

Country Visit: MOLDOVA
Report of the Personal Representative of the OSCE Chair-in-Office on
Combating Anti-Semitism
Rabbi Andrew Baker
February 28-March 4, 2017

Introductory Acknowledgments

I want to thank the Government of Moldova for its exceptional cooperation and positive response to my request for meetings with officials at the highest levels. The ability to take up the issues of my mandate including topics of some controversy with them in direct conversation has made for a better understanding of the current situation and appreciation of their respective efforts.

I am also especially grateful to Ambassador Michael Scanlan and his staff at the OSCE Mission to Moldova for their invaluable assistance in both the organization of my visit and in briefing me prior to my arrival in Chisinau and throughout my stay. I believe Ambassador Scanlan's knowledge and guidance helped me to ask the right questions and look critically at the answers I received.

ODIHR has worked closely with civil society partners in Moldova and helped prepare the ground for this visit. I am especially indebted to Jan Fahlbusch for his advice and involvement.

A View from the Jewish Community

By its own estimate the Jewish Community of Moldova numbers about 15,000. The community operates a Jewish library, two general Jewish schools and three synagogues, and it is nearly unique in having a unified presence on both banks of the Dniester. It is an aging community, with half its members older than 50, due in some measure to the steady rate of emigration.

Prior to World War II there were 77 synagogues in Chisinau and an estimated forty percent of its population was Jewish, with an even higher percentage in some other locales. However, some 300,000 Jews perished during the Holocaust.¹ A significant number of Moldovan Jews also left for Israel during the waning days of the Soviet Union and in the immediate aftermath of its dissolution.

¹ "The Jewish history of Moldova." Moldova & Jews. Accessed April 2017. <http://www.jewish.md/jewish-moldova-mainmenu-50>

Jews in Moldova are not facing incidents of personal harassment or physical attack, and only a handful of anti-Semitic hate crimes have been recorded by government authorities. (The low number of total hate crimes raises questions about reporting more generally and is addressed later in this report.) However, even as community representatives describe today's situation as calm—especially in light of the sharp history of anti-Semitism in the more distant past—they are not sanguine.

Instead, they describe an “anti-Semitism of inaction.”

They say authorities are quick to label anti-Semitic actions as mere hooliganism. One notable example cited was the vandalism and destruction of a Hanukkah Menorah on public display in Chisinau in December 2009². The perpetrator who was charged and fined for the lesser offense appealed to the court,³ successfully claiming that he was not a simple vandal but acting out of a strongly-held anti-Jewish ideology.

They believe the problem is connected to the lack of Holocaust education in Moldova as well as ignorance about earlier events, such as the pogroms perpetrated in Chisinau in 1903. Those pogroms—which prompted a US government response at the time—are more widely identified in foreign countries than in Moldovan textbooks.

In recent years there have been about 25 memorials erected at the sites of mass killings of Jews during the Holocaust, including one in Chisinau that was dedicated two years ago. However, in all cases these were the result of private individuals and the Jewish Community, without any governmental support.

Jewish leaders point out that the government has established a museum along with curriculum requirements that focus on the Stalinist repressions. Some 100,000 people from Moldova (including 28,000 Jews) experienced forced deportations and terrible suffering, and 20-30 percent died in the process. While they are supportive of this initiative they contrast it to the so far unsuccessful efforts to establish something similar to mark the fate of the much larger number of Jews who were murdered during the Holocaust.

It was also noted that while there are rather positive relations between the Jewish Community and other minority religious communities in Moldova (Catholic, Muslim, Protestant), such is not the case with respect to the majority confession Orthodox Church. “We are 97 percent of the population,” one Church leader is reported to have said, and therefore, “You should keep quiet.”

² “Jews to blame for Menorah incident” Ynet News. December 23, 2009. Accessed April 2017. <http://www.ynetnews.com/articles/0,7340,L-3824287,00.html>

³ “Antisemitism in Moldova (2009-2012).” The Coordinating Forum for Countering Antisemitism. 2013. Accessed April 2017. <http://antisemitism.org.il/article/80306/antisemitism-moldova-2009-%E2%80%932012>

Community leaders also pointed out that while the Church has been able to reclaim nearly all of its former property, such is not the case with regard to former Jewish communal property. Special reference was made to the ongoing dispute concerning the Rabbi Tzirilson Synagogue in Chisinau, discussed below.

They also see a growing marginalization of minorities in the face of political calls for a mono-ethnic and mono-linguistic state. This is not a problem limited to Jews in Moldova. Instead, they suggest there is a larger battle taking place over what should be the basis of national identity for a country that has only been independent for twenty-five years. Will it draw from its territorial history of a religiously and ethnically diverse population or give in to the more populist forces that would erase this past—and its present vestiges—in favor of an entirely homogenous self-definition? This larger debate, they say, will also have an impact on the future of Jewish life.

Nevertheless, they are somewhat optimistic at recent government developments. These include the designation two years ago of January 27, as Holocaust Remembrance Day,⁴ the adoption by Parliament of the (Romanian) Historical Commission Final Report on the Holocaust,⁵ and the recent adoption by Parliament of an Action Plan focused on Holocaust education and remembrance.⁶ The Community hopes to sign a memorandum of understanding with the Education Minister that would formalize its involvement in the development of new Holocaust education materials and guidelines. It notes the involvement in community activities by the Minister of Culture, who has expressed interest in expanding the small exhibition on the history of Jewish life in Moldova maintained by the Jewish Cultural Center (KEDEM) and located in the Jewish community building into a more elaborate and separately located Jewish Museum.

Civil Society Representatives

The Jewish Cultural Center (KEDEM) maintains a small Jewish Museum that depicts the history of Jewish life in Moldova, with some elements designed to appeal to visiting schoolchildren. They report participation in their activities by the Minister of Culture and various foreign diplomats.

The International Center of Training and Professional Development has carried out a number of Holocaust-related projects in cooperation with several foreign institutions, including Yad Vashem, Centropa and World Jewish Relief. They have also offered training sessions on the Holocaust for teachers in Moldova and Transdnistria. Their representative also reported that

⁴ Zara, A. "Moldova to mark Holocaust Remembrance day on 27 January." Moldpress State News Agency. 26 November 2015. Accessed April 2017. <http://www.moldpres.md/en/news/2015/11/26/15008207>

⁵ "Moldovan Parliament endorses Wiesel Report." International Holocaust Remembrance Alliance. 8 August 2016. Accessed April 2017. <https://www.holocaustremembrance.com/media-room/news-archive/moldova>

⁶ "As Republic of Moldova drafts its first Holocaust Action Plan, OSCE Mission supports Moldovan delegation at IHRA plenary." 28 November 2016. Accessed April 2017. <http://www.osce.org/moldova/284676>

they anticipated being part of the MOU that had been initially developed between the Education Ministry and the Jewish Community.

One authority on Holocaust research and education at the Pedagogical University reports that there have been improvements with a new generation of textbooks that include information on the Holocaust as well as more generally on the ethnic diversity in Bessarabia at the turn of the 20th Century. There are a small number of graduate students pursuing advanced degrees in the field.

The educational experts also described the difficulty in finding an appropriate place in an already crowded history curriculum and textbook to address the Holocaust. Some suggested instead that it be included in the field of civics, where it might receive more attention.

Researchers carrying out a study commissioned by ODIHR point to the gap between Holocaust education as it is frequently presented and the goal of combating anti-Semitism. More emphasize should be placed on understanding the anti-Semitic motivations at the time, they say, as well as finding opportunities to address current manifestations of anti-Semitism. They also flagged an inherent problem with the activities and exhibits of the Jewish Cultural Center connecting with Romanian speaking schoolchildren, as KEDEM primarily attracts Russian speaking groups.

Rabbi Tzirison Synagogue

Several years ago the Jewish Community of Moldova purchased the ruins of the Rabbi Tzirison Synagogue and adjacent Yeshiva from the Public Property Authority at a cost of approximately €1 Million, with plans to rebuild the structure to serve as a new center for Jewish communal activity. However, because of delays in beginning the construction work—due, according to the Jewish community, because of problems in securing clear legal title not known at the time of the purchase—the Public Property Authority brought suit in court to reclaim the property. The court ruled in favor of the Jewish Community but those same government authorities appealed the verdict to a higher court. That appeals court also sided with the Jewish Community. At the time of my visit in early March, it was known that the Public Property Authority had until the end of that month to file a final appeal to the Supreme Court.

It is disappointing that this property was not simply restituted to the Jewish Community, as it had served as a center for Jewish life in prewar Chisinau and should—as is the case in many other countries—rightly belong to it. However, since there was as yet no progress on Jewish communal property restitution, Jewish Community leaders chose instead to purchase the site. Still, harder to understand were the efforts by the government to reclaim the property even after it was legally purchased. According to some unsubstantiated accounts, there were connections to private developers who had their own plans for this centrally located site. The

actions of the government led to international criticism, including a formal rebuke by the International Holocaust Remembrance Alliance (IHRA).⁷

I was able during my visit to take up this issue with the President, the Prime Minister and the Speaker of the Parliament. All three expressed the hope that an adequate decision will be taken around the former Rabbi Tzirilson synagogue, so that the Jewish Community can fully benefit from this important facility. It was suggested that having a full, legal decision by the Appeals Court explaining its ruling in favor of the Jewish Community was important to dispel any question that might arise. It was clear that the quick and final (and positive) decision that I was promised would mean that a new appeal to the Supreme Court and the protracted hearing that it would generate would not happen. It seemed that the matter was now concluded.

However, much to my surprise, we learned after my visit concluded that the Public Property Authority did in fact appeal the case to the Supreme Court. And to further erode our sense of trust, it emerged that this decision to appeal had already been taken—although not yet announced—prior to my visit. The Supreme Court will begin its hearing of the case in July, so one can anticipate still more months of uncertainty before a truly final decision is reached.

Ministry of Education

As a key area of the aforementioned Action Plan focuses on Education, this was the main topic of discussion. The Ministry expects the formal adoption of the plan and is already proceeding to comply with those aspects dealing with education. Projects and activities identified in the plan are expected to be implemented by 2019. One aspect concerns the national curricula and textbooks, which were last reformed in 2010. Greater emphasis will be placed on highlighting the importance of tolerance and respect for minorities. This will include teaching about the cultural and ethnic diversity that existed between 1918 and 1940, as well as the subject of the Holocaust in Bessarabia itself. Additionally, the Ministry encourages a range of extra-curricular activities to take place during the week leading up to January 27th Holocaust Remembrance Day.

According to the Ministry, the problem of signing the MOU raised by the Jewish Community was the result of a misunderstanding as to whether it will include two or three parties. However, we were assured that the text itself has been accepted and the Ministry is prepared to sign it immediately.

[Note: Following the visit, Jewish Community leaders reported that the Minister has proposed a partnership agreement in place of an MOU. However, the Community further indicated that the Ministry claims it lacks the financial resources to carry through on many of the plan's objectives.]

⁷ "IHRA Statement on Rabbi Tzirilson Synagogue, Moldova." December 2015. Accessed April 2017. <https://holocaustremembrance.com/media-room/stories/ihra-statement-rabbi-tzirilson-synagogue-moldova>

The Ministry also indicated its openness to work with OSCE/ODIHR on the development and implementation of teaching materials on combating anti-Semitism. Following this visit the Minister of Foreign Affairs wrote to the Head of the OSCE Mission to Moldova and to the Director of ODIHR to further advance this joint effort.

Ministry of Culture

The Ministry of Culture will also play a role in the implementation of the Action Plan. It shares the concerns of bringing Holocaust awareness to greater numbers of Moldovans. By way of example, it facilitated the public presentation of a recently-published book on the Kishinev Ghetto of 1941-1942, and it cooperated with KEDEM on a temporary exhibition about the Holocaust.⁸ It has also expressed interest in developing contacts with the Elie Wiesel Institute in Romania.

The Minister is promoting the development of a national Jewish Museum, regardless of whether or not it is a part of the Action Plan. She has discussed the project with the Prime Minister and believes the best location for it would be in the (municipally-owned) Jewish library, across from the Jewish Community Center in Chisinau. This would require a transfer of ownership from the city to the national government. Representatives of the Jewish Community indicate that discussions about this museum project have been taking place for some time now. (They even include draft architectural plans.) As such, they are eager to see some action being taken.

In response to my noting that the protection and memorialization of mass graves of Holocaust victims in Moldova have so far been undertaken solely by the Jewish community, the Minister says this should be a “shared responsibility” of the government. She promises to be in touch with the community leadership and to discuss the subject with the Prime Minister.

The Bureau for Interethnic Relations

For a quarter-century the Bureau has been tasked with the responsibility for overseeing Moldova’s policy on national minorities. Its main task is the preservation and promotion of ethnic diversity. It does this through the convening of coordinating councils of minority group representatives from 97 organizations, promoting minority participation in national holidays, and hosting roundtables and conferences on best practices. In cooperation with the Ministry of Culture the Bureau is in the process of collecting and storing artifacts that will be used in the planned Jewish Museum. The Bureau also has responsibility for organizing the National Roma Day.

The Bureau was also involved in discussions in 2015 about establishing a national Holocaust Museum, but no agreement was reached on this.

⁸ “Moldovan parliament hosts launch of book on Chisinau ghetto from 1941-1942.” February 2017. Accessed April 2017. <http://www.moldpres.md/en/news/2017/02/09/17001082>

It has noted the challenge in maintaining and protecting the many Jewish cemeteries in Moldova, noting that the Jewish cemetery in Chisinau alone contains some 400,000 graves.

The Bureau has also worked with KEDEM in the sponsoring of diversity festivals.

Ministry of Internal Affairs

The Ministry made note of the official adoption in Moldova of January 27th as Holocaust Remembrance Day, as well as adoption of the Romanian Historical Commission Report on the Holocaust, chaired by Elie Wiesel. The State Secretary spoke of the importance of Holocaust education in Moldova.

The Government is in the process of amending the criminal code to criminalize racist and xenophobic acts. It notes that further amendments will be necessary if they are also to be able to prosecute Holocaust denial.

In 2013 and 2014, the Ministry organized hate crime training programs for police in Moldova carried out in cooperation with the Prosecutor General and Ombudsman on Hate Crime.

According to the Ministry there were only 5 hate crimes in all of Moldova in 2016, and none was an anti-Semitic incident.

Such remarkably low numbers ought to raise questions about the method and quality of reporting, especially in light of Jewish Community concerns that hate crimes are too quickly dismissed as acts of vandalism.

President Igor Dodon

President Dodon expressed appreciation for the work of the OSCE in Moldova and reaffirmed Moldova's commitment to monitor and combat anti-Semitism. He made note of his personal ties to the Jewish Community and participation in communal events. He spoke of the tragic history of the Holocaust in Moldova, the establishment of January 27th as an official remembrance day and the Action Plan on Holocaust remembrance and education. He indicted the importance of a younger generation knowing this history so as to prevent it from happening again.

Speaker of the Parliament Andrian Candu

Speaker Candu said that the adoption of the Action Plan is only the first step as they must be sure to follow up and see that it is carried out. There may be good intentions, he added, but intentions are not always implemented. He stressed the importance of the respective ministerial responsibilities and the need for local ownership if it is to succeed. He saw value in

drawing from the Romanian experience and that of other countries so as to have some best practice models.

The Speaker promised to designate a Parliamentary Committee to oversee implementation of the Action Plan.

The Speaker agreed that the subject of Jewish communal property restitution should be examined despite the challenges that it may pose.

The Speaker gave his public commitment to convene a special session of the Parliament to mark Holocaust Remembrance Day in January 2018.

Prime Minister Pavel Filip

The Prime Minister voiced his appreciation for the cooperation of the OSCE Mission to Moldova in all dimensions. He recognized the importance of the OSCE as the key partner in settling the Transnistrian conflict and as a pillar for peace and security in Europe.

He said he viewed the Moldovan Jewish community with respect and that it was important that its members felt safe and secure.

The Prime Minister affirmed his commitment to combat anti-Semitism and to promote multi-ethnic tolerance in Moldova.

He also referenced the adoption of an official Holocaust Remembrance Day, the adoption of the report of the Romanian Historical Commission chaired by Elie Wiesel, and the Action Plan on Holocaust Education and Remembrance as important steps taken by Moldova.

Prime Minister Filip confirmed that he was engaged in efforts to persuade municipal authorities to transfer ownership of the Jewish Library premises in Chisinau to serve as the location for a new Jewish Museum.

In a discussion about Jewish communal property restitution, the Prime Minister said the subject was not simple and must be understood in the context of the current economic situation. However, he said he was open to begin discussions on the issue and to learn from the experiences and practices of other countries.

Conclusions and Recommendations

It is generally recognized that Holocaust education can play an important role in efforts to combat anti-Semitism. Thus, a commitment to promoting Holocaust remembrance and education was a key element of the OSCE Berlin Declaration adopted in 2004. This is especially important in those countries where the Holocaust occurred and where its scars are still visible.

In recent years Moldova has taken important but tentative steps to implement these commitments. It adopted January 27th as a Day of Holocaust Remembrance, and it endorsed the official report on the Holocaust in Romania (encompassing all of Bessarabia) that was prepared in 2004 by the International Commission chaired by Elie Wiesel.

Now the Government of Moldova is poised to take the necessary actions that should naturally follow these first decisions. The Parliament has adopted a comprehensive Action Plan on Holocaust Remembrance and Education, and it outlines the specific tasks now before the Government and its respective ministries. The Ministers of Education and Culture, who will shoulder a significant share of responsibility, are well-aware of what they must do and are already engaged in carrying out the work. The Speaker of the Parliament along with individual MPs state that their work did not end with the adoption of the Action Plan; they must make sure that the plan is fully implemented. Both the President and the Prime Minister have spoken clearly about its importance, providing essential political leadership.

- The Ministry of Education in accordance with its MOU should work with the Jewish Community and key civil society organizations in developing text books, curricula, and teacher training programs that address the history of the Holocaust in Bessarabia and draw lessons about anti-Semitism also in its current form.
- The Ministry of Education should continue and expand its efforts to foster research on the Holocaust and inclusion of the topic in university programs.
- The Ministry of Culture should follow through with its plans to develop a Jewish Museum that will showcase the long history of Jewish life in Moldova and serve as a vehicle to educate both schoolchildren and the general public.
- The Ministry of Culture should engage with the Jewish Community to assist in its efforts to identify, protect and properly memorialize the mass graves of Holocaust victims. In this regard it can draw on examples and best practice models being followed by other countries.
- The Government of Moldova should support efforts to protect and maintain Jewish cemeteries and to preserve former synagogues.
- I welcome the announcement of the Speaker of Parliament to convene a special session of Parliament to mark Holocaust Remembrance Day in January 2018.
- While incidents of anti-Semitism in Moldova are far from widespread, the very small number of hate crimes in general that are reported by the Ministry of Interior raises questions. The Ministry should avail itself of assistance from ODIHR in the process of data collection and the training of police, prosecutors and judges.
- As the criminal code is being amended to address racist and xenophobic incidents, the Ministry should consider additional amendments to include Holocaust denial.
- As the Prime Minister indicated his willingness to begin discussions on Jewish communal property restitution, I encourage him to respond favorably when the Jewish Community and its international partners initiate the process.

- Whatever decision is reached by the Supreme Court on the Rabbi Tsirilson Synagogue—and I hope it will uphold the previous court decisions—the Government should make clear its expectation that the property must ultimately convey to the Jewish Community.

Annex: List of interlocutors

Monica Babuc, Minister of Culture
Mihail Beregoi, Ministry of Internal Affairs
Alexander Bilinkis, Jewish Community of Moldova
Andrian Candu, Parliament of the Republic of Moldova
Olga Cosovan, educational expert
Lilian Darii, Ministry of Foreign Affairs and European Integration
Tudor Deliu, Member of Parliament
Igor Dodon, President of the Republic of Moldova
Diana Dumitru, Pedagogical University
Pavel Filip, Prime Minister of the Republic of Moldova
Corina Fusu, Minister of Education
Valeriu Ghiletschi, Member of Parliament
Boris Golovin, Member of Parliament
Mikhail Gordin, Moldovan Association of Jews / Former Nazi Prisoners
Aliona Grosu, Jewish Community of Moldova
Stella Harmelin, Jewish Cultural Center KEDEM
Carolina Miscoi, Ministry of Internal Affairs
Rabbi Daniel Muntean, OK Kosher / JCRM
Galina Karger, International Center of Training and Professional Development
Victor Lapusneanu, Ministry of Foreign Affairs and European Integration
Liliana Palihovici, Parliament of the Republic of Moldova
Vasillii Panciuc, Member of Parliament
Vera Petuhov, Bureau for Interethnic Relations
Vadim Pistrinciuc, Member of Parliament
Valeriu Popescu, Theoretical lyceum ORT Rambam
Dominika Rank, educational expert
Alexandra Safronova, International Center of Training and Professional Development
Irina Shihova, Museum of Jewish History / KEDEM
Marina Shuster, Jewish Community of Moldova
Ion Stavila, Ministry of Foreign Affairs and European Integration

Appendix

Moldovan PM meets representative of OSCE chairman-in-office on combating anti-Semitism

18:37 | 03.03.2017 Category: Official

Chisinau, 3 March /MOLDPRES/ - Prime Minister Pavel Filip today had a meeting with Personal Representative of the OSCE Chairman-in-Office on Combating Antisemitism Andrew Baker, on a working visit to Moldova. The officials drew attention to the Holocaust tragedy in Moldova and stressed the need to promote tolerance and mutual respect in the society, the government's communication and protocol department has reported.

At the meeting, Pavel Filip highlighted the Moldovan authorities' commitment to work together with the Jewish community, in order to find solutions to the problems the latter is facing. "Moldova is a multi-ethnic country and tolerance is our most valuable quality. We must educate the society in this spirit in continuation as well. The Jewish community's representatives should feel well and in safety in our country," Pavel Filip said.

At the same time, the prime minister referred to a recently approved action plan on promoting the remembrance of the Holocaust and education in this field. He stressed that the government would undertake concrete actions to achieve results in this respect.

For his part, the personal representative of the OSCE chairman-in-office on combating anti-Semitism appreciated the Moldovan authorities' openness for dialogue. Andrew Baker emphasized the approval, in July 2016, of the Declaration on Acceptance of the Report of the International Commission on the Holocaust, and the setting of the day of 27 January as International Holocaust Remembrance Day.

"The action plan on the implementation of the documents approved by Moldova's authorities must be complex and with a vision for the future. We should not rely only on efforts by the Jewish community of this region in the process of educating the young generation about the consequences of the Holocaust," Andrew Baker said.

The officials also exchanged opinions on possibility of opening a museum of the Jewish nation in Chisinau and importance to settle the problem on the former synagogue Rabbi Tirilson. In the context, Pavel Filip said the government had already launched a string of actions and

discussions on this subject, in order to identify possibilities of building the museum and settling the divergences with the Rabbi Tirilson synagogue amicably.

(Source: Moldpress State News Agency)