
**Study on Homophobia, Transphobia and Discrimination on
Grounds of Sexual Orientation and Gender Identity**

Sociological Report: Moldova

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A. Executive summary

1. The issues of lesbians, gay men, bisexual and transgender persons and discrimination towards people on grounds of sexual orientation and gender identity are being actively discussed in the public media in Moldova at the moment. According to several NGOs in Moldova, though, LGBT related issues are being used in order to manipulate people's minds and win votes. The general attitudes towards LGBT persons are mostly negative, especially due to the influence of the Orthodox Church.
2. At the time of drafting of this report, a new draft of the anti-discrimination law was being worked on. Discrimination on grounds of sexual orientation and gender identity has become a focal point of discussions between civil society and the Church. The latter is against including this wording into the law draft, while NGOs, supported by the international community, are putting pressure on the Ministry of Justice to include sexual orientation and gender identity as a protected ground. The output of this drafting process will therefore be crucial for the LGBT community.
3. The main and most covered issue at the moment in Moldova is the Gay Pride events in May 2010. The largest national LGBT NGOs "GenderDoc-M" has recently submitted the case of the banning of the event to the European Court of Human Rights. The freedom of assembly is therefore high on agenda and is being discussed actively by civil society organisations, the international community and Moldovan national state officials.
4. There are several accounts of police harassment of LGBT persons.
5. In 2009 the Ombudsman Office initiated an investigation into the situation of discrimination on grounds of sexual orientation and gender identity. The investigation has been carried out by the staff of the Ombudsman Office. Besides the freedom of assembly and drafting of anti-discrimination law, the office has concluded that there is a gap in the legislation regarding transgender persons. At the moment there is a lack of legal regulations for gender reassignment in Moldova, and civil society is in dialogue with the Ministry of Health on the issue of possible ways forward in this area.

B. Data Collection

6. Data have been collected for this report through:
7. A study of available online and print data on the situation regarding homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in Moldova.
8. Data collection through interviews in Moldova held in Chişinău 20-21 May 2010 with:
9. Authorities:
 - Ministry of Health
 - Ministry of Interior
 - Ministry of Justice
10. NGOs:
 - GenderDoc-M
 - HomoDiversus Pro

- CreDO
 - Amnesty International, Moldova
 - Coalition Against Discrimination (a coalition of Moldovan NGOs working with various human rights and minorities' issues)
11. National Human Rights Structures:
- The Ombudsman Institution
 - UNDP Office in Chişinău

C. Findings

C.1. Public opinion and attitudes towards LGBT people

12. The general attitudes towards LGBT people in Moldova are reported to be negative. According to a 2002 Moldovan poll, 86 percent of the population do not want to have homosexual neighbours.¹ In 2008 the Moldovan LGBT NGO "GenderDoc-M" published a study on public attitudes towards LGBT persons in Moldova and the general level of awareness about homosexuality in the country. During the study 3,500 persons were questioned. According to the study, 41.9 percent of the respondents would not accept sexual orientation of their potential friends or family members, if they were to come out as homosexuals. 34.3 percent of the respondents answered that they would be neutral and 12.5 percent would accept their friends', family members' or acquaintances' homosexuality.² The same study reveals that 51.4 percent of the respondents believe that homosexuality is a sin; 30.2 percent think that it is evil and 32.1 percent state that homosexuality is a disease.³ During the study, the researchers have divided the respondents into age and affiliation groups. The results show that the most homophobic age groups are 46 years and over. As to affiliation, the most homophobic attitudes were revealed among state and military servants, medical doctors and retired persons.⁴
13. According to the shadow report, conducted by Moldovan LGBT NGO "GenderDoc-M", in cooperation with ILGA-Europe, Global Rights and International Human rights Clinic, the reality is that the behavior of the authorities and the entire society is far from being in compliance with the international standards in observing the rights of sexual minorities. The fundamental source of much of the discrimination and homophobic acts in Moldova is the general antipathy toward members of the LGBT community that pervades Moldovan society.⁵
14. According to various stakeholders, interviewed for this report, the negative attitudes towards LGBT persons in Moldovan society are also aggravated by the Orthodox Church. The values and views of the Church are reported to be widespread among Moldovans and its traditionally homophobic views are therefore also spread widely among the Moldovan

1 Nahabetian, M., *Sexual Minorities and Social Democracy in Europe – a report*. February 2005,

www.europeanforum.net/news/96/sexual_minorities_and_social_democracy_in_europe, accessed 15 July 2010.

2 Rysnak, S. & Klivade, S., *Sexual Minorities – Social Settings and Awareness of the Society*, "GenderDoc-M", Chişinău, Moldova., 2008.

3 Ibid p. 33.

4 Ibid p. 66.

5 Shadow Report, *The Violations of the Rights of Lesbian, Gay, Bisexual and Transgender Persons in Moldova*, October 2009.

population.⁶ Besides, the voice of the Orthodox Church is heard by most of the politicians, who are eager not to compromise themselves in front of their electorate, especially not in a year with a pending general election.⁷

15. The influence of the Church is visible when looking at the process of drafting the anti-discrimination law in Moldova. In 2008 the Ministry of Justice drafted the law on anti-discrimination, listing all discriminatory grounds, including sexual orientation and gender identity. The law was sent to the Parliament and came back in 2009 with a request for revision. The Church, which actively participated in the discussions of the anti-discrimination law, found it impossible to accept the fact that sexual orientation was included as a discriminatory ground.⁸
16. At the moment a new draft is being discussed at ministerial level. The Ministry of Justice argues that in strictly legal terms, there is no need to specifically mention sexual orientation as a discrimination ground, because the discrimination as such would be covered under the general provision of "other grounds" in a possible court case. This is being rejected by the Coalition against Discrimination (hereinafter CAD) who sees a specific mention of sexual orientation as the only guarantee for having such discrimination being taken seriously by the courts - based on previous experiences. Also, the CAD argues that including this discriminatory ground is a necessary measure to live up to Moldova's obligation in its attempts to approach the European Union.⁹ This statement is supported by the UN Office of the High Commissioner for Human Rights, who in the National Human Rights Action Plan of the Republic of Moldova urges Moldovan government to include provisions on prosecution for degrading or humiliating behaviours towards LGBT persons into the national legislation, as well as take steps to increase general tolerance towards LGBT persons.¹⁰
17. Nevertheless, the debate on anti-discrimination law is still ongoing and complicated. The Orthodox Church argues that including sexual orientation as discriminatory ground is the first step towards same-sex marriages and legalisation of adoption by same-sex partners as well as preventing the Church from continuing preaching against homosexuality in general.¹¹
18. The Ministry of Justice has, during the interview for this report, expressed its frustration and not-knowing how to solve this conflict, which spills into the general discussions on Moldova's relations to the EU and about "Moldovan/non-Moldovan values".¹²
19. The negative view on LGBT persons also becomes visible when looking at the events of May 2010, when the LGBT NGO "GenderDoc-M" tried to organise a public manifestation during its annual week-event "Rainbow over Dniester" in Chişinău. Chişinău Municipality and Police Department of the Ministry of Interior have received a number of letters from Veteran Organisations, Religious Groups and other civil society organisations asking the municipality to ban the event and threatening with counter-demonstrations.¹³ The core of events will be described below, but it is important to underline that the plans of "GenderDoc-M" to conduct the demonstration has initiated massive counter-reactions in the Moldovan society. These reactions were so powerful that the Police Department of the

6 Interviews with the Ministry of Interior, 20 May 2010; Ministry of Health, 21 May 2010, NGO "GenderDoc-M", 20 May 2010; Coalition against Discrimination, 20 May 2010, NGO "HomoDiversus Pro", 21 May 2010, NGO "CReDO", 19 May 2010, all in Chişinău.

7 Ibid.

8 Interview with Ministry of Justice, Chişinău, 20 May 2010.

9 Interview with CAD, Chişinău, 20 May 2010.

10 The National Human Rights Action Plan of the Republic of Moldova, The Office of the High Commissioner for Human Rights, www2.ohchr.org/english/issues/plan_actions/index.htm, accessed 15 July 2010.

11 Interview with CAD, and the Ministry of Justice. Chişinău, 20 May 2010.

12 Interview with the Ministry of Justice, Chişinău, 20 May 2010.

13 Ibid.

Ministry of Interior has recommended to the municipality to move the demonstration from the central square in front of the Parliament and the Central Orthodox Cathedral of Chişinău to a less public place. According to the Police Department, they did not feel in a position to protect the demonstrators since they did not “want to be seen as gay friendly, because otherwise we would have the same situation as in Bishkek... chaos, anarchy”.¹⁴ On this basis, the municipality did not allow the demonstration at the requested place, but suggested it moved out to a forest area away from the city centre with the argument that they did not want to create a conflict situation between the LGBT community members and the majority of Moldovan society.¹⁵

20. Despite the overall negative attitudes towards LGBT persons, some NGOs do recognise that the situation is now getting better than before:
21. "The situation is however slowly changing. Comparing to the last years, the visibility of LGBT has been raised because of the several public actions and swift, non-applied- for street actions, so called "flash mobs" (organised by "GenderDoc-M" –ed.) more acceptance came from family members, they wanted to be there and support those they love....LGBT organisations and activists are being more open and the debates are there now."¹⁶
22. Although the general perception of LGBT persons remains negative, it is being seen as a positive development that LGBT issues are being discussed in public and that the awareness of LGBT rights and vulnerable situation is being made more visible to the society.

C.2. Freedom of assembly and association

23. There are two officially registered LGBT NGOs in Moldova. One of them already mentioned above, "GenderDoc-M", is the oldest and largest Moldovan LGBT NGO. The NGO was founded in 1997 and officially registered in 1998¹⁷. Another LGBT NGO "HomoDiversus Pro" was registered in 2008 after a long and hard registration process. The NGO reports that it was denied registration for several years, allegedly because of its name:
24. "We wanted to have something with diversity in our title... something that shows a broad scope of work. So we thought of Diversus, which means Diversity and then Homo as human... so we chose HomoDiversus, which means Human Diversity. They (Ministry of Justice – ed.) looked at the title, then they checked our background and when they saw that most of the team had been working with "GenderDoc-M" before, they refused to register us....The Ministry of Justice denied regional registration, so we went to City Hall, in order to register locally. They asked us to change the name... They said: "No decent person in Moldova would name an organisation like that and that people would laugh at us."¹⁸
25. Both LGBT organisations are members of the Coalition against Discrimination. The Coalition is an initiative of non-governmental organisations active in the field of protecting and promoting human rights. The Coalition consists of 24 NGOs¹⁹ and is primarily working on providing public support to and monitoring and commenting on the new anti-

14 Ibid.

15 Interview with Ministry of Interior, Chişinău, 20 May 2010.

16 Interview with CAD, Chişinău, 20 May 2010.

17 Magazine "Theme" ("Tema"), Nr. IV (XIX), November –January, 2009-2010, Chişinău, Moldova; p. 29.

18 Interview with NGO "HomoDiversus Pro", Chişinău, 21 May 2010.

19 Such as the National Youth Council of Moldova (CNTM), Information Centre "GenderDoc-M", the National Roma Centre of Moldova, Moldovan League for Human Rights Protection (LADOM), the Resource Centre of Non-Governmental Organisations for Human Rights in Moldova (CReDO), Non-Governmental Organisation "Demo-Lex", the Association for Promoting Legal Clinics (APCJM), the Independent Society for Education and Human Rights (SIEDO).

discrimination law. Although formally behind it, not all members of the Coalition are equally supportive of LGBT issues:

26. "There are homophobes among human rights defenders. There were for instance some of our lawyers who didn't want to represent "GenderDoc-M" in court, because they didn't want to be associated with gay people... There are some NGOs who still offend LGBT NGOs, they say that persons who are working with LGBT issues are homosexual themselves. Some NGOs are just neutral. There are also some people who say that they support the LGBT community, but their actions tell the opposite."²⁰
27. In general though the Coalition supports the LGBT community in their work, despite the fact that some NGOs found it hard to convince their members to become a part of the same Coalition as LGBT organisations:
28. "The Roma community is conservative and quite homophobic... This feeling goes deeper to the cultural routes and views on a person and how it should be. ... When we joined the Coalition, we had very tough discussions inside our organization. I explained to our members: LGBT community and Roma groups are placed together on the same level. We are both on bottom level of acceptance by the society. Therefore, I told them, we need to stick together. But there were members who couldn't see that what unites us is the fact that we suffer discrimination, this is our mutual ground for doing this... only when we unite, we can get a chance of getting influence. Many responded that they had not realised that we had the same problems." (The National Roma Centre of Moldova).²¹
29. Hence, Coalition members are expressing understanding and unity for each other's situations and specific issues. They believe that their unity and cooperation makes them stronger and more capable.
30. As for the freedom of assembly, the law on public assembly in Moldova guarantees its citizens the right to hold peaceful demonstrations and obliges the police to protect the participants and secure safety and order during public actions.²² "GenderDoc-M" has since 2002 organised a "Rainbow over Dniester" week - a chain of cultural events, press conferences, round tables and seminars on LGBT related issues. The event traditionally opens with a ceremony of laying flowers to the National Monument of Glory in the centre of Chişinău.²³ Since 2005 a vast part of the week became an effort to organise a peaceful demonstration in favour of adapting the anti-discrimination law in Moldova. So far, all the attempts to organise the demonstration have failed.²⁴
31. In 2005, "GenderDoc-M" applied the Chişinău City Hall for permission for holding the demonstration, but was turned down. The City Hall referred to the fact that Moldova "*has already a law on national minorities*", and the demonstration was therefore unnecessary.²⁵ In 2006 the City Hall turned another application for permission to hold a peaceful demonstration by "GenderDoc-M". This time the City Hall argued that they've received a number of letters from citizens and organisations opposing the demonstration and the authorities were therefore concerned for public order and calm.²⁶ It is worth mentioning that also other public actions, attempted to be organised by "GenderDoc-M" were banned

20 Interview with CAD, Chişinău, 20 May 2010.

21 Ibid.

22 *The Legal Study on Homophobia, Transphobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in Moldova*, 2010, p. 9-10.

23 Pavlova, G., Gender Doc-M, *We want to secure that LGBT rights are respected, including freedom of assembly*, April 2010, www.lgbt.md/rus/pride.php, accessed 16 July 2010.

24 Chronological articles since 2002, www.lgbt.md/rus/pride.php, accessed 16 July 2010.

25 ILGA-Europe, *Moldova: Comprehensive Denial to Moldova's Principal LGBT Organization of the Right to Assembly*, Report as of 19 November 2006.

26 Ibid.

the same year. For instance, “Gender Doc-M” approached the Ministry of Education and Youth and proposed their participation in the Youth March. The March was supposed to take place in July 2006 as a part of the “All Different/ All Equal” programme of the Council of Europe. On 18 July a day before the March, “GenderDoc-M” was informed that the City Hall banned the event. According to ILGA-Europe report from 2006, the National Youth Council of Moldova has unofficially reasoned the ban with participation of “Gender Doc-M”.²⁷

32. In 2007 “GenderDoc-M” has again tried to organise a peaceful demonstration during “Rainbow over Dniester” week. For the third time the event was banned by the City Hall. The ban was reasoned by the possible public disorder, propaganda of sex, and offence to Moldovan Christian values, that the event would impose.²⁸ Hostile attitudes towards the event have this time influenced other parts of “Rainbow over Dniester” week. On 27 April the pride participants attempted to lay flowers before the National Monument of Glory, but were stopped by the police. Later on the City Hall had however officially stated in the media, that the actions of the police were not justified and the ceremony did not require their permission. On the same day a small demonstration took place in front of the City Hall of Chişinău. Some 30 participants were demonstrating against the ban of planned demonstration. The event lasted for 15 minutes and was protected by the police.²⁹
33. The law on public assembly was modified in 2008, liberating organisers from getting an assembly permit from local municipalities. Instead the organisers must inform the municipality about the route and time of the action, and the municipality should inform the police in order to secure the safety of participants and public order during the action.³⁰
34. On 21 April 2008, “GenderDoc-M” informed the municipality about their plans to organise yet another peaceful demonstration on 11 May 2008, as a part of the “Rainbow over Dniester” week. Right before the event, the organisation was informed that the municipality had banned their demonstration, despite the fact that public actions can only be banned by a court decision.³¹
35. On 11 May the bus with pride participants arrived at the location, although the participants have never had a chance to leave it:
36. "Some 60 Gay Pride participants were stuck in the bus for over 45 minutes. Two unidentified well-built men wearing the signs of the rival groups, forced the doors from both sides of the bus and demanded the destruction of all march materials (banners asking for anti-discrimination law and tolerance, European Union and Moldovan flags and rainbow balloons) as condition for lifting the blockade of the bus. According to the estimates of independent observers some 200 to 400 people had surrounded the bus."³²
37. The event got a broad media coverage, both inside and outside Moldova. The police were criticised for not taking action and protecting the participants.³³ According to “Gender Doc-M”, six police buses were holding some 100 meters away from the scene, but no actions to

27 Ibid.

28 ILGA-Europe, *Lesbian, Gay, Bisexual and Transgender Rights – Freedom of Assembly*, Diary of Events, Country by Country, August 2008.

29 Ibid.

30 *The Legal Study on Homophobia, Transphobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in Moldova*, 2010, p. 10

31 May 11 could turn into “Blood Sunday” – an opinion of journalist from Internet portal BAZAMD, Elena Zamyra, Marina Timotin, May 2008, www.lgbt.md/rus/story.php?sid=661, accessed on 16 July 2010.

32 Moldovan Police Stand Accused of Letting Protestors Hijack Bus Carrying Gay Pride Participants, May 2008, www.globalgayz.com/country/Moldova/view/MDA/moldova-news-and-reports \ "article19, accessed on 27 May 2010.

33 Ibid. And EU should re-consider relationships with Moldova after Pride violence, May 2008, www.ilga-europe.org/europe/news/latest_news/moldovan_lgbt_pride_2008/eu_should_re_consider_relations_with_moldova_after_pride_violence%20, accessed on 27 May 2010.

prevent the conflict or stop violent attacks against the bus with pride participants were made.³⁴

38. According to the Ministry of Interior, the police did not take action in order to avoid being seen as "gay friendly":
39. "We were only there to keep people apart. We were unable to enter into a more active protection role because we were afraid of offending the majority of the Moldovan people (...) the police must foresee the situation like recently in Bishkek, where people came out of control and turned against the authorities... we were trying to avoid the same situation, when people turn against the police, because we were protecting LGBT demonstration (...) But nobody was hurt anyway, because we were there."³⁵
40. According to "GenderDoc-M", the bus with pride participants left the square after 45 minutes and drove to the NGO head quarters. Many of the counter-demonstrators followed the bus and lined in front of Gender Doc-M's office, demanding the staff members to come out. The events, which were planned for after the demonstration, were forced to be cancelled because of security reasons.³⁶
41. The events of 2008 forced "Gender Doc-M" to cancel the demonstration as a part of "Rainbow of Dniester" in 2009. The President of the organisation, Aleksei Marchkov, has stated during the traditional opening press conference, that the organisers decided not to risk going out and demonstrate until the authorities confirm the fact, that they will protect the participants from aggressive counter-demonstrators.³⁷
42. Despite the criticism and media attention, that the actions of Moldovan authorities have evoked, the peaceful demonstration by LGBT persons in favour of anti-discrimination law has still not taken place as planned by its organisers. In 2010 "GenderDoc-M" again tried to hold the event. This time the Chişinău City Hall went to Appellate Court in order to ban the event. The Appellate Court ruled:
43. " – to ban the realization of assembly organised by the Information Centre "GenderDoc-M" a the Great National Assembly Square.
44. - to relocate the realisation of the assembly organised by the Information Centre "GenderDoc-M" to another place."³⁸
45. The Court has reasoned the ban with the fact that many applications from various religious and veteran organisations were submitted asking the court not to allow the event.
46. According to "GenderDoc-M": "we refuse to hold the peaceful demonstration at the territory of the Green Theatre (an alternative location, which the organisers were offered – ed.) on principle, because we believe this is another attempt to drive us into a new reservation."³⁹ Instead of the planned demonstration, "GenderDoc-M" has organised a short flash-mob in

34 May 11 could turn into "Blood Sunday" – an opinion of journalist from Internet portal BAZAMD, Elena Zamyra, Marina Timotin, May 2008, www.lgbt.md/rus/story.php?sid=661, accessed on 16 July 2010.

35 Interview with the Ministry of Interior, Chişinău. 20 May 2010.

36 May 11 could turn into "Blood Sunday" – an opinion of journalist from Internet portal BAZAMD, Elena Zamyra, Marina Timotin, May 2008, www.lgbt.md/rus/story.php?sid=661, accessed on 16 July 2010.

37 Ibid.

38 Plaintiff Statement on the ban of the assembly planned on 2 May 2010 at the Great National Assembly Square #072 P.001/002, Chişinău Court of Appeals, 12 April 2010. (The document is handed over to the author by "GenderDoc-M" during the field trip. The translation into English is made by the organisation itself).

39 Ban GenderDoc-M's peaceful manifestation planned for 2 May 2010 (A paper, drafted by "GenderDoc-M" and handed over to the author during the field trip).

front of the City Hall. The flash mob lasted for around 10 minutes and was protected by the police.⁴⁰

47. The case was sent to the Supreme Court. In May 2010 the Supreme Court has ruled the following:
48. "To cancel the decision of the Appellate Court on the ban of peaceful manifestation. To accept the statement of claim of the Information Centre "GenderDoc-M" about cancelling of the decision of the Appellate Court regarding the ban of peaceful manifestation."⁴¹
49. According to the organisation itself, the court decision can hardly be found satisfying, as the Court has not acknowledged the ruling of the Appellate Court as discriminatory and did not decide upon any sanctions or concrete actions, which the NGO can use in its future attempts to organise the Pride. "GenderDoc-M" will therefore apply with this case to the European Court for Human Rights.⁴² The organisation has been applying to the ECHR since 2005 and has already won two cases.⁴³

C.3. Freedom of expression

50. The LGBT community in Moldova is reported to have several media forums for communicating and mediating relevant issues, discussions and other messages. One of them is driven by an NGO "Hyde Park", which also is a member of CAD. The NGO generally works with freedom of expression in Moldova, but is very open to the LGBT community and debates the issues relevant for LGBT persons. The NGO sees itself as a channel for LGBT related issues, which it addresses in its radio programmes and on the website.⁴⁴
51. Other channels of information, debate and communication for the LGBT community are conducted and driven by "GenderDoc-M". The organisation publishes two LGBT magazines: "Zerkalo" ("The Mirror") for homosexual men and "Theme" for and by homosexual women.
52. "It is possible to publish such media, but difficult to distribute. We had the magazine in magazine stands all over Chişinău and some other cities, but after a while the sellers asked us to remove the magazine from their windows... This is a very big problem because LGBT persons often feel ashamed to ask for this magazine. If it is in the window though, they can just point at it and say "I want to buy this magazine", without saying its title. So the sales went down, because the magazine was no longer in the windows, and the sellers used this decrease to argue that the magazine should be completely removed from sale, because it is not profitable for them."⁴⁵
53. The magazines are now being distributed inside the community, by the members themselves.⁴⁶

40 May 11 could turn into "Blood Sunday" – an opinion of journalist from Internet portal BAZAMD, Elena Zamyra, Marina Timotin, May 2008, www.lgbt.md/rus/story.php?sid=661, accessed on 16 July 2010.

41 Ban "GenderDoc-M"'s peaceful manifestation planned for 2 May 2010 (A paper, drafted by "GenderDoc-M" and handed over to the author during the field trip).

42 Interview with NGO "GenderDoc-M", Chişinău, 20 May 2010.

43 A hand out paper, received from "GenderDoc-M" during the field trip.

44 Interview with CAD, Chişinău, 20 May 2010.

45 Interview with NGO "GenderDoc-M", Chişinău, 20 May 2010.

46 Ibid.

C.4. Hate crime - hate speech

54. According to the OSCE report 2009 "Hate crimes in the OSCE region - incidents and responses. Annual Report for 2008", the authorities responsible for gathering data on hate crimes in Moldova are the Ministry of Interior, the General Prosecutor's Office and the Bureau of National Statistics.⁴⁷ According to the same report though, the data are not available to the public.⁴⁸ During the interview with the Ministry of Interior, the respondents have argued that no data are available on hate crimes towards LGBT persons.⁴⁹
55. The above mentioned OSCE report 2009 also confirms the fact that hate crimes towards LGBT persons are not properly registered by the Moldovan authorities, who are generally responsible for registering hate crimes. According to the report only 17 countries reported that they collect data on hate crimes towards LGBT, and Moldova was not one of them.⁵⁰ According to the Ministry of Interior, because of the fact that homophobia is not legally considered as an aggravating factor when committing a crime, the hate crimes and hate speech incidents are registered as criminal offences and not as hate crimes. The lack of legal instruments on classifying and handling criminal offences towards LGBT persons as hate crimes, prohibits therefore the responsible authorities in keeping track of hate crimes.⁵¹
56. The Moldovan NGOs on the other hand are dealing with hate crimes to the extent possible and are making efforts to register and document hate crimes and hate speech. For instance, the shadow report 2009, prepared by "GenderDoc-M" reports various incidents of both hate crimes and hate speech.⁵²
57. As for the hate speech, the report shows that homophobic statements are often coming from the members of Moldovan Parliament:
58. " On 15 May 2008, Iurie Rosca, Chairman of the Christian-Democratic People's Party and Deputy Speaker of Parliament, gave a speech to other members of Parliament, accusing homosexuals of "encroaching on the moral principles of society," declaring that "homosexuality is a moral and existential mistake", and supporting the aggressive actions of counter-demonstrators against the "Rainbow over the Dniester" demonstration."⁵³
59. What upsets NGOs the most, is the fact that the incidents of hate speech in the Parliament are not prevented by other Parliament members:
60. "...He talked very homophobic in the Parliament, concerning the Gay Pride (It was rights after the bus incidents in 2008). No one from the audience stopped him or made any objections."⁵⁴
61. The CAD underlines that most registered cases of hate speech are related to public speeches made by the politicians, municipality officials and priests. The Coalition underlines that the current turbulent political situation in Moldova prior the two elections in 2009 made LGBT an issue, that was being used to manipulate and win votes or compromise the opponents. NGO "HomoDiversus Pro" agrees:

47 OSCE, ODIHR, *Hate crimes in the OSCE region - incidents and responses*. Annual Report for 2008, Warsaw, November 2009.

48 Ibid.

49 Interview with the Ministry of Interior, Chişinău, 20 May 2010.

50 OSCE, ODIHR, *Hate crimes in the OSCE region - incidents and responses*. Annual Report for 2008, Warsaw, November 2009, p. 55.

51 Interview with the Ministry of Interior, Chişinău, 20 May 2010.

52 Shadow Report, *The violations of the Rights of Lesbian, Gay, Bisexual and Transgender Persons in Moldova*, October 2009, p. 10.

53 Ibid.

54 Interview with "HomoDiversus Pro", Chişinău, 21 May 2010.

62. "Here in Moldova if you want to compromise someone in politics, you have to call him gay or gay-friendly."⁵⁵
63. ...Even for politicians who have spoken out in favour of pluralism are silent and do not dare to come out and support LGBT for fear of being branded as homosexuals themselves."⁵⁶
64. According to the Moldovan NGO "CreDO" the Moldovan Orthodox Church is also using LGBT issues for the purpose of lobbying:
65. "In terms of homophobia, there is a strong trend among the religious community to increase its presence in the public debate. The issue at present is a proposed introduction of compulsory orthodox religious class in public schools, for which the church is actively lobbying. Together with a strong and very outspoken stand against LGBT, which is being seen as a disease and a threat to Moldova's long-term survival (assuming that same-sex couples do not get children), the situation is critical."⁵⁷
66. Incidents of hate speech, homophobic bullying and harassment are also reported to occur in public places, especially by the police officers. "HomoDiversus Pro" tells a story of two LGBT activists, who were putting up posters during the Gay Pride. They were arrested by the police, on grounds of putting the posters in places where it was forbidden. They were put into custody and one of them asked the police officer to stop smoking, as he was disturbed by it. The answer was: "Oh, are you disturbed by it? I will stick this LGBT poster to your back and send you to a cell with criminals. Then we'll see what you gonna say".
67. The NGO "GenderDoc-M" also reports that police officers are being very offensive in their language towards LGBT persons. Besides, they often use blackmail in order to get money out of LGBT person, threatening that they will tell their families, employers etc.⁵⁸
68. According to the Ministry of Interior, no incidents of hate speech or hate crimes towards LGBT persons, committed by police officers have been registered:
69. "We have a special monitoring unit, which is screening all media publications, TV reports and radio programmes, where police are being mentioned. Therefore if there has been any incident, where a police officer was acting inappropriately towards another person because of his/her sexual orientation, it would have become known to us and this officer will get punished."⁵⁹
70. "GenderDoc-M" reports that there have been cases where the police officers were dismissed from their positions for harassment of LGBT persons:
71. "There are examples of action taken against police officers who were threatening/blackmailing potential gays... We always go with the victims to a police station and support them if they want to issue a complaint. Often two scenarios can take place: either the police officers are covering for one another and nothing is done; or we go to a "higher level" and sanctions are taken towards this police officer."⁶⁰
72. "GenderDoc-M" tells a story of two gay men, who were taken into custody by local foot patrol on their way home from an LGBT disco-party.⁶¹ When the patrol officers brought

55 Ibid.

56 Interview with "CRDO", Chişinău, 19 May 2010.

57 Ibid.

58 Interview with "GenderDoc-M", Chişinău, 20 May 2010.

59 Interview with the Ministry of Interior, Chişinău, 20 May 2010.

60 Interview with "GenderDoc-M", Chişinău, 20 May 2010.

61 LGBT disco-parties are being organized by "GenderDoc-M" every week for LGBT persons and gay-friendly crowd in different clubs around Chişinău – ed.

these two men to the station, the officer in charge ordered them to release them immediately. He got very angry and said that they could lose their job because of this.⁶² Another case is described in the shadow report, drafted by "GenderDoc-M" in cooperation with ILGA-Europe in 2009:

73. On 19 and 20 February 2007, police officers demanded identification from young men in a park known to be a popular cruising ground for members of the gay community. When these young men were unable to present their identification, they were taken to the police station, where they were searched and interrogated about their sexual orientation. The police also confiscated any money they had, and some of the men were threatened with physical harm. A complaint filed by "GenderDoc-M" with the Police Commissariat of Chişinău municipality did lead to punishment for those involved.⁶³
74. The situation in terms of hate speech and hate crimes is reported as being especially relevant for the transgender community. Whereas sexual orientation can be hidden, change of physical appearance during the transition cannot. This makes it difficult for transgender persons to get decent and respectful treatment at work, at home, in the medical care institution etc.⁶⁴
75. "GenderDoc-M" describes an incident with four transgender persons, who came to Chişinău for the Gay Pride in May 2010 from Kazakhstan. They were stopped and held for a very long time at the passport control. The personnel made fun of them and refused to let them through. They were pointing fingers at the four transgender guests and telling other passengers "to look at the freaks". All four persons were asked to come to a special room for a body search, where they were told to take off all their clothes. While they were taking the clothes off, the women officers were laughing at them. After this humiliating procedure they were let through and after they asked for the name and rank of the officer in charge, they got an official apology from airport personnel.⁶⁵

C.5. Family issues

76. The family issues, mentioned in relation to LGBT persons, are first and foremost ones related to "coming out". This is still hard for LGBT persons, because of their fear of meeting disrespect, lack of understanding, humiliation and harassment from family members.⁶⁶
77. "There was this young woman. Her mother called the police, when she found out that her daughter is living with another woman. She told the police that her daughter is held in the apartment against her own will and was drugged. The police came and forced her out of the apartment and into the car. When I interfered, the police officer pushed me away... Literally pushed with force and told me to shut up."⁶⁷
78. "HomoDiversus Pro" tells another story of a cross-dresser:
79. "His relatives asked someone they know to do something about his performances in drag-shows. They drove him over with a car, in order to hurt his legs and prevent him from performing."⁶⁸

62 Interview with "GenderDoc-M", Chişinău, 20 May 2010.

63 Shadow Report, *The violations of the Rights of Lesbian, Gay, Bisexual and Transgender Persons in Moldova*, October 2009.

64 Interviews with "GenderDoc-M" and the "Coalition against Discrimination", Chişinău. 20 May 2010.

65 Hand out materials, provided by "GenderDoc-M" during the field trip.

66 Interviews with "GenderDoc-M" and CAD, 20 May 2010. Interview with "HomoDiversus Pro", 21 May 2010, Chişinău.

67 Interview with "HomoDiversus Pro", Chişinău, 21 May 2010.

68 Ibid.

80. The fear of abuse, homophobia and exclusion by family members, is a major issue for LGBT persons, according to "HomoDiversus Pro". This is made worse by the fact that few young people can afford to buy or rent an apartment and hence must stay with their parents way up in their twenties, hiding their sexual orientation or/and gender identity and even living a double life:
81. "I know some cases, where people pretended to have 'facade' relationships with straight girl- or boyfriends or even got married with a homosexual friend of an opposite sex, because they were too afraid to come out to their parents."⁶⁹
82. According to the NGO "GenderDoc-M" coming out for transgender persons can be especially hard for MtF:
83. "The fathers can get very violent, beat their sons up... trying to cure them."⁷⁰
84. Registered same-sex partnerships and adoption for same-sex couples, is "a huge taboo in the Moldovan society".⁷¹ According to the Ministry of Justice, the main argument of the Moldovan Orthodox Church against the anti-discrimination law, is that the next step for Moldovan legislation will be to allow "gay-marriages and adoption for gay-couples". This scenario is being used by them in order to "scare" the Moldovan population, which – according to the Ministry of Justice – is not ready to accept this legalisation yet:
85. "We will not allow same-sex marriages. The society is not ready yet. We've got a very long list of signatures from ordinary citizens saying that they are against this... The pressure is though still coming from the religious groups; it is getting higher and higher."⁷²

C.6. Asylum and refugee issues

86. According to "HomoDiversus Pro", there have been very few cases of LGBT persons seeking asylum abroad because of persecution on grounds of sexual orientation or gender identity officially. Often another reason is used:
87. "Usually they (LGBT persons – ed.) do not seek asylum because of these grounds (sexual orientation and gender identity – ed.), because it is hard to prove that they were living together (in a same-sex relationship – ed.) or that they were harassed or their rights were violated. So they are seeking asylum de-facto because of their sexual orientation, but de-jury they use another reasons."⁷³
88. The fact that neither marriage nor civil partnership between same-sex persons are legally acknowledged in Moldova, has also proved to be a challenge in cases, where one of the parties is not a Moldovan citizen. The "GenderDoc-M" tells the story of a Russian citizen, living and working in Moldova with her girlfriend. The fact that being in a same-sex relationship is not a legal reason for obtaining residence permit makes it very challenging for the couple to stay together. The Russian girl needs to leave Moldova every three months in order to obtain a new residence permit. Besides, her work is absolutely crucial for her, as legally speaking it is the only legal reason for her living in the country. The couple have been living together for over five years, and if she loses her job, she will be

69 Interview with "HomoDiversus Pro", Chişinău, 21 May 2010.

70 Interview with "GenderDoc-M", Chişinău, 20 May 2010.

71 Interview with CAD, "GenderDoc-M", 20 May 2010. Interview with "HomoDiversus Pro", 21 May 2010, Chişinău.

72 Interview with the Ministry of Justice, Chişinău, 20 May 2010.

73 Interview with NGO "HomoDiversus Pro", Chişinău, 21 May 2010.

forced to leave the country. Another “way out” of the situation, according to the NGO, is for her to get married to a man and “live a lie”.⁷⁴

C.7. Social security, social care and insurance

89. No information was made available for this study by the NGOs.

C.8. Education

90. The Moldovan Orthodox Church is at the moment lobbying for the introduction of courses on religion in public schools. According to CAD and “HomoDiversus Pro”, the course will be exclusively about the Orthodox Christianity and will not include information on any other religion. The courses would be taught by the practising priests.⁷⁵ It is expected that the courses will provide a negative view of LGBT people - (as well as religious minorities) to the students.⁷⁶
91. According to the CAD, the courses are supposed to be optional, though the school programme will force the students to choose at least one optional course. The fact that the religious courses would be the only optional course in Moldovan schools makes it quite inevitable for the Moldovan students to go through it, as a part of their schooling.⁷⁷ It is going to be up to the boards of each school whether to have this course or not, and the final decision is expected to come in September 2010.⁷⁸
92. While the courses on religion are expected to have a great chance of being implemented, the efforts to develop and implement courses on sexual health, identity and diversity have failed.⁷⁹ In 2007 UNICEF Moldova launched a Life Skills programme in Moldovan public schools. The programme included information on the issues, such as sexual behaviour, diversity, tolerance and homosexuality. The course was removed from the school curricular again, due to pressure from the Church. The Coalition underlines that in this case the pressure came not only from the Moldovan Orthodox Church, but also from other Churches, represented in Moldova.⁸⁰
93. Another important issue, raised by the NGOs interviewed for this report, is the education materials used at the Medical University of Moldova. According to “GenderDoc-M” and the Coalition, the textbooks used here are still from the time, when homosexuality was criminalised and listed as a disease by WHO. This means that future Moldovan medical doctors are still being taught to approach homosexuality as an illness.⁸¹

C.9. Employment

94. According to the legal report on the situation of homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in Moldova, there is no legislation in place, which directly forbids discrimination in the area of employment on these

74 Interview with NGO “GenderDoc-M”, Chişinău, 20 May 2010.

75 Interview with CAD, 20 May 2010 and Interview with “HomoDiversus Pro”, 21 May 2010, Chişinău.

76 Interview with CAD”, Chişinău, 20 May 2010.

77 Ibid.

78 Ibid.

79 Ibid.

80 Ibid.

81 Interview with “GenderDoc-M” and CAD, Chişinău, 20 May 2010.

grounds.⁸² However, the generally high level of homophobia in Moldovan society shows that being an LGBT person can jeopardise one's career. According to "GenderDoc-M", many LGBT persons prefer to hide their sexual orientation or gender identity in the workplace.⁸³

95. The situation is different for transgender persons, because of the physical changes during the transition. "GenderDoc-M" reports a story of an MtF transgender, who was dismissed from her position as a high-school teacher because of the gender reassignment. During the hormone therapy, when the physical change became obvious, the dean forced her to quit her job. This was despite the general sympathy towards her from the side of the parents and students, who appreciated her professionalism and teaching skills. The parents approached the dean several times, asking him to let her keep the job. However, she was dismissed.⁸⁴ Such cases are even more complicated because transgender persons under transition are unable to get a new job, as his/her official ID-documents no longer correspond to the physical appearance:
96. "What's left is to work without a contract, different weird places, where no one can guarantee that you'll be there tomorrow and can violate your rights any time. You won't be able to prove anything. The salary is very low... it is very depressing for most of people... and they need money desperately for the hormones... it is like a vicious circle."⁸⁵

C.10. Housing

97. There are no reported cases of discrimination against LGBT persons in the area of housing. According to HomoDiversus Pro "this is mostly because of the fact that LGBT persons often cannot afford to rent a flat on their own and keep living with their parents for a long time."⁸⁶

C.11. Health care

98. The ILGA-Europe report *Accessing Health: the Context and the Challenges for LGBT People in Central and Eastern Europe from 2006* reveals a high level of mistrust between LGB persons, subjected to the survey, and their health care providers. It is worth mentioning right away that among 147 respondents, none have identified themselves as transgender, although the survey was designed to collect data from LGBT persons. Therefore the particular Moldovan results are being described as relevant for LGB persons, and not T.⁸⁷
99. According to the report, 19 percent of the respondents have felt being treated worse by their health care provider because of their sexual orientation and 44.5 percent would not feel comfortable revealing their sexual orientation to their health care provider. Although 55 percent reported that it would be comfortable for them to reveal their sexual orientation to their health care provider, 81 percent of the Moldovan respondents would still prefer an LGB-specified health care provider, if it existed.⁸⁸ Combined with the statistical data, referred to in the Introduction chapter of this report, which classified medical doctors as one

82 *The legal report on the situation of homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in Moldova*, 2010.

83 Interview with "GenderDoc-M", Chişinău, 20 May 2010.

84 Interview with "GenderDoc-M", Chişinău, 20 May 2010.

85 Ibid.

86 Interview with "HomoDiversus Pro", Chişinău, 21 May 2010.

87 Quinn, S., *Accessing Health: the Context and the challenges for LGBT People in Central and Eastern Europe*, ILGA-Europe, 2006, p. 12.

88 Ibid.

of the most homophobic groups in Moldova,⁸⁹ one may say that the level of trust between LGB persons and their doctors is still far from optimal.

100. The reported mistrust between LGB persons and medical staff has a number of consequences for the general medical health picture of the LGB community. For one, only 15 percent of the respondents are reported have undergone testing for STIs, which is considered “to be very low in the view of the widespread nature in the country of a number of STIs”.⁹⁰ Besides, 50 percent of the respondents report to have had suicidal thoughts, which developed into attempted suicides. These last figures show that LGB persons in Moldova fail to receive professional medical help, in cases of suicidal behaviour, to prevent them from attempting suicide.⁹¹ As for other mental health issues, of those who report experiencing depression or anxiety, only 19 percent sought medical help, while 6.8 percent were directed to a mental health provider because of their sexual orientation.⁹² As mentioned before, the mistrust between LGB persons and medical care providers therefore has significant consequences for the physical and mental health of LGB persons.
101. Another important area, in which medical care providers and health care sector in general play a crucial role, is gender reassignment. Moldova does not have any legislation, which regulates the process of gender reassignment treatment. Transgender persons, who come to their local polyclinic,⁹³ are being redirected to a special unit or facility under the Psychiatric Faculty of the University. This unit has a few specialists who have experience in working with transgender persons and have some knowledge of transsexualism.⁹⁴ The transgender person will spend two weeks as an out-patient with the facility, during which he/she will be going through various tests, meetings with doctors (psychiatrists, gynaecologists, urologists etc.).⁹⁵
102. After two weeks the unit issues a certificate verifying that the person is diagnosed with transsexualism.⁹⁶ According to the Ministry of Health, the primary role of this facility or unit is to investigate the “patient” and exclude the possibilities of psychiatric disorders, homosexuality and transvestism.⁹⁷ According to the Ministry, the certificate is also translated in Russian.⁹⁸
103. After the transgender person receives the certificate, there are no further legal regulations or procedures:
104. "The person is basically left to her/himself...to have to find out what to do."⁹⁹
105. Both civil society organisations and the Ministry of Health are concerned with the difficulties, which transgender persons are facing because of the lack of legislation in this area.¹⁰⁰ “GenderDoc-M” describes the cumbersome process of changing ID-documents as

89 See p. 4 of this report.

90 Quinn, S., *Accessing Health: the Context and the challenges for LGBT People in Central and Eastern Europe*, ILGA-Europe, 2006, p. 20.

91 Ibid p. 21.

92 Ibid p. 22.

93 The system of polyclinics is corresponding to the system of family doctors in Western Europe and is the first medical institution, a person goes to for health care.

94 Interview with the Ministry of Health, Chişinău, 21 May 2010.

95 Ibid.

96 According to the Ministry of Health, sometimes the certificate states the diagnosis nuclear transsexualism, which usually means that the only “cure” for the “patient” is to undergo gender reassignment surgery. (Interview with Ministry of Health, Chişinău, 21 May 2010).

97 Interview with the Ministry of Health, Chişinău, 21 May 2010.

98 In Moldova the term nuclear transsexualism is also being used, identifying the state of the person as being transsexual with no other cure than surgery.

99 Interview with “GenderDoc-M”, Chişinău, 20 May 2010.

100 Interview with the Ministry of Health, 21 May 2010 and “GenderDoc-M”, 20 May 2010, Chişinău.

local registration offices do not know what to do, when a transgender person approaches them with a request to change his/her documents:

106. "It is possible, but very hard... It was only after I told them that I will go to the European Court for Human Rights that they got scared and changed my papers... they would change your papers if you undergo surgery, but for this you have to travel abroad..."¹⁰¹
107. It is especially hard for FtM persons to get new documents, as this will involve obtaining a special military passport, which all male citizens of Moldova get after reaching 16 years of age.¹⁰² Reportedly, FtM persons have, in rare cases, obtained such a passport with a stamp that declares him unfit for military service. During the interview with "GenderDoc-M" it became clear, that at the moment the lack of legislation in this area, forces the authorities to deal with these cases on the individual basis. This means that the outcome of each case is very much dependent on personal factors, such as the particular person's "negotiation" skills, the personal attitude of the clerk behind the desk etc. Paradoxically, this erases some of the obstacles, which transgender persons face in other countries, such as forced sterilisation or the requirement to undergo a gender reassignment surgery prior to document change. On the other hand, it leaves the transgender persons alone with no support or legal instrument on how to deal with their wish for gender reassignment.
108. Gender reassignment surgeries are only partially possible in Moldova at a private clinic in Chişinău, which performed some steps of surgical gender reassignment, as for example surgical removal of breasts (mastectomy). Other operations must be made abroad and at the person's own expense. Besides the often prohibitive costs that this entails, the person will more often than not have problems as the person's physical appearance no longer corresponds to his/her ID-documents.¹⁰³
109. "This clinic (the private clinic referred to above – ed.) had been performing mastectomy... We had two boys who went there and then went to the Ministry of Health to get help with the papers. When the Ministry found out about their operation, it was a huge scandal, because they were not authorised to perform those operations."¹⁰⁴
110. The issue of taking responsibility was also raised by the Ministry of Health:
111. "I am a doctor, and I would say... I could in theory perform such a surgery, but I cannot take the responsibility for the life of these patients on my own shoulders".¹⁰⁵
112. Another important issue, which is mentioned by both "GenderDoc-M" and the Ministry of Health, is the lack of awareness and sympathy towards transgender persons from medical personal:
113. "There is this woman in the polyclinic... I know her because I always came to her and she is the one everyone goes to, when they decide to do this... She just starts to shout right away.... "Why are you here!" "Go home!" I do not want to see you here anymore!" She scares people away, they do not want to do this after being there."¹⁰⁶

101 Interview with "GenderDoc-M", Chişinău, 20 May 2010.

102 Interview with "GenderDoc-M" and CAD, Chişinău, 20 May 2010.

103 Interview with "GenderDoc-M", Chişinău, 21 May 2010.

104 Ibid.

105 Interview with the Ministry of Health, Chişinău, 21 May 2010.

106 Interview with "GenderDoc-M", Chişinău, 21 May 2010.

114. "It is a huge problem with so little awareness and sensitivity among doctors and health care personnel on transgender persons. They confuse them with homosexuals and transvestites... they do not know the difference."¹⁰⁷
115. After meeting such negative attitudes in the polyclinic, transgender persons often decide to drop medical assistance and start looking for information on the Internet, among their personal network etc.¹⁰⁸ According to "GenderDoc-M", it is here that the person finds out about hormone therapy, gets advice on how and where to buy hormones, which doses to take etc., and starts his/her self-medication. Self-medication is very dangerous for the health, as the wrong doses of hormones can lead to serious heart problems, blood pressure issues etc.:
116. "It has dramatic consequences for the health sometimes... and even if this person gets sick, he/she won't go to the doctor, because then they have to tell what is wrong with them."¹⁰⁹
117. As mentioned, both the Ministry of Health and the civil society organisations acknowledge the lack of legislation as an important issue and are ready for the dialogue and cooperation. These steps are also supported by the Ombudsman Office. In 2009 the Ombudsman initiated an investigation of discrimination on grounds of sexual orientation and gender identity. One of the most important gaps was the lack of legal regulations of health care for transgender persons. This was included in the list of recommendations in the 2009 report.¹¹⁰

C.12. Access to goods and services

118. During the draft of this report, no data on access to goods and services were presented by the interviewed NGOs and state stakeholders.

C.13. Media

119. According to the report, conducted by "GenderDoc-M" in 2008, the taboo on homosexuality was lifted in the Moldovan media and the coverage of LGBT related issues (both positive and negative) began to increase, year after year.¹¹¹ Reportedly, in 2004, 21 articles were published in the Moldovan media; in 2005 – 27 articles were published and in 2006 already 76. In 2008 the reported amount of LGBT related articles reached 88 articles.¹¹² As for the content, the Russian language editions are reported to be less homophobic than Romanian ones. For instance, the NGO reports that in 2006, 21 articles with negative views on LGBT community were published in Romanian, while 12 were more LGBT tolerant. In 2007 the number of articles, speaking negatively of LGBT community increased to 29, while the number of LGBT tolerant editions remained at nine.¹¹³ The same increase of negative articles about LGBT persons however also took place for the Russian media. The number of positive articles on LGBT issues decreased from 35 in 2006 till 29 in 2007. At the same

107 Interview with the Ministry of Health, Chişinău, 21 May 2010.

108 Interview with "GenderDoc-M", Chişinău. 21 May 2010.

109 Interview with "GenderDoc-M", Chişinău, 21 May 2010.

110 Interview with the Ombudsman Office, Chişinău, 21 May 2010.

111 Information Centre "GenderDoc-M", *Apostles in Deceit*, Overview of Mass Media Materials Dedicated to the LGBT Community and Published in Moldovan Newspapers in 2006-2007, Chişinău, 2008.

112 Ibid p. 98.

113 Ibid p. 99.

time, the number of negative articles increased four times (in 2006 – three articles; in 2007 – 12 articles).¹¹⁴

120. During the interview with “GenderDoc-M” and other Moldovan NGOs in May 2010, it was reported that since the election turmoil in April 2009, the media picture in Moldova has changed for the better as two new private TV channels have introduced more objective and investigative journalism than what the government dominated state channels had practiced. This has also made the state channels more pluralistic.
121. In terms of presenting LGBT-issues, there is reportedly an on-going vivid discussion in the printed as well as the electronic media. LGBT persons are no longer portrayed as either weird or a threat to public order, but a more balanced presentation was given to the case of the forbidden demonstrations in May and subsequent flash mobs by “GenderDoc-M” and CAD.¹¹⁵

C.14. Transgender issues

122. See in previous chapters.

C.15. Other areas of concern

123. The political future of LGBT issues is very much dependent on the political situation after the elections in Moldova. The fate of anti-discrimination law is closely connected to the ways which the new Moldovan government (if changed) will choose to take.
124. Also, the aspirations of Moldova to move closer to and eventually join the EU does undoubtedly play an important part in the discussions about the non-discrimination legislation which, according to NGO's would never had come so far had it not been because of pressure from the EU and other international bodies on the government to get in line with mainstream Europe on discrimination issues.¹¹⁶

C.16. Data availability

125. As this report shows, there are some issues relevant for LGBT situation in Moldova, which are more covered and documented than others. Due to the fact that the case law on discrimination on grounds of sexual orientation and gender identity is almost absent in Moldova, the report is primarily based on the information, made available by Moldovan LGBT NGOs.
126. In contrast to many other countries, subjected to this study, transgender related issues are being covered quite exhaustively by Moldovan NGOs, as they are actively working with transgender persons and the problems this group is facing due to the lack of legislation in this area.

114 Ibid.

115 Interviews with “Gender-Doc”, 20 May 2010 and “CReDO”, 19 May 2010, Chişinău.

116 Interviews with “CReDO”, 19 May 2010, CAD, 20 May 2010 and “GenderDoc-M”, 20 May 2010, Chişinău.