



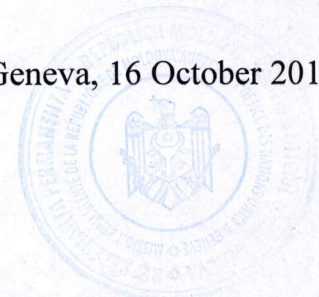
**PERMANENT MISSION OF THE REPUBLIC OF MOLDOVA  
TO THE UNITED NATIONS OFFICE IN GENEVA**

No. 494/R - ONU- 698

The Permanent Mission of the Republic of Moldova to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, Special Procedures of the Human Rights Council, and has the honour to transmit herewith the response of the Moldovan Government to the Communication from Special Procedures Joint Allegation Letter AL G/SO 214 (67-17) Assembly & Association (2010 -1) G/SO 214 (107-9) MDA 3/2012, concerning alleged bans on public activities organised by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons in several municipalities in the Republic of Moldova.

The Permanent Mission of the Republic of Moldova to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the to Office of the High Commissioner for Human Rights, Special Procedures of the Human Rights Council the assurances of its highest consideration. *VM*

Geneva, 16 October 2012



**OHCHR REGISTRY**

**22 OCT 2012**

Recipients :.....*S.P.D.*.....

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**Office of the High Commissioner for Human Rights  
Special Procedures of the Human Rights Council  
Geneva**

On May 25, 2012 the Moldovan Parliament adopted *the Law on ensuring equality* which will enter into force on January 1, 2013. This achievement represents the result of four years of extensive debates associated with a high degree of sensitivity within the society and strong resistance from the opposition. The law bans all forms of discrimination, provides the possibility of affirmative actions and sets up a mechanism to sanction discriminatory behavior.

Article 1 of the above mentioned Law states its main objective *“to prevent and combat discrimination and to ensure equality in rights for all the individuals on the territory of the Republic of Moldova in areas of politics, economics, social, culture, and other areas of life making no difference in race, nationality, ethnic origin, language, religion, belief, sex, age, health status, disability, opinion, political view, wealth, social origin, belonging to a socially unflavored group, as well as based on any other criteria.”* The reference *“as well as based on any other criteria”* shall be read extensively, excluding the possibilities of limited interpretation and implementation of this Law to an exhaustive list of discrimination criteria.

The law provides for further gradual steps, including a road map for implementing the Law that is included in the revised version of the National Human Rights Action Plan (NHRAP). The NHRAP is being revised as part of the comprehensive implementation of the UPR and other relevant recommendations.

Successively, according to the provisions of the new law the secondary legislation will be drafted and amended secondary legislation in order to incorporate and strengthen the existing legal framework.

The Government has already started to work on establishing the Council for Preventing and Combating Discrimination and Ensuring Equality aimed to provide a sustainable, impartial and independent national mechanism in this field. Wide consultations with the civil society as well as partners from EU, UN and Council of Europe have been and will continue to be ensured during all stages of the Council’s creation process, as well as its initial activity period. The Council’s work will be developed in full compliancy with the UN and Council of Europe Conventions.

Moreover, as part of the comprehensive justice sector reform, the Government and the National Institute of Justice started the process of revision of the professional training system in order to introduce a new Curricula for training on anti-discrimination that will be developed in close cooperation with international partners, aiming to apply the European Court for Human Rights case law, as well as best practices.

Taking into account that the negotiations and consultations on the draft law revealed certain sensitivities within the society, and respectively have resulted with lessons learned and new solutions, the immediate efforts will be oriented towards promoting human rights principles, including the core principle of equality and non-discrimination on all grounds, as well as tolerance and avoiding the artificial distortion of any person.

As regards the adoption of decisions by certain local councils, in the context of exercising administrative control of legality, the State Chancellery through its local representative, have notified the concerned local authorities about the illegality of administrative acts and initiated legal proceedings against these decisions. Currently, eight decisions, inclusively from the Balti and Cahul municipalities have been nullified by the same issuing authorities. Two decisions, inclusively of Hiliuti village have been declared illegal by the ruling of the Falesti court on April 24, 2012. A similar ruling was applied to the decision of the Cahul municipality by the Cahul court on July 11, 2012. At the same time, the final rulings for five cases will be delivered in the context of due legal process in this regard.