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Committee on the Elimination of Racial Discrimination

**Reports submitted by State parties under article 9 of the
Convention**

Addendum

**Additional information provided by the Government of the
Republic of Moldova on the implementation of the
concluding observations of the Committee on the Elimination
of Racial Discrimination (CERD/C/MDA/CO/7)***

[3 November 2010]

I. Introduction

1. Aiming at continuing the dialogue between the Moldovan authorities and the Committee on the Elimination of All Forms of Racial Discrimination the requested information is submitted to the Committee reflecting the measures taken by the Bureau of Interethnic Relations in the quality of a body of central public administration which coordinates the process of implementation and monitoring of the International Convention on the Elimination of All Forms of Racial Discrimination, the activities of other relevant ministries and the civil society.

**II. Responses to the recommendations raised in paragraphs 12,
14 and 19 of the concluding observations
(CERD/C/MDA/CO/7)**

A. Paragraph 12 of the concluding observations

2. An Action Plan for the support of Roma for 2007-2010 was adopted by the decision of the Government of the Republic of Moldova No.1453 of 21 December 2006 with a view

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

to creating necessary conditions for socio-cultural development of the Roma population and to ensuring the Roma integration in the socio-cultural life of the country.

3. One of the priority activities of the Bureau of Interethnic Relations that is a coordinator of the implementation and monitoring of the Action Plan for Roma is to contribute to realization of the given document. The Bureau administers the working committee consisting of the leading specialists of the ministries, and annually informs the Government of the Republic of Moldova on the status of implementation of the plan.

4. With a view to effective implementing of the Action Plan for the support of Roma and ensuring the substantial and lasting improvement of the Roma situation a special attention is paid to the evaluation of the results of implementing the preceding annual plans of action intended for the realization of the Action Plan for the support of Roma. The realization of the on-going annual plans and the process of elaborating the future plans take place in direct association with the examples of good practice within the accumulated experience.

5. The Bureau of Interethnic Relations actively involves the representatives of the Roma ethno-cultural organizations in the process of implementing and monitoring the Action Plan to support Roma. All leaders of the Roma public organizations accredited under the Bureau (at present eight Roma public organizations are accredited under the Bureau) are the full members of the Coordinating Council of Ethno-cultural Organizations that is a public advisory consultative body that operates under the auspices of the Bureau of Interethnic Relations. A representative of the Roma organizations has been elected to the Board of the Coordinating Council in this year.

6. A round table on “The results of the implementation of the Action Plan for the support of the Roma in the Republic of Moldova in 2009 and the perspectives for the year 2010” turned to be one of the illustrative examples of the Roma effective participation in the monitoring of the Action Plan. It was organized by the Bureau of Interethnic Relations in collaboration with the National Roma Center on 8 April 2010, the International Roma Day that is annually celebrated in the Republic of Moldova.

7. The Prime Minister of the Republic of Moldova, Mr. Vladimir Filat, the representatives of the line ministries, in particular: the Ministry of Education, Ministry of Culture, Ministry of Health, Ministry of Internal Affairs, Ministry of Labour, Social Protection and Family, Ministry of Information Technologies and Communication, the representatives of the local authorities of the regions where the Roma live in substantial numbers, Roma socially active members and general Roma public took part in the round table.

8. In the course of the round table the specialists of the relevant ministries presented the thematic reports reflecting “the progress and expectations in the process of implementing the decision of the Government of the Republic of Moldova No. 1453”. The representatives of the Roma public organizations discussed the concrete steps taken by the Roma non-governmental organizations with a view to ensuring respect for Roma rights. The issue concerning the public policies for Roma also was touched upon during this activity.

9. It should be mentioned that the given round table inter alia was aimed at promoting the partnership and common activities to support the Roma population in Moldova and the participation of the Prime Minister of the Republic of Moldova in this event certifies the attention of the State administration to up-to-date problems that the Roma are confronted with.

10. The cooperation of the Bureau with the Roma and Travellers Division of the Council of Europe also contributes to more efficient implementation of said Action Plan. Under the

recommendation of the Bureau a representative on behalf of the Republic of Moldova, in particular the President of the National Roma Center, was included into the international working group of the Council of Europe on Roma issues. It is expected that the participation in this group of the Roma representative on behalf of Moldova will contribute to attracting the international financial support to ensure the launching and realization of the new projects by the Roma ethnocultural organizations with the assistance of the Bureau of Interethnic Relations.

11. At present the measures are being taken to form the working group aiming at joint elaboration of a new Action Plan for the support of Roma for 2011-2014. The representatives of the line ministries and local authorities, the members of the Roma non-governmental organizations are invited to make part of this working group.

B. Paragraph 14 of the concluding observations

12. In relation to the recommendation of the Committee to provide the non-recognized religious communities with the opportunities to resubmit required documents in cases where applications are incomplete, it should be mentioned that, pursuant to the Law on the Religious Denominations and Religious Communities (No. 125-XVI) of 11 May 2007 that regulates the relations connected with the freedom of religion and conscience in the Republic of Moldova, in spite of any decision of the Ministry of Justice to deny registration, the religious communities are welcomed to resubmit the documents after bringing them in line with the legislative requirements in force.

13. Article 19 of the above-mentioned Law on the Religious Denominations and Religious Communities sets out precisely the documents required to be submitted for the registration of a religious denomination, in particular:

- (a) An application for registration;
- (b) A by-law adopted by the religious organization's founders;
- (c) A report of the constituent assembly;
- (d) A list of the religious organization's founding members that contains the signatures not less than 100 of them having the citizenship of the Republic of Moldova;
- (e) The basic principles of the faith.

14. According to the stated legal provisions, the responsibility of the Ministry of Justice consists in the examination of the submitted documentation from the point of view of its correspondence to the requirements of the law and formalities enacted excluding any assessment on its part of a religious denomination's legitimacy.

15. More specifically, in relation to the Muslim ethnic minorities it should be noted that the applications for registration submitted by the applicants of the religious denomination "Islam. Sermon and Guidance in the Republic of Moldova" were declined on the ground of discrepancy of the documents submitted, in particular:

(a) The by-law of the organization is incompatible with the article 16 of the Law on the Religious Denominations and Religious Communities (No. 125-XVI) of 11 May 2007. Pursuant to the paragraph 4.3 of this religious denomination's by-law the Board of the Denomination in the quality of an executive body is charged to establish an organizing structure. Meanwhile, in correspondence with the legislation in force this is the authority of a General Meeting;

(b) The application for registration was signed only by the leaders of the religious denomination, contrary to article 27 of the Law No. 125-XVI of 11 May 2007

stipulating that any religious denomination irrespective of the number of the believers has the central organ that represents it;

(c) The report of the constituent assembly contains some mentions of the basic principles of the faith having been adopted. Meanwhile, the document reflecting the latter was not authenticated by any organ;

(d) In accordance with the article 5 of the Law on citizenship No. 1024- XIV of 2 June 2000, citizenship is ascertained on the basis of the identity cards. Among the copies of the identity cards belonging to the founders of this religious organization, submitted by the applicant, there were identity cards with expired validity (Tamara Săcarî, Mariana Țurcanu, Eugeniu Negru, Eugeniu Cocichin).

16. Therefore, the mentioned applicant has not yet resubmitted to the Ministry of Justice the application for registration.

17. It should also be mentioned that, in compliance with article 20 of the said Law on the Religious Denominations and Religious Communities, with a view to obtaining registration the religious communities have to submit to the Ministry of Justice the following documents:

(a) An application for registration on behalf of the community's steering body;

(b) A by-law adopted by the community's founders;

(c) A report of the constituent assembly indicating a legal representative or representatives of the community;

(d) A list of the community's founding members that contains the signatures not less than 10 of them having the citizenship of the Republic of Moldova;

(e) A written consent of the religious denomination to admit the community joining of its own free will.

18. The stated legal provisions stipulate obligatory respect for the procedure of the registration of the religious denomination resulting in recognition of the religious community.

19. In this regard it is noted that the respect for the human rights represents an element of special importance for any democratic society and the Ministry of Justice of the Republic of Moldova takes measures to prevent the violation of the fundamental human rights and freedoms.

C. Paragraph 19 of the concluding observations

20. With the view to contributing to a higher participation of the Roma students at the level of higher education the Ministry of Education of the Republic of Moldova introduced a preferential quota system to this level of education. According to the Statute of admission in force the preferential categories of university entrants including the students of Roma descent are given 15 per cent quota on education at all institutions of higher education. Moreover, the present quota does not stipulate any limitation with regard to specialty and branch of study.

21. According to the information provided by the Ministry of Education at the present time 47 students of Roma descent study at the institutions of higher education, among them 40 are full-time students and 7 attend open universities. Out of a total 47 Roma students 38 study at the state universities and 9 at the private universities; 24 of them are men and 23 are women.

22. Under the reserved 15 per cent quota three Roma entered the universities on the state-financed ground by the entrance examinations in 2009.

23. The present information was prepared by the Bureau of Interethnic Relations in coordination with the Ministry of Justice, Ministry of Education and National Bureau of Statistics.
