



GENDERDOC-M

REPORT ON THE SITUATION OF LGBT PEOPLE'S RIGHTS IN THE REPUBLIC OF MOLDOVA YEAR 2021

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This report reflects the situation regarding the respect of the rights of LGBT+ people as well as the political and social influence on LGBT+ people, as well as homophobia and transphobia in the society, but also the positive changes for LGBT+ in the Republic of Moldova.

At the beginning of 2021, the Parliament of the Republic of Moldova was dissolved and early elections were announced for July 11, 2021. The election campaign started in May, as usual, a wave of homophobic messages from the Socialist Party of the Republic of Moldova started.

On May 13, 2021, the representatives of the Party of Socialists of the Republic of Moldova (PSRM) organized [a press conference](#) with proposals of several legislative initiatives contrary to human rights. Vasile Bolia, Vladimir Odnostalco and Ala Darovanaia stated that the PSRM proposes modification of article 48 (Family) of the Constitution of the Republic of Moldova, adding the following text:

“The state prohibits marriage of same sex partners. The following provision that parents of a child represent a father (male parent) and a mother (female parent)”.

In addition, the following proposals were made during 16 minutes of the press conference:

- to amend the article Family in the Constitution with text “The state prohibits marriage of same sex partners. The following provision that parents of a child represent a father (male parent) and a mother (female parent)”.

- criminal liability for propaganda of “homosexuality”

- refusal of ratification of the Istanbul Convention.

It is not the first attempt, since, on 24 March 2017, eight MPs from the Party of Socialists registered a draft law [no. 861 on amending and completing of the Law on Protection of Children against the Negative Impact of Information](#). This bill was not voted on by the parliamentary majority.

The parliamentary elections of July 11, 2021 brought to the Parliament a majority of the PAS party, a pro-European party with progressive visions. This reversal has brought hope for respect for human rights in Moldova. We could see almost immediate results, already in October 2021 the new Parliament ratified the Istanbul Convention.

On October 19, the Coalition for Inclusion and Non-Discrimination held a roundtable with representatives of the Government and Parliament. For the first time, such activities were attended by representatives of the Government and the Parliament with decision-making power. At this event were also discussed the need to vote on the bill for the prevention of hate crimes and hate speech, and to create a mechanism for legal gender recognition. As a result, it was agreed to set up various working groups with civil society to work on the necessary project.

According to the study carried on by the Council for Ensuring Equality and Prevention of Discrimination „[General report on the situation in the field of preventing and combating](#)

[discrimination in the Republic of Moldova 2021](#)”, the lowest accepted group among all minority groups in the Republic of Moldova is LGBT + people. Respondents are ready to accept LGBT+ people only as visitors of the country. The index of social acceptance of LGBT+ people is 4,5 (the lowest in whole research).

At the end of 2021, S. C. Magenta Consulting S.R.L implemented a study for Terre des Hommes Moldova and GENDERDOC-M Information Centre on the analysis of problems faced by LGBT+ adolescents from the Republic of Moldova. For this Study, 2 Focus groups and 12 in-depth interviews with LGBT+ adolescents aged 15-19 years were conducted.

The majority of the interviewed adolescents stated that they have revealed their sexual orientation/gender identity to a small circle of people - most often, close friends, other LGBT+ young people, brothers or sisters, parents. Mostly, respondents say they feel safe to express their sexual orientation/gender identity with friends who are part of the LGBT+ community.

Regarding their relationship and interaction with their family, mainly the interviewees mentioned that they have neutral or distant relationships with their parents. They indicated that the primary problems in these relationships are the reluctance to reveal their sexual orientation/gender identity their parents' negative view towards the LGBT+ community. "Questions as such arise: where is your girlfriend, when are you getting married. Relationships are more tense because I want to avoid these questions, and at the moment I can't find other methods of doing that than by avoiding communication"; "[My mother] sometimes tells me - why don't you behave normally? All of your colleagues don't like you because of that"). Several respondents reported that they had ceased contact with family members after revealing their sexual orientation.

Most respondents mentioned that their parents do not know about their sexual orientation/gender identity. Although the respondents' parents' opinions about the LGBT+ community are divided, the majority's attitude is negative. At the same time, some teenagers stated that a parent or family member (sister, brother, grandmother) has a supportive and accepting attitude of them. One respondent reported that his parents fear for his safety and try to keep his sexual orientation hidden "until the situation is different [with LGBT + acceptance] or until I am in a safe place". Predominantly, respondents indicated that they have never been abused or threatened by their family members because of their sexual orientation/gender identity. In contrast, the other teenagers stated that they were subjected to threats or aggression in their families. Situations in which parents sprinkle their LGBT+ children with holy water were exposed. Moreover, an LGBT+ teen was forced by their parents to go to a psychiatrist and undergo certain medical tests ("they thought that homosexuality can be cured"). One respondent stated her parents threatened to kill her and wouldn't allow her to leave the house. She called her brother, who came with the police to release her.

Further, a respondent heard about a situation in which parents tried to force their LGBT+ daughter to have sex with boys. Another respondent mentioned that she has a friend who decided to "withdraw" her coming out to avoid being homeless. In addition, a respondent stated that one of their LGBT+ acquaintances ran away from home because her parents physically and psychologically abused her. The teenager went to the police with the help of GENDERDOC-M specialists; later, a court hearing took place, and now the teenager lives with her grandmother.

Almost all of those who participated in the discussions heard about cases in which LGBT + children/adolescents are subjected to psychological and economic violence in the family. Several respondents mentioned that they broke off their relationship with their parents once they reached the age of 18 or plan to end it once they finish school and ensure their financial independence.

Most interviewees stated that sexual orientation and gender identity are undiscussed at school. Their experiences with their classmates' opinions regarding LGBT+ people are divided. Some respondents say that most colleagues are tolerant or neutral, and others indicated that most colleagues negatively view LGBT+ people. Contrary to classmates' opinions, respondents say that

the majority of teachers have or had shared opposing beliefs about LGBT+ people. At the same time, others reported that teachers in their school are neutral or supportive of LGBT+.

Many respondents talked about the broadcasting of opinions that LGBT + people are "perverts," "sick," "dangerous" in the educational process. One respondent mentioned that once, a teacher noticed two boys were looking at each other at the lesson and commented, "your parents want grandchildren, not same-sex relationships." A teacher did not allow two girls to sit on the same bench and did not start the lesson until those girls were separated and each sat with a boy. One of the respondents noted that he is constantly criticized and receives comments from teachers about how he dresses. A transgender respondent said he once tried to move to another school but was turned down because teachers did not want to take "responsibility for his safety."

It seems that LGBT+ teens can be harassed by their peers whether they have already revealed their sexual orientation/gender identity or they simply "seem to be" LGBT+ people. Most respondents know of situations where LGBT + adolescents are verbally and physically threatened and assaulted by schoolmates, and some respondents have been personally threatened/assaulted.

The majority mentioned the presence of a psychologist in their school, but few of the respondents have ever addressed them with the difficulties they face as LGBT+ people. The main apprehensions about going to a school psychologist are that the psychologist will have a negative opinion towards LGBT+ people and reveal their sexual orientation/gender identity.

Regarding issues related to public space, the main difficulty mentioned by respondents was discrimination against LGBT+ people, a generally negative attitude, and threats/violence against LGBT+ people. Most of the interviewees heard about cases in which LGBT+ people were assaulted in public, and some of the respondents were personally threatened and verbally attacked in public. Some people show excessive curiosity about teenagers' personal life, which is unpleasant for the respondent. Some interviewees mentioned anxiety, depression, other negative emotional states, suicidal thoughts. One respondent reported that watching the news about violence cases against LGBT+ people made him anxious "that something could happen [to me]."

In most cases, people did not turn to the police. A majority of respondents expressed a negative view of the police, noting that officers are not tolerant of the LGBT+ community. Among the main obstacles of addressing to the police are: the fact that their sexual orientation/gender identity must be disclosed and possibly made public; the fear that the police will discriminate against them or ignore their claim; the fear that the police will take the aggressor's side; lack of legal protections for LGBT+ people.

It seems that when LGBT+ people turn to the police, they will hide that the threats or aggression were due to their sexual orientation/gender identity. One respondent said that when a friend was beaten by people who knew about his sexual orientation and reached out to his parents and the police, he claimed he was beaten because people tried to rob him.

LGBT+ youth's opinions about the Moldovan police are split. Some respondents say that the attitude of the police towards LGBT+ people is determined by officers' personal beliefs of the collaborator and that among these officers, some are professionals, and some - discriminate against LGBT+ people. One interviewee heard about a situation in which a young LGBT+ person went to an online meeting, but once he saw that some unknown men showed up, he turned to the police. The police reacted and solved the situation, making the aggressors pay moral damages. In another case, police responded to the call about an LGBT+ teen locked up in the house, and they released her.

At the same time, most of them expressed a negative opinion towards the police, mentioning that officers are not tolerant towards the LGBT + community. Most of the interviewed teenagers benefited from the services offered by GENDERDOC-M, expressing positive opinions about the interaction with the organization. Nevertheless, most have never turned to social services and have never heard of others doing so as well. When asked about services for LGBT+ teens, respondents most often referred to GENDERDOC-M's services and psychological support for LGBT+ youth.

Predominantly, respondents stated that they were not discriminated against or refused medical services. At the same time, some of the interviewees indicated that they received comments from

medical professionals due to their appearance. Adolescents most often refer to clinics and specialists friendly to young people and LGBT+ people as their need for medical services. A transgender respondent reported that every time he went to the family doctor, the professional ignored his identity, which led him to avoid going to the doctor.

[The Generation and Gender Study Report](#), which is part of the international program coordinated by the United Nations Economic Commission for Europe (UNECE) and the Interdisciplinary Institute of Demography in the Netherlands (NIDI), implemented by the United Nations Population Fund, was published on December 8, 2021.

The study captured relationships with same-sex partners, registering a proportion of 0.55%, in absolute data being 55 people, of which 31 respondents were men and 24 women. Regarding the area of residence, 38 were from rural areas and 17 from urban areas.

The issue of homosexual couples is a sensitive one for the Moldovan society, being attacked by several population groups. According to the GGS study, 11.4% of the total number of respondents totally or partially agree with the statement that LGBT + couples should have the same rights as heterosexual couples (women and men), with a prevalence among the urban area. Concerning age, there is attested a higher rate of people aged 15-19, especially in urban areas, their number decreasing along with their age. The distribution by economic and geographical regions highlights a higher rate of people in Chisinau.

A higher percentage of people who share equal rights in this regard is specific to those with higher education, especially in urban areas, and by employment status - among self-employed people and those employed.

Among the men who support this idea (10.3%), a greater number are those in the 15-19 age group, from Chisinau, with higher education, alone and in cohabitation, employees, and self-employed. The situation is almost similar among women, with a higher prevalence of those in the 20-24 age group in Chisinau, with primary and higher education, alone in the family, self-employed.

HATE SPEECH, INCITEMENT TO HATRED AND DISCRIMINATION

According to the [HATE SPEECH AND INCITEMENT TO DISCRIMINATION in the public space and in the media of the Republic of Moldova during the electoral campaign for the early parliamentary elections of July 11, 2021](#) report prepared by the PromoLex association, the dynamics of the use of hate speech increases in the pre-electoral and electoral periods and decreases once they are completed.

The monitoring process also highlighted the existence of several gaps at national level, the most important being the lack of legal framework to sanction this type of discourse, including in election campaigns, and the lack of mechanisms to monitor and combat this phenomenon.

The Electoral Code of the Republic of Moldova does not contain general or special provisions that would regulate the use of hate speech or other forms of expression that promote intolerance in the public space. Between May 11 and July 21, 2021, CEC registered two appeals which had as object alleged actions of incitement to hatred and discrimination. Also, during the same period, a notification was filed with the CEC regarding alleged actions of discrimination / defamation and incitement to hatred. Both the appeals and the complaint were referred to the Council on Prevention and Elimination of Discrimination and Ensuring Equality.

On June 7, 2021, the CEC proposed to electoral contestants and media representatives the signing of the Code of Conduct on deployment and reflection of the electoral campaign in the

parliamentary elections of July 11, 2021. Compared to the 2020 presidential election, the CEC has included a new article on definition and prohibition of public speech and inciting hatred and discrimination¹³. The code of conduct was signed by seven of the 23 registered contestants, but was not signed by media institutions. During the reference period, the CEC was not notified of the violation of the provisions of the Code of Conduct. According to the report of¹⁴ CEC regarding the results of the early parliamentary elections of July 11, 2021, the Ongoing Training Centre on Electoral Matters (OTCEM) developed a podcast and a video on hate speech, within the campaign "Learn with us, Choose Alone".

The Code of Audiovisual Media Services of the Republic of Moldova (CAMS) regulates hate speech in Article 1 - which defines hate speech- and Article 11, which regulates respect for fundamental rights and freedoms and prohibits audiovisual programs that incite hatred. The AC monitored the electoral campaign for the early parliamentary elections of July 11, 2021 in terms of admitting / not admitting the speech that incites hatred by media service providers. Thus, following the first monitoring period (June 12 - June 25, 2021) of the main newsletters on the coverage of the election campaign by 16 audiovisual media service providers, the AC recorded the use of hate speech by two media service providers - NTV Moldova and Primul in Moldova.

The same violations were reported through petitions by the Center for Independent Journalism.

According to the decision no. 24-158 of June 30, 2021, NTV Moldova broadcast two topics that reflected the launch of the project "Family Week", organized by The Electoral Bloc of Communists and Socialists (BECS). The AC noted the following statements from the news "They launched family week", broadcast on June 14, 2021:

INTRO: *"BECS has launched" Family Week". The representatives of this party claim that they are against homosexual couples and have given assurances that they will continue to promote projects in support of the family of men and women".*

During the event, the PSRM representative, Vladimir Bolocan, stated: *"Today, homosexuals are launching the LGBT community week in Moldova, which will end next Sunday with a gay march. They chose this period not by chance. Next Sunday, Orthodox Christians celebrate Holy Sunday, one of the largest religious holidays. Namely on this day, when it is a big religious holiday, when people in our country go to church and then celebrate as a family, those who promote debauchery will organize the gay march. We are against putting it in the children's heads, that there is "sex 3", meaning it is still not clear what they are - the girl or the boy and they will decide only after the age of majority".*

During the report, several women who participated in the event expressed their opinions: *"They have the right to have a different opinion, but it should not be displayed so loudly ... I am against such a way of life, such a thing does not have to exist. As a family there must be children, mother, father, but for them it is something else ... I understand why they are marching, they want to manifest, they want freedom, because they feel like "outlaws", that's why I explain to my children, why they do it, who they are".*

The second topic *"March in support of the traditional family"* broadcast on June 21, 2021 by NTV Moldova had the following introduction: *"Hundreds of families participated in the family march, which took place on June 19 in the capital. The event was organized at the initiative of BECS, in order to promote the values of the traditional family and to stop the propaganda of homosexuality".*

In both cases, the Council pointed out that they are relevant the provisions of art. 13 (6) letter b) of the Code of Audiovisual Media Services, according to which: *"The following requirements shall be complied with in audiovisual news and debate programs, information on matters of public interest, of a political, economic, social or cultural nature: b) avoidance of any form of discrimination".*

In accordance with the same decision, the Council registered two news topics in the main news bulletins of the Primul in Moldova TV station, through which they reflected the launch of

the "Family Week" project, organized by BECS. The AC noted the following statements from the news "A week dedicated to the family", broadcast on June 14, 2021:

INTRO: *"The electoral bloc of the Communists and Socialists launched, today, Family Week, which aims to promote traditional values. The Bloc's representatives claim that the time has come for society to unite, to stop the propaganda of homosexuality. The representatives of the Bloc declared that the action will be an antipode of the week of the LGBT community in Moldova, which intends to organize, at the end of the week, a march of people with non-traditional sexual orientation".*

During the event, the candidate of the PSRM-PCRM Bloc, Vladimir Bolocan, stated: *"This Sunday, they, who promote sodomy, plan to talk about legalizing marriage between two men and two women. We are here to claim our right to promote the traditional family... On the day when the LGBT community will organize the gay march - the march of shame, let's show them that we are the majority on the territory of the Republic of Moldova".*

BETA: *"Representatives of the Bloc declare against the formation of same-sex families, the prohibition of the adoption of children by gay families".*

In the case of the second news topic entitled "Family March in Chisinau" broadcast on June 21, 2021, the Council noted the following statements:

BETA: *"The event was organized to promote the Family Institute, made up of a man and a woman. In recent times these values are erased by the activity of some organizations financed from abroad, due to which the image of the man - hunter, and that of the woman - protector of the family home".*

Present at the event, Alexandr Odențov, PSRM municipal councillor, said: *"We see how signatures are collected in support of zoophilia. They understand this as the satisfaction of bodily pleasures. What is this for? To deprive ourselves of this pillar of morality. For man to become a social and political animal which can be easily manipulated".*

At the same time, the journalist specified that: *"Representatives of the Bloc have promised that they will remain the defenders of the traditional family and will not allow the imposition of new pseudo-values."*

In both cases, the Council pointed out that the provisions of art. 13 (6) letter b) of the Code of audiovisual media services are relevant. However, according to Decision no. 24-158 of June 30, 2021 adopted during the meeting of July 30, 2021²⁶, the Audiovisual Council did not apply sanctions for violating art. 13 (6) letter (b) of the Code of Audiovisual Media Services referred to in the text of that Decision.

During the second monitoring period (26 June - 11 July 2021), the Council did not certify the use of incitement to discrimination or hate speech in audiovisual media programs.

Compared to the electoral period for the 2020 presidential elections, and in the electoral period for the early parliamentary elections of 2021, the criteria that remain at the top of the list are: sex / gender (67 cases in 2021 and 68 cases in 2020, respectively) and sexual orientation / gender identity (39 cases in 2021 and 29 cases in 2020, respectively). This is determined by the constant use in the political and electoral discourse of gender stereotypes and prejudices and those directed against LGBTI people, as well as the creation of false problems - the emergence of which is attributed to minority groups, transformed into "enemies", such as the LGBTI community.

During the election period for the early parliamentary elections of July 11, 2021, such messages were identified both on TV, in online media and in election materials. An example of this is the material distributed by BECS together with a campaign newspaper, through which LGBTI people, people who associate with them, etc. are presented as an "enemy" for traditional values. Moreover, the reader / electorate is invited to unite and oppose.

On April 27, 2021, the leader of the Party of Socialists of Moldova, Igor Dodon, made the following statement on the show "Interview of the Week" on the TV channel "Primul în Moldova": *„In the next few weeks, PSRM will come out with an initiative to change of the*

Constitution of the Republic of Moldova to prohibit the legalization of same-sex marriage in Moldova and to introduce criminal liability for PR for these things. And this is not new - both Russia and Hungary have included it in their constitutions". The GDM Center made a public statement and sent information letters to embassies and development partners of the Republic of Moldova.

At the meeting of the Parliament on June 30, there was an exchange of remarks between the PAS deputy Igor Grosu, and the deputy of the Electoral Bloc of Communists and Socialists Grigore Novac regarding Istanbul convention. In response to Igor Grosu's reply about marriages (alluding to a fictitious marriage in which Grigore Novac was allegedly involved), he stated:

„As for marriages, the time will come when you will be forced to adopt the convention and I'm afraid you will start coming in women dresses to the Parliament”.

In the pre-election period of the early parliamentary elections of July 11, 2021, leaflets were distributed by the Block of Communists and Socialists in which it was written about *„The difference between the Block of Communists and Socialists and right-wing parties”*. In point 5 with the plus sign, in the description of the Block it was written: *„For traditional values. Supporting Christian values and the institution of the traditional family”*. In law with the minus sign, it was written about right-wing parties: *„For liberal values, propaganda of sexual minorities in schools and on the streets, discrediting and attacking the church and the faith”*.

Cases reported by the beneficiaries of the GENDERDOC-M Information Centre

Case 1: On January 4, 2021, the newspaper “Komsomoliskaia Pravda v Moldove”, one of the most homophobic and transphobic newspapers in Moldova, published an [article](#) entitled “Let these bastards be punished as an example! How Stalin declared war on the “blues””. This article talks about Stalin's punishment of homosexual men, and the connection between homosexuality and espionage. It also describes how the criminal punishment for homosexuality was introduced. The article has a homophobic tone, approving of Stalin's actions and denouncing homosexual men.

Case 2: Sergiu Bejenari is the communicator of the PAS party from the Chisinau Municipal Council. On March 31, a protest took place in the Council against some constructions considered illegal, in which Sergiu also participated. The protest came into conflict with the use of physical violence. The next day, memes were distributed on social networks in which Sergiu was accused of organizing and directing the fight in the Chisinau Municipal Council. Some wrote that he was sent by the US secret services, others that he was the hand of Europe, and some collages presented Sergiu as homosexual.

Case 3: In March 2021 N.S. was insulted because of his sexual orientation on the social network Vkontakte by a teenager. N.S. found out the identity of the teenager and filed a complaint with the police sector. The teenager was invited to the sector to give explanations, immediately after that she called N.S. and apologized.

Case 4: On May 15, one of the employees of the GENDERDOC-M Information Center, walking through Valea Morilor Park, noticed on a pole glued a sheet with the rainbow flag in a black border, cut with a black line. This sheet was noticed some time ago by other people, they broke it from the pole and soon another was glued.

Case 5: On June 12, the Vice President of the PSRM faction of the Chisinau Municipal Council, Dinari Cojocaru, commented under the post about the Conference at the Moldova Pride Festival entitled Mental Health in the LGBT+ community and its importance in LGBT+ activism: “Since when faggots in Moldova are considered healthy. This can only be promoted by a sick man or one who suffered in childhood ”.

Case 6: In June 2021, several complaints came to the GENDERDOC-M Center from various people, who found their pictures and names on a page on the Instagram network called "Fughei". People were consulted to file a complaint on this page to the Instagram. GENDERDOC-M also filed the complaint. This page was deleted in a few days.

Case 7: On October 15, two stickers were pasted on the gates of the office of the GENDERDOC-M Information Center, on one was written "You have a knife, cut the bitches" and on the other was the swastika with the numbers 1488.

PREJUDICE-BASED VIOLENCE AND INCIDENTS

There is no effective remedy for hate crimes and incidents against LGBT+ people in the Republic of Moldova. Most cases are perceived as hooliganism, robbery or causing harm without regard to the reason for prejudice-based hatred.

On December 17, 2021, the Legal, Appointments, and Immunities Commission organized a working meeting on draft law no. 301 for the amendment and completion of some legislative acts regarding the regulation of crimes motivated by prejudice. Following the working session, it is not clear which is the final version of the bill that will be put to the vote in the Plenary Session of the Parliament, as it will not be published on the official website of the Parliament.

In the context of the proposals of the Ministry of Justice presented at this working meeting, the Equality Council, the Ombudsman Office, and civil society organizations recommend:

- 1) Retention of the criteria "age", "political opinions", "state of health", and "social origin" in Art. 13414 Reasons for prejudice, Penal Code.
- 2) Completion of the Contravention Code in the category of contraventions that violate the political, labor, and other constitutional rights of the natural person.
- 3) Inclusion of art.70 Incitement to discrimination.

The European Court of Human Rights issued a decision on December 14 in the case of GENDERDOC-M and M.D. against Moldova, which refers to the physical and verbal violence perpetrated by a group of 12-14 minors on a person on the grounds of homosexuality. The attack was filmed and published on the Internet.

Among other things, the Court reiterated that discriminatory treatment may be tantamount to degrading treatment within the meaning of Article 3 of the European Convention on Human Rights (No one shall be subjected to torture or inhuman or degrading treatment or punishment) when the severity of the human dignity.

Thus, the Court found that the Moldovan authorities had failed to fulfill their procedural obligation to investigate the attack on the applicant and to expose any grounds for injury. The absence of such a significant investigation undermines public confidence in the state's anti-discrimination policy.

Cases reported by the beneficiaries of the GENDERDOC-M Information Centre

Case 1: G. is a 16-year-old trans girl who suffered from harassment and bullying at school because of her gender identity.

Her mother tried to solve the problem by addressing the parents of other students during the parents' meeting at school. She asked the parents to talk to their children about the unjustness of making fun and condemning so cruelly a homosexual person. One of the parents replied, "For nothing in the world! My son is a man! And it will crush such creatures! I teach him that!"

After G. wrote to a classmate that he was beautiful and she would like to befriend him, the classmate told his parents about this message, and the classmate's father called G.'s mother with the following

threat: "Listen! Calm down, your bastard there! If your unfulfilled son comes again near or looks in my son's direction, you know, I'll break his legs, and you won't know who did it. You have to keep such a creature in a cage. Or go away from this school."

G. was regularly humiliated by her classmates, and in February 2020, she was chased by several guy friends, knocked to the ground, trampled on. After being beaten, they peed on her. G. arrived home in shock and fainted as soon as she entered the house. The next day, G. could not tell her mother which one of her colleagues had assaulted her. Her mother went to school in dirty clothes and told the school principal what had happened. Soon, the high school representatives told her that no one knew who those colleagues were and couldn't do anything. The teachers said she was the only one to blame for what had happened to her.

The girl's mother went to the Ministry of Education, and they sent a psychologist to the school to clarify what had happened. The school administration said that G. invented everything.

After three suicide attempts by G., her mother was forced to take her child out of school in the middle of the school year and look for another high school. One of the high school students took the girl, but before accepting her, they called the previous high school to find out what the problem was, and they said they were glad to get rid of her because it irritated everyone. When G. started coming to class in tight clothes and decorative cosmetics, she began having problems again with her colleagues. The headmistress called her mother and G. to the office and started shouting at them, asking why G. was coming to school like that; if she wanted to be raped; and if she did not change her behavior, to take their documents from this high school. The girl's mother decided that it would be best to take her child out of this high school to ensure her well-being. Now G. is home with only nine classes completed.

Case 2: M. is a trans man living in Transnistria in an apartment with his parents and daughter. The parents abuse alcohol and use violence on both M. and his daughter. M. cannot leave his parents' house because he cannot find a job because of the way he looks that does not coincide with his identity documents. M. filed a complaint with the Transnistrian police, but they did nothing to change his situation. On February 12, 2021, M. addressed the GENDERDOC-M Information Center for help. Representatives of the organization contacted a lawyer from an NGO that provides assistance to victims of domestic violence.

Case 3: On February 14, 2021, around 11:00 PM, a young man named Leonid came to visit N.S. in order to have sexual relations. When entering the house, he introduced himself as a police officer and said that N.S. leads an inappropriate lifestyle, that it is not the norm to have sex with men, that the police follow him for a month and that he will be escorted to the police station where he will take care of him. Leonid also said he knows that N.S. he has no underwear and that he would have photographed him. N.S. recorded this discussion with his smartphone. N.S. asked him to present the report of detention and the certificate of police officer, but he did not present anything. Then N.S. called the representative of the GENDERDOC-M Center, Angela Frolov, to consult whether or not he should go to the sector. Angela Frolov told him that he should never leave the house in such conditions and asked to speak with Leonid. Leonid did not want to appear and could not explain why this detention is needed at 23.00. Angela Frolov told him that if he did not leave immediately, she would call the police. After this discussion Leonid left without insisting on anything. The next day N.S. filed a complaint with the police. At the moment there is no answer about the actions taken by the police in this case. The only information we have is that Leonid is not a law enforcement official.

On February 15, 2021 N.S. filed a complaint with the police sector no. 3, sector police officer Oleg Corciubaş. He did not receive any answer in the terms established by law. On April 8, N.S. filed a complaint with the MIA that he did not receive a response from the district police officer, but also did not receive a response from the MIA in time.

Case 4: A. a young lesbian woman was subjected to an attempted rape by her co-worker. He tried to rape her to "correct her sexual orientation." A. lodged a complaint with the police and was consulted by the lawyer of the GENDERDOC-M Center.

Case 5: Dan Simion is a professor of psychology at the Technical University of Moldova. On February 23, he did a social experiment, painted his nails with red nail polish, and set out through the city to observe people's reactions. In the public transport, when he gave the 2 lei coin to the tax collector for the ticket, he looked at the painted nails and then at his face and at the nails and at his face, finally raising his eyebrows to spread his ticket. A few ladies noticed him immediately and started elbowing each other. The children also noticed the lake and started laughing under their masks. Two ladies seeing his nails painted pulled each other by the sleeve, migrating to another part of the trolleybus, whispering quite loudly, "He's that one".

A child of about 12-13 years, who was given a place to sit, refused after seeing his hand with his nails painted on the support bar inside. He stood close to the station where Dan Simion got off. A 60-year-old gentleman was looking for him insistently among the passengers. His eyes were sometimes on his painted nails and sometimes on Dan's hat. Gossip was everywhere, from "look at that one", to giving him a disapproving nod, wonder, nods, laughter under the mask, including from adults, to formulations like "what's wrong with you".

Case 6: V. is a homosexual minor, lives with his father and two brothers. On February 24, A. addressed to the organization, saying that he and his brothers were subjected to constant violence from their father. The father called V. a faggot after he found out that he is homosexual. In 2019, V. had a suicide attempt, after which he passed a training course at the hospital for mental illness. In the summer of 2020, his father hit him with his head against the wall, after which V. was diagnosed with a concussion. V. is afraid to complain about his father because he is afraid that the situation will get worse and the fact that he was in the mental hospital will be used by his father against him. V. has grandfathers but the father forbids him to communicate with them. V. received a consultation on all the procedures he can follow to receive help and received the contacts of CNPAC (National Center for the Prevention of Child Abuse).

Case 7: Alex is an 18-year-old trans boy. He has problems with his parents because of his gender identity. On March 28, Alex's father applied physical violence to him. Alex had to leave home. When he returned, his parents made it clear that Alex had to leave their house by May. Alex refused to file a complaint for violence.

Case 8: I.L. is a gay man and has a relationship with a 17-year-old man. On April 5, I.L. addressed the organization saying that E.V., his partner, was beaten by his father and ran away from home. I.L. he was consulted about all the legal ways his boyfriend could use to protect himself. The next day I.L. communicated that E.V. is now at home, but his parents do not allow him to leave the house and he does not have access to a telephone and a computer except during online lessons. E.V.'s mother called I.L. and she threatened him with imprisonment by saying that she will file a complaint because he has sexual relation with her son and will put him in prison for rape. I.L. was consulted about his rights, the age of consent and was advised to block his boyfriend's mother from being harassed. They were offered legal and psychological help, the young people said they would address when they were ready to do so.

Case 9: On 24 June D.G., a homosexual man approached the GENDERDOC-M Center for legal advice. D.G. reported that his aunt shared information about his sexual orientation with false information, including among extended family members, as a result of which he was threatened by his cousin. He was helped to file a complaint with the police about the right to privacy.

Case 10: G.V., a young gay man met an individual who introduced himself as Cristian. Cristian invited G.V. in an apartment saying it's his apartment. At night Cristian stole all personal belongings (bank card, cash, phone, ID card) and G.V.'s clothes. and disappeared. G.V. assumes that the apartment has been rented. A complaint was filed with the police.

Case 11: Marin Bunescu is a young homosexual who suffered a homophobic hate attack in 2020. On October 6, 2021, Marin was attacked again in the street by two individuals on the grounds of homophobia. This time Marin had a tear gas with him and managed to spread it in the eyes of the aggressors and fled the scene.

Case 12: M.C. invited an acquaintance to live in his own apartment. Two weeks later this acquaintance stole several goods that belonged to M.C. and told him that if he called the police he would tell M.C.'s relatives. that he is gay. After that he reported the police and also denounced the blackmail. A criminal investigation has been launched.

Case 13: Petru is a 17-year-old gay teenager living in a village in Moldova, he was the young man who had relations with Marin Pavlescu, young man who was discriminated in the National Army and the recording of their discussion was made public among the soldiers and officers of the national army. There were also some personal data in that discussion that allowed the identification of Peter. Following the scandal surrounding Marin's case, Petru's parents were called by representatives of the Ministry of Defence and questioned about the relationship between the two boys. After his sexual orientation became known, Petru was harassed and subjected to physical, verbal, and psychological violence by family members. The environment in the family was so unbearable that Petru also had several suicide attempts. In order to control him, his parents took all his identity documents and refused to give them to him. Petru filed a complaint with the police so that he could get his documents back.

The case also became known to the inhabitants of the village where Petru lives. Petru was repeatedly threatened, verbally, and physically assaulted by his countrymen. He complained to the police about some of the threats he received through text messages.

EQUALITY AND NON-DISCRIMINATION

Despite the fact that in the Republic of Moldova there is a law for ensuring equality and a Council for Ensuring Equality and Preventing Discrimination existent, the Council does not have the leverage to punish acts of discrimination. The bill that would change the powers of the Council has been underway for many years, but it has not reached Parliament.

On July 6, 2018, in the Parliament of the Republic of Moldova, draft law no. 235 aimed at improving the applicable legislative framework for ensuring equality and non-discrimination by amending Law no. 121/2012 on ensuring equality, Law no. 298/2012 on the activity of the Council for the Prevention and Elimination of Discrimination and Ensuring Equality (CPEDAE), the Contravention Code, etc. This project was developed by the Ministry of Justice in collaboration with CPEDAE and civil society following the evaluation of Law 298/2012 and Law no. 121/2012 made by the Council of Europe in 2016, to eliminate the deficiencies detected in the regulatory framework in force.

Between October and December 2021, there were several working meetings with the Equality Council, following which the draft law has already been revised. In December last year, the document was sent to the State Chancellery for approval. It was returned to the Ministry of Justice with a request to provide additional information that would justify an increase in the number of staff in the Equality Council. Now the bill is in the final stages, after receiving the data from the Equality Council, and is to be submitted to the State Chancellery for approval and promotion.

Cases reported by the beneficiaries of the GENDERDOC-M Information Centre

Case 1: N.Ț. is a minor trans boy. On January 28, at the break between Lesson 4 and 5, he offered to help his classmate move a table, when the teacher entered the classroom, forbade him to help his classmate on the grounds that she perceived him as a girl, N.Ț. answering that he is not a girl and that what is written in the catalog and documents does not represent who he is as a gender identity. After a colleague tried to support him, the teacher approached him and asked him what was written in the catalog in law with his name, girl or boy, and then, in front of the whole class, asked him in which toilet he went to school. She also said that until he changes his documents, she will not refer to him by the name he prefers, he added that even after he changes his documents anyway for her he will remain a girl. N.Ț. addressed to GENDERDOC-M Center for legal support and was helped to lodge a complaint with the Council for the Prevention of Discrimination and Ensuring Equality. On June 2, a closed meeting took place in which N.Ț. assisted by his father and teacher. Following the discussion at the Council, the teacher apologized and said that she will be more attentive in the future and will apologize to the whole class when they return to school.

Case 2: During the Moldova Pride Festival, during the Pride Park event, a yoga webinar was meant to be organized with the “Recreation Hub” representative. On June 3, the representative announced that she would not be able to hold this event, because they were not ready for their names to be included in the festival program and to be made public through various media channels. She said that because of this they have some problems, but she did not say what kind of problems. She asked that the name of Recreation Hub to be removed from the program and said that they will not organize the event.

Case 3: S.R. is a trans woman who is just at the beginning of the transition process and has not yet had her documents changed. For this reason, S.R. often face misgendering and discriminatory situations.

On September 14, S. R. found a job advertisement at IGteam, she wrote them on the chat with questions about work, salary, conditions. The call operator was very friendly and benevolent, explaining all the information until the moment S.R. asked if the company is trans inclusive. The company representative did not give any answer, just ask her to send her CV and after that she will receive an answer in a few days. The answer was a negative one, even if initially the company implied that they would take her at least for a trial period.

On October 6, S.R. had another job interview, after communicating that she is a trans woman with unchanged documents, the company representative asked her what she has in her pants, saying that it is just a curiosity of hers. S.R. replied that such questions were not appropriate and that she did not feel comfortable answering them. They said they would hire her but could not guarantee the good behavior of her co-workers.

Case 4: T. is an 18-year-old gay man who was harassed by his stepmother and stepfather because of his sexual orientation. On September 20, T. was invited to the police station because his mother filed a false complaint against him in order to force him to leave home. T. called for help from the GDM Center, saying that something horrible had happened and he was scared. T. communicated that his mother took all his documents and refused to return them. She drove him away from home and now she has filed another complaint describing the actions that T. did not commit. After being consulted, T. went to the police station and told the whole situation, said that the complaint is a false one and also said that he wants to file a complaint that his mother deprived him of documents and refuses to give them back. A report was drawn up on the case, and his mother withdrew her own complaint.

Case 5: G. is a 17-year-old teenager living with his adoptive parents. His mother read his messages on social networks without his permission and read G.'s conversation with his boyfriend. G.'s mother started asking questions and humiliating him, after she kicked him out of the house. G. moved in with his boyfriend, who sheltered him for a few days, after which G. called his mother to talk. His mother told him he was in shock and needed to see a psychologist. L.(G's boyfriend) called the GDM Center for help. The organization's psychologist began consulting with G's mother.

Case 6: Marin Pavlescu is an 18-year-old young man who has served in the National Army for six months. On November 8, while on a short vacation outside his military base, he turned to the GENDERDOC-M information center for help. Marin Pavlescu was harassed in the last six months, mocked, and, as a result, had suicidal thoughts after the leaders of the battalion in which he exercises his military service found out that he is homosexual. In the National Army of Moldova, the soldiers do not have the right to own a mobile phone or any audio-video recording device. To communicate with the outside world, soldiers should borrow their commanders' mobile phones. This is exactly what happened to Marin. He gave a phone call to his boyfriend using his superior's cell phone, not knowing that all calls were recorded. He later found out from the military psychologist that his private audio recording was circulating in the military base. After addressing the GENDERDOC-M Information Center on November 10, Marin came out with a video statement, in which he announced that he would not return to the Army, even at the risk of being investigated criminally. In the face of Moldovan law, Marin now risks a penalty of up to 80,000 lei or a sentence of up to five years in prison for desertion if there is no evidence that what happened to him was an abuse of power and discrimination. On November 25, the Ministry of Defence came up with a reaction to Marin Pavlescu's case. According to the institution, following an investigation, it was not found that the young man was subjected to physical, verbal, and psychological violence.

At the same time, the Minister of Defence incriminates Marin Pavlescu because he had an intimate relationship with a 17-year-old minor, although Moldovan law stipulates that the age of consent is 16 years.

At the moment, Marin is financially, psychologically, and legally supported by the specialists of the GENDERDOC-M Information Center, but his situation is very vulnerable, he has received numerous rejections at job interviews, due to his public statement, and he is under a lot of pressure.

Case 7: On 10.11.2021, Marin Pavlescu accepted the internship offer in the "Ocean Fish" store, located at 31 Ismail Street, Chisinau. The practice involved performing a single task - lifting the crates of bottles and products from the warehouse and filling the shelves with the missing products.

For the practice, Marin did not sign any contract. Thus, on November 24 and 25, 2021, Marin worked in the store from 09.00 to 18.00 according to a verbal agreement - two days of practice after which he will be officially employed.

On November 25, at 5:45 p.m., Marin was called by the store's administrator, who introduced herself as Elena. After that Elena told him that she is not homophobic but he cannot be employed by them, because as long as she runs a store she does not want to take on such responsibilities. To Marin's question "do I understand that I can't be hired?", The administrator answers "Not with us, for sure! I'm really sorry!".

Marin did not receive any monetary compensation for the two days worked.

A reporter spoke with Oleksandr Mytsa, the executive director of the "Ocean Fish" store chain. He said there was no discrimination in their company and Marin was denied a job because he did not have the skills to work.

FREEDOM OF ASSEMBLY

In the year 2021, the LGBT+ community's Pride March was cancelled due to the pandemic situation. It was decided to organize the march in an [animated version](#) and everyone could send their photo to participate in this march.

THE SITUATION OF TRANSGENDER PEOPLE

The situation of trans people in the Republic of Moldova remains complicated. According to the latest version of the International Classification of Diseases and Related Health Problems (ICD-11), published by the World Health Organisation, "gender identity disorders" have been reclassified as "gender inconsistency". Gender non-compliance is now included in the chapter on sexual health, instead of "mental disorder", as in the previous classification.

However, the Republic of Moldova has not yet taken any steps to change the system in accordance with this decision. Trans people are still required to provide a certificate with a diagnosis of "transsexualism" in order to request a change of gender and name in identity documents. Until now, the change of documents is possible only by the decision of the courts, a process that lasts around 6-12 months.

The Commission for Gender Identity Disorder Identification, within the State Clinical Hospital of Psychiatry, which issues the diagnosis, does not have a website and one cannot find anywhere online the contacts or at least the official name of the commission. Therefore, the usual way for trans people to start the process of legal gender recognition and transition is to contact GENDERDOC-M for more information.

The psychiatric examination of trans people will logically disappear when WHO member states will move to the mandatory use of ICD-11. Until then, doctors are obliged to follow the procedure.

In the Republic of Moldova, one can undergo voice change surgery, orchiectomy, mastectomy. However, the medical insurance only covers the orchiectomy (surgical operation by which one or both testicles are removed). It is an operation that is recommended if the patient undergoes hormonal replacement therapy to reduce the stress level imposed on the hormonal system.

At the moment, the biggest problem for a transgender individual willing to go through transition is to find an endocrinologist without prejudices, a specialist who would agree to help a trans person go through this intricate procedure. That said, GENDERDOC-M offers contacts of trans-friendly doctors from different fields from their database.

On the other hand, the situation has worsened with the legal transition and identity documents with a new name and gender.

Since 2010, the lawyer representing the rights and interests of transgender people in the Republic of Moldova has filed lawsuits in the courts to obtain a clear and predictable procedure for changing the civil status and identity documents after the change of sex and gender identity. Following these litigations, initiated in court and exposing the issue in public, the Supreme Court of Justice issued Recommendation no. 16 on the procedure for examining applications related to the rectification of civil status documents as a result of sex change and the Ministry of Health of the Republic of Moldova issued Order no. 1268 on 17.12.2012 on the establishment of the Commission for finding gender disorder. Today, after the multiple lawsuits filed and advocacy efforts made by the GENDERDOC-M Center as a public association, only these two acts regulate the procedure for changing the civil status documents for transgender people; other legal mechanisms in The Republic of Moldova do not exist.

After 4 years of litigation, multiple appeals, requests, and retrials, the Civil Status Service resigned with the explanations offered by the Supreme Court of Justice, with the procedure established by order of the Ministry of Health and decided to leave it to the discretion of national courts to solve the change of civil status documents for transgender people. More specifically, this is the procedure:

- The transgender person submits all the documents with the application to the civil status office within the territorial radius of the Clinical Hospital of Psychiatry, Codru City in which the Commission is active.
- The civil registry office issues a decision of refusal.
- The person with the lawyer challenges the act in the administrative litigation procedure.
- The court gives the decision admitting the full appeal to the Civil Registry Office.
- The decision was valid within 30 days from issuance in the absence of a request for appeal from the Civil Status Office.

Thus, transgender people had to follow an administrative and judicial procedure to change their documents that lasted approximately 4-6 months; from applying to the civil registry office until receiving the decision with the “final and executory” stamp.

The situation was not ideal, but at least a clear and predictable procedure was identified for transgender people to go through for the collection of documents (including the conclusion of the Medical Commission on Gender Identity and Transsexualism) and obtaining an act (irrevocable judgment) based on which to change their documents.

The situation changed when the Public Services Agency was set up, namely: no decisions are issued refusing the requests of transgender people regarding the change of civil status documents, letters are issued. The Public Services Agency contests the conclusion of the court regarding the admission of the request with an appeal and then, as the case may be, with recurs. It is stated that the order of the Ministry of Health no. 1268 of 17.12.12 is illegal, and the Medical Certificate issued by the Commission regarding the finding of gender identity disorder is not the "official act regarding the change of sex" as indicated in Art. 66 Law no. 100 regarding the civil status documents. This instigates the courts, sometimes successfully, to reject the lawsuit because transgender people have not proved that they have surgically changed their biological sex and have not presented the "official act on sex change" - the term indicated in Art 66 Law no. 100 on civil status documents.

Although in each case, from 2017, by decisions of rejecting the appeal filed by the Public Service Agency or by the decision to admit the appeal filed by the transgender's lawyer, the Supreme Court of Justice obliges the Public Service Agency to issue the decision approving the amendments to under the heading "sex" and "first name" of the person in the birth certificate. The actions of the Public Service Agency lead to unjustified delay in resolving the request of the transgender person (from the submission of the application to the final court act of the SCJ 2.5 or 3 years) and cause feelings of frustration, anxiety, and humiliation because the Public Service Agency insists, every time, that without genital surgery the person does not have the right to request the modification of the birth certificate and thus obtain the identity card that reflects the change and the reality in which the applicant lives.

As a result, we returned to the situation of 2010-2012 when, based on the same abusive and arbitrary reasons, the Civil Status Service refused to comply with the solicitations of changing the birth certificate and opposed the request submitted by the transgender person by contesting court documents, involving the political factor, reviewing decisions. Still, rejected transgender people face multiple problems: refusal to open a bank account, inability to vote, inability to travel, problems at work if they are employed, and others because in the documents they are a man and de facto she is a woman and she looks like a woman, and vice versa.

So far no action has been taken by the Government of the Republic of Moldova to introduce a procedure for the transgender person to follow in order to obtain this "official act on sex change" that the Public Services Agency insists on so much. In the absence of any other procedure, both defendants place the impossible task of presenting an act which no one issues on the shoulders of the transgender persons.

In the years 2011-2012, in a series of correspondence between the lawyer Doina Ioana Străisteanu with the Civil Status Service, the Ministry of Health and the Ministry of Justice, representatives of the Government of the Republic of Moldova claimed that there is a draft law

that comes to propose this procedure in order to clarify and definitively solve the problem of changing the documents for transgender people. In reality, the Government has done nothing but create a new public institution that discriminates against and incites discrimination on the basis of gender identity against transgender people. The situation can no longer be tolerated because no peaceful mediation or reconciliation is possible.

Based on this situation, the GENDERDOC-M Information Centre has filed a complaint with the Council for Ensuring Equality and the Elimination of Discrimination in which requests the recognition of the discrimination against transgender people by state representatives. The Council's decision will be issued at the beginning of 2022.