thus, at present, 214 kindergartens function throughout the country that are attended approximately by 26 150 children belonging to national minorities. Only 30% of them benefit from the State language studying but others begin to study it later at school, starting from the first grade. This situation put the latter at the disadvantage as according to specialists kindergarten age is especially favorable for mastering a second language.

At the same time, the Romanian language and literature is taught in 259 institutions with instruction in minority languages. While vast teaching materials for this discipline are available, the level of the Romanian language knowledge among students belonging to national minorities is low, but in the course of its studying various problems arise, namely: insufficient functional approach to the selection of learning content and skills pursued; focus on the study of literature to the detriment of communication; insufficient training of teachers (poor knowledge of the Romanian language, insufficient initial and continuing training); poor motivation of students; employment regardless of the level of the Romanian language proficiency etc.

In this context, it is important to take concrete measures to motivate students, parents, teachers from among minorities, administration with regard to quality of this discipline learning; to thoroughly inform them about the benefits of multilingual education and perspective for students to obtain professional education and employment. Multilingual training offers the opportunity to study the state language in an authentic learning context, creating ample opportunities for career development and fostering successful social integration.

Achieving the Programme's objectives will contribute to improving the quality of the Romanian language studying by the Moldovan citizens, representatives of national minorities. By streamlining the state language study in the general education system linguistic, social and professional integration of citizens as well as social cohesion as a whole will be facilitated what is in full compliance with the objectives of European integration of Moldova.

### ***On paragraphs 82, 83***

Ministry of Education (ME) has conducted an analysis of the school system, to follow developments concerning the number of students, classes and institutions of primary and secondary education

during the period from 2007 to 2016 in every region.<sup>14</sup> Analysis reveals that decrease in the number of pupils has resulted in the decrease in the number of schools. However, if the number of students was reduced by over 27% compared to 2007, the number of schools hasn't declined so much. 2007 was taken as a landmark to have a broader picture of developments, including in the light of reforms made in the education system in Moldova.

According to the analysis it is relevant that the decline in number of students in the institutions of primary and secondary education has slowed down for the first time in ten years, but in 7 administrative units, including in municipalities of Chisinau, Balti and in Gagauzia, etc. this indicator registered a small increase. In 2016 the highest reduction in the number of students was recorded in Cahul, Hincesti and Sangerei, and the smallest reduction was found in Rezina, Straseni and Dubasari.

Currently, in Moldova function 1240 institutions of primary and secondary education, with 28 units fewer than in 2015. Of the total number of primary and secondary institutions, 275 (22%) are small schools, 181 are secondary schools and 94 are primary schools. Compared to 2015, the number of small schools (gymnasiums having fewer than 91 students / primary schools having fewer than 41 pupils) remained unchanged. However, since the beginning of the process of school network optimization 289 institutions of primary and secondary education have been till now reorganized, including 52 – during the last year.

For all students from localities where schools were closed / reorganized free transportation to nearby educational establishments is provided. At present, 18 088 students or 6% of the total number of pupils from primary and secondary schools are transported to nearby educational institutions. For transportation purposes 310 own and 118 rented buses are used.

In 2016 the average number of students per class was 21.4. This indicator has slightly increased compared to 2015. The average number of students enrolled in school has also recorded a small increase from 256 to 261. The number of students per teacher remained unchanged - 13/1.

Financial self-sufficiency also serves to be an important indicator for the education system. At present, 944 (76%) primary and secondary schools are autonomous, which enables school managers to administer the institution's budget according to its specific needs and priorities.<sup>15</sup>

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<sup>14</sup> <http://diez.md/2016/12/08/cate-scoli-avem-moldova-si-cum-s-redus-numarul-elevilor-ultimii-ani/>.

<sup>15</sup> Information presented by the Ministry of Education is collected from local bodies specialized in education, as at 1 October of each year.

**On paragraph 84**

To address the concern of the Advisory Committee with respect to the fact that the study of Romani is not included at any school it may be relevant to mention that an attempt has been made to introduce the Romani language teaching to Roma pupils in the Republic of Moldova. For this purpose 500 primers in Romani were brought from Romania to be used for Romani language teaching in localities densely populated by Roma people. But because of existence of different Romani language dialects characteristic to different regions, the Romani primer has never been introduced to the curriculum.

**Article 15 of the Framework Convention**

**On paragraphs 92, 94, 97, 98, 99**

One of the strategic directions of the *Strategy on Consolidation of Interethnic Relations in the Republic of Moldova for 2017-2027* (Chapter 3.1 of the Strategy) refers to the participation of national minorities in public life. To this effect the Strategy includes a number of important actions in order to encourage participation of national minorities in state administration and public service.

Furthermore, the Strategy envisages certain measures to develop a more efficient communication between authorities and national minorities through improving and establishing consultative bodies at local level within adequate institutional framework, and making the existing ones (in particular, the Coordinating Council of Ethno-cultural Organizations accredited to the Bureau for Interethnic Relations) more efficient (capacity consolidation).

These measures will contribute to increasing national minorities' representation in the public service, creation of functional consultative bodies with the national minorities efficient at national and local levels, to ensuring that opinions and concerns of persons belonging to national minorities are systematically taken into account in all decision-making processes relevant to them.

**On paragraphs 101, 105**

According to the amendments made to the Law No. 764-XV from 27.12. 2001 on Administrative-Territorial Organization of Moldova<sup>16</sup> 8 district centers such as Cahul, Ceadir-Lunga, Edinet, Hancesti, Orhei, Soroca, Straseni and Ungheni obtained the status of municipality.<sup>17</sup> Granting of municipality status to cities listed, implies, inter alia, that they will keep 40 percent of the amount of income tax for themselves.<sup>18</sup> At the same time, status of municipality will facilitate creation of conditions necessary for boosting socio-economic development, will contribute to expand the area of influence and to overcome existing disparities in territorial development. To this end, it is worth noting that some of these cities are densely populated by national minorities, for example Ceadâr-Lunga (Gagauz), Edineț (Ukrainians), Soroca (Roma), etc. Thus, these amendments to the Law in

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<sup>16</sup> Law No. 248 of 11/03/2016 on amending and supplementing the Law No. 764-XV of 27 December 2001 on Administrative Division of Territory of the Republic of Moldova.

<sup>17</sup> According to Art.8 of the Law No.764-XV of 27 December 2001 on Administrative Division of Territory of the Republic of Moldova the status of municipality was granted to Chisinau, Balti, Bender Comrat, Tiraspol.

<sup>18</sup> According to the amendments made to the No.764-XV of 27 December 2001 on Administrative Division of Territory of the Republic of Moldova and the Law No. 397 of 16 October 2003 on Local Public Finance.



question will support the development and improvement of socio-economic areas densely resided by national minorities.

## **CONCLUSION**

The Moldovan authorities will promote the findings and recommendations reflected in the Fourth Opinion on Moldova adopted on 25 May 2016 through its activity. At the same time, measures will be continued to improve the process of implementing the Framework Convention.

Bureau of Inter-ethnic Relations will coordinate and monitor promotion and implementation of the fourth Opinion on Moldova and will get central and local authorities, non-governmental organizations of national minorities and other public and state institutions involved in this activity.

To this effect, the Moldovan authorities demonstrate a great interest in developing dialogue with the Advisory Committee of the Council of Europe on the Framework Convention for the Protection of National Minorities, and look forward to obtaining necessary financial support for organization of a number of activities with a view to promoting the fourth Opinion on Moldova and implementing recommendations contained in it:

- to translate and publish the fourth Opinion on Moldova and the Resolution of the Committee of Ministries on the implementation of the Framework Convention by Moldova into national minority languages, notably: Ukrainian, Russian, Gagauz, Bulgarian, Romani;
- to organize follow-up seminars in Chisinau, Balti and Comrat with the participation of Advisory Committee's experts, central and local public authorities, civil society and ethno-cultural organizations of national minorities.

Activities proposed will facilitate capacity-building of public authorities, law enforcement agencies and civil society in the field of national minority protection both at central and local level in the context of integration policy and interethnic relations consolidation.