

**ALTERNATIVE REPORT**  
**UN Committee on the Elimination of Racial Discrimination**  
**submitted at the 112th session (April, 08 – April, 26 2024)<sup>1</sup>**

**MOLDOVA:**

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*"Our world is too small to allow discrimination, bigotry and intolerance to thrive in any corner of the world".*

**Eliot ENGEL**

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<sup>1</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FMDA%2FQ%2F12-14&Lang=ru](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FMDA%2FQ%2F12-14&Lang=ru)

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## PROFILE OF ROMA CIVIL SOCIETY ORGANIZATIONS IN THE REPUBLIC OF MOLDOVA

**The "Voice of the Roma" Coalition from the Republic of Moldova** (VRC) is a national Platform of 40 Roma Civil Society Organizations from the Republic of Moldova, which promotes the rights of people of Roma ethnicity and origin - through the prism of intersectoral involvement in the process of elaboration, monitoring, implementation and authentic evaluation of public policies aimed at improving the process of social inclusion and empowerment of the Roma community (ethnic community with a complex social profile of intersectoral vulnerabilities).

VRC strengthens the capacities of its members, promotes and approves public policies related to the integration of people of Roma ethnicity, in the priority areas: Education; Health; Work and Entrepreneurship development; Social protection; Housing; Participation of Roma (especially women) in decision-making processes and combating discrimination; Combating migration and human trafficking; The activity of community mediators; Culture and the media.

**National Association of Community Mediators from the Republic of Moldova** (NACM) has been operating since 2016, with the aim of protecting the civil, economic, social, cultural and other legitimate rights and freedoms of Roma people, as well as promoting the function and developing the potential of community mediators. The community mediator is a person of Roma ethnicity employed in the town hall and is financed from the national budget (from the budgetary financial resources with special purpose).

The mission of the community mediator is to identify socially-vulnerable Roma families and their needs, to evaluate, coordinate and facilitate their access to existing social assistance, medical, educational services, etc., in order to overcome the period of difficulty, to solve identified problems or obtain adequate support for Roma beneficiaries.

**The Roma Women's Platform "ROMNI" from the Republic of Moldova** (WPR) is a non-governmental organization, founded in 2016, aimed at supporting and promoting the rights of Roma girls and women in Moldova. In addition to legal, material and housing support, ROMNI helps refugees from Ukraine navigate the Moldovan bureaucracy.

**The Center for Policies and Reforms** (CPR) is a non-governmental organization, founded in 2017. CPR's mission is to promote access to information and public participation, honest and responsible business practices, human rights, with an emphasis on freedom of assembly and expression, accessibility and transparency of the judicial system. CPR Moldova is a member organization of the Moldova Peace Initiative that implements prevention, protection and advocacy actions regarding the promotion of the rights of refugees, migrants, asylum seekers and stateless persons.

## I. INTRODUCTION

This report refers to the observance by the Republic of Moldova of obligations its international in the field of human rights regarding preventing and combating discrimination of Roma people. The report includes the progress made by the authorities, the challenges faced by the Roma, the gaps and shortcomings in the efforts the state to ensure respect for Roma rights in accordance with the International Convention<sup>2</sup> on the Elimination of All Forms of Racial Discrimination.

In 2017, the Republic of Moldova participated in the review of the implementation of the Convention on the Elimination of Racial Discrimination. The Committee made several recommendations to the Government of the Republic of Moldova<sup>3</sup> regarding the improvement of the situation related to prejudices and intolerance towards ethnic minorities, hate speech and discrimination against Roma people, but these were not fully implemented by the authorities.

We submit this report with the aim of providing alternative information regarding the situation of the Roma in the Republic of Moldova and in response to the action report<sup>4</sup> CERD/C/MDA/12-14, presented by the Government on June 18, 2020, regarding the implementation stage of the International Convention on the Elimination of All Forms of racial discrimination, developed on the basis of the final observations regarding the tenth and eleventh periodic reports of the Republic of Moldova, adopted by the Committee on the Elimination of Racial Discrimination at its 25th-27th meeting on May 8, 2017.

This report emphasizes the challenges faced by Roma people in the Republic of Moldova, related to prejudices and stereotypes, violence, poverty and unemployment, housing and living conditions, discrimination and segregation that have increased in recent years. Some violations of Roma rights highlighted in the Committee's final observations in 2017, can also be found in this report, because they have not been remedied by the Government so far. At the same time, the recommendations of the Committee addressed to the Republic of Moldova were not fully implemented or were implemented abstractly.

The committee recommended the Republic of Moldova in 2017 to undertake the necessary measures to ensure the implementation of the Action Plan for the support of the Roma population<sup>5</sup> for the years 2016-2020, the financing and monitoring of its implementation. At the same time, the Committee recommended that the public authorities continue to take measures to end discrimination against the Roma and to improve the Roma's access to medical services, housing, education and jobs.

The committee recommended ensuring Roma involvement and consultation on their issues and needs, including through Roma representation in the policy-making process. It was recommended that the vacant positions of community mediators be filled and properly funded, emphasizing the importance of the role of Roma mediators in solving the problems faced by the Roma and their integration into society.

The committee recommended that the Republic of Moldova undertake efforts to strengthen the capacities of specialists who interact with people of Roma ethnicity in the field of preventing and combating ethnic discrimination. At the same time, he requested the Republic of Moldova to provide statistics on training programs and their impact on the situation of ethnic minorities.

Despite some measures taken by the authorities, the situation of the Roma has not been significantly improved. According to the findings of the "Perceptions of Human Rights" study carried out in 2021, the People's Advocate states that "in recent years there has been a worsening of the situation regarding the discrimination of the Roma" and warns of the inaction of the state institutions that should protect them.

<sup>2</sup>The International Convention on the Elimination of All Forms of Racial Discrimination. [https://www.legis.md/cautare/getResults?doc\\_id=115570&lang=ro](https://www.legis.md/cautare/getResults?doc_id=115570&lang=ro)

<sup>3</sup> The Committee recommends that the State party:

- (a) Take the measures necessary to ensure the Plan of Action for Supporting the Ethnic Roma Population in the Republic of Moldova for 2016-2020 is properly financed, implemented and monitored;
- (b) Continue to take measures to end discrimination against Roma and improve access by Roma to health care, housing, education, and employment;
- (c) Ensure the involvement and consultation of Roma on issues concerning them;
- (d) Ensure the representation of Roma in policymaking;
- (e) Work with the local government to ensure that all Roma mediator positions are financed and vacancies filled, emphasizing the importance of the role of Roma mediators in resolving problems faced by Roma and their integration into society.

<sup>4</sup> The periodic report presented by the Republic of Moldova, regarding the implementation of the UN Convention on Racial Discrimination, 2020. [file:///C:/Users/user/Downloads/State%20report%20submitted%20to%20CERD\\_2020.pdf](file:///C:/Users/user/Downloads/State%20report%20submitted%20to%20CERD_2020.pdf)

<sup>5</sup> [https://www.legis.md/cautare/getResults?doc\\_id=93295&lang=ro](https://www.legis.md/cautare/getResults?doc_id=93295&lang=ro)

## II. IMPLEMENTATION BY THE REPUBLIC OF MOLDOVA OF THE RECOMMENDATIONS AND FINAL OBSERVATIONS OF THE UN COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

### 2.1. Statistical data

The state reports that for the 2014 census, data were collected on the following ethno-cultural characteristics: (a) ethnicity; (b) mother tongue; (c) the language of ordinary use; and (d) religion. These were optional questions, answered voluntarily by the respondents, in accordance with the Recommendations of the Conference of European Statisticians for the Population and Housing Census of 2010, chapter IX. In 2014, in accordance with Article 10 of Law no. 90/2012 on the population and Housing Census of the Republic of Moldova, reviewers from areas with high concentrations of ethnic minorities were recruited from among the members of the listed ethnic groups. Reviewers were instructed to record the information using respondents' exact words to respect their right to free self-identification.

Regarding the reviewers, it should be specified that no person of Roma ethnicity was employed in 2014 and the reviewers were not trained how to review a compact Roma community, and the reviewers indicated the ethnicity in accordance with the mention in the birth certificates in which it is not ethnicity specified according to legislation.

Statistics from the 2014 census on unemployment rates according to Roma ethnicity do not exist, nor are there statistical data on the representation of ethnic minorities in public administration.

According to the data partially collected during the 2014 General Census, the population of the Republic of Moldova was estimated at approximately 2.9 million people (2,804,801)<sup>6</sup>.

Moldovans represent 75.1% of the total population; 7.0% of citizens of the Republic of Moldova self-identified as Romanian; Ukrainians represent 6.6%, Gagauz – 4.6%, Russians – 4.1%, Bulgarians – 1.9%, **Roma – 0.3%**, Jews – 0.11% and other nationalities – 0.5%, including Belarusians, Poles, Armenians, Germans, Tatars, etc.

According to the latest official data reviewed by the National Bureau of Statistics, in 2014 the number of Roma ethnic population in the Republic of Moldova amounts to 13,900 people; however, their real number is estimated to be significantly higher (thus, the Council of Europe estimate highlights 107,100 Roma)<sup>7</sup>.

According to the Roma leaders of the Republic of Moldova, a significant number of the Roma population have decided to hide their ethnic identity as a means of avoiding discrimination. The insignificant numerical weight formulated in the official statistical data may be due to the reluctance of people of Roma ethnic origin to voluntarily assume the Roma identity, which is currently exposed to uncontrolled ethnosocial stigmatization from the majority communities. On the other hand, maintaining the official number of the Roma population at a low level leads to the exclusion of this community with a complex profile of vulnerability from the list of priorities of Moldovan public policies"<sup>8</sup>.

At the same time, in 2009, the representatives of the Roma civil society disseminated in the public space alternative statistical data regarding the constantly visible presence of 250,000 people of Roma ethnicity, who live on the territory of the Republic of Moldova, of which 100,000 have the right to vote<sup>9</sup>. Later, during 2010, the Roma Technical Group, at the request of the representatives of the central public authorities to develop a project of the Action Plan for the support of the Roma in the Republic of Moldova for the years 2011-2015, carried out a field monitoring in partnership with the local public authorities, focused on

<sup>6</sup> The number of populations was revised for 2019-2020 by applying the international definition of usual residence. Place of usual residence is defined as the place where the person has lived continuously for most of the last 12 months, not including temporary absences for purposes of recreation, holidays, visits to friends and relatives, business, medical treatment or religious pilgrimage. According to the last official data provided by the National Bureau of Statistics (at 11.12.2020), the number of resident populations of the Republic of Moldova was certified as 2,640,400 persons"; <https://statistica.gov.md/SDDS/NSDP/#Population>

<sup>7</sup> **CRI (2018)35 – European Commission against Racism and Intolerance** . The ECRI report on the Republic of Moldova (fifth monitoring cycle) [ adopted on March 23, 2018], p.27; <https://rm.coe.int/fifth-report-on-the-republic-of-moldova-translation-in-official-langua/16808de7d9>

<sup>8</sup> *Roma women and the world of work in the Republic of Moldova* . Report . Chisinau: International Labor Organization, 2018, p. 21. [https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms\\_627879.pdf](https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms_627879.pdf)

<sup>9</sup> *Electoral Courier of February 19, 2009*: "The Roma want to participate in the elections, but they don't know what the voting procedure is." <http://www.e-democracy.md/elections/parliamentary/2009/electoral-news/20090219/>

highlighting the socially vulnerable state of 250,000 people of Roma ethnicity/Roma ethnic origin<sup>10</sup> located asymmetrically on the territory of the Republic of Moldova in 185<sup>11</sup> compactly populated localities<sup>12</sup>.

In 2021, in the Republic of Moldova, the relevant information regarding the mapping of densely populated Roma localities was improved, which facilitated the process of having access to relevant data related to the Roma population. According to the data processed by the authors of the report, in the Republic of Moldova, in 2021, 27,074 Roma people were registered<sup>13</sup> in 63 densely populated localities<sup>14</sup>, where they must be employed 82 Roma community mediators<sup>15</sup>.

We are facing a major problem felt by the ethnic groups living on the territory of the Republic of Moldova following the removal of ethnic affiliation from birth certificates. Due to the fact that birth certificates do not include the column stating the person's ethnicity, the Roma are losing their tradition, culture and fundamental rights. We do not consider it appropriate for the state to develop programs and services that support the Roma, as long as the person cannot prove that they belong to an ethnic group. Every time, public and private institutions ask the Roma to prove by documents that they are of Roma ethnicity. Because of this, the number of Roma from the 2014 census is distorted and does not correspond to reality.

### Recommendations:

1. Including the person's ethnicity on birth certificates;
2. Recruiting and hiring reviewers to participate in the population census and various surveys conducted by state and private institutions.

## 2.2. Institutional framework and policies

The existing legal framework for preventing and combating discrimination fails to provide effective protection to victims of discrimination, and prejudices against Roma, often shared even by law enforcement specialists, often lead to their revictimization. With the support of development partners<sup>16</sup> and governmental and non-governmental organizations, trainings were held for specialists who interact with people of Roma ethnicity, but these are insufficient to prevent and combat the phenomenon of discrimination against Roma, which is deeply rooted in Moldova.

## 2.3. Hate speech and racial discrimination

Even if the state and local authorities undertake efforts to discourage intolerance, anti-Roma hate speech and discriminatory behavior, outbreaks of anti-Roma hatred are still being witnessed, especially in localities where these outbreaks were previously.

The cause is the lack of permanent communication between Roma civil society and citizens, between local/central public authorities and civil society for the defense of human rights. Another cause is the absence within the public authorities of the community mediator unit in compact and mixed localities inhabited by ethnic Roma. Also, the superficiality of teaching civic education lessons in schools and high schools in which to propagate the idea that incitement to discrimination or crimes based on prejudice are not accepted in a contemporary society.

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<sup>10</sup> *Person of Roma ethnicity*: "The person who assumes the Roma identity fully, publicly and permanently, at the same time being recognized by his own community".

*Person of Roma ethnic origin*: "The person affiliated with the Roma community through the first-second degree of kinship (one of the parents (mother/father) or ancestors (grandmother/grandmother) was/is of Roma ethnicity).

<sup>11</sup> *List of 185 localities in the compact Republic of Moldova populated by 250,000 people of Roma ethnicity/Roma ethnic origin* (prepared by the Roma Technical Group in 2010; pp. 12-15).

[https://www.academia.edu/40466491/Lista\\_185\\_de\\_localitati\\_compact\\_locuite\\_de\\_250.000\\_Romi\\_in\\_Republica\\_Moldova\\_2010](https://www.academia.edu/40466491/Lista_185_de_localitati_compact_locuite_de_250.000_Romi_in_Republica_Moldova_2010)

<sup>12</sup> *Locality densely populated by Roma*: "The locality, in the hearth of which, was established with the consent of the majority population, the constant-visible presence under quantitative aspect of a number of at least 21 people of Roma ethnicity/Roma ethnic origin (21 people are the equivalent of 3 homogenous generations/families; homogenous family = 7 people: 4 grandparents, 2 parents, 1 child (grandchild)".

<sup>13</sup> *The report on the mapping of densely populated Roma localities in the Republic of Moldova*. Chisinau: GIZ Moldova, 2021, p. 5.

[https://mecc.gov.md/sites/default/files/final\\_raport\\_privind\\_cartografierea\\_localitatilor\\_dens\\_populate\\_de\\_romi.pdf](https://mecc.gov.md/sites/default/files/final_raport_privind_cartografierea_localitatilor_dens_populate_de_romi.pdf)

<sup>14</sup> *Locality densely populated by Roma*: "Locality where more than 100 people of Roma ethnicity and ethnic origin live".

<sup>15</sup> *The report on the mapping of densely populated Roma localities in the Republic of Moldova*. Chisinau: GIZ Moldova, 2021, p. 27.

[https://mecc.gov.md/sites/default/files/final\\_raport\\_privind\\_cartografierea\\_localitatilor\\_dens\\_populate\\_de\\_romi.pdf](https://mecc.gov.md/sites/default/files/final_raport_privind_cartografierea_localitatilor_dens_populate_de_romi.pdf)

<sup>16</sup> Article on capacity building. <https://old.ombudsman.md/ro/content/activitate-de-instruire-domeniul-combatereii-discriminarii>

Thus, in August 2023 NACM notified the Council for Equality of Moldova about the incitement to anti-Roma hatred by a group of Moldovan citizens from the municipality of Edineț (in the north of the republic), a case being initiated, which, at the moment, is still in process.

A petition was also submitted to the People's Advocate regarding the anti-Roma hate speech (at the moment, NACM has not received any response and we do not know the status of the petition).

In the same context, the Edineț Police Inspectorate started a case on the fact of "incitement to violent actions on grounds of prejudice" (art. 346 of the Criminal Code), but this case was soon dismissed on the grounds that it did not meet the constitutive elements of the act contraventional or criminal. NACM did not agree with this decision of the Edineț Police Inspectorate.

Despite the fact that, in 2021, the European Union, the Council of Europe, civil society and the media centers of the Republic of Moldova developed a guide for the evaluation and processing of cases of hate speech,<sup>17</sup> cases of hate speech and discrimination based on ethnic criteria are still attested, especially anti-Roma, in the public space and mass media in the Republic of Moldova.

Thus, also on the case from the municipality of Edineț, NACM notified the Council for Equality of Moldova (the Audiovisual Council was included in the copy) regarding the use of the word combinations "gypsy tent"<sup>18</sup>, "group of Roma in battle"<sup>19</sup>, "gypsies"<sup>20</sup> in the titles of news, through which the stigmatization of the Roma is propagated.

Until now, no attitude has been taken towards the mass media indicated in the petition that propagate the stigmatization and discrimination of the Roma ethnic group in the republic.

#### 2.4. Authorities responsible for implementing and monitoring policies on preventing and combating racial discrimination

In the Republic of Moldova, the implementation and monitoring of policies regarding the prevention and combating of racial discrimination, including regarding the support of the Roma population, are managed by several institutions and organizations.

The Inter-Ethnic Relations Agency (IRA) is the main institution responsible for promoting policies for the protection of the rights and inclusion of national and ethnic minorities, including the Roma, in the Republic of Moldova. IRA would have played an important role in the implementation and coordination of the Action Plan to support the Roma population.

<sup>17</sup> Asja Rokša-Zubčević, Irina Corobenco. Combating hate speech in the audiovisual media of the Republic of Moldova. Guidelines for assessing and processing hate speech cases. Wagner Hatfield, Promo-LEX Association, April 2021; <https://rm.coe.int/ro-guide-on-hate-speech-moldova-17-5-21/pdf/1680a2cbb6>

<sup>18</sup> The gypsy camp went on a rampage: in Edineț, 100 Roma started a fight; <https://bloknot-moldova.ru/news/tabor-ushel-v-raznos-v-edintsakh-100-romov-ustroil-1242456>

<sup>19</sup> A man from Edineț was beaten by a group of Roma people; <https://tvn.md/un-barbat-din-edinet-a-fost-batut-de-un-grup-de-persoone-de-etnie-roma/>

<sup>20</sup> "We are gypsies, we have immunity." The Roma from Edineț justify their wandering on the streets in times of COVID-19. NordNews; <https://nordnews.md/video-suntem-tigani-avem-immunitate-romii-din-edinet-isi-justifica-hoinaritul-pe-strazi-pe-vreme-de-covid-19/?fbclid=IwAR1gJ6dI2IPfk0cleI8xek6Ku1bWRtj-tdUlsm6zrGnz0dSo0ZsGcZu3BSI>

### III. ACCESS OF ROMA ETHNIC PERSONS TO EDUCATION, EMPLOYMENT AND PARTICIPATION IN PUBLIC AND POLITICAL LIFE

#### 3.1. Participation in public life field

#### Updated information on the results achieved from the implementation of the Plan of Action to Support the Ethnic Roma Population (2016–2020)].

"In accordance with the governmental responsibilities assumed in GD 734/2016<sup>21</sup>: "*The monitoring and evaluation* of the "Action Plan for the support of the Roma population (2016-2020)" will be carried out by the Inter-Ethnic Relations Agency in partnership with the Interministerial Working Group, which will meet in working sessions at least 2 times a year. *The final evaluation report*, after the completion of the implementation of the "Action Plan for supporting the Roma population (2016-2020)", will be developed by the Inter-Ethnic Relations Agency".

In the period 2016-2020, the "Voice of the Roma" Coalition studied from a theoretical and practical point of view the difficulties faced by the majority of people of Roma ethnicity in the Republic of Moldova, especially through the prism of the findings published in the "Monitoring Reports of the Action Plan for supporting the Roma ethnic population (2016-2020)"<sup>22</sup>, which highlighted the "*unsatisfactory degree of implementation of the actions aimed at contributing to the improvement of the situation of the Roma in the Republic of Moldova*".

At the same time, the findings issued in 2017 by international organizations and the development partners of the Republic of Moldova highlighted the "worrying situation related to ineffective policies implemented to support the Roma population in the period 2016-2020"<sup>23</sup>.

Regrettably, during the period 2016-2020, due to the political turbulences that generated the dysfunctional institutional framework, limited/incompetent human resources and the negligent attitude towards the qualitative achievement of the implementation indicators of Roma public policies, the Interethnic Relations Agency did not coordinate the semiannual convening of meetings of the Interministerial Working Group and did not possess the analytical skills necessary to prepare *the final evaluation report* of the "Action Plan for supporting the Roma population (2016-2020)".

Thus, within the intersectoral mechanism for the implementation of the "Action Plan for the support of the Roma population (2016-2020)" (GD (Government decision) no.734/2016) it was found that there is a lack of a public entity dedicated to coordinating the synergistic implementation of policies related to solving Roma problems. At the same time, this institutional dysfunction did not allow the concentration of efforts to capitalize on the institutional memory related to good practices and challenges related to solving the problems of the Roma community. In 2017, in order to solve these dysfunctional aspects and to facilitate the European integration process of the Republic of Moldova, the need to *create an entity/office within the Central Public Authority (CPA)* was publicly argued<sup>24</sup>, to coordinate the implementation of Roma intersectoral policies.

On November 18, 2020, resulting from Action **5.1.7. Examining the possibility of creating a specialized unit on Roma issues within the Inter-Ethnic Relations Agency and recruiting ethnics to this position Roma / The action plan for the support of the Roma population (2016-2020)** (GD no.734/2016), the "Voice of the Roma" Coalition considered it appropriate to address an official request to the Government of the Republic

<sup>21</sup> [https://www.legis.md/cautare/getResults?doc\\_id=93295&lang=ro](https://www.legis.md/cautare/getResults?doc_id=93295&lang=ro)

<sup>22</sup>

[https://www.academia.edu/41381657/Raport\\_de\\_Monitorizare\\_Planul\\_de\\_Actiuni\\_pentru\\_sustinerea\\_populatiei\\_etnice\\_Roma\\_din\\_Republica\\_Moldova\\_2018](https://www.academia.edu/41381657/Raport_de_Monitorizare_Planul_de_Actiuni_pentru_sustinerea_populatiei_etnice_Roma_din_Republica_Moldova_2018)  
[https://www.academia.edu/43186866/Raport\\_de\\_Monitorizare\\_Plan\\_Actiuni\\_Romi\\_Moldova\\_2019\\_Mediator\\_Comunitar](https://www.academia.edu/43186866/Raport_de_Monitorizare_Plan_Actiuni_Romi_Moldova_2019_Mediator_Comunitar)  
[https://www.academia.edu/43186646/Raport\\_de\\_Monitorizare\\_Plan\\_Actiuni\\_Romi\\_Moldova\\_2019\\_Sanatare](https://www.academia.edu/43186646/Raport_de_Monitorizare_Plan_Actiuni_Romi_Moldova_2019_Sanatare)  
[https://www.academia.edu/43186528/Raport\\_de\\_Monitorizare\\_Plan\\_Actiuni\\_Romi\\_Moldova\\_2019\\_Munca\\_si\\_Protectie\\_Sociala](https://www.academia.edu/43186528/Raport_de_Monitorizare_Plan_Actiuni_Romi_Moldova_2019_Munca_si_Protectie_Sociala)  
[https://www.academia.edu/43110020/Raport\\_de\\_Monitorizare\\_Plan\\_Actiuni\\_Romi\\_Moldova\\_2019\\_Educatie](https://www.academia.edu/43110020/Raport_de_Monitorizare_Plan_Actiuni_Romi_Moldova_2019_Educatie)

<sup>23</sup> Committee on the Elimination of Racial Discrimination. Concluding observations on the combined tenth and eleventh periodic reports of the Republic of Moldova. CERD/C/MDA/CO/10-11 (No 20. Situation on Rome).

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fMDA%2fCO%2f10-11&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fMDA%2fCO%2f10-11&Lang=en)

<sup>24</sup> The "Voice of the Roma" coalition from the Republic of Moldova. *Study on the analysis of the opportunity, attributions and functioning mechanism of an organizational structure within the APC, responsible for coordinating the solution of the problems of the Roma community*. Chisinau, 2017, p. 6.

[https://www.academia.edu/33749208/Studiu\\_privind\\_creareaunei\\_structuri\\_organizatorice\\_APC\\_Romi\\_Republica\\_Moldova](https://www.academia.edu/33749208/Studiu_privind_creareaunei_structuri_organizatorice_APC_Romi_Republica_Moldova)



of Moldova<sup>25</sup>, to amend the legislation, with the proposal to create a units/office affiliated to an institution within the central public authorities (*Roma Inclusion Office*) to coordinate the implementation process of Roma intersectoral policies (according to the provisions of GD 386/2020<sup>26</sup>). This proposal derives from the fact that in the Republic of Moldova there is no public entity that has sufficient institutional skills and intersectoral skills related to supporting the Roma community (an ethnic community with a complex social profile of intersectoral vulnerabilities), which generates a negative impact on the implementation process of the actions related to the social inclusion of the ethnic Roma population.

Later, on March 30, 2023, the "Voice of the Roma" Coalition from the Republic of Moldova participated in the 2nd Meeting of the Interinstitutional Working Group<sup>27</sup>, responsible for coordinating and monitoring the implementation of GD 576/2022<sup>28</sup> "Regarding the approval of the Program for the support the ethnic Roma population of the Republic of Moldova for the years 2022-2025". One of the priority topics addressed during this event was "*The confusing situation related to the delay in the implementation process of Action 1.1. "Elaboration of the impact analysis (ex-ante)"*<sup>29</sup> regarding the creation of the Office for the inclusion of people of Roma ethnicity"<sup>30</sup> (Completion deadline: Quarter IV, 2022).

Currently, in the absence the structure created for the Office for the inclusion of people of Roma ethnicity, there are several deficiencies in the implementation of the "Program for supporting the population of Roma ethnicity in the Republic of Moldova for the years 2022-2025" (HG 576/2022)<sup>31</sup>:

- a) the lack of assumed/allocated budgetary means, necessary for the effective implementation of the social inclusion policies of the Roma population;
- b) limited human resources (quantitatively (number of units) and *qualitatively* (the low level of professional competence through the prism of authentic knowledge of the Roma issue) within the responsible institutions of the CPA (Central public authority) and LPA (Local public authority), responsible for the implementation of Roma public policies at the local level;
- c) sporadic intersectoral communication and interaction between CPA and LPA institutions, responsible for implementing Roma public policies at the local level;
- d) the defective monitoring activity<sup>32</sup> of the "Program for supporting the ethnic Roma population of the Republic of Moldova for the years 2022-2025" (HG 576/2022).

## Recommendations:

Currently, one of the fields of institutional activity assigned to the Inter-Ethnic Relations Agency (IRA) is "to collaborate with central and local public administration authorities in the process of social inclusion of Roma and other national minorities", in accordance with art. 13 of the Regulation regarding the organization and operation of the Inter-Ethnic Relations Agency" (approved by GD (Government Decision) no.593/2018)<sup>33</sup>.

On the other hand, the problems faced by the Roma community (ethnic community with a complex social profile of intersectoral vulnerabilities) in the Republic of Moldova are predominantly **intersectoral** (quality access to education, health, the labor market, social housing), not being specific to the "interethnic".

<sup>25</sup>The "Voice of the Roma" coalition from the Republic of Moldova / **Letter of Request No. 18/18/11/2020**.

[https://www.academia.edu/44565066/12\\_Amendamente\\_imbunatatire\\_politici\\_publice\\_rome\\_elaborate\\_de\\_VRC\\_Moldova](https://www.academia.edu/44565066/12_Amendamente_imbunatatire_politici_publice_rome_elaborate_de_VRC_Moldova)

<sup>26</sup> [https://www.legis.md/cautare/getResults?doc\\_id=121921&lang=ro](https://www.legis.md/cautare/getResults?doc_id=121921&lang=ro)

<sup>27</sup> <https://www.facebook.com/ion.duminica/posts/pfbid026nglg8TV2Pxp7wbQTa1u4MAQaCzAiBbM3a3x8oWiNJAXZu9iTkY6w5fZkFXHSqPbl>

<sup>28</sup> [https://www.legis.md/cautare/getResults?doc\\_id=133208&lang=ro](https://www.legis.md/cautare/getResults?doc_id=133208&lang=ro)

<sup>29</sup>According to Government Decision no. 23/2019 regarding the approval of the Impact Analysis Methodology in the substantiation process of draft normative acts.

<sup>30</sup>Based on the Study on the analysis of the opportunity, attributions and functioning mechanism of an organizational structure within the Central Public Authorities (CPA), responsible for coordinating the solution of the problems of the Roma community, the "Voice of the Roma" Coalition, year 2017.

[https://www.academia.edu/33749208/Studiu\\_privind\\_crearea\\_unei\\_structuri\\_organizatorice\\_APC\\_Romi\\_Republica\\_Moldova](https://www.academia.edu/33749208/Studiu_privind_crearea_unei_structuri_organizatorice_APC_Romi_Republica_Moldova)

<sup>31</sup> [https://www.legis.md/cautare/getResults?doc\\_id=133208&lang=ro](https://www.legis.md/cautare/getResults?doc_id=133208&lang=ro)

<sup>32</sup>The Inter-Ethnic Relations Agency has developed a "**Narrative Report** on the achievements in the areas of activity of the Inter-Ethnic Relations Agency during 2022" - in the absence of an elaborated monitoring matrix, in order to track the degree of implementation of the Action Plan of the "Program for supporting the population of ethnic Roma from the Republic of Moldova for the years 2022 - 2025" and in the absence of a process of data collection, processing and analysis, identification of errors or unforeseen effects.

<https://www.ari.gov.md/sites/default/files/document/attachments/Raport%20narativ%20ARI%202022.pdf>

At the same time, for the year 2022 - the annual progress report of the implementation of the "Program for the support of the ethnic Roma population in the Republic of Moldova for the years 2022 - 2025" (HG 576/2022) was not prepared and presented publicly.

<sup>33</sup> [https://www.legis.md/cautare/getResults?doc\\_id=119160&lang=ro](https://www.legis.md/cautare/getResults?doc_id=119160&lang=ro)

In order to strengthen and make more efficient the institutional mechanism responsible for empowering and promoting the social, economic and political inclusion of the Roma community (ethnic community with a complex social profile of intersectoral vulnerabilities)" it is **urgently necessary to create a public entity within the Central Public Administrations responsible for coordination and monitoring of the implementation process of the actions included in the Action Plan/Program for supporting the Roma population in the Republic of Moldova for the years 2022 - 2025 (HG 576/2022)**<sup>34</sup>, as well as in the **National Program on ensuring respect for human rights for the years 2024-2027 / Objective 2 "Increasing territorial cohesion and preventing social, economic and political exclusion" (to be approved).**

Considering the seriousness of the situation related to the state of excessive vulnerability of the Roma population in the Republic of Moldova and emerging from the assumed delegation of the cooperation partner status through full involvement in the authentic monitoring process of the implementation of the "Program for supporting the Roma population in the Republic of Moldova for the years 2022-2025 " (GD no.576/2022) and **Action no. 1.1. Elaboration of the impact analysis (ex-ante) regarding the creation of the Office for relations with the Roma population**, the "Voice of the Roma" Coalition from the Republic of Moldova, as an interested cooperation partner, proposes the public opening and temporal efficiency of the process of creating the *Inclusion Office of Roma people*, government entity responsible for ensuring the intersectoral coordination mission of the implementation process of Roma public policies. At the same time, *the Roma Inclusion Office* will coordinate the activity of community mediators, the process of elaboration, monitoring and evaluation of public policies implemented at the local level, aimed at improving the living conditions for Roma people: quality access to health services public, education, work, social housing. Thus, by creating *the Office for the inclusion of Roma people* in the Republic of Moldova, the level of institutional dysfunction witnessed during the implementation of the "Action Plan for the support of the Roma population (2016-2020)" (GD no.734/2016) will be significantly reduced.

### 3.2. Education field

#### **Updated information on the measures taken to ensure that Roma children have equal access to quality education.**

A current essential social challenge related to the process of respecting the right to education of Roma children in the Republic of Moldova is determined by the full provision of the *compulsory schooling process*. The Education Code of the Republic of Moldova no.152/2014<sup>35</sup> establishes the institutional/individual responsibility for the full compulsory schooling of children (including of Roma ethnicity) aged between 6(7)-16 years in compulsory General Education Institutions (preschool/primary/secondary school) - through the "collective/asymmetric/complex" attribution delegated to 3 institutions (actors): **1.** APL level II (Local Specialized Bodies in the Field of Education): art.13 (3); Art. 141 (1(i)); **2.** APL level I (Town halls/local guardianship authorities): art.13 (3); **3.** Parents (including Roma ethnicity): art.13 (3); Art. 141 (1(i)).

In the absence of the national legal/normative framework, with specified normative provisions relating to the delimitation of institutional competences/the assignment of the necessary financial-logistical support/the assumption of individual responsibilities/the application of contraventional penalties in the process of schooling/non-schooling ( *educational neglect* ) of children (including Roma) of compulsory school age (6(7)–16 years) – the implementation of art. is interpreted randomly/subjectively/randomly. 13 (3) and art. 141 (1(i) of the Education Code (152/2014), which causes prejudicial repercussions on the quality of the educational process of children (including of Roma ethnicity) from the socially-vulnerable non-educational home environment: *Complex intersectoral social vulnerability – Fragmented schooling – Frequent unmotivated absenteeism – Unsatisfactory school evaluation – Dropping out of school – Institutional illiteracy – Socially marginalized person.*

In the majority of urban localities in the Republic of Moldova, the lack of a "centralized database with up-to-date truthful data on the total number of Roma children of school age" is attested (7–16 years): domiciled

<sup>34</sup> [https://www.legis.md/cautare/getResults?doc\\_id=133208&lang=ro](https://www.legis.md/cautare/getResults?doc_id=133208&lang=ro)

<sup>35</sup> [https://www.legis.md/cautare/getResults?doc\\_id=138917&lang=ro](https://www.legis.md/cautare/getResults?doc_id=138917&lang=ro)

or with a registered/unregistered temporary residence status, go abroad temporarily or return "in hospitality/home" for an (in)determinate period. The persistent discrepancy in the statistical data delivered by the subdivisions delegated by the municipalities (local guardianship authorities)/LPA level I, prevents the authentic establishment of the schooling/non-schooling rate of Roma children of school age (7–16 years) in most urban localities.

*The quantifiable rate of compulsory school inclusion for Roma children of school age (7–16 years), attested in compulsory General Education Institutions (primary/secondary cycle) in **54 localities densely populated by Roma** in the Republic of Moldova (September 29, 2023): **72.5%** (1461/2017).*

*The minimum quantifiable rate of compulsory schooling for Roma children of school age (7–16 years), attested in compulsory General Education Institutions (primary/secondary) in the **Soroca municipality** (September 29, 2023): **17.5%** (59/335).*

*Frequent unmotivated absenteeism, unfortunately, has now become "a common practice" for Roma students. This negative phenomenon related to "educational neglect", associated with "non-schooling" and "school dropout" - generates uneven access to education for Roma children. The official practice implemented by the representatives delegated by the compulsory General Education Institutions regarding the "completion/registration of the referral form" with the reporting of cases of "educational neglect of Roma parents" to the multidisciplinary Commission responsible for the application of the "Intersectoral cooperation mechanism for the identification, evaluation, referral, assistance and monitoring of child victims and potential victims of educational neglect" *does not produce the expected results*.*

The rate of educational inclusion of Roma children of school age (7–16 years) in compulsory General Education Institutions (primary/secondary), including respect for the right to quality education – is affected by the social-vulnerable non-educational home environment determined by the profile complex social situation of Roma parents, who are persistently faced with the vicious circle of poverty from the position of "illiterate/unemployed/socially marginalized persons (periodically on partial state maintenance).

Due to the limited family budget, a significant part of Roma parents have to educate only 1 child, the rest of the Roma children (from 2 to 5 children) of school age (7–16 years), stay at home "not in school due to poverty". The persistent social-vulnerable state in the non-educational home environment of Roma families does not allow the rationalization of the necessary expenses for:

1. Individual procurement of fall-winter-spring seasonal products (shoes, clothing items, underwear), personal hygiene kits, school supplies and other expenses necessary for the compulsory schooling of Roma children at the preschool/primary/secondary level;
2. Additional payment for the provision of educational services by teachers employed in extended program groups (meditation hours) for Roma students in compulsory General Education Institutions (primary cycle);
3. Feeding Roma students with a second hot meal enrolled in groups with an extended program (meditation hours) in compulsory General Education Institutions (primary cycle).
4. Feeding Roma students with a hot meal in compulsory General Education Institutions (secondary cycle)<sup>36</sup>.

### Recommendations:

- Adjustment of the national legal framework, with specified normative provisions relating to the delimitation of institutional competences/assignment of the financial-logistical support necessary to assume individual responsibilities/application of contraventional penalties in the process of schooling/non-schooling (*educational neglect*) of children (including of Roma ethnicity) of compulsory school age (6(7)–16 years);
- The development and periodic adjustment of the Centralized Database with up-to-date truthful data on the total number of Roma children of school age (7–16 years): domiciled or with a registered

<sup>36</sup> Ion Sunday. Thematic report "Respecting the right to education of Roma children in the Republic of Moldova". Chisinau: Office of the People's Advocate (OAP) / People's Advocate for Children's Rights, 2013, pp. 69-70. <https://ombudsman.md/post-document/respectarea-dreptului-la-educatie-a-copiiilor-de-etnie-roma/>

/unregistered temporary residence status, temporarily leaving abroad or returning "on a visit/ at home" for an (in)determinate period.

- Ensuring quality inclusive education by developing policies focused on supporting children from group II - Special Educational Requirements (including Roma ethnicity), who are not conditioned by a disability, who live in an uneducative home environment and face new difficulties every day and learning challenges caused by complex vulnerabilities, socio-economic disadvantages and language barriers to communication.
- The establishment of the position of socio-educational assistant, responsible for the educational inclusion of children from group II – Special Educational Requirements (including of Roma ethnicity) who will guide/motivate/make illiterate parents individually accountable in the gradual implementation of the institutional enrollment process (guided schooling) of to their children in first grade.
- Increasing the pay rate of Roma Community Mediators to the equivalent pay level of social workers in order to reduce professional discouragement in their involvement/intersectoral activity.
- Authentic monitoring of Roma children from the Republic of Moldova of school age (7-16 years old) "temporarily displaced abroad with indefinite educational status". It is proposed to change the national legal framework, which would make Roma parents responsible and motivate, in the period preceding their departure abroad, to notify the teaching staff in compulsory General Education Institutions about the decision taken to "forced interruption of the educational process of their children" in order to receive a certificate confirming the change of educational status for their children (from "child schooled in the Republic of Moldova" to "displaced child with temporary stay abroad with indefinite educational status").
- Increasing the rate of educational inclusion of Roma children of school age (7-16 years) is recommended to be carried out through the centralized financing from the State Budget of the necessary expenses (which cannot be paid from the "limited budget" of General Education Institutions mandatory) – for: **1)** Provision of additional educational services by teachers employed in groups with an extended program (meditation hours) in compulsory General Education Institutions (primary cycle); **2)** Feeding children (from a non-educational social-vulnerable household environment) with a second hot meal enrolled in the groups with an extended program (meditation hours) in Compulsory General Education Institutions (primary cycle) **3)** Feeding children (from a socially-vulnerable household environment non-educational) with at least one hot meal in compulsory General Education Institutions (secondary school); **4)** The provision of additional educational services by teachers engaged in the process of leveling educational differences for "corrective and deferred students" (mainly Roma children from socially-vulnerable non-educational domestic environments/unpredictably returned from abroad) in compulsory General Education Institutions (cycle high school).
- The development of the inclusive curriculum interspersed in the socio-humanitarian school subjects (primary/secondary cycle) and the introduction of the compulsory school subject "History and culture of ethnic communities (including Rome) into the Plan - educational framework in compulsory General Education Institutions (primary/secondary cycle) from the Republic of Moldova", which will develop the intercultural/intellectual spectrum of students and reduce the level of discrimination against Roma children, predominantly determined by collective stereotypes refractory to social cohesion, persistent in a society divided under ethno-political aspect.
- The development of teaching materials and the organization of training workshops based on examples of successful actions/exchange of best practices in the schooling process, preventing/combating frequent unmotivated absenteeism, school dropout that will inspire/support teachers in their daily work with students Roma ethnicity in Compulsory General Education Institutions (primary/secondary) in densely populated Roma communities in the Republic of Moldova.
- The introduction of specific knowledge in the didactic programs that prepare future teachers (primary cycle), so that they accumulate the necessary information that will allow them to better know the Roma students (from the perspective of the "History and Culture of the Roma from the Republic of

Moldova"). The representatives of the Roma community should be involved both in the development of teaching materials and in the training process of future teachers<sup>37</sup>.

### 3.3. Work field

The state reports that according to the level of education of the Roma, the unemployed Roma tend to apply for unskilled jobs, namely as laborers, caretakers, porters, dishwashers, janitors, security guards or unskilled agricultural workers. People who have a profession or a craft opt for positions as winegrowers, postmen, cooks, tailors, tractor drivers, shoemakers, drivers or hairdressers. And in order to promote the mobility of the labor force, in 2017 and 2018 a standard allowance was granted **to unemployed Roma** who agreed to work in a locality located more than 30 km from their home.

It should be noted that this single allowance is not and was not designed only for ethnic Roma, but was stipulated in law no.105/2018, art. 41, point (3) and covers all the unemployed. It should be noted that even in the Plan for the Support of Roma for the years 2016-2020, the Labor Sector, no concrete and specific actions are indicated that would reduce unemployment among the Roma, there are general actions that are found in national legislation and internal regulations and refers to all citizens.

Roma face various problems and obstacles in terms of employment and integration in the labor market. These issues may vary depending on the specific social, economic and cultural context of each Roma community, which may include the following aspects:

**Discrimination in the labor market:** Discrimination based on ethnic or cultural criteria is a serious problem for many Roma when trying to get a job. They may be victims of negative stereotypes and prejudices from employers or co-workers.

**Limited access to education and training:** many Roma have limited access to quality education and training, which can make them less competitive in the labor market and limit them from accessing well-paid and skilled jobs.

**Poverty and lack of resources:** Roma often live in conditions of poverty and social marginalization, and this can lead to a lack of access to the resources needed to seek and obtain employment, such as transport, appropriate clothing for interviews or even access to the internet to search for job postings.

**Cultural and linguistic boundaries:** some specific cultural and linguistic practices can create barriers to Roma employment. For example, some employers may be reluctant to hire people who do not speak the majority language or who have different cultural customs.

**Lack of confidence and motivation:** due to discrimination and previous negative experiences on the labor market, many Roma may lose confidence in their ability to get and keep a job, which can affect their motivation to actively search employment opportunities.

Despite the fact that the institutional and legal framework exists, state institutions and ordinary citizens promote stereotypes and prejudices against Roma people, such as "Roma do not want to work, are liars, only steal and harm the state because they ask for social assistance and not work, etc."

Looking from the perspective of Roma who have graduated from an educational institution and have a qualification, and are not accepted for employment for unfounded reasons, we still believe that the biggest problem is actually discrimination against Roma. Cases are monitored, when two people went to work, one being of Romani ethnicity, visually being darker in skin, both people had the appropriate education, the employee did not accept the person for work on the grounds that he is Romani. From the discussions with the representatives of the Employment Agency, it is firmly and bluntly communicated that the employers do not want to hire Roma, they answer without any hesitation "We do not want to hire Roma, please do not direct them to us".

#### Recommendations:

The Roma civil society recommends actions that would increase Roma access to the labor market and reduce unemployment/poverty:

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<sup>37</sup> *Ibidem*, pp. 71-73.

1. The launch by National Employment Agency of a program regarding the facilitation of Roma access to the labor market, through the organization at national level of the "Job Exchange for people of Roma ethnicity".
2. Starting national and local programs to train young Roma to work in administration and public services;
3. Employment of Roma, graduates of specialized studies, in the decentralized institutions of the line ministries;
4. Establishment of revision positions for Roma at the level of the Ministry of Labor and Social Protection and within the National Employment Agency;
5. The conclusion of partnerships between public administrations and representatives of Roma communities in the design and implementation of effective programs, active partnership;
6. Inclusion of Roma in decision-making structures;
7. Evaluation of the needs on the labor market, so that the areas accessible to the Roma are identified, taking into account their current training;
8. The establishment of Professional Inclusion Centers for Roma within local communities, with the aim of training and facilitating the employment of Roma on the labor market;
9. Conception and development of affirmative measures in the field of professional training and employment;
10. Involvement of mass media in presenting a correct image about Roma;
11. The creation of Roma SMEs (Small and medium enterprises) to access the existing financial resources on the market;
12. Collaboration of Roma SMEs with structures specialized in job creation;
13. Organizing and conducting continuous training courses for Roma experts;
14. Ensuring the subsidization of agricultural consultancy through specialized firms or individual consultancy firms;
15. Granting fiscal facilities for entrepreneurs who employ Roma, members of families with many children and without means of livelihood;
16. Dissemination of positive practices, so that they can be replicated on a national scale.

## **IV. IMPLEMENTATION OF THE ACTION PLAN REGARDING THE SUPPORT OF THE ROMA ETHNIC POPULATION (2016-2020)**

The Action Plan for the Support of the Roma Population for the period 2016-2020 has been partially implemented. The Government's report on the implementation of the Plan is quite vague, in some places lacking arguments for the deficient implementation, without conclusions and statistical data. This report highlights the remaining challenges in ensuring respect for the rights of Roma and affecting their safety, well-being and protection.

## **V. INTERNATIONAL DISCRIMINATION OF ROMA WOMEN AND THEIR IMPACT ON THE EXERCISE OF THEIR RIGHTS**

Roma women and girls, including those arriving from Ukraine, continue to face discrimination rooted in deep-seated prejudice and stereotypes. The disturbing accounts shared by Roma women who have benefited from support from the non-governmental organization "ROMNI", indicate the normalization and ignoring of discrimination against Roma women in the community and by the authorities.

Roma girls and women face barriers in exercising their rights. They are exposed to multiple discrimination, violence, economic dependence and exclusion from the community. The lack of effective state policies focused on the situation of Roma women and girls is also determined by the lack of quantitative and qualitative statistics that would describe the situation of Roma women and girls in Moldova.

Marginalization, poverty, systematic discrimination and lack of attitude on the part of the state practically cause Roma women to give up defending their rights. Which reinforces feelings of helplessness, anxiety, depression and isolation. Gender inequalities occur in inter-family relationships and in society at large. This fact contributes to the social exclusion and discrimination of Roma women and increases the degree of vulnerability.

Roma women and girls are one of the most disadvantaged groups in the Republic of Moldova, who are excluded from political and public life. In Moldova, there is no Roma woman in a leadership position. Roma women are largely excluded from electoral processes. They do not participate in elections either as candidates or as part of election management structures. As for the representation of Roma women within local public administration authorities, it remains insignificant. A very limited number of Roma women from the Republic of Moldova are engaged in civic and community work.

Roma women face triple discrimination – as Roma, as women and as persons belonging to a disadvantaged social group. They are exposed to greater risks of social exclusion and poverty compared to men in their community and to most women representing other ethnicities. The lack of equality is observed in the existence of cases of violence against women, the lack of access to employment in the labor field, to education, to management positions and social services. Roma women rarely benefit from reproductive health services that are available at the community level. Due to gender stereotypes, Roma girls leave school earlier.

There is no national policy in the Republic of Moldova that focuses exclusively on the problems of Roma women. Instead, provisions on the social inclusion of ethnic minorities, the promotion of equality and non-discrimination have been incorporated into several basic strategic documents, such as the National Program for Ensuring Gender Equality for 2023-2027, the National Human Rights Action Plan for the years 2018-2022. Despite these policy documents promoting gender equality and non-discrimination, they are not implemented effectively, do not have a clear methodological orientation and do not contain sufficient evidence that these policies have been used to respond to the specific needs of Roma women.

The National Program for the Prevention and Combating of Violence against Women and Family Violence (2023–2027) refers to Roma women at risk of interactional discrimination. The program also recognizes that the prevalence of violence is higher among Roma women and older women, while reporting rates are low. Despite this recognition, GREVIO found that the notion of intersectional discrimination is not reflected

in the broader legal and political framework in Moldova that regulates gender equality. Neither the Equality Act nor the Equality Act reflect the intersection of multiple grounds for discrimination.

Although the gender equality strategy recognizes that Roma women and girls are more vulnerable to gender-based violence, it does not provide for any specific measures to address their specific needs. Thus, there is a tendency to attribute violence against Roma women to "cultural practices" and to apply different standards regarding their access to justice. In addition, educational and financial constraints prevent them from accessing support services. There are also discriminatory practices among the Roma population, resulting in early marriages. Although there are no official statistics, it is estimated that 12% of girls in Moldova are married before the age of 18, and marriages between minors are most common in Roma communities. Even though early marriages in the Roma community are widespread, there have been no firm actions by the institutions to eradicate the problem.

The Roma Women's Platform "ROMNI" from Moldova found that Roma women who benefited from the organization's support are not familiar with the protection mechanisms against discrimination in general, and do not feel empowered to report discrimination to the competent authorities. The lack of information, access to assistance and protection services, economic empowerment opportunities and jobs are barriers for Roma women to face discrimination.

### Recommendations:

With the aim of remedying discrimination and interactions in the exercise of rights by Roma women, we urge the Committee to recommend to the Republic of Moldova the implementation of the following measures:

- Extension of measures to prevent and combat stereotypes, prejudices, discrimination against Roma girls and women.
- The inclusion of interactional discrimination against Roma girls and women in national policies and programs of the concept of interactional discrimination, and the implementation of effective measures focusing on the specific needs of Roma women.
- Identifying the root causes that could prevent Roma girls from exercising their right of access to general education, including extreme poverty, segregation, early marriage, and the Government's implementation of policies and programs specific to their needs.
- Undertake efforts to raise awareness in Roma communities regarding the prohibition of child marriage, as well as its negative effects on girls' health and education.
- To strengthen efforts to solve the socio-economic problems faced by Roma women, including through adequate funding and effective monitoring of the Action Plan for supporting the Roma population in the Republic of Moldova for the years 2022-2025. These efforts should be oriented towards social inclusion and prioritization, with an emphasis on the fields of education, housing insurance, access to health and employment in the labor field.
- To encourage the Government to integrate an intersectoral perspective in the development, implementation, monitoring and evaluation of policies to prevent and combat violence against Roma women, through assistance, funding and close cooperation with women's NGOs representing women exposed to intersectoral discrimination.
- Collection of data disaggregated by ethnicity and gender, place of residence, etc.



## VI. THE ACTIVITY OF THE COMMUNITY MEDIATOR

The National Association of Community Mediators (NACM) is the promoter of the plea for the position of community mediator within the local public administration of level I. During the years 2023-2024 (February), NACM facilitated the employment of 8 people of Roma ethnicity as community mediators. Currently, the network of community mediators numbers 46 people, who are employed in 42 town halls. Also, 24 candidates for the position of community mediator were identified and trained, of which 10 men and 14 women, in the workshops organized by NACM.

The Inter-Ethnic Relations Agency (IRA), according to its functional attributions, has taken over the competence to develop proposals regarding the number of community mediators on local public authorities and the calculation of the amount of financial means needed to ensure the exercise of their activity. Also, ARI is the institution responsible for monitoring and training community mediators.

Unfortunately, NACM found that, during the reporting period, IRA was inert to NACM notifications regarding the violation of the civil rights of community mediators, as well as of equal treatment at the workplace.

According to the public policy document "Program for the support of the Roma population in the Republic of Moldova for the years 2022-2025"<sup>38</sup>, adopted by the Government of the Republic of Moldova, 53 community mediators are to be employed in the local public administration by 2025. IRA, NACM and the Ministry of Finance are responsible for achieving these indicators<sup>39</sup>.

This desired is very difficult to achieve because, when a person of Roma ethnicity wants to work as a community mediator, the leadership of the local public authorities invokes the Decision of the Government of the Republic of Moldova regarding the temporary moratorium on the appointment of staff from the budgetary sector to the positions registered holidays. This moratorium appeared back in 2018 against the background of budgetary austerity, and the year is extended, for a period of 1 year.

The fact that, in point 3 of the moratorium, it is expressly indicated that the suspension of hiring staff in vacant positions registered within the local public authorities<sup>40</sup>, the management of these local authorities treats them as mandatory (for example: Strășeni City Hall; Pretour Ciocana of the Chisinau municipality).

Thus, the right to work and to free choice of work is violated (Article 23 of the Universal Declaration of Human Rights).

Another form of discrimination against community mediators, which NACM identified, documented and referred to the Council for Equality, concerns the equal treatment of Roma people at work. Based on the NACM notification, the Council for Equality started case no. 166/23, which is currently in process.

Some town halls, especially municipal ones (which have a richer budget), offer meal vouchers to their employees, which is an additional incentive for them. The decision to offer these meal vouchers is made by the local Council and paid for from the local budget. Taking into account the fact that the maintenance of the community mediator unit is done from the account of financial means with special purpose (i.e. from the state budget), the management of these town halls did not include the community mediators in the list of meal ticket beneficiaries, although they are employees of the town hall and report directly to the mayor. These cases of discrimination and marginalization at the workplace of community mediators, who are Roma, are attested in the City Hall of Comrat, Călărași, Glodeni.

What's more, the management of the Glodeni City Hall allowed itself to victimize the community mediator from this town hall on the fact that he notified NACM and the Council for Equality about the violation of equal treatment at the workplace, which caused discomfort to the management of the town hall.

<sup>38</sup>Decision of the Government of the Republic of Moldova no. 576 of 03.02.2022 regarding the approval of the Program for the support of the Roma population in the Republic of Moldova for the years 2022-2025; In: Official Gazette of the Republic of Moldova no. 278-282 of 09.09.2022; [https://www.legis.md/cautare/getResults?doc\\_id=133208&lang=ro](https://www.legis.md/cautare/getResults?doc_id=133208&lang=ro)

<sup>39</sup> *Ibidem*, page 60; [https://www.legis.md/UserFiles/Image/RO/2022/mo278-282md/program\\_576.docx](https://www.legis.md/UserFiles/Image/RO/2022/mo278-282md/program_576.docx)

<sup>40</sup>Moratorium on hiring staff from the budget sector, extended until December 31, 2023; <https://singerei.educ.md/wp-content/uploads/sites/383/2023/01/HG-nr.962-din-28.01.2022.pdf>

Another violation of the right to equal treatment at the workplace of community mediators refers to the amount of remuneration for work. Within the local public administration, the salary of the community mediator has the lowest salary rate, which is equivalent to the salary of a security guard.

NACM has notified numerous times both the Economy, Budget and Finance Committee of the Parliament of the Republic of Moldova, as well as the Ministry of Finance, the Ministry of Labor and Social Protection, the Inter-Ethnic Relations Agency about the need to increase the salary scale of community mediators by implementing the amendments to Law no. 270 /2018 regarding the unitary salary system in the budget sector (published in the Official Gazette of the Republic of Moldova, 2018, no. 441-447/715).

Unfortunately, NACM complaints did not have any reaction, only promises. Consequently, during the year 2023, 6 people of Roma ethnicity left the position of community mediator.

Another violation of the right to equal treatment in the workplace of community mediators concerns working conditions.

Thus, during the year 2023, within the project "Strong Enterprises and Communities for Moldova", financed by the German Ministry for Economic Cooperation and Development (BMZ) and the Government of Switzerland, implemented by GIZ Moldova, NACM carried out a mapping of the working conditions of community mediators. In total, 32 offices were mapped within the town halls of the Republic of Moldova where 36 community mediators work.

Following this exercise, it was determined that 68% of offices are not fully equipped with furniture; 60% lack the click technique; 22% are in deplorable working conditions and require urgent capital repair. The report on the mapping of the working conditions of community mediators is to be made public in April 2024, it being presented at the National Forum of Community Mediators on both banks of the Dniester (December 5, 2023), which was organized in Chisinau by NACM.

Despite the fact that the compact and mixed localities inhabited by ethnic Roma benefit from the services of the community mediator, however, the Republic of Moldova has legislation limiting the access of Roma to the services of the community mediator, relative to certain geographical areas and demographic numbers. Thus, not all Roma can benefit from access to the services of the community mediator, but only those communities that meet the conditions required by the normative framework. According to the framework Regulation on the organization of the activity of the community mediator <sup>41</sup>, the community mediator unit can be established within the town hall, if there are at least 150 Roma people of all ages in the locality.

In the localities, where the Roma are less than 150 people, indirect discrimination is attested, because they are denied the right to be representatives in relation to the state institutions by the community mediator, who, in turn, facilitates the Roma's access to public services guaranteed by the state.

Given that, according to UNDP Moldova data, one fifth of the Roma population in the Republic of Moldova does not have minimum reading and writing skills <sup>42</sup>, the role and place of the community mediator for the Roma community is fundamental, as it assists them in writing and submitting requests and petitions, informs them about the latest legislative and normative changes, explains the rights and obligations of citizens in a way they understand.

### 6.1. The relation of NACM vs. The Strășeni City Hall

A separate case of racial discrimination, violation of equality in the exercise of all human rights based on ethnic criteria (Roma), defiance of the right to employment in the field of work manifested by adversity, in any form (starting from legal barriers, outdated statistical data and distorted and ending with allusive threats of contraventional and criminal fines, with manipulation through psychological pressure, refer to the establishment of the community mediator unit within the Strășeni City Hall.

Thus, the year 2023 was the year of the ping-pong of letters addressed to the Strășeni City Hall and vice versa, of dry and perspectiveless meetings with the leadership of the City Hall, resulting in empty promises

<sup>41</sup> Decision of the Government of the Republic of Moldova no. 557 of 19.07.2013 for the approval of the framework Regulation regarding the organization of the activity of the community mediator; In: Official Gazette of the Republic of Moldova no. 152-158 of 19.07.2013; [https://www.legis.md/cautare/getResults?doc\\_id=125326&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=125326&lang=ro#)

<sup>42</sup> Roma in the Republic of Moldova. UNDP Moldova, 2007, page 60; <https://www.undp.org/ro/moldova/publications/romii-republica-moldova>

and discussions in high and contemptuous tones from the Mayor Mrs. Valentina Casian by the representatives of the Roma civil society, and the year 2024 began with veiled persecutions and allusive intimidation towards the representative of the NACM - a lady of Roma ethnicity from Strășeni municipality - who was asked and empowered by the NACM to draw up the list of the inhabitants of the Strășeni municipality, which identify as Roma and who wish to establish the position of community mediator within the town hall.

It should be noted that this list contains 122 signatures from people who identify themselves as Roma. And this list keeps growing. According to the framework Regulation regarding the organization of the activity of the community mediator, for the establishment of this function it is necessary that at least 150 people of Roma ethnicity of all ages be registered in the locality. However, the leadership of the Strășeni City Hall cites the official population census data from 2014 (that is, 10 years ago), according to which there were 22 Roma in the Strășeni municipality. This data is no longer relevant, is distorted and does not correspond to reality. Another barrier applied by the management of the Strășeni City Hall is the moratorium on employment in the public administration (which we described above), which, in reality, is a recommendation.

Even at this stage of signature collection, the Strășeni City Hall applied tools of intimidation and psychological pressure on the Roma community in the locality and the NACM Association by notifying the Police Inspectorate about the fact of the alleged false signatures from this list, but also to verify each person from the list, whether they identify themselves as Roma or not. That is, we are talking about the so-called "Wlahýi", where one parent is Roma and the other is of another ethnicity. Also, the Strășeni City Hall requested the Police Inspectorate to verify the legality of the signature collection process, which, in fact, is a democratic exercise through which any community can express its problem, necessity and solution to this problem. In the case described above - it is about the establishment of the community mediator.

These clearly discriminatory, tendentious and racist actions on the part of Mayor Mrs. Valentina Casian were manifested right from the first meetings with representatives of the Roma civil society within NACM and VRC. She publicly declared, we quote: *"I will hire a community mediator on the condition that he works from home. I don't want a gypsy to work in the City Hall"*. Regarding these racist statements, eyewitnesses have been identified who can testify. NACM has reserved the right to submit a petition to the Council for Equality, Ombudsman (People's Advocate) for these serious violations of human rights, abuse of office and actions of discrimination and racism on the part of the leadership of the Strășeni City Hall, in the person of Mrs. Valentina Casian.

## 6.2. The relation of NACM vs. IRA

During 2023, the partnership relationship with the Inter-Ethnic Relations Agency (IRA) – a public institution that ensures the monitoring and supervision of the activity of community mediators<sup>43</sup> – was characterized as non-constructive and treacherous, the exceptions being only a few joint initiatives, but without impact.

Starting from the fact that the public organizations "Vocea Romailor" Coalition, NACM and the Roma Women's Platform "ROMNI" are very active and criticize the functional absenteeism of public institutions regarding the rights of ethnic minorities, creating discomfort and irritation for them, the deputy general director of IRA adopted a hostile dialogue trajectory with Roma civil society.

Thus, on April 13, 2023, at the meeting of the Roma community with the President of the Republic of Moldova,<sup>44</sup> the deputy general director of IRA intentionally omitted to include the representatives of the mentioned associations in the list of guests, with the aim of ensuring "quietness and peace" at criticism of the institution he leads.<sup>45</sup> The reaction of the Roma civil society was immediate,<sup>46</sup> being deeply disappointed by the repugnant mischief of the IRA leadership.

<sup>43</sup>Decision of the Government of the Republic of Moldova no. 593 of 25.06.2018 regarding the organization and operation of the Interethnic Relations Agency; In: Official Gazette of the Republic of Moldova no. 235-244 of 29.06.2018; [https://www.legis.md/cautare/getResults?doc\\_id=139789&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=139789&lang=ro#)

<sup>44</sup>President Maia Sandu talked with several representatives of the Roma community in the Republic of Moldova; <https://presedinte.md/rom/comunicate-de-presa/presedinta-maia-sandu-a-discutat-cu-ctiva-reprezentanti-ai-comunitatii-rome-din-republica-moldova>

<sup>45</sup> <https://www.facebook.com/valeriu.caldararu.9/posts/pfbid0q7y1Fkaisdr8BXjmHzpmJJYe8pYZN3HYEeWihv8qAZeCwZvsUMjExKisrq8Gz1Trl>

<sup>46</sup> <https://www.facebook.com/100047620275927/videos/460112802946700/>

On June 23, 2023, at the event organized by the Council of Europe (the ROMACT program on the inclusion of Roma), guests from NACM were removed from the list at the direction of the deputy general director of IRA, although two or three days before the event the organizers submitted online participation forms, as well as phoned for confirmation.

November-December 2023 period: NACM submitted a petition to the State Chancellery, the Ministry of Education and Research regarding the excess of power on the part of the deputy general director of IRA in relation to NACM, as well as the attempted intrusion into the internal activity of NACM.

The abuse of office consisted in ignoring NACM's approach regarding candidacy proposals for the composition of the competition committee regarding merit scholarships for Roma pupils and students.

At NACM's repeated requests to provide information of public interest regarding the members of the commission, as well as the Minutes establishing the commission, the Deputy General Director of IRA refused to provide this information, citing the so-called restrictions abusively and nonchalantly relating to "personal data". This was a flagrant violation of the right to information of public interest.

Only after NACM notified the public authority responsible for personal data, as well as the State Chancellery about the restriction by the deputy general director of IRA of access to information of public interest, the latter provided the requested information. However, the deadline for contesting the Minutes regarding the establishment of the competition commission was exceeded (due to the pseudo-ground invented by the deputy general director of IRA), respectively NACM could not defend its rights in court.

At the NACM's petition, the State Chancellery created a disciplinary commission regarding the deputy general director of IRA regarding the excess of power. As a result of the hearings (which had a tendentious, authoritarian and unfavorable character in relation to NACM), this commission did not find constituent elements of the excess of power on the part of the deputy general director of IRA in relation to NACM. However, the latter was warned about the impossibility of restricting access to information of public interest, being sent an official letter from the State Chancellery.

### Recommendations:

#### ➤ **In the field of the right to equal treatment for personnel and the workplace:**

- ✓ the start of discussions with the Parliamentary Economy, Budget and Finance Committee for the initiation of amendments to Law no. 270/2018 regarding the unitary salary system in the budgetary sector, for the inclusion of "community mediator" in annex 10 Occupational group "Complex functions (H)", function code H6056;
- ✓ the provision of meal vouchers for the community mediators within the town halls, in which this tool for stimulating the town hall employees is applied, through the additional allocation of special purpose financial resources from the state budget;
- ✓ searching for additional budgetary resources aimed at improving working conditions. This will ensure a comfortable psycho-emotional climate and a friendly atmosphere in relation to Roma beneficiaries, respecting the right to good working conditions;
- ✓ revision of the framework Regulation regarding the organization of the activity of the community mediator (GD no. 557/2013; published in the Official Gazette No. 152-158 art. 651 of 19.07.2013) by introducing the notion of "community mediator at district level", with the aim the coverage of several compact and mixed localities inhabited by ethnic Roma, with a number of less than 150 Roma, thus ensuring their access to public services in the adjacent localities;

#### ➤ **In the field of equality in the exercise of all human rights:**

- ✓ support and consultancy regarding the development of curriculum themes and program accreditation for the initial and ongoing training of community mediators, including in the prevention and prevention of racist hate speech and hate crimes, including incitement to racial discrimination.