

Moldova

Persecuting



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QUICK FACTS

Political System | Parliamentary Republic Population | 3,364,496 (July 2020)
Head of State | Prime Minister Ion Chicu (2019-present), President Igor Dodon (2016-present)
GDP Per capita | NA

EXECUTIVE SUMMARY

Moldova has received a score of F, or “persecuting,” from the F&M GBGR every year from 2011-2018. It received a score of D, or “intolerant,” from the F&M GBTR every year from 2011-2015 and an F in 2016 and 2017. Homosexuality was decriminalized in 1995 upon the repeal of sodomy provisions that were holdovers from the Soviet Union period, discrimination based on sexual orientation in the employment sphere is illegal.¹ However, LGBTI minorities are not protected from discrimination in any other sphere. Furthermore, the majority of the population of Moldova is not accepting of LGBTI minorities and the LGBTI community has said they experience physical and verbal violence. Transgender individuals are nominally able to change their name and gender markers, although the law and requirements are vague, and the mechanisms and procedure to do so are unclear.

Background

In 1812, much of present day Moldova became a province of the Russian Empire. After World War I, in 1918, it unified with Romania. It was then incorporated into the Soviet Union at the end of World War II but gained independence in 1991. Moldova was under communist rule from 2001 to 2009, then violent protests led to the adoption of parliamentary elections in 2009.² Transnistria is a breakaway separatist state of Moldova whose

government is supported by Russia.³ It is composed almost equally of ethnic Ukrainians, Russians, and Moldovans.

Prime Minister Ion Chicu was elected in 2019 and took office in November. Igor Dodon has been the President since 2016 and is the chief of state, while the Prime Minister is the head of government.⁴ Ion Chicu has not been vocal on the subject of LGBTI rights in Moldova, but President Igor Dodon has made statements throughout his time in office against the LGBTI community, even organizing a festival that celebrated traditional Orthodox family values on the same day as the Moldovan pride parade.⁵

KEY FINDINGS

Legal Landscape

Homosexuality was decriminalized in Moldova in 1995 by the removal of sodomy laws that were carried over from when Moldova was a part of the Soviet Union. LGBTI minorities are protected from discrimination based on sexual orientation under the Article 7 of the Law on Equality (Act No. 121), but that is the only sphere in which they are protected. There is no legal protection from hate speech or hate crimes and no laws preventing discrimination in housing, health, or education.⁶

Legal recognition of gender identity in Moldova is possi-

ble, but the law is vague. Under Law No.100-VX, on Civil Status Act, Article 66 (adopted 2001), name and gender marker change are possible with an official medical certificate confirming the applicant's "change of sex." However, the mechanism for obtaining that certificate is unclear, and it may also be possible for an applicant to change their name and gender marker with a diagnosis of "transsexuality." The procedure to change one's name and gender marker is thus unclear as it is not enumerated in the law but operates as a vague administrative procedure.^{7,8}

Political Landscape

The Moldovan government enacted an anti-gay propaganda law in 2013 but quickly repealed it to strengthen its attempt to join the European Union. Two similar laws were tabled in 2016 and 2017 and remain under legislative consideration.⁹

Igor Dodon, who has served as Moldova's president since 2016, has expressed anti-gay sentiments on numerous occasions during his time in office. Ahead of the pride march in 2017, Dodon said of LGBTI minorities, "They cannot and will not be accepted by me personally, neither by the entire society." He proceeded to organize a festival to celebrate traditional Orthodox family values, which he believed were under attack by the LGBTI community.¹⁰ Moldova's Prime Minister Ion Chicu has made no significant comments directed towards LGBTI minorities in his time in office as of November 2019.

Socio-Economic Landscape

The majority of the population in Moldova does not accept the LGBTI community. In the most recent survey available, conducted in 2015 by the United Nations, 18% of the population said they were willing to accept LGBT people as citizens, 80% think LGBT people should not be allowed to organise public events or appear in the media, and 57% think homosexuality should be punished in some way, with 32% of those thinking it should be

punished by prison. Furthermore, the Williams Institute's Global Acceptance Index found that acceptance of LGBTI minorities in Moldova has been declining. The average score every 4 years declined from a 4.1 to a 2.7 from 2000 to 2017.¹¹

Societal Discrimination

Moldova held its "I am OK" pride march again this year, and in opposition to the pride march, religiously motivated Moldovans held a "Stop the Propagation of Homosexuality" demonstration with the slogan "It's not OK to be Gay."¹² President Igor Dodon held the "Family Festival" again, also in opposition to the pride march.

There has been a lot of hate directed at the NGO Genderdoc-M, which is the most prominent NGO doing work for the LGBTI community in Moldova. Human rights lawyer Doina Ioana Străisteanu has reported harassment and threats she believes to be connected to her work with the organization.¹³



ANALYSIS

It is unlikely that Moldova's score on the F&M GBGR will change in the next year as it has consistently been an F, or "persecuting" from 2011-2018. Moldova. This score is low when compared to Central/Eastern Europe/Eurasia's regional score in 2017, which was a D in 2017 (up from an F from 2011-2016). This disparity is likely because while Moldova removed its sodomy laws in 1995 and legally prohibits discrimination based on sexual orientation in the employment sphere, there are high levels of discrimination and violence towards LGBTI minorities in other spheres. Additionally, political leaders have been publicly homophobic, which allows for continuing homophobic sentiments in the country.

Moldova received a D on the F&M GBTR for the years 2011-2015 and an F for 2016 and 2017. This change in score was due to reports of violence against gender minorities. Central/Eastern Europe/Eurasia received an F on the F&M GBTR from 2011-2017, so Moldova's score was high for the region from 2011-2015, and it was on par with the rest of the region in 2016 and 2017.

CITATIONS

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