



**PERMANENT DELEGATION
OF THE REPUBLIC OF MOLDOVA
TO THE OSCE**

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ENGLISH only

STATEMENT

by Ambassador Valeriu Chiveri, Head of the Permanent Delegation
(Permanent Council, 22 March 2012)

*Agenda item: Current issues
Reaction to the statements on LGBT*

Mr. Chairperson,

The Permanent Delegation takes note of the statements delivered by the US, as well as by Norway at the last PC meeting on behalf of like-minded countries on the issues related to tolerance and non-discrimination related to LGBT in the Republic of Moldova. At the same time, like other delegations I would like to mention we consider that this topic does not belong to the OSCE agenda and it could be discussed in the framework of other international fora.

Nevertheless, at this stage I would like to present certain clarifications in this regard.

The principle of non-discrimination is clearly stipulated in the Moldovan Constitution and other relevant laws. In order to strengthen the existing legal framework the Government of the Republic of Moldova has committed to elaborate and adopt a special law dedicated to anti-discrimination. While the consultations revealed serious sensitiveness the draft law was withdrawn in order to improve the text. At this stage, the Ministry of Justice is conducting consultations with civil society and other relevant stakeholders to finalize the draft Law on non-discrimination. In parallel, the national authorities and civil society organizations are undertaking various measures to explain the importance of this Law to concerned actors. Public debates are taking place on TV and radio stations etc.

Let me also underline that the draft law is fully in line with international standards. It is also relevant to mention here that in the context of the Universal Periodic Review which is currently taking place in the framework

of the United Nations Human Rights Council – the Republic of Moldova has received and accepted all 122 recommendations, some of them referring to the anti-discrimination issue and in particular LGBT question. By accepting all this recommendations the Moldovan authorities demonstrates the recognition of the fact that there are still issues that need to be resolved, on the one hand and the political will of the Government to address the existing problems, on the other hand.

We count on the understanding on behalf of our international partners regarding the political domestic situation as well as diversity of views within the Moldovan society. We have to acknowledge that the situation around the Law on anti-discrimination was artificially politicised. In such a situation the Government will promote a delicate policy to overcome both the political controversies and certain social stereotypes. It needs time and careful work. However the ambitious agenda on human rights will be implemented continuously without delay.

In regard to the recent decisions of the local public authorities regarding the LGBT issue we would like to emphasise that above mentioned decisions are administrative acts. From this perspective, any person who believes that an administrative act adopted by a local public authority infringes his or hers rights can initiate court proceedings. Only the courts are entitled to decide over the legality of the local council's decision, if seized. The Coalition for Non-discrimination – a group of prominent Moldovan non-governmental organizations – has already declared its readiness to address that issue in the court.

At the same time, the National Human Rights Institution has condemned the decisions adopted by few local councils declaring that there are derogating from the legal framework.

In this context, the Moldovan authorities will continue to paid a special attention to that particular issue and to promote the democratic dialogue within the society in order to prepare a smoothly adoption of the anti-discrimination law.

Thank you.