



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
5 May 2017

Original: English

Committee on the Elimination of Racial Discrimination Ninety-second session

Summary record of the 2522nd meeting

Held at the Palais Wilson, Geneva, on Wednesday, 26 April 2017, at 3 p.m.

Chair: Ms. Crickley

Contents

Consideration of reports, comments and information submitted by States parties under
article 9 of the Convention (*continued*)

Combined tenth and eleventh periodic reports of the Republic of Moldova

This record is subject to correction. Corrections should be set forth in a memorandum and also
incorporated in a copy of the record. They should be sent within one week of the date of the present
record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for
technical reasons after the end of the session.

GE.17-06931 (E) 040517 050517



* 1 7 0 6 9 3 1 *

Please recycle A small recycling symbol consisting of three arrows forming a triangle.



The meeting was called to order at 3.05 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined tenth and eleventh periodic reports of the Republic of Moldova (CERD/C/MDA/10-11 and CERD/C/MDA/Q/10-11)

1. *At the invitation of the Chair, the delegation of the Republic of Moldova took places at the Committee table.*

2. **Ms. Petuhov** (Republic of Moldova), introducing the combined tenth and eleventh periodic reports of the Republic of Moldova (CERD/C/MDA/10-11), said that between 2011 and 2015 her country had made progress in combating racial discrimination and in upholding the rights of ethnic minorities. The Republic of Moldova had a long tradition of peaceful coexistence and mutual understanding between its diverse ethnic groups; consequently, crimes based on racial and ethnic hatred were rare and discrimination and prejudice on the grounds of race or ethnic, religious or linguistic identity did not represent a systemic problem. The State opposed practices such as segregation and apartheid, and there were no organizations or political parties that promoted racial discrimination or incitement to racial hatred. As a democratic State and a member of the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe, the Republic of Moldova supported the principles of equality, equal opportunity and non-discrimination and guaranteed the basic rights and freedoms of all citizens. Hatred, intolerance, xenophobia and anti-Semitism were not permitted.

3. The Government had recently announced the findings of the national census of May 2014, which, despite some coverage limitations, had yielded valuable information — voluntarily provided by a large majority of respondents — on ethnicity, religion, native language and language of daily use. Moldovans made up the majority of the population of 2,804,801 (75.1 per cent). Other ethnic groups included Romanians (7.0 per cent), Ukrainians (6.6 per cent), Gagauz (4.6 per cent), Russians (4.1 per cent), Bulgarians (1.9 per cent) and Roma (0.3 per cent). The main mother-tongue languages were Moldovan (56.7 per cent), Romanian (23.5 per cent) and Russian (9.7 per cent), followed by Gagauz (4.2 per cent), Ukrainian (3.9 per cent) and Bulgarian (1.5 per cent). The main languages of habitual use were Moldovan (54.6 per cent), Romanian (24.0 per cent) and Russian (14.5 per cent), again followed by Gagauz, Ukrainian and Bulgarian.

4. In recent years, the country had achieved significant progress in improving its legislative framework to combat and eliminate discrimination. In 2012, it had recognized the Committee's competence to receive and consider communications from individuals and groups within the jurisdiction of the Republic of Moldova claiming to be victims of a violation by the State party of rights set forth in the Convention. Subsequently, the Bureau for Inter-Ethnic Relations had been designated as the competent body for implementing article 14 (1) of the Convention and for responding to communications submitted to the Committee. It had sent comments to the Committee in October 2015 and February 2017 in response to the complaints by Salifou Belemvire and Grigore Zapescu, the first two communications involving the Republic of Moldova to be submitted to the Committee.

5. According to the Report of the Working Group on the Universal Periodic Review issued in December 2016 (A/HRC/34/12), Moldovan legislation on inter-ethnic relations and the protection of the rights of ethnic minorities met the highest recognized international standards. As part of its efforts to harmonize domestic legislation with international commitments, the Government had adopted the National Plan of Action for the Implementation of the European Union-Moldova Association Agreement 2017-2019. Measures envisaged under that Plan included the development of a law to ratify the European Charter for Regional or Minority Languages and the implementation of a strategy on the consolidation of inter-ethnic relations for the period 2017-2027 and an action plan to support the Roma population for the period 2016-2020. The Government was also seeking to strengthen inter-ethnic relations through the Strategy on the Integration of the Ethnic Minorities of the Republic of Moldova, which was intended to broaden participation by ethnic minorities in public life, promote language as a means of integration and facilitate

intercultural dialogue. The Strategy would be implemented in three stages, beginning in 2017-2020, through a plan of action currently being developed by a working group formed of government entities, international experts, NGOs and other stakeholders.

6. Under the Equality Act, adopted in May 2012, the Council for Preventing and Eliminating Discrimination and Ensuring Equality was the body tasked with examining complaints of discrimination. Since October 2013, the Council had noted 18 cases of discrimination relating to access to public services, justice and effective protection by the law, as well as freedom of speech and freedom of assembly. Fifteen cases had involved language-based discrimination. In two cases the Council had found that Roma persons and persons of African and Asian descent had been subjected to racial profiling. According to the Public Prosecution Service, there had been some 50 complaints relating to discrimination, xenophobia and extremism since 2014, some of which had been prosecuted as offences under articles 176 (12 cases) and 346 (6 cases) of the Criminal Code. One person had been convicted under article 176.

7. Although human rights and ethnic and cultural organizations had compiled information about human rights violations relating to racial hatred and discrimination, they did not always pass that information on to the competent State bodies for investigation and further action, and so it did not appear in official statistics. The Office of the People's Advocate (Ombudsman), formerly the Human Rights Centre of Moldova, was an autonomous body established in 2014 in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The Office operated a number of regional branches. It provided an annual report to the Parliament of the Republic of Moldova on human rights and freedoms in the country, including issues affecting national minorities. The 2016 report had noted that only a small number of intolerance-related crimes had been recorded and investigated by the judicial authorities. The Office also reported on violations of the principles enshrined in the Convention and carried out activities to combat racial discrimination.

8. The Government was developing a national human rights action plan for the period 2017-2021 with the aim of implementing recommendations received from national and international bodies and experts. The plan included a special section on the rights of persons belonging to national ethnic, religious and linguistic minorities and outlined initiatives to, inter alia, introduce proportional representation of minorities in elected bodies, prevent and combat discrimination against Roma and religious minorities and ensure the right to study and use minority languages.

9. The Moldovan Constitution guaranteed the freedoms of conscience, thought and belief in accordance with international human rights treaties, and all registered religious organizations were equal before the law. The 2014 census had revealed that, while 96.8 per cent of the population was Orthodox Christian, several religious minorities were present in the country, including Baptists, Jehovah's Witnesses, Pentecostals, Catholics, Seventh-Day Adventists, Lutherans and Muslims. Although there were no mosques in the country, Muslims enjoyed the right to hold weekly prayer meetings, with the agreement of the local authorities, in accordance with the Assemblies Act of 2008. Regrettably, a study on equality perceptions and attitudes in 2015 had revealed some negative stereotyping of Muslims. There had also been manifestations of anti-Semitism, including vandalism of synagogues and Jewish cemeteries. The Government had launched initiatives to combat anti-Semitism and to commemorate the Holocaust, including official recognition of 27 January as International Holocaust Remembrance Day. Parliamentary working groups were studying further activities, including the possibility of a museum exhibition on the Holocaust.

10. Article 10 of the Education Code adopted in 2014 stipulated that Romanian was the language of instruction in the education system, and the study of the Romanian language was compulsory at all levels. However, where possible persons belonging to ethnic minorities were allowed to study and receive instruction in the language of their particular group. Russian was the language of instruction in 267 of the country's 1,240 educational institutions. In other schools, Russian, Ukrainian, Bulgarian and Gagauz were studied as separate subjects, and in some experimental high schools the lower grades were taught in Ukrainian and Bulgarian. The draft law for the ratification of the European Charter for

Regional or Minority Languages was expected to include commitments relating to the Ukrainian, Russian, Gagauz, Bulgarian, German, Polish, Yiddish and Romani languages. A pilot project was due to be conducted with the support of the Council of Europe to begin implementing the Charter in seven localities.

11. The authorities had consistently followed a policy for the long-term improvement of the situation of the Roma community. Progress towards the integration of Roma people in Moldovan society had been achieved through the Plan of Action to Support the Ethnic Roma Population 2011-2015, which had been renewed for the period 2016-2020. The 2011-2015 plan, although a positive step, had been poorly implemented owing to lack of resources and the devolution of responsibilities to local authorities. For the period 2016-2020, it would be imperative to strengthen the network of community mediators who assisted Roma persons in accessing State services and promoted dialogue and social harmony. Regrettably, plans to recruit 48 Roma mediators had not come to fruition and their actual number had dwindled from 21 to 7 since 2015.

12. As was evident from various decisions of the European Court of Human Rights, the Transnistria region had a poor human rights record. It had been difficult for Moldovan authorities to engage in a constructive dialogue on human rights in the region, as the Government of the Republic of Moldova did not have control over Transnistria, but it had nevertheless taken steps to address the situation. It had, for example, included a separate chapter in its successive national human rights action plans on promoting and protecting human rights and fundamental freedoms in Transnistria. In 2012, the Office of the People's Advocate had opened a branch in Transnistria, and other government agencies had also opened offices to provide residents with public services and encourage their reintegration into Moldovan society. Legal assistance, Romanian language courses and university education were all made available to the Transnistrian population free of charge. The Government would continue to work closely with international partners and civil society to find a comprehensive and lasting solution to the Transnistria conflict.

13. **Ms. Li Yanduan** (Country Rapporteur), noting that the State party's report had responded to most of the recommendations made by the Committee in its previous concluding observations (CERD/C/MDA/CO/8-9), said that she had appreciated the up-to-date details provided in the delegation's opening statement. It would be useful if that information could be provided in written form. The Republic of Moldova was a multi-ethnic, multi-religious and multicultural country which, notwithstanding substantial reductions in poverty during recent years, remained one of the poorest in Europe. It was a State party to the core human rights treaties that were most relevant to minority rights and its Constitution required that international law should prevail in the event of conflict or inconsistency between national and international conventions. A solid legal framework was in place for the protection of minority rights, but implementation of the various laws was hindered by the lack of institutional attention and a dedicated budget. The country had nevertheless achieved progress through a range of legal, administrative and social measures to combat discrimination.

14. The Committee welcomed the adoption and entry into force of the Equal Opportunities Act, the Act on the Functions of the Council for Preventing and Combating Discrimination and Ensuring Equality, and the amendments to the Criminal Code, the Code of Offences and the Education Code. It would appreciate further details on the impact of the new laws in combating discrimination and on their provisions concerning remedies and compensation for victims. The Committee had taken note of the various strategies and action plans aimed at improving inter-ethnic relations and of the efforts to strengthen the Ombudsman system through the establishment of the People's Advocate's Office. It welcomed the use of improved methods of data collection in the 2014 census, including the self-identification of ethnicity and religion, as recommended by the Committee. The census findings provided important information on the country's ethnic landscape.

15. She had examined the information in the report on the amendments to Act No. 54 of 21 February 2003 on Combating Extremist Activities and wished to know what role that legislation played with respect to the struggle against racial discrimination and the implementation of the Convention. Although the Criminal Code had been amended to prohibit hate speech, it did not provide for any penalties, which was inconsistent with

article 4 of the Convention. She would therefore like to know how the State party implemented article 4 and whether that article could be applied directly by the courts.

16. Considering that the Bureau for Inter-Ethnic Relations had been understaffed and underfunded for some years, she wondered what expectations the Government had for the Bureau's activities and whether it planned to take measures to strengthen its work. She would also be interested to know whether any other high-level governmental bodies were charged with monitoring and implementing minority rights in the Republic of Moldova. The Council for Preventing and Combating Discrimination and Ensuring Equality played an important role in protecting minority rights, but it had not been empowered to perform functions such as imposing sanctions, conducting investigations in the field and referring cases to the Constitutional Court. How did the Government plan to strengthen the Council?

17. It would be useful to hear the delegation's assessment of the existing legal and institutional framework for the implementation of policies and action plans, whose fragmentation presented a major obstacle to the protection of minority rights. How did the State party plan to address those structural problems? Insufficient funding had hindered the implementation of the country's laws, strategies, action plans and policies to promote the integration of minority ethnic and linguistic groups. She wondered whether the lack of funding was caused only by the State party's economic difficulties or whether other factors were at play.

18. The delegation should explain why there were no mosques in the Republic of Moldova, a circumstance that had a negative impact on Muslims' right to exercise their freedom of religion. It should also indicate what specific steps the State party had taken to protect the rights of the Muslim community and what steps were envisaged in the future.

19. The Roma people remained among the most vulnerable minorities in the country and suffered from marginalization, underrepresentation in political decision-making, illiteracy and social prejudice. In the light of the poor implementation of the Plan of Action to Support the Ethnic Roma Population 2011-2015, the Committee would like to know what measures were envisaged to ensure that the 2016-2020 plan would be adequately funded. It would also like to learn how the State party intended to address the shortage of Roma community mediators. Specifically, what action would be taken to remedy the problem of low wages, which made the job unattractive?

20. The Committee would appreciate further information on what measures the Government intended to take to guarantee a quality education for all and to enable public institutions to teach in Russian and other minority languages. It would also welcome information on what steps the Government was taking to address the underrepresentation of minorities in political institutions and to ensure their full and equal participation in public life. It would be useful to know what plans were envisaged to ensure that the media accurately portrayed the diversity of the Moldovan population, to ensure the adequate provision of television programming in minority languages, and to address negative and demeaning stereotypes against minorities, including crime reporting that focused excessively on the religious background of the perpetrator. In addition, the Committee would appreciate a comment from the delegation on reports that persons of African and Asian descent, and persons living with HIV/AIDS, were subjected to discrimination.

21. She wondered whether the State party had organized activities to raise awareness of national and international instruments aimed at combating discrimination. She also wished to learn how the State party assessed the effectiveness of the anti-discrimination training provided to the police and other officials and whether it deemed that further measures were needed to raise awareness among judges, prosecutors, police officers and other officials. Lastly, she would be interested to hear the delegation's thoughts on why, according to census data, the combined population share of ethnic minorities had fallen from 22.7 per cent in 2004 to 16.9 per cent in 2014.

The meeting was suspended at 4.15 p.m. and resumed at 4.25 p.m.

22. **Mr. Kut** (Special Rapporteur for follow-up on concluding observations) said that he would like an explanation of why the State party had failed to provide information within one year on its follow-up to the recommendations contained in paragraphs 9, 11, 12 and 14

of the Committee's previous concluding observations. Although the statement by the head of delegation had adequately covered the issues raised in those paragraphs, he nonetheless believed that it was important to adhere to the agreed procedure so that the Committee could track positive developments in the State party.

23. **Mr. Avtonomov**, noting that the website of the Council for Preventing and Combating Discrimination and Ensuring Equality was only available in Romanian, Russian and English and that the guide designed to facilitate the social integration of Roma families had only been issued in Romanian, Russian and Romani, said that he was curious as to why those resources had not been made available in Gagauz and Ukrainian, which were also widely spoken in the country. He was pleased to learn that an agreement had been reached on the provisions to be included in the draft instrument for ratification of the European Charter for Regional or Minority Languages. It would be helpful, however, to hear more about the specific criteria that had been used to define Ukrainian, Russian, Gagauz and Bulgarian as regional or minority languages and German, Polish, Yiddish and Romani as non-territorial languages. Recalling that Yiddish was widely spoken by the Ashkenazi Jewish community and had once served as a language of inter-ethnic communication, he asked whether there were schools in which Yiddish was one of the languages of instruction and whether literature was still published in that language.

24. It would be helpful to know whether the Strategy on the Integration of the Ethnic Minorities of the Republic of Moldova 2015-2020 had actually been adopted and, if so, what steps had been taken to implement it. The State party should provide more detailed information on that subject in its next periodic report. He would also like to hear more about the progress made in updating the existing system for classifying national and ethnic minority groups and about the specific criteria used to determine whether a group was a national or an ethnic minority, especially as certain groups living in the Republic of Moldova could arguably be described as both. In particular, he would be interested to hear the delegation's comments on reports that the Gagauz people had objected to the category in which they had been placed. He welcomed the addition of the term "Roma" to the State Population Register.

25. Lastly, in view of the rising cost of medical care in the country, he would like to know what measures the State party envisaged taking to ensure that medical care remained affordable for impoverished and/or vulnerable groups, such as the Roma.

26. **Mr. Murillo Martínez** said that the State party was to be congratulated on having recognized the competence of the Committee to receive and consider individual communications under article 14 of the Convention and on its efforts to disseminate the Committee's previous concluding observations among the public. He would like to know to what extent civil society had been involved in drafting the State party's report and in implementing the plan of action devised to give effect to the Committee's recommendations.

27. He would also welcome additional information on the scope of the Equal Opportunities Act, the contents of the road map for its implementation and the measures taken to date in that connection. While he welcomed the efforts being made to promote mother-tongue education for ethnic minorities, he questioned the use of the term "second-generation migrants" in paragraph 24 of the State party's report, as that term suggested that, despite having been born in the country, such persons were still perceived as nationals of another country. He would appreciate clarification of how the State party defined a "second-generation migrant".

28. It would be helpful to hear more about how the Council for Preventing and Eliminating Discrimination and Ensuring Equality fulfilled its mandate to restore the rights of and provide redress to victims of discrimination. He wondered whether such redress could take the form of financial compensation. He also wished to know whether the principle of the reversal of the burden of proof in civil proceedings was enshrined in the State party's anti-discrimination legislation. Lastly, he was curious as to why the representative of the Roma organization known as "Bare-Rom" had declined to take part in the legal proceedings instituted in response to its claim that the management of the

Skvazhina club in Soroca had denied persons of Roma ethnicity entry to the premises, in violation of their constitutional rights.

29. **Mr. Yeung Sik Yuen** said that it was his understanding that Moldovan civil society and ethnocultural organizations had not been involved in drafting the State party's report. Was that indeed the case? As Ukrainian, Russian, Gagauz and Bulgarian were classified as regional or minority languages in the draft instrument for ratification of the European Charter for Regional or Minority Languages, he wondered whether the country's minorities tended to live only in specific regions and, if so, whether there was a strategy to promote their integration into wider Moldovan society and prevent their isolation.

30. It would be useful to know more about the amendments made to the Criminal Code and the Code of Offences for the purpose of establishing criminal or administrative liability for certain discriminatory acts previously excluded from their scope. He also wished to know whether the bill amending the Public Associations Act, the Criminal Code and Act No. 54 of 21 February 2003 on Combating Extremist Activities had been passed. If so, had any cases been brought under the amended Act on Combating Extremist Activities and were there plans to empower the Ministry of Justice or the Public Prosecution Service to identify, prosecute and punish extremist activity?

31. He failed to understand why the district prosecutor's office had terminated the legal proceedings against the Skvazhina club in Soroca on the grounds that denying entry to persons of Roma ethnicity did not constitute an offence. Although the representative of the "Bare-Rom" organization had declined to take part in the legal proceedings, he wondered why a representative of the Public Prosecution Service could not have stood as the injured party and allowed the legal proceedings to continue. Paragraph 98 of the State party's report indicated that six criminal cases had been brought in response to racially motivated offences between 2010 and 2012. He would appreciate more information on the nature of those offences and the penalties imposed on the perpetrators.

32. He found it regrettable that the country's ethnic minorities were so poorly represented in elected municipal and district councils and would like to know how the State party planned to remedy that situation.

33. **Ms. Shepherd** said that she was impressed by the State party's efforts to disseminate the Committee's previous concluding observations and to give effect to its recommendations. She encouraged it to continue to implement and enhance the many strategies adopted to combat racial discrimination.

34. There was much evidence to suggest that Roma girls in the State party struggled to access education. Only 52 per cent of Roma girls were enrolled in primary education, for example, and the proportion was even lower at the secondary education level. She asked what measures the State party envisaged taking to remedy that situation of inequality and also to address the intersectionality between racial and gender-based discrimination in the education sector and beyond. The Committee had been informed that ethnic segregation in schools was still widespread, and she would like to know what had been done to ensure that the education system was inclusive of all ethnic groups. The Committee had also been told that many history textbooks promoted the view that the population of the Republic of Moldova was composed solely of ethnic Romanians and that the State party's efforts to promote the teaching and learning of the Romanian language and Romanian history had bred resentment among members of minority groups. She would be grateful if the delegation could comment on the veracity of those reports and indicate whether there was a standardized syllabus containing a component on the history and culture of the country's major minority groups.

35. While she welcomed the introduction of community-based mediators in localities where Roma people lived, she found it regrettable that the success of the initiative had been marred by financial difficulties and a lack of centralized coordination, low coverage of target communities and confusion about the mediators' specific role and responsibilities. She wondered what action would be taken to address those shortcomings. Noting that human rights groups had reported that persons of African descent living in the Republic of Moldova were targets of discrimination, she asked what measures the State party intended

to take to eradicate discriminatory practices such as racial profiling and to combat Afrophobia.

36. **Ms. Dah** said that she failed to understand why NGOs had been given an opportunity to contribute to the State party's core document (HRI/CORE/MDA/2011) but not, apparently, to the periodic report under consideration. She also found it regrettable that the State party had failed to submit its follow-up report within a year after the publication of the Committee's previous concluding observations.

37. While the addition of the term "Roma" to the State Population Register was welcome, it appeared that the term had not been embraced by certain sectors of Moldovan society, who continued to self-identify as "Tsigan" ("Gypsy"). In her view, the term "Tsigan" should therefore continue to be used when conducting a census for the purpose of updating the State Population Register, whereas the term "Roma" should be used in connection with European Union policies and programmes. The State party's report contained some interesting information on women's participation in various areas; however, it should be borne in mind that, for the Committee's purposes, any gender-specific statistical data provided should be further disaggregated by minority or ethnic group.

38. Lastly, she would be grateful if the delegation could explain why the Human Rights Centre of the Republic of Moldova had not yet been accorded "A" status by the Global Alliance of National Human Rights Institutions. Did the Centre possess the financial resources necessary to operate efficiently? Were its members appointed and allowed to act impartially and independently?

39. **Mr. Bossuyt** said that he would appreciate clarification of how regional or minority languages were distinguished from non-territorial languages and whether there were any consequences attached to such a distinction. He would also like to learn more about the reasons behind the decision of the district prosecutor's office to terminate the legal proceedings in the Skvazhina club case.

40. Noting that a 15 per cent quota had been introduced in 2012 with the aim of helping young people, including those of Roma origin, to gain admittance to higher education establishments, he asked what criteria were used to select the applicants. Unofficial estimates suggested that there were some 150,000 Roma persons living in the Republic of Moldova, which was significantly higher than the number recorded in any official statistics. The reluctance of such persons to self-identify as Roma was understandable, given the discrimination and prejudice they faced in Moldovan society. He would be grateful if the delegation could comment on that situation.

41. The Committee had been alarmed to learn that, during the previous presidential campaign, the prevalence of hate speech and racial stereotyping, especially against Syrian refugees, had reached an unprecedented level and that the situation had been exacerbated by news stories fabricated to discredit the opposition. He asked whether any action had been taken against the proponents of "fake news" in that instance.

42. **Mr. Kemal** said that the State party was to be commended for having provided more than 200,000 stateless persons with identification cards and for having improved the procedure for integrating foreigners and stateless persons into Moldovan society. Noting that the State party considered the adoption and implementation of the National Human Rights Plan 2011-2014 to be one of its noteworthy achievements during the reporting period, he asked whether the plan had been extended and, if not, whether a similar plan was to be devised in the near future.

43. While the ethnocultural and social situation of Roma people in the State party might have improved, the Committee had received disturbing reports indicating that they were still frequently the targets of discrimination, hate speech and ill-treatment. The State party should step up its efforts to protect and assist that group. Similarly, the Committee had been informed that Muslims and persons of African descent were frequently victims of hate speech, including by high-level politicians, and that children of African descent were often segregated in schools or made to feel like second-class citizens. How did the State party plan to change the negative attitudes and perceptions that lay at the root of such racism and

racial discrimination? Had it considered strengthening the laws prohibiting hate speech and providing police officers with training on how to deal with the phenomenon?

44. Although the adoption of the People's Advocate (Ombudsman) Act No. 52 of 3 April 2014 had been intended to strengthen the independence and effectiveness of the national human rights institution, it still lacked the financial and human resources needed to carry out its mandate effectively. The same was true of the Council for Preventing and Eliminating Discrimination and Ensuring Equality. He urged the State party to take measures to ensure that both institutions had sufficient resources.

45. **Mr. Marugán** said that he wished to know whether the State party had conducted impact assessments of the National Human Rights Plan 2011-2014 and the Plan of Action to Support the Ethnic Roma Population 2011-2015. If so, would the findings be taken into account in devising new plans? He would appreciate more information on the challenges facing the Roma population in terms of access to decent housing and decent living conditions. He also wished to know how many of the members of the Council for Preventing and Eliminating Discrimination and Ensuring Equality were civil society representatives, how they were selected and which organizations they represented.

46. He was pleased to note that the Equality Act prohibited discrimination in education and employment and enshrined the principle of administrative responsibility for offences involving discrimination. Unfortunately, the State party's report provided little information on the specific nature of such offences, the administrative penalties that they carried or the number of administrative proceedings opened for such offences to date. He would be grateful if the delegation could supply additional information in that regard and also indicate whether the Equality Act had actually improved the situation on the ground and whether there were plans to enhance its enforcement.

47. It would be useful to know whether police officers, judges and prosecutors had received specific training to help them understand and address the difficulties associated with collecting evidence for use in legal proceedings against perpetrators of racist hate speech or other racially motivated crimes, as well as the difficulties encountered by victims wishing to report such crimes. He would like to know whether it was possible for the Public Prosecution Service to initiate criminal proceedings against perpetrators of racially motivated crimes in the absence of a complaint from a victim. The Committee had received information alluding to the existence of a regulatory body that could impose penalties on media outlets found to incite racial discrimination or racial violence. It would be helpful if the delegation could indicate whether such a body did exist and, if so, describe its role, responsibilities and the nature of the penalties it could impose.

48. **Mr. Amir** said that the Republic of Moldova was to be commended for its efforts to act on the recommendations contained in the Committee's previous concluding observations and for its progress in implementing the Convention in a relatively short space of time. He hoped that the State party would address the concerns raised by the Committee in the current dialogue and continue to build upon the solid progress already achieved.

49. **Ms. Mohamed** said that the registration of the Islamic League of the Republic of Moldova as the official representative of Muslims in the country was a hopeful sign. Nevertheless, she questioned the extent to which the right to freedom of religion was guaranteed in practice, given that there were no mosques and that collective prayer gatherings took place only on Fridays. She wondered whether the State party had launched any campaigns to educate the public about Islam and counter prejudice against Muslims. She would also appreciate more information on the situation of minority women and on the extent of their participation in associations and in the political life of the country.

50. **Mr. Avtonomov** said that he would be interested to learn more about the activities undertaken by the Fatima Association to protect children of African descent. He would also like to know whether the State party planned to organize activities to celebrate the International Decade for People of African Descent.

51. **Mr. Murillo Martínez** said that he had been struck by the fact that all the appeals against decisions by the Council for Preventing and Eliminating Discrimination and Ensuring Equality had been lodged by State institutions, whereas most respondents from

the private sector had agreed to implement the Council's recommendations. He would like to know on what grounds State institutions generally appealed the Council's decisions and whether there was a specific mechanism for enforcing decisions if an appeal was unsuccessful.

52. **The Chair** said that the Committee worked on the assumption that States parties to the Convention acknowledged that racial discrimination existed not only at an individual level but also within national institutions and systems and that it was the State that was ultimately responsible for eliminating such discrimination. The Committee was particularly concerned about discrimination against minority groups living in the Republic of Moldova, including the Roma population, and about the intersectionality between racial and gender-based discrimination. It would welcome more information on the proposed objectives of the new plan of action to support the Roma population for the period 2016-2020.

The meeting rose at 5.50 p.m.