

AI Index: PRE01/407/2012
10 September 2012

Moldova: Amend laws to tackle rampant discrimination

Urgent changes are needed to Moldovan laws to combat high levels of discrimination faced by ethnic and religious minorities, lesbian, gay, bisexual, transsexual and intersex (LGBTI) people, the disabled and HIV positive people, Amnesty International said in a report published today.

[Towards equality: Discrimination in Moldova](#) proposes amendments to the Law on Ensuring Equality due to come into force on 1 January 2013 that would prohibit discrimination based on a person's sexual orientation, sexual identity and state of health.

The organization also calls for hate crimes motivated sexual orientation and identity, as well as disabilities to be added to Moldova's Criminal Code.

"There is an urgent need for these changes as Moldova's present climate of prejudice and stereotyping breeds violence and abuse against disadvantaged groups – crimes that are committed with impunity," said Heather McGill, Amnesty International's expert on Moldova.

"International standards – not the prevalent prejudices in society as a whole – should be the guiding principles for Moldova's laws."

According to a sociological study conducted in 2011 by the Soros Foundation in Moldova, 63 per cent of respondents thought that children with disabilities should be educated in separate schools, 46 per cent expressed support for curtailing the rights of lesbian and gay people, and more than 70 per cent thought that Roma are beggars and pickpockets, liars and cheats.

Such perceptions are reinforced when Moldova's political and religious leaders make discriminatory statements towards ethnic minorities and LGBTI individuals.

This exposes them to further discrimination and deprives them of basic rights – including the rights to freedom of expression and assembly, the right to education and health protection.

Racism

In one case from September 2011 in the Moldovan capital Chisinau, four men shouted abuse and manhandled Johnbull Ugbo, a Nigerian citizen, as he was leaving a chemist's shop. The victim managed to call the police but as they escorted him out of the shop, the men attacked him again in the police car.

A month later, one of Ugbo's attackers was fined 200 Lei (13 Euros) for minor hooliganism. The court rejected Ugbo's lawyer's request to reinvestigate the case as a criminal offence with the aggravating factor of racism.

Homophobia

The deliberate exclusion of LGBTI people as a protected group under the Law on Ensuring Equality and the deficiencies in the Criminal Code which allow hate crimes to be treated as "hooliganism" only further

perpetuates these negative attitudes. Worse still, they prevent the victims of such crimes to get redress.

Corrupt policemen frequently blackmail gay men in Moldova, exploiting the wider society's stigmatization of homosexuality and acceptance of discrimination against LGBTI people.

On 6 December 2010 Ion committed suicide after police in Chisinau detained him and threatened to disclose his sexual orientation to his family. In his suicide note he wrote: "Forgive me mum. I am gay."

Discrimination against people with disabilities

Lack of access to education is one of the gravest types of discrimination faced by children with disabilities. Although there are as many as 15,321 such children in Moldova, only around a fifth of them – 3,148 – were receiving education of any kind in 2010 – 2011.

Cornel Baran, aged 19, is being taught at home because he cannot access the school building in his wheelchair. He told Amnesty International that he would much rather attend school because then he would have friends, but "architectural barriers" kept him away. There are 10 steps to enter his local school building and the classrooms are spread over four floors.

HIV/AIDS and prejudice

There were 5,290 cases of HIV/AIDS registered in Moldova in 2009. A 2007 law prohibits discrimination on the basis of HIV/AIDS status.

Despite this HIV-positive people continue to face stigma and discrimination in the workplace, in society, and in accessing health care.

I.H., a 48-year-old HIV-positive woman, suffers from severe deterioration of a hip joint and is only able to walk with crutches. In May 2011, she was put on a waiting list for a hip replacement operation at the Traumatology and Orthopedics Hospital in Chisinau. However, on 21 November 2011, doctors refused to carry out the operation, claiming that the surgery was too risky for somebody with her health problems.

"Moldova can prove its democratic credentials by taking care of the most vulnerable in its society, by viewing diversity not as a threat, but as a source of enrichment," Heather McGill said.

"To this end, the Moldovan government must take measures to prevent the use of negative stereotypes in public discourse, raise awareness of discrimination and build tolerance through education and public information. It must ensure that victims of discrimination are provided with redress."