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Consiliul Național
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REPORT

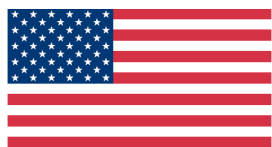
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Snapshot Study of the Right to Freedom of Thought, Conscience and Religion (Fundamental Religious Freedoms and Rights) in the Republic of Moldova

**Produced by the Human Rights Information Center
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in partnership with the

**Nondiscrimination Coalition (Coalitia Nediscriminare, CND), and
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Chisinau, 2012

LIST of ABBREVIATIONS

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| Religious Freedoms and Rights | Right to Freedom of Thought, Conscience and Religion |
| Moldovan Orthodox Church, MOC | Moldovan Orthodox Church (Moldovan Metropolis of the Moscow Patriarchate / Russian Orthodox Church) |
| Bessarabian Orthodox Church, BOC | Bessarabian Metropolis of the Romanian Orthodox Church |
| Lutherans | Saint Paul Lutheran Center |
| Evangelists and Baptists, Baptists | Union of the Christian Evangelical Baptists Churches, Moldova |
| Islamic group of Talgat Masaev | Islamic group “Sermon and Guidance” led by Talgat Masaev |
| Pentecostals | United Church of the Evangelical Belief Christians |
| Methodists | United Methodist Church |
| Seventh Day Adventists | Seventh Day Christian Adventist Church |
| Seventh Day Adventists (R) | Seventh Day Adventist Church, Reformist movement |
| Catholic Church, Catholics | Roman Catholic Church (Chisinau) |
| Jehovah Witnesses, JW | Jehovah Witnesses (from the Republic of Moldova) |
| Old Rite Church, Old Believers | Russian Orthodox Old Rite Church, Moldovan Eparchy |
| Judaists, Habad Liubavici Sinagogue | Federation of the Jewish Communities from Moldova “Habad Liubavici” |
| Krishna Society, Hare Krishna | Society for Krishna Consciousness (from the Rep. of Moldova) |
| Unification Church | Religious movement Unification Church |
| Christ’s Church | Free Christian Community “Christ’s Church” |
| Emmaus Baptists (Church) | Emmaus Christian Evangelical Baptist Church |
| Non-registered Baptists | Non-registered group(s) of the International Union of the Evangelical Christian Baptists Churches |

EXECUTIVE SUMMARY of FINDINGS

General findings

The performed study and the present Report reconfirm and substantiate with additional data the findings of the UN Special Rapporteur on freedom of religion or belief, and in the US Department of State International Religious Freedom Reports with regard to the Republic of Moldova. The below findings along many lines reiterate the previous findings of the above two reports, at the same time widening and deepening their scope.

1) The situation with fundamental religious rights and freedoms improved since 2009, but in many respects is still far from being in compliance with the international and national human rights standards. There are still clear patterns and numerous cases of discrimination on the grounds of religious affiliation present in Moldova. These cases of discrimination could be found in almost all relevant areas: registration of denominations, construction of religious buildings, interferences into religious activities, access to schools and other educational institutions, discrimination in education, health care and employment, coverage in media and in public discourses, etc.

2) The Moldovan Orthodox Church exercises an extremely high and visible domination over elaboration and adoption of public policies in the area of religious rights and freedoms, other important public policies (in the area of equality and non-discrimination, health care, family issues, etc), and interferes into exercise of these religious rights and freedoms by other religious groups, which is incompatible with the principles of rule of law and separation of state and church.

3) Overall the Moldovan government does not take decisive steps to distance the Moldovan Orthodox Church from interferences into politics. The apparent reason for that is the desire to strengthen political and electoral support for the government through the Moldovan Orthodox Church network of parishes and believers. The price for this “cooperation” is Orthodox indoctrination of the public policy making, often in contradiction with the fundamental human rights standards, and discrimination of other religious groups and violation of their fundamental religious rights and freedoms. In some areas the Moldovan Orthodox Church aims at replacement of the rule of law with the rule of the Bible. ,.

4) Violation of fundamental religious freedoms and rights is more frequent and gross in rural areas outside Chisinau. This tendency is due to much lower level of education among public local officials, Orthodox priests and general population. Cases of violations are multiple, and vary from verbal insults to damaging of properties of minority religious groups, and physical aggression towards the non-Orthodox ministers or believers. No remedy or accountability for the acts of violation is virtually available at the local level.

5) The number and extent of discrimination of “traditional” religious denominations (Catholics, Judaists, Orthodox Old Believers, and Armenian Gregorian Church) is significantly lower, than the number and extent of discrimination of “non-traditional” [for Moldova] religious denominations. A special case is the Bessarabian Orthodox Church, which although very “traditional” had been, and in some aspects still is a target of discrimination. This situation is due to the “competition”, which this church creates for the dominating Moldovan Orthodox Church. The Moldovan authorities, particularly at the local level, implicitly uphold this “scale of discrimination”.

6) The public statistical basis is very poor in terms of reflecting the religious diversity in Moldova. The 2004 national census states that around 93,34% of Moldovan population (3 158 thousands persons) are Christian Orthodox, circa 3,06% (103 thousands persons) are adepts of other religious denominations, and the remainder of 3,6% (121 thousands persons) are atheists or undeclared. These figures do not reconcile fully with the data received during the study. Based on the interviews conducted with the leaders of religious groups present in Moldova, it comes out that the total number of active non-Orthodox believers is around 150 thousands, which accounts for at least 5% of Moldovan population present in the country. The most numerous non-Orthodox denominations, accounting for 15-30 thousand each, are the Catholic Church, the Pentecostals, the Seventh Day Adventists, the Jehovah Witnesses, the Evangelists and Baptists, and the Judaists. These figures again do not match well the data of the 2004 census with regard to the individual number of Catholics, Pentecostals, Jehovah Witnesses, and Judaists.

Observation of Sunday religious services at the Orthodox churches in rural areas of Moldova shows that the average Sunday church attendance among Orthodox believers in rural areas is about 1,5-2% of the total locality population, on big religious holidays (except for Christmas and Easter) – 5% (for a village of around 3000 inhabitants, on average 50-60 village inhabitants, mainly aged women, attend regular Sunday services, and on average 150 village inhabitants attend “special” Sunday services).

7) In Moldova there are extremely weak legal mechanisms for protection of fundamental religious rights and freedoms. The study showed an overwhelming impunity for the violations of these rights and freedoms both, in Chisinau and outside Chisinau. An exceptionally low number of violators, including those who commit attacks or promote hate speech on religious grounds, are brought to justice, and even when brought, many of them are sanctioned inadequately. The ombudsman office is weak in relation to protection of fundamental religious rights and freedoms, and there are no other public authorities with strong stance and position with regard to protection of these rights and freedoms.

The implemented study demonstrated the need for further in-depth research and study of the situation with the right to freedom of conscience, thought and religion in Moldova, particularly in such areas as religious properties, religion in schools, religious rights and freedoms in rural areas, and in Transnistria.

REPORT

METHODOLOGY, SCOPE AND LIMITATIONS OF THE STUDY

The present Report on situation with fundamental religious rights and freedoms in the Republic of Moldova is based on study implemented in Chisinau and a number of rural areas of Moldova.

Building on the findings of the UN Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, and US Department of State International Religious Freedom Report, the report provides a snapshot on the state of religious freedoms and rights in the sample localities of the Republic of Moldova through over 20 structured interviews in Chisinau with leaders of most numerous Moldovan religious groups, and 8 monitoring visits to localities / communities with reported cases of religious freedoms / rights violations, or known for religious diversity. Given the methodology the Report reflects the perceptions of the leaders of major religious groups present in Moldova of their situation, and presents a critical analysis of the collected information.

As pointed out in the findings of the UN Special Rapporteur on freedom of religion or belief, and in the US Department of State International Religious Freedom Report, Republic of Moldova has a number of issues with regard to religious freedoms and rights. The issues range from "hard" violations of religious freedoms and rights (like bans on religious manifestations of non-Christian-Orthodox religious groups in public space, illegitimate interferences with some non-Christian-Orthodox religious services held in private) to discrimination of non-Christian-Orthodox believers in their access to local public services. By now the state of religious freedoms and rights in Moldova was explored only sporadically, with few monitoring or documentation activities in the field. The implemented study comes up to broaden the understanding of the situation and to set the ground for further action.

The primary information for the study has been collected through over 20 interviews with the leaders of most numerous religious groups present in Moldova (*for the list of the groups please see Annex A*), and visits to 8 rural localities with known diversity or conflicts in terms of various religious groups (*for the list of the visited rural localities please see Annex B*).

The main scope of the performed study is the research of the situation with fundamental religious rights and freedoms in the Republic of Moldova in general lines, and identification of the the major trends, tendencies, issues and problems in this field. The study was not designed and does not provide a representative statistics on religious groups, their followers and adepts, or absolute numbers on religious rights and freedoms violations. The study was not intended and did not cover the normative analysis of the existing national legislation, case law, and did not analyze all the available secondary sources. These methods are planned to be applied, in case the authors will take a decision to scale up the study.

At the same time the findings of the study are valid for identification of issues, problems and gaps in the area of fundamental religious rights and freedoms in the Republic of Moldova, and for design of appropriate policy and legal responses and measures.

The study and the report did not aim to comprehensively cover the territory of Transnistria, hence only limited information is available with regard to this region (please see section XI of the Report).

The study has been implemented by the non-governmental organization Human Rights Information Center (Centrul de informare in domeniul drepturilor omului - CIDO), in partnership with the Non-Discrimination Coalition (Coalitia Nediscriminare), National Youth Council of Moldova (Consiliul National al Tineretului din Moldova).

I. REGISTRATION OF RELIGIOUS GROUPS

The situation with registration of religious groups since 2009 improved, but some issues still persist

At the moment of the study 17 out of 22 religious groups had official registration at the Ministry of Justice as “religious denominations”¹. 1 religious group exists as non-registered group, 1 is the process of registration as an NGO, and 3 religious groups are registered as NGOs. 2 out of these 3 groups had to choose the option of getting registered as NGOs, due to unsuccessful attempts to get official registration at the Ministry of Justice as “religious denominations”. The two groups are: the Muslim religious group headed by Talgat Masaev, and a group of Falun Dafa followers.

Of the studied 19 religious groups, which at least once tried to register at the Minister of Justice as “religious denomination”, only 7 religious groups reported no problems in the process of registration, and re-registration at the Ministry of Justice. 5 religious groups reported minor problems of mainly bureaucratic or technical nature.

Of the 7 religious groups which faced serious problems during registration / re-registration at the Ministry of Justice:

- 2 groups (*Bessarabian Orthodox Church, Seventh Day Adventists*) reported that these registration problems ceased to exist prior to or in 2009;
- 2 other groups (*Armenian Gregorian Church* and *Islamic League*) reported that the problems continued to exist in the period after 2009, but got finally solved by 2012;
- 3 other groups (the *Muslim group of Talgat Masaev*, the *Salvation Army* and the *Falun Dafa* group) reported that the problems continued to exist in the period after 2009, and are still valid.

The most common issues and problems and groups mentioned by the interviewed religious groups are:

a) Long or extremely long registration process, and intentional delaying of registration under various pretexts;

The *Bessarabian Orthodox Church* reported that its registration at the Moldovan registration bodies lasted over 10 years, since 1992 till 2002 due to political impediments created by the Moldovan government. In addition in 2007-2009 in Ungheni district 20 local parishes decided to join the Bessarabian Orthodox Church, but they could not get the re-registration for 2 years.

The *Islamic League* reported that the group attempted to get registered 3 times since 2008. Every time the group was denied registration under “technical reasons”². It finally got registered in 2011.

Talgat Masaev reported that the Muslim group led by him attempted to get registered 3 times since 2002. Every time the group was denied registration under “technical reasons”. Before 2007 one of the officers in charge of registration of denominations told that the Muslims will never get registration in the Republic of Moldova. This and other registration officers treated very disrespectfully Talgat Masaev, and even made insulting jokes about his outlook.

¹ According to Moldovan legislation the registered religious denominations are referred to as “religious cults”.

² Like incorrect filling-in of templates, documents, etc.

The **Falun Dafa** group reported that it attempted to get registered at the Ministry of Justice many years in the row. Each time it the group was denied registration under various implausible grounds. The group managed to ultimately get registered as a municipal NGO in 2009, and as a national NGO in 2011.

The **Baha'i group** reported that the process of their re-registration in 2008 lasted more than 1 year. The registration body was continuously requesting more and more additional documents, unforeseen by the law.

Evangelists and Baptists reported that in 2008-2010 the registration procedure was practically blocked by the bureaucratic impediments mainly due to transfer of registration functions from the Cults Service to the Ministry of Justice. After 2010 the procedure rolls fluently, but slowly because of bureaucracy.

b) Requests of additional information, not required by law (on sources of funding, private details of the founders and members, etc), requests to improve the translation of the documents, other linguistic claims;

Talgat Masaev reported that during the attempts to register the Muslim group led by him the registration body was requesting additional financial documents, including on sources of funding, etc.

The same issues were reported by the **Pentecostals**, who reported that during the registration of the group they were requested to provide additional financial documents on sources of funding.

Falun Dafa reported that the registration body requested personal data of the founders, which were later used by the Moldovan security services for exercise of illegal surveillance over the leaders of the group.

Lutherans reported that during the registration process the Ministry of Justice once returned the registration documents under pretext of their bad translation. After proof-editing the documents were resubmitted and then accepted.

c) Additional selective check of the intention to found denomination through calling and questioning the declared founders; in some cases the called denomination founders were directly and indirectly intimidated by the callers;

Talgat Masaev reported that during the attempts to register the Muslim group led by him since 2002, the founders of the group were repeatedly called at their home numbers and were intimidated. The callers told to some of the founders that they have signed documents under, which all their property will be seized by Talgat Masaev, thus trying to determine them to withdraw their signatures.

The same additional checks were reported by the **Islamic League**, when the group requested registration.

d) Denial of registration by the Ministry of Justice under pretext that the Ministry has already registered a denomination, which represents the relevant religion (in case of Bessarabian Orthodox Church till 2002), or which has a similar name (in case of Armenian Gregorian Church).

The **Armenian Gregorian Church** reported that it was initially denied registration at the Ministry of Justice because of the existence of another Armenian Church – Armenian Apostolic Church – founded by Venera Gasparean. The group took the case to the court, where it lost the case. Ultimately the group was registered at the Ministry of Justice under its current name – the Armenian Gregorian Church.

A special case in terms of registration is the case of **Falun Dafa** group. Based on the information received from the Falun Dafa group, and on other independent data, there are many grounds to believe that the Falun Dafa groups is not being registered by the Ministry of Justice as “religious denomination” due to political pressure exercised on Moldovan government by the Chinese authorities.

To summarize, in the area of registration of religious denominations the situation improved since 2009. A number of religious groups, which were obstructed in registration before 2009, by 2012 finally got registered. At the same time a number of on-going issues demonstrate that although to a lesser extent, but the Moldovan Ministry of Justice continues to be vulnerable to internal and external political pressures, which undermine the independence of this registration body. The main source of internal pressure is the Moldovan Orthodox Church (as in case of the Bessarabian Orthodox Church, Muslim groups). The negative external pressure comes from the Chinese authorities, who succeeded in ensuring that the Moldovan government did not register Falun Dafa for years in row.

Following the above findings, the authors of this report strongly recommend:

- a) depoliticizing the registration institution, by transferring the registration functions to a body independent of the executive power, or of any other power appointed or elected in a political manner (such a body can possibly be the Moldovan Constitutional Court);
- b) ensuring independence of the registration body of the dominant Moldovan Orthodox Church.

II. CONSTRUCTION OF RELIGIOUS PREMISES

Half of religious groups reported major problems in construction of religious buildings

Out of 22 interviewed religious groups 9 religious groups reported that they never had a need to construct a building with religious destination. Half of the 13 religious groups who did endeavor to construct a building with religious destination reported no major problems in this process, while another **half reported that they faced a number of serious problems**.

Evangelists & Baptists report that in Chisinau over the last 20 years they managed to construct only 5-6 religious buildings and that in present no land plots are allocated to this group for the purpose of constructing their religious buildings.

Jehovah Witnesses report that, unlike in the past decades, in present they face many serious problems in construction of their religious buildings. There are a number of cases when, despite having all necessary documents at hand, Jehovah Witnesses are not allowed by local authorities to build their Kingdom Halls. This is the case in villages of Mereni (Anenii Noi district), Tipala (Ialoveni district). *The details of the case in Mereni are provided below in the box.*

The ***Bessarabian Orthodox Church*** reported numerous cases of LPA's refusal to authorize building of Bessarabian Church buildings under pretext that in the locality there is already one Orthodox Church building. In another case during the Communist rule (2001-2009) the Moldovan Ministry of Environment for 2 years delayed issuance of its authorization for construction of a Bessarabian Church building invoking various "environmental" considerations.

The ***Lutheran Church*** reported that several years ago they were proposed a bad construction site, instead of the one requested by the Church. After the refusal of the LPAs on the requested site, third parties contacted the Church with an offer to buy the previously "unavailable" site.

The ***Islamic group*** led by Talgat Masaev reported that their attempt to initiate construction of their own religious building because of impossibility to receive the legal personality for his religious group.

Pentecostals reported that the local councilors in many localities impede the change of legal statute of buildings procured by the religious group for religious purposes. Such cases took place in the past decades in *Chişinău, Copceac (Ştefan Vodă district), Ocniţa, Clocuşna*, etc. The group acted in the court to claim their right, where they obtain victory in the majority of cases, but the local councilors did not comply with the court decisions.

In 2008-2009 in *Pirlita (Falesti district)* an unknown person set fire to the religious building of the group under construction. In *Căşcălia* village the initiated construction was demolished, the guardian was beaten up, while the adepts of the group were intimidated.

Seventh Day Adventists reported that in 2008-2009 in *Copanca* village a member of the group attempted to build a prayer house. The local population (predominantly the Orthodox of the Old Rite) did not allow the construction.

Catholic Church reported that generally do not face difficulties in acquiring land, except for Chisinau, where the authorities did not provide any positive response yet to the request of the group.

During the observation and documentation visit to the village of **Mereni** (Anenii Noi district) the following case of obstruction in building of the local JW's Kingdom Hall has been reported by the leader of the local congregation of the **Jehovah Witnesses**:

On 30.11.2006 the congregation procured a land plot in Mereni for construction of the local Kingdom Hall. On 02.01.2007 the congregation submitted documents to the Mereni mayor's office to request authorization for the construction. On 30.01.2007 the mayor's office denied issuance of the necessary construction documentation because "in the village there is already a church". On 29.01.2008 the Causeni Appeals Court delivered the final decision in favor of the congregation. The then Mereni mayor refused to execute the court decision. Only after the change of the mayor following the 2011 general local elections the newly elected Mereni mayor in June 2012 issued the urbanism certificate allowing the construction of the congregation Kingdom Hall.

Another relevant case took place in 2010, when the congregation attempted to rent out ceremony premises in Mereni to run an event called Commemoration of Jesus. The local Orthodox priest jointly with the then-mayor exercised pressure over the owner of the premises, and determined him to deny the congregation's request for renting of the premises.

This and many other cases of obstruction and interferences in Mereni were initiated by the local Orthodox priest of the Moldovan Orthodox Church, who continuously through hate speech called the local authorities and local population for obstruction of JW's activities and for acts of aggression against them.

The analysis of the overall situation points at weak framework for ensuring minority religious groups' rights for acquiring land plots for building their religious premises, and for actual construction of the premises. In many cases Moldovan local public authorities take freedom in providing land plots to the majority Orthodox Church free of charge, and assisting in construction of its premises out of public funds³, at the same time refusing the same rights and facilities for other religious groups. These widespread local practices run counter Constitutional

³ In February 2011, the General Mayor of Chisinau, Mr. Dorin Chirtoaca, for example openly pledged to reconstruct an orthodox church from Chisinau out of municipal public funds: <http://www.chisinau.md/libview.php?!=ro&idc=403&id=3015> or <http://unimedia.md/?mod=news&id=30242>

provisions of the Republic of Moldova, and international human rights standards binding upon Moldova regarding equality, non-discrimination and freedoms of conscience, thought and belief.

In Moldova there is no functional mechanism which would effectively deal with these numerous and serious issues. Even in cases when the religious groups successfully claim their rights through lengthy court procedures, at many occasions the local councils refuse to execute court decisions, thus leaving the rights of religious groups violated.

Following the above findings, the authors of this report recommend:

- a) reviewing legal framework related to the role and obligations of local public authorities with regard to requests on construction of religious buildings, to limit LPAs arbitrary discretion;
- b) strengthening the mechanisms for execution of court decision related to construction of religious buildings;
- c) enforcing sanctions for local officials, who obstruct the exercise of religious rights and freedoms.

III. RELIGIOUS ACTIVITIES IN PUBLIC SPACES

Public spaces in Chisinau

In Chisinau the major gross violations of the freedom of peaceful assembly and right to religious manifestations took place in 2009, when the **Seventh Day Adventists** were effectively banned to run a religious manifestation at the Chisinau central square after intervention of the **Moldovan Orthodox Church**, and the Judaist Hanukkah has been vandalized by a group of Orthodox priests and adepts, without police intervention over the vandals. In both cases of the key actors to these violations were the priests of the Moldovan Orthodox Church, and the officials of the Chisinau municipality.

During the interviewing majority of questioned religious groups reported no major problems in access to public spaces in Chisinau. At the same time many of them did not try to organize significant religious manifestations since 2009. There are many signs that the impunity for 2009 violations caused minority religious groups to believe that further attempts to get access to visible Chisinau public spaces will be in vain.

***Baha'i group** reported that they did not have access to the public spaces in Chisinau because they have encountered serious problems and difficulties in dealing with municipal public authorities, such as the need to request "authorization" from the Chisinau Riscani district Praetor's Office, and officials' claims that "Baha'i is not a majority denomination, and that Moldova is an Orthodox country". Some of its activities the Baha'i group succeeded to run only as an NGO, not as a religious denomination.*

As an interesting repetition, during the interview with another religious group – **the Free Christian Community "Christ's Church"** – its representative mentioned that the group *"does not have problems in accessing public spaces, after requesting authorization from the Mayor's Office".*

To remind, the 2008 Moldovan Law on public assemblies does not require authorization for public assemblies, it only requires prior notification for non-spontaneous and numerous public meetings. The recurrent referrals to "public authority authorization" might mean that either the religious groups are not fully aware about their rights under the 2008 public assembly law, or there is an on-going informal practice of "authorizations" between the minority religious groups and Chisinau municipal authorities, or both.

Many minority religious groups mention the interference of the **Moldovan Orthodox Church** as the major factor in obstructing access to public spaces.

“Now in Chisinau there are no problems. There was a case in 2009, when we had a Bible Festival, and we were not permitted to manifest at the Great National Assembly Square (after the intervention of the Moldovan Orthodox Church). We had to run our festival at the headquarters of our denomination, at the yard of the headquarters and at the street.

We do not have the problems with the public authorities. The only problem is the Moldovan Orthodox Church (of the Moscow Patriarchate).”

*From the interview with the **Seventh Day Adventists Church***

“For example, up till recently we used to rent out the Green Theatre (Summer Theatre) for some of our events, however because of the interference of the Orthodoxy, the access has been restricted ...”

*From the interview with the **Jehovah Witnesses***

Although not mentioned directly by the leader of the “Habad Liubavici” Synagogue, one case needs to be mentioned here – vandalizing of Jewish menorah in the public park by a group of Christian Orthodox believers led by Orthodox priest Anatolie Cibric on 14 December 2009. The Menorah was placed in the public park “Stefan cel Mare” in central Chisinau by the Jewish community from the Moldovan Republic to celebrate Hanukkah. The Christians pulled the Menorah and placed a Christian cross instead of it.

“Placing a Jewish symbol next to the statue of Stephen the Great is an offense” said leader of the group, Orthodox priest Anatolie Cibric. “We are Orthodox Christians, we are a nation of Christians and Stephen the Great protected our nation from all kind Jews. But Friday, they came here and placed their Menorah right in the middle of our square! This is a sacrilege! We can’t believe that our government allowed such a thing in a Christian nation!” said the priest. The priest then showed the Moldovan flag into the TV cameras, and stated: “The Cross here on our flag is our symbol, we will protect our nation with the holy cross! No Jew will oppress us in our own nation!” Police force did not intervene to stop the vandalizing act. The main aggressor, Orthodox priest Anatolie Cibric, was sanctioned for this act with a symbolic fine of 600 MDL (50 USD) in January 2010.

There is one more account that in December 2011 Jewish groups requested a permit from the Chisinau mayoralty and the Moldovan Ministry of Culture to place a Menorah in a public place in celebration of the Hanukkah, but the authorities denied the permit.

All the above cited cases, and some fragments of other interviews show an on-going problem with treatment of non-Orthodox religious groups by the Chisinau municipal authorities, which implicitly discourage public assemblies and ceremonies of non-Orthodox groups in public spaces of Chisinau.

***Falun Dafa** group reported that, although the Chisinau mayor’s office did not obstruct the religious activities of this group at the Europe Square, its public officials talked extremely inappropriately with the representatives of the Falun Dafa group telling them at one occasion: “As of tomorrow do not want to see you here [at the Chisinau Mayor’s Office]”. At another occasion municipal councilor Mr.Cernei demanded Falun Dafa practitioners to move their legally exposed banner into another place.*

The same group reported difficulties in accessing the Chisinau Arboretum (Buiucani Botanical Garden), which is a municipal enterprise, for the open-air Falun Dafa practices, despite open access to the same public spaces for wedding ceremonies and other organized groups of people. No legal grounds for expelling from and denial of access to this public space have been brought to the group by the Arboretum officers.

To summarize: a) in Chisinau the number of visible violations of the right to public assembly and religious manifestations decreased, but there are grounds to believe that this decrease is the result of impunity for previous gross violations of the right to free assembly and religious manifestations; in addition, less visible violations are still taking place, but without being widely covered by media; b) the Moldovan Orthodox Church, including through the Chisinau municipal authorities, is the main factor for obstructing access to public spaces in Chisinau; c) in a number of cases the Chisinau municipal authorities continue to play the role of “authorization” authority, allowing or disallowing some religious activities in public spaces without clear legal ground, or treating inappropriately the non-Orthodox groups.

Religious Funerals & Access to Cemeteries

Out of 22 interviewed religious groups:

- 11 groups (50%) reported **no problems** in access to public cemeteries and exercise of funeral religious rituals and practices;
- 6 groups (27,3%) reported **minor problems**;
- 2 groups (9,1%) reported **major problems**;
- 3 groups (13,6%) had no yet an occasion to exercise funeral religious rituals and practices.

Among the most frequent issues and problems related to this element of the religious freedoms and rights are:

- issues and problems with allocation of burial places at the local public cemeteries for the non-Orthodox deceased;
- obstruction of funeral ceremonies for the non-Orthodox deceased by the Orthodox priests, and Orthodox followers incited by the Orthodox priests (outside Chisinau).

Pentecostals report that at *Micleușeni village (Nisporeni district)* cemetery is «privatized» by the local Orthodox priest. 2 years ago relatives of a deceased Christian Evangelical elderly woman could not peacefully bury the lady. The Orthodox priest and his followers barred the access of the funeral procession to the local cemetery, and the funeral procession had to circle around the cemetery through a very bad road, making an extra one kilometer on frosty weather, ultimately burying the lady at the cemetery spot booked for suicide-makers – at the very far end of the cemetery.

The Seventh Day Adventists reported an exceptional case, which took place in 2011 in the village of Buteni, when during the funeral ceremony for an adept of the group the local Orthodox priest used a gun to obstruct the ceremony. The priest has been neutralized by several participants to the procession. The gun has been later returned to the priest by the police.

Bessarabian Orthodox Church (BOC) reported continuous intervention of the Moldovan Orthodox Church into the funeral ceremonies of BOC’s adepts through exercise of influence over local public authorities. BOC has to often break down its funeral ceremonies in two parts: one part run at deceased’s home according to BOC’s

rituals, and another part – at the cemetery with no references to BOC’s rituals, in order not to “provoke conflicts because of BOM’s influence over local public authorities”. In addition BOC reported impossibility of building its own churches at the territory of public cemeteries, because of BOM’s opposition, which the Bessarabian Orthodox Church treats as a clear case of discrimination.

Jehovah Witnesses (JW) reported a recent case when they were refused burial at the public cemetery due to religious affiliation of the deceased with the JW. Because of this refusal the dead body had to wait at the street for over 6 hours, not until the issue was resolved by the summoned police force.

In addition to the above groups, **Seventh Day Adventists Church (Reformist Movement)**, **Evangelical Baptists**, **Seventh Day Adventists** reported other cases of problems with funeral religious rituals, practices and burials in rural localities, including in the villages of *Vorniceni /Straseni district/*, *Sarateni village* (the funeral ceremony was obstructed by the local groups till 23.00), *Hincesti town*, *Drochia town*, *Loganesti*, etc.

Beyond the reported specific cases of discrimination and violation of religious freedoms, the quality analysis of the data and information received during the interviews reveals a serious **fundamental issue** related to public management of **public cemeteries**. The majority of the interviewed religious leaders (both, who reported no problems, and minor or major problems in access to public cemeteries) very directly and sharply speak of the public cemeteries as of a facility controlled or co-managed the Moldovan Orthodox Church. Below are some of the most interesting examples:

“In many rural localities of Moldova the burial request at the local public cemetery is being submitted directly to the local Orthodox priest or through the agreement of the priest.”

*From the interview with the superior episcopo of the **Pentecostal** denomination in Moldova*

“There are isolated cases, for example in Loganesti, where the local priest locked down the entrance door for the funeral procession of our adept. The priest unlocked it only after the intervention of the mayor.”

*From the interview with the **Seventh Day Adventists***

“In the village of Carmanova the local Orthodox priest refused burial of adept of our group at the local cemetery.”

*From the interview with the **Lutheran Church***

“The representatives of our Church have to pay the parking tax at the Chisinau Doina [Saint Lazarus] cemetery, while the Orthodox priests are waived from paying the tax.”

*From the interview with the **Catholic Church***

While allocating the burial plots the local public authorities and cemetery administration treat the cemetery as if its entire territory is a by default religious cemetery, booked for Orthodox deceased, and the non-Orthodox have to beg for some plots, which are often provided in bad, marginal zones of the cemetery.

“In 2009 in Mereni there was a case of a deceased member of the local Jehovah Witnesses congregation. The local Orthodox priest only allowed the burial of this member under the cemetery fence within the territory of the cemetery.”

*From the interview with the Elder of the **Mereni Jehovah Witnesses** congregation*

“In some localities we are allocated a separate space at the cemetery, booked for non-Orthodox, while in the majority of other localities we are allocated burial places at the same place with the other people.”

*From the interview with the **Seventh Day Adventists Church (Reformist Movement)***

“In general there are no problems. Usually our group is allocated a marginal zone at the local cemeteries, which is booked for non-Orthodox.”

*From the interview with the **Evangelists and Baptists***

“We initially had problems with the management of the Chisinau Saint Lazarus (Doina) cemetery, which did not wish to allocate burial places for the adepts of our religious group. One of the religious leaders then has bought around 100 places, and when we approached the management body to buy more places, an official of this body tried to cancel our previous agreement without returning the money back. This official argued that he had problems with his superiors because of that.”

*From the interview with the **Islamic group of Talgat Masaev***

A sort of positive case has been registered in the village of *Colibasi (Cahul district)*, where the local cemetery has been divided into two zones: one for the deceased Adventists and Baptists, and one for the deceased Christian Orthodox. This has been done to avoid any conflicts and misunderstandings because of the funeral rituals specific for each denomination.

The above examples demonstrate that:

- in a number of localities the local Orthodox priests treat the local public cemeteries as the facility actually “owned” and “managed” by the Orthodox church;
- in Chisinau and some other localities the burial places at the cemetery are treated by the local authorities, cemetery management bodies, the Orthodox church, and even the non-Orthodox groups as “by default” Orthodox, and special arrangements need to be made to get burial places for the “non-Orthodox”; often special arrangements include allotment of marginal places at the public cemeteries;
- local public authorities openly or implicitly accept the intervention of the Orthodox church representatives into the management of cemeteries, which are actually public facilities, and in many cases do nothing to change this situation, which clearly runs counter the international and national Constitutional standards of human rights, separation of the state and church, and the rule of law.

Management of public cemeteries

Out of the same 22 interviewed religious groups:

- 10 groups (45,5%) mentioned that local public authorities generally manage **well** the burials of the adepts of the relevant religious groups;
- 3 groups (13,6%) mentioned that local public authorities generally manage **not so well** the burials of the adepts of the relevant religious groups;
- 5 groups (22,7%) mentioned that local public authorities generally manage **poorly** the burials of the adepts of the relevant religious groups;
- 1 group (4,5%) mentioned that local public authorities generally manage the burials of the adepts of the relevant religious groups the same way it manages burials of adepts of other religious groups;
- 3 groups (13,6%) had no yet an occasion to access cemeteries and exercise of funeral religious rituals and practices.

The majority of the interviewed religious leaders reported that the good conditions of the burials of their adepts are to a larger extent the merit of privates (the relatives of the deceased, and the religious group activists), than of the public authorities.

The well managed burials belong to the adepts of the **Moldovan Orthodox Church, Bessarabian Orthodox Church, Russian Orthodox Church of the Old Rite, Armenian Gregorian Church, Catholic Church, Moldovan Federation of Jewish Communities “Habad Liubavici”, Christ’s Church, Unification Church, Krishna Society, Jehovah Witnesses.**

The not-so-well and poorly managed burials belong to the adepts of the **Islamic league, Evangelists and Baptists, Lutheran Church, the Seventh Day Adventists, the Seventh Day Adventists (Reform Movement), Union of Churches of Evangelical Creed Christians (Pentecostals), Methodist group, Islamic group of Talgat Masaev.**

The above analysis shows that the well managed burials belong predominantly to the deceased from the “traditional” religious denominations: Orthodox, Catholic, Judaist, with few exceptions. The poorly managed burials belong to the “non-traditional” denominations: Protestant, Neo-protestant, Islamic.

To summarize: a) Across Moldova there are ongoing issues and problems with allocation of burial places at the local public cemeteries for the non-Orthodox deceased; b) Outside Chisinau there are cases of obstruction of funeral ceremonies for the non-Orthodox deceased by the Orthodox priests; c) The Moldovan Orthodox Church directly and discriminatorily interferes into the management of the public cemeteries, in some rural localities basically taking over the control over them, with the local public authorities tolerating and accepting this situation.

Recommendations:

- a) To develop and implement a training program for the relevant local public officers, and leaders of the religious groups with regard to the Moldovan Law on public assemblies;
- b) To amend the legislation on public cemeteries to fully secularize the management of cemeteries, clearly provide for the secular character of public cemeteries, with an impartial and fair system of allocation of burial places, free of interferences of majority or minority religious groups (as an option through establishment of mixed local inter-confessional commissions on allocation of burial places at public cemeteries);

c) To stop practices of discrimination in allocation of burial places, running of religious funerals, and management of cemeteries, including through effective punishment of violators without delay and without regard to official positions or belonging to the majority religious denomination.

IV. THIRD-PARTY INTERFERENCES INTO RELIGIOUS ACTIVITIES

In terms of interferences overall there are three categories of religious groups:

- Religious groups, which almost never or to a very small extent have been a target of direct or indirect interferences (12 groups of the 22 interviewed);
- Religious groups, which used to be a target of direct or indirect interferences prior to 2009 (5 groups of the 22 interviewed);
- Religious groups, which used to be a target of direct or indirect interferences prior, during and after 2009, including in present times (5 groups of the 22 interviewed).

The religious groups, which almost never or to a very small extent have been a target of direct or indirect interferences, are: ***Moldovan Orthodox Church, Russian Orthodox Church of the Old Rite, Armenian Gregorian Church, Catholic Church, Moldovan Federation of Jewish Communities "Habad Liubavici", Krishna Society, Lutheran Church, the Seventh Day Adventists (Reform Movement), Methodist group, Baha'i, Tao Way group.***

Religious groups, which used to be a target of direct or indirect interferences prior to 2009, are: ***the Bessarabian Orthodox Church, Evangelists and Baptists, Seventh Day Adventists, Unification Church, and the Islamic group of Talgat Masaev.***

Religious groups, which used to be a target of direct or indirect interferences prior, during and after 2009, are: ***Jehovah Witnesses, Union of Churches of Evangelical Creed Christians (Pentecostals), Islamic League, Christ's Church, Falun Dafa.***

Jehovah Witnesses reported 33 cases of interference, infliction of damage and aggression in 2010, and 33 such cases in 2011, including cases of physical attacks and aggression, threats, damaged cars, premises and other properties. For example, in *Orhei town* the windows of the JW's premises are being routinely broken. In some localities the local Orthodox priests hold hate speeches and call for aggressions towards JWs.

During the observation and documentation visit to *Mereni*, the Elder of the Mereni local congregation of the JW reported a case in his locality in 2011, when an external person intruded into the JW meeting, and disturbed the running of the meeting by shouting and insulting those present. He also reported multiple cases, when some locals insulted the members of the JW congregation on the streets of the village, or when the local Orthodox priest at many occasions offended the members of the congregation. In 2010 the Elder's family was aggressed on the road between two villages by 6-7 villagers. The aggressed persons were rescued by the rapid intervention of the other members of the congregation. On a number of occasions the wheel tires were perforated by the wrongdoers in front of the JW meeting place. The local Orthodox priest regularly makes hate speeches with regard to the local JW, and calls the locals to not take JW publications because they present a threat. None of the cases was investigated by the local police, and none was brought to justice for committing them.

Pentecostals reported multiple cases of direct and indirect interferences in free exercise of their religious practices. In *Mihăilenii Vechi* village (Rîșcani district) there was obstructed a baptism ceremony, and the group adepts had to walk 2 km to other church to exercise the ritual. Similar cases of baptism obstruction happened in *Livădeni*, *Drochia și Cimișeni*, *Criuleni*. In the villages of *Livădeni* and *Mîndîc* there were cases of electricity break, each time when the group intended to run evangelization (such accidents were taking place 2-3 years ago). Pentecostals have also experienced many cases of damage to their properties and belongings. In 2008 in *Clocușna* there were broken windows. In *Tohatin* (Chisinau suburb) a fire was started on a Pentecostal house. In *Mihaileni* during the night somebody opened a gun fire onto the Pentecostal Prayers House, and then broke the doors and windows of the House. Neither police, nor prosecutors investigated the case. In 2010 in the village of *Corestăuți* (Briceni district) a drunken Orthodox priest has beaten a Pentecostal minister during the evangelical service. In many localities police demanded the Pentecostal groups installing of metallic fence on the windows and metallic doors, without citing any legal ground for these demands. In such cases police uses to make reference to the article of the Contravention Code punishing “non-observance of legitimate demand of police”. Public authorities in *Donduseni*, *Edinet*, *Cimislia*, *Floresti*, *Drochia*, *Hincesti* requested the lists of adepts, contrary to the legal provisions in force.

Islamic League reported a theft of computer from group’s office, and unauthorized filming of group’s prayers by police and check of ID data of prayer practitioners at the premises rented by the group in 2011 in *Chisinau*. In the same 2011 a Nistru-war veteran Valeriu Ciobanu at several occasions has made statements against Islam followers amounting to hate speech, and has publicly threatened Islam followers with physical aggression. None of the above cases has been adequately investigated, and none has been brought to justice. In addition, up till 2011 members of the Islamic League have been routinely visited by the security officers (SIS, Information and Security Service), migration bureau officers, and collective prayers in private places were filmed without authorization of the group.

Christ’s Church reported a number of interferences of Orthodox priests into group’s services in the villages of *Sociteni* and *Biesti* in 2010 and 2011. Uninvited, the Orthodox priests and a number of supporting locals broke into the group’s premises during the religious service, insulted the group, threatened to interrupt the activity, called to hate. In addition cars of several group’s followers were damaged in the same villages of *Sociteni* and *Biesti* in 2010 and 2011. In *Orhei* group’s equipment has been stolen from the rented premises.

Falun Dafa reported a number of very grave interferences into group’s religious rights and freedoms. In May 2010 the management of the Moldovan Ministry of Culture and National Opera Theatre cancelled performance of the arts group Shen Yun Performing Arts from New York, under heavy pressure from the Chinese public authorities. The arts group’s performance featured classical Chinese dance and ethnic dance with scenes about the modern-day persecution and murder of Falun Dafa followers, and the group had civil contract relations with the local Falun Dafa group and the National Opera Theatre. The breach of the contract by the National Opera Theatre and the barred performance caused very serious financial and material damage to the organizers of the performance, which to the date has not been compensated. On another occasion police stopped group’s public action and seized group’s banners, under pretext of group’s logo being similar to swastika. The head of the Moldovan Falun Dafa group was stopped at the *Chisinau* airport, not admitted to her scheduled flight, interrogated and searched by law enforcement agents, when she intended to fly to a Falun Dafa conference in New York. The head of Chisinau airport security allegedly declared that the lady would present “a threat to public health”. In *Balti* during dissemination of Falun Dafa literature the local police intervened with a set of questions, but immediately departed when the incident started to be filmed. In addition, at least at two occasions the interferences into group’s activities were made by Orthodox priests: at one occasion an Orthodox

priest in *Calarasi* threatened to close down a pictures exposition run by the group, and at another occasion an Orthodox priest accused the Falun Dafa group of establishing a new religion in the Republic of Moldova, which according to him, should not be admitted.

During the observation and documentation visit to the *Singerei Noi village (Singerei district)* the local **non-registered Baptist group** reported a case, when the local Orthodox priest chopped down 2 spruce trees from the Baptist burials, and used them as the raw material for building his garage house.

There are two major factors, which determined the above picture: the political factor & the local factor.

The political factor: Before 2009 the situation of many religious groups was difficult because of intense unjustifiable interference of public authorities (police, security service) into the religious practices and activities. These religious groups became the focus of such adverse attention apparently due to their perceived threat to “national security and interests” or to the “interests” of the Moldovan Orthodox Church (of Moscow Patriarchate). The interferences by the public authorities varied from surveillance and multiple checks of religious premises, activities and practitioners to cancellation or obstruction of important and routine religious activities (such as collective prayers, artistic performances, public actions and festivals).

By 2009 the situation of a number of the above groups improved apparently due to positive external political pressure of the European Union (like in case of the Bessarabian Orthodox Church, Islamic groups), internal political changes (Evangelists and Baptists, Bessarabian Orthodox Church), and general “liberalization of regime” (Seventh Day Adventists, Unification Church). At the same time the interferences into the legitimate religious activity of other religious groups did not stop, or decreased insufficiently, which is due to two major factors: wide influence of the Moldovan Orthodox Church on the public decisions and policies (interference into the politics), and succumbing to the external political pressure (case of Falun Dafa and Chinese authorities).

The local factor: In addition to interferences into religious activities inducted by the central public authorities, the above religious groups were a target of multiple acts of interference, aggression, damage to the property, committed by privates, mainly local Orthodox priests and their followers. This is proved by the fact that the groups, which never or to a very small extent faced interferences, are mainly the “traditional” religious groups (Orthodox, Catholic, Judaists), or small religious groups, with no presence in rural areas, where the majority of reported interferences took place. This fact brings us to the conclusion that the local framework for ensuring the fundamental human rights and freedoms, including religious rights, is particularly weak at local level. It seems that at the local level the local public authorities (mayors, local councilors, and police officers) are under an even stronger influence of the Moldovan Orthodox Church, than the central authorities. There are two possible reasons for this situation: a) generally lower level of fundamental human rights awareness and professionalism among the local officers; b) lower level of general education among rural population, which amplifies the influence of the Church on them, and as the result “the power” of the local priests to determine the political and electoral support of the elected officials by the “religious” population.

Remedy in & Impunity for Violation of Fundamental Religious Rights and Freedoms

Out of 22 interviewed groups, 9 groups reported no issues requiring investigation, identification and punishment of wrongdoers / perpetrators, or remedy and compensation of damage. Out of 13 groups which reported issues requiring investigation:

- 6 groups responded that the wrongdoers were never identified and punished;
- 5 groups responded that in some cases wrongdoers were identified and punished;
- 1 group responded that in all cases wrongdoers were identified and punished;
- 1 group responded that it never appealed to the law enforcement institutions due to uselessness of such appeals (in terms of effectiveness).

An interesting case has been reported by the local **Emmaus Baptist group** during the observation and documentation visit to *Singereii Noi village (Singerei district)*. The local pastor told the interviewers that a while ago there was a case of theft of the acoustic equipment belonging to the group from the group's prayer house. In this theft case, on insistence of the local policeman and LPA the representative of the Baptist group withdrew the complaint submitted to the district (rayon) police. The local policeman promised that the stolen equipment would be returned to the group, but that never happened.

The above figures clearly show a very low level of law enforcement effectiveness (in the first place police effectiveness) in investigation of unlawful acts committed against religious groups. Even graver is the fact that in many cases the wrongdoers were known or easily identifiable (local Orthodox priests and/or locals guided by the Orthodox priests), but in none of the cases were these wrongdoers effectively brought to justice. This fact strengthens the conclusion that in Moldova Orthodox priests often act as a "quasi public authority" at central and local level, while the actual public authorities in Moldova bend under the pressure of Orthodox Church, not respecting and protecting the freedoms and breaching the rights of non-Orthodox.

Following the above findings, the authors of this report strongly recommend:

- a) depoliticizing the institution, which exercises the oversight over the activity of religious groups, by transferring the registration functions to a body independent of the executive power, or of any other power appointed or elected in a political manner (such a body can possibly be the Constitutional Court of Moldova);
- b) ensuring independence of such institution from the dominant Moldovan Orthodox Church;
- c) strengthening the ombudsmen institution through a radical institutional reform to enable it to act as an effective protector of the fundamental religious rights and freedoms;
- d) providing the oversight or the ombudsmen institutions with the power of effectively sanctioning the violators of the fundamental religious rights and freedoms, including the local public authorities (mayors, local councilors, police officers);
- e) developing and implementing a training component for Moldovan local public officers, including mayors, local councilors, police officers, on religious right and freedoms, and on unbiased and balanced addressing and treating of religious activities in their respective localities;
- f) developing a Guide for Moldovan local public officers, including mayors, local councilors, police officers, on religious right and freedoms, and on unbiased and balanced addressing and treating of religious activities in their respective localities.

V. DISCRIMINATION OF FOLLOWERS (ADEPTS) DUE TO RELIGIOUS AFFILIATION

A number of religious groups have reported issues, problems and cases of discrimination of their followers in the fields of education, healthcare and employment.

Education

Seventh Day Adventists and **Seventh Day Adventists (Reformist movement)** reported problems related to scheduling some exams in school for Saturday, which is a holy day for the Adventists. In addition Seventh Day Adventists (Reformist movement) reported problems in enrollment of their children into kindergarten and school, because of their refusal of vaccination.

Jehovah Witnesses reported that in primary school (I-IV forms) during the classes of Spiritual Education the educators often speak about the Orthodox symbols, which are not shared by JWs. During the observation and documentation visit to the *Mereni village (Anenii Noi district)* the Elder of the local JW congregation reported a case when the local school teacher insulted the children of one of the JW's followers. The members of the congregation had a discussion with the school administration, and the situation improved.

During the observation and documentation visit to the *Colibasi village (Cahul district)* the pastor of the local **Baptist** group reported that there is a local school teacher, who is a Christian Orthodox, and she makes attempts to introduce during the classes elements of the Orthodox faith. The parents believe that she indirectly adversely influences the school marks of children, who are not Christian Orthodox.

Islamic group reported issues in schools with their daughters wearing hijab (veil): teachers and peers question this practice, and embarrass the girls. **Islamic League** reported additional checks performed on them, when they enroll their children into kindergarten and school.

Falun Dafa reported a case of refusal of enrollment a child into school due to the fact that s/he wore a Falun Dafa symbol very much resembling swastika.

Unification Church, although did not report the cases of discrimination in education, at the same time mentioned a "cold attitude" of school teachers towards their children.

Medical care

Seventh Day Adventists (Reformist movement) reported that because of their refusal to vaccinate their children, they had problems with kindergarten and school administration, when the children had to start attending these institutions.

During the observation and documentation visit to the *Gura Galbenei village (Cimislia district)* the unregistered **Gura Galbenei non-registered Baptist group** reported issues related to unwillingness of Baptist parents to vaccinate their children, which then leads to problems during enrollment into the educational system.

Jehovah Witnesses reported that they had problems at medical institutions because of the unacceptability of blood transfusion for the members of the group.

Employment

The most serious case of discrimination was reported by the head of the **Falun Dafa** group. The head of the Falun Dafa group is a lawyer, who worked at the judge in a Moldova court. She was put under hard pressure by

the colleagues from the Superior Council of the Magistrates (self-administration body of the judges) to leave the position. She was ultimately demitted from her position in 2008 for “violation of professional ethics” because of her belonging to the Falun Dafa group.

Another important case of discrimination is a case reported by **Talgat Masaev** of woman being fired because of her wearing the hijab.

Jehovah Witnesses reported a case in *Stefan Voda* when a JW follower had difficulties in employment at a school because of the belonging to Jehovah Witnesses.

Both interviewed groups of the **Seventh Day Adventists** reported issues with work on Saturday, which is a holy day for the Adventists. The issues and problems because of that are reported as frequent.

The **Russian Orthodox Church of the Old Rite** reported that some of the male followers have problems at work because of the religious tradition to not shave the beard after they get to 40 years old. Some of them were asked to shave the beard off, which they didn't. None of these men was so far however fired because of that.

Holidays

The **Bessarabian Orthodox Church** reported misunderstanding with the Communist public authorities during 2001-2009 because of celebrating Orthodox Christmas not on 6-7 January (as in the Eastern Orthodox tradition), but on 24-25 December.

Jehovah Witnesses reported misunderstandings, and sometimes disrespectful attitude from the rest of population because of their work on Easter (Jehovah Witnesses do not observe holidays, while work on Easter in Orthodox tradition is a sin).

Under this section it is worth mentioning that for **Seventh Day Adventists** and **Judaists** the weekly holy day is Saturday, while for **Muslims** it is Friday (instead of Sunday in Orthodox tradition). The Moldovan legislation does not provide any sort of legal accommodation for these religious variables.

Other

During the observation and documentation visit to the *Mereni village (Anenii Noi district)* the Elder of the local **Jehovah Witnesses** congregation reported that in Mereni there are cases when the car and microbus drivers do not stop to pick up the local JW members, or when get them off the transport.

During the observation and documentation visit to the *Colibasi village (Cahul district)* the Pastor of the local **Baptist** group mentioned that in general, in his opinion, the local public authorities act well because they do not impede the exercise of the fundamental religious freedoms and rights. At the same time there is a problem related to the LPAs: the followers of the Baptist church are denied the provision of social assistance, even when they are eligible and entitled to receive it. The authorities justify this practice with the fact that the Baptists are hard-working people, and they can make it without the social assistance.

The **Catholic Church** reported that during 2006 the Communist government demanded from many businessmen and employees, including those of Catholic faith, to make donations towards reconstruction of the Orthodox monastery Curchi, which is an obvious violation of the freedom of religion and thought.

The overall analysis of the collected information and data indicates that the educational, medical care and employment policies of the Republic of Moldova are diversity-blind, with no accommodation clauses for non-

Orthodox whatsoever. The situation of most concern is in the area of employment, where the labor legislation is very imperative, and does not provide a space for accommodating the religious needs of all employees. But even more serious are the cases of denial of employment and firing on religious grounds.

Following the above findings, the authors of this report strongly recommend:

- a) Amendment of the national legislation to accommodate the fundamental religious rights and freedoms in all areas of life, most importantly in the areas of educational, health care, and particularly employment;
- b) Revision of the national legislation to ensure effective sanctioning of discrimination on religious grounds in all areas of life, most importantly in the areas of educational, health care, and particularly employment.
- c) inform on presence of minority religious groups and educate on tolerance and understanding through media and religion hours in school.

VI. RELIGIOUS ACTIVITIES IN SCHOOLS AND OTHER PUBLIC INSTITUTIONS

The access of religious groups to educational and other public institutions is not being provided on a fair and non-discriminatory basis to all religious groups.

The Seventh Day Adventists (Reformed) reported that they experience considerable difficulties in getting possibilities to run religious activities in schools. Often they agree with school directors/principals on running such activities without the formal procedure of authorization.

During the observation and documentation visit to the *Cliscauti village (Hincauti community, Edinet district)* the unregistered **Adventist** group from the locality reported that in the primary school the class headmaster studies the [Orthodox] Bible with the children. The parents have the possibility to opt out.

Baha'i reported considerable difficulties into incorporating information related to their denomination into religious disciplines taught at school because of "excessive involvement of the Orthodox church".

The Elder of the *Mereni Jehovah Witnesses* congregation reported that in Mereni the administration of local cultural and educational institutions categorically deny access to JW.

The **Islamic group** reported the impossibility in getting access to schools due to impossibility to gain the status of the religious organization (denomination). Also the group reported considerable difficulties in getting the possibility to run the activities related to their religion in such educational and cultural institutions as Universities, colleges, houses of culture, libraries. The groups did not have a possibility to provide their input to formulating curricula of religious and moral-spiritual disciplines in schools, because the Ministry of Education did not invite the group to join the process.

The **Bessarabian Orthodox Church** reported that the school administrations avoid inviting teachers and educators from the BOC, because of the imposed priority of the Moldovan Orthodox Church. BOC believes that their teachers and educators are better prepared for school activities than the representatives of the MOC, but there are no mechanisms for selection of the best qualified teachers and educators for religious and moral-spiritual disciplines in schools, and the priority is always given to the representatives of MOC. According to BOC, the teachers and educators from MOC do not have the pedagogical qualification.

The Bessarabian Orthodox Church mentioned that while the Government of Moldova allocated 1,2 million MDL of public funds for printing of manuals as per MOC's model, and which are insufficient for the moment as the

number, the Government refused the relevant manuals from Romania, sent at the request of BOC, which were provided as a donation (free of cost and charge).

The Bessarabian Orthodox Church also mentioned that it was not possible for them to open a theological school during 2001-2009.

The majority of the interviewed religious leaders mentioned that amidst issues and difficulties faced by other religious groups in accessing schools or school curricula, the Moldovan Orthodox Church always has unlimited access to schools and is the dominant author of the religious and moral-spiritual disciplines in schools. The Moldovan Orthodox Church itself confirmed that it had an unhindered access to schools and school disciplines. In addition, some religious groups reported that the Orthodox vision is promoted by central public authorities and school authorities in school disciplines over other (non-Orthodox) views, and limiting the free choice of non-Orthodox parents and their school-age children.

“In some localities the access of Baptist, Adventist, Pentecostal teachers of religion is hindered by the school administration, which claims that only the Orthodox priests may run religion classes, although the relevant localities are inhabited by 3-4 various religious denominations.”

*From the interview with the **Pentecostals***

“The representatives of our denomination have the possibility and actually teach religion in schools, according to the evangelical curriculum approved and checked by the Ministry of Education. The discipline is being taught since 2010 (pilot year).

There are cases when in I-IV forms the discipline of Moral & Spiritual Education is taught by an Orthodox priest, which actually transforms the discipline in teaching of the Orthodoxy. On request of the parents, their children do not attend these classes, even though this discipline is mandatory.”

“Within schools and Universities so far it is not possible to incorporate information about our religious group [except for the ones mentioned above], because the opposition of the Orthodox church is too strong.”

*From the interview with **Evangelists and Baptists***

“In schools the Orthodox Church has the priority. Decision is being made through a collective vote, in an authoritarian way, usually at the parents meeting.”

“In other educational and cultural institutions, such as Universities, colleges, houses of culture, libraries, only the Orthodox Church has the possibility to run religious activities, the other religious groups do not really have such a possibility. The participants to such activities are gathered through cooperation of the Orthodox church and state institutions; these activities are being implemented in an authoritarian way.”

*From the interview with **Falun Dafa** group*

When asked about the possibility to expose the quotes or symbols related to their religious group in schools and/or other educational institutions, the majority of the interviewed religious leaders responded that there are difficulties with regard to this issue, unlike in case of the Moldovan Orthodox Church, which has the full

possibility to expose its quotes, materials and symbols (such as icons, Orthodox crosses, quotes from the Bible, etc).

“In a school Orthodox icons are exposed at the walls of the school director. These icons were donated to the director by an Orthodox association, and then later these icons were distributed among all classrooms under signature of the classroom teacher-in-charge.”

*From the interview with **Falun Dafa** group*

In general it seems that the Orthodox icons, quotes, symbols, etc are omnipresent across Moldovan schools. The below photo, for example, has been taken in the school of the *Tartaul village, Cantemir district* in early 2012:



The responses of many interviewed groups revealed a number of heavy deviations from the principle of secular education “free of ideological charge”.

a) There are a number of school disciplines (Moral & Spiritual Education, Basics of Orthodoxy, etc) in school curriculum, which has a clear ideological (pro-Orthodox) nature, which runs counter the constitutional provision of education “free of ideological charge”.

b) The choice of these disciplines is not completely free, which violates the freedom of conscience and right to choice of education of children and their parents.

c) One religious denomination – the Moldovan Orthodox Church – has a clear priority over the other religious denominations in access to schools and other educational and cultural institutions, which is maintained by the Moldovan government, in the first place the Ministry of Education. This is a clear case of preferential treatment of some religious denominations, and discriminatory treatment of the others.

d) The Moldovan government invests public funds into educational materials promoting a single religious doctrine – the Christian Orthodoxy (of the Moldovan Orthodox Church), and does not allocate funds, not only to other “religious” disciplines, but also to such discipline as, for example, the discipline on fundamental human

rights “I have the right to know my rights”, developed for the school curriculum by Amnesty International Moldova. This pattern of funds allocation is a clear case of discrimination.

A number of religious groups expressed regrets that the Moldovan Government, and most notably the Moldovan Ministry of Education, had little will to collaborate in a non-discriminatory manner with all religious groups present in Moldova.

“Our group has a material possibility to provide an input to formulating curricula of religious and moral-spiritual disciplines in schools, but there shall be at least some openness from the Ministry of Education.”

“We do not really feel any support from the public authorities with regard to organizing religious activities in schools, and therefore we do not have motivation to organize such activities in schools.”

*From the interview with the **Seventh Day Adventists***

“Our group would wish to make an informational contribution into the manual of history. However school teachers often mix us up with sects, or deliberately call us a sect when they run their classes.”

*From the interview with the **Jehovah Witnesses***

“Our group has not yet initiated the activities on including the information about the religious group into the relevant school disciplines, because the group is generally blocked in their activities by the resistance from the Government of Moldova.”

*From the interview with the **Falun Dafa** group*

Following the above findings, the authors of this report strongly recommend:

- a) Cancellation of all disciplines with religious charge from the school curriculum, leaving the persons a freedom to choose their view on life in conscious age, or ensuring all religious, philosophical and ideological groups and movements an equal access to forming the curriculum;
- b) Ensuring of absolutely free choice of religiously and/or ideologically charged disciplines by the parents through individual (not collective!) written request, and free of any sort of peer pressure (on children of their parents);
- c) Absolute legislative and practical prohibition of any public financial support of any religious activities or disciplines, or ensuring all religious, philosophical and ideological groups and movements with equal public financial support;
- d) Prohibition of exposure of quotes or symbols related to any religious groups in schools and/or other educational institutions, and effective sanctioning for violation of this prohibition.

VII. MEDIA COVERAGE & PUBLIC DISCOURSE ON RELIGIOUS GROUPS

Media coverage on religious groups

Out of 22 interviewed religious groups 8 groups reported no need in media coverage or attention, or did not comment this aspect.

Of the 14 religious groups, which commented on their assessment of the amount of coverage, 5 groups reported sufficient coverage of their respective groups, while 9 reported that the media coverage of their religious groups was little and insufficient.

As concerns the quality of such coverage (context in which the groups was covered – positive, neutral or negative), only 3 religious groups reported that they were always covered in a positive context. 6 religious groups reported that they were covered in neutral or mixed (sometimes positive, sometimes negative) context, while 5 religious groups reported that they were covered mainly or only in a negative context. 8 religious groups did not comment on this aspect.

The quantity and quality analysis of the collected data demonstrates an unequal and unbalanced coverage of various religious groups in the Moldovan media space. The Moldovan Orthodox Church is the champion of media coverage in Moldova, this church being covered very often and overwhelmingly in a positive context. Other “traditional”, “historical” or “conventional” religious groups, such as the Catholic Church, the Judaist denomination (Synagogue “Habad Liubavici”), the Armenian Apostolic Church, and the Old Rite Orthodox Church, enjoy good and predominantly positive coverage in mass media. Other religious groups either do not enjoy the sufficient attention of media, or such attention is mainly of negative nature. Many media outlets habitually and routinely use to call the “non-mainstream” religious groups as “sects” (with a clear negative or disrespectful emphasis or meaning).

Many religious groups mentioned **low professionalism of Moldovan media** in coverage of religion related issues, and **high level of politicization of the religion related issues coverage**.

“The Moldovan media are politicized, unprofessional, politically or business-driven. In 2001-2009 the Bessarabian Orthodox Church was never invited to shows related to spirituality. Since 2009 there is more openness to us, probably due to changed political context ...”

*From the interview with the **Bessarabian Orthodox Church***

“There is a lot of coverage of the Christian Orthodox denomination, while about us there is only negative coverage. The coverage is not balanced. The journalists are only looking for sensations. For instance, currently at Albisoara street in Chisinau there is an on-going construction of a religious building. Some people quickly called to Pro TV, which came at the site and did a non-objective coverage of the issue.”

*From the interview with the **Jehovah Witnesses***

Following the above findings, the authors of this report strongly recommend:

- a) Developing and implementing a Training Program for Moldovan media on religious right and freedoms, and on unbiased and balanced coverage of religious activities in the country;
- b) Developing a Guide for Moldovan media on religious right and freedoms, and on unbiased and balanced coverage of religious activities in the country.

Public discourse

As in case of media coverage only the Moldovan Orthodox Church and other “traditional” religious groups, such as the Catholic Church, the Judaist denomination (Synagogue “Habad Liubavici”), the Armenian Apostolic Church, and the Old Rite Orthodox Church, are mentioned in public discourse well. Other interviewed religious groups are not mentioned in the public discourse very rarely or at all, and if are mentioned very often in a negative context.

An interesting situation presents the case of the **Bessarabian Orthodox Church**, which describes the public discourse concerning the group as follows:

“The presence in public discourse is determined by the personal preferences of the public speakers. In general in Moldova the Moldovan Orthodox Church is treated and mentioned as a “national church”, while the Bessarabian Orthodox Church as a “foreign church”.

The collected data demonstrate clear patterns of preferential and unequal treatment by the Moldovan public figures, including the top public officials (such the President, Prime-Minister, Speaker of the Parliament, ministers) of some religious groups over the other religious groups. Most notably the Moldovan Orthodox Church is clearly treated as the preferred and “quasi-state” church by the public officials, who routinely publicly visit and participate in the religious ceremonies of this Church, invite or “request advice” from the top hierarchs of this Church, and from time to time call the Republic of Moldova “an Orthodox country”. This pattern obviously produces a major impact on the modeling the unbalanced media coverage of various religious groups, and general discriminatory and intolerant perception of the minority religious groups in the society.

For example, on 21 February 2011 during the operational meeting of the Mayor’s Office Chisinau Mayor Dorin Chirtoaca voiced out an idea of building in Chisinau a mini-replica of the Istanbul Saint Sofia Cathedral. In the context of this idea he stated (as per <http://unimedia.md/?mod=news&id=30303>):

„In my opinion this Cathedral [the proposed replica of the Saint Sofia Cathedral] has for us a double meaning: it embodies our Latin origin, as well as our belonging to the Christian Orthodox religion. In this way we shall pay tribute and respect to our Latin and Christian predecessors, the ones who left us this heritage.”

Through this statement the publicly elected mayor basically suggests that either all Chisinau residents are of Latin and Christian origin, or that all those who are not of Latin and Christian origin are not considered by him as “ours”.

Following the above findings, the authors of this report strongly recommend:

- a) Developing and implementing a training component for Moldovan public servants on religious right and freedoms, and on unbiased and balanced addressing and treating of religious activities in the country;
- b) Developing a Guide for Moldovan public servants on religious right and freedoms, and on unbiased and balanced addressing and treating of religious activities in the country;
- c) Legally ban media coverage of religious activities of public officials (such as visits to religious ceremonies).

VIII. PUBLIC AUTHORITIES & PUBLIC POLICIES VIS-A-VIS RELIGIOUS FREEDOMS

Inter-religious Dialogue and Cooperation

Religious groups present in Moldova do not cooperate strongly with each other. Cooperation is fragmentary, often is events-focused and driven, such as cooperation around opposition to Equality Law (Anti-Discrimination Law) or around the annual Family Day.

Cooperation among religious groups tends to be clustered: “traditional” religious groups cooperate more with other “traditional” groups (BOC cooperates with MOC, Catholics, Baptists; Armenian Gregorian Church cooperates with BOC, and Catholics; Catholics with Orthodox, Adventists, Baptists; evangelical groups with evangelical groups, Islamic groups with Islamic groups, Tao group with other Oriental and meditation groups). A number of groups remain in self-conservation, without active efforts to reach out (Old Believers, Judaists, Krishna Society, JW, Seventh Day Adventists (R), etc). This is valid for both, central level and local level (in rural areas Old Believers Orthodox cooperate in some issues with the Moldovan Orthodox Church, Baptists with Adventists, etc).

The general tendency is that the Orthodox top officials and, particularly local Orthodox priests very often refer to all non-Orthodox groups as sects (putting into this word a negative connotation), and treat them with little or no respect. For example, during the observation and documentation visit to the *Singereii Noi village (Singerei district)* all three non-Orthodox groups present in the village (2 **Baptist** groups, and 1 **Adventist** group), reported many cases, when the local Orthodox priest insulted them, called them “demons”, “sectarians”, made false affirmations to the Orthodox believers about the doctrinal beliefs of Baptists. At the same time, the non-Orthodox groups in absolute majority of cases display a very tolerant and respectful attitude to the Orthodox believers and other religious minority groups.

At central level, there are several religious groups, which make efforts to promote an inter-religious dialogue. These groups are the Unification Church and the Baha’i.

The Moldovan Government takes a weak position in promoting inter-religious dialogue. Reportedly it does not run systemic platforms to regularly communicate with religious groups present in Moldova, and/or to promote the idea of the inter-religious peace and dialogue.

“There is no dialogue between the Ministry of Justice and religious denominations. There is no tendency and initiative to dialogue from the Ministry of Justice. The Ministry of Justice shall at least come out with an initiative to establish the dialogue with religious denominations present in Moldova.”

*From the interview with **Talgat Masaev** (non-registered Islamic group)*

In general role the role of the Moldovan government (central and local public authorities) in respecting, promoting and ensuring religious freedoms in Moldova the interviewed religious groups assess as follows: the general feeling among religious groups is that since 2009 the performance of the public authorities with regard to religious rights and freedoms has improved.

10 (45,5%) of the interviewed religious groups assess the role as good or very good. These are mainly the “traditional” religious groups (such as the Moldovan Orthodox Church, the Bessarabian Orthodox Church, Old Believers, Armenian Gregorian Church, Judaists, Catholics), religious groups with some presence in public authorities (Evangelists and Baptists, Seventh Day Adventists), or the “non-violence” and “pacification” religious groups (Unification Church, Krishna Society).

10 (45,5%) of the interviewed religious groups assess the role as not so good or poor (Christ's Church, Islamic League, JW, Islamic group of Talgat Masaev, Baha'i, Seventh Day Adventists (R), Methodists, Tao group, Lutherans, Falun Dafa).

One religious group (Pentecostals) mentioned that it very much depends on level and locality, and **one** group (Salvation Army) mentioned that it had no claims to the public authorities in the given context.

In one case a local non-Orthodox religious group assesses in comparative prospective its current situation as being very favorable. The pastor of the Tintareni local Baptist group stated that "never in recent and distant history had the religious groups in Moldova wider religious freedom than in present times".

A number of religious groups mention with regret that despite very intolerant and discriminatory general atmosphere in the Moldovan society with regard to minority religious groups, the Moldovan government takes a very distanced and passive stance on the situation, contrary to its legal / human rights commitments, and expectations of sizeable groups of population. Some religious groups mention that the government avoids an active role in promoting the inter-religious dialogue and protection of the minority religious groups.

"The persons at the government are good, but there is no structural identity to protect the fundamental religious rights and freedoms. The government always does not have time to deal with protection of human rights, and the result the general situation with human rights in the country is complicated. The government is preoccupied with economic development, and is not focused on human, which is not viewed by the government as a value."

*From the interview with the **Baha'i** religious group*

"The Moldovan government avoids or ignores its role of protecting fundamental religious rights and freedoms; it does not communicate with religious groups ..."

*From the interview with the **Falun Dafa** group*

"In Moldovan society there are many messages of hate and violence with regard to various religious groups, especially with regard to Islamic groups. The public authorities ought to stop them, to deal through the Prosecutor's Office with those who launch such messages into the public space, but nothing is done in this respect."

*From the Interview with the head of the **Islamic League**, Mr. Sergiu Sochirca*

Many religious groups mention that at the central and Chisinau level the situation with protection of religious freedoms is better than outside Chisinau, in rural areas. Some groups stress the high importance of the "political factor" in situations related to religious groups.

"Politics exploits the Orthodox Church for its own purposes. We do not have problems at the central level of public authorities, but at the local level we do. Mayor's offices are against us, they obstruct our activities. Causeni, Stefan Voda, Basarabeasca, Criuleni are among the most intolerant localities. We wrote many

letters to the ministry, but there was no support to us.”

*From the interview with the **Jehovah Witnesses***

“In general the situation with respect for fundamental religious rights and freedoms depends from a case to case. The legal framework in Moldova is good, but its implementation is not good. In Chisinau the laws are more respected, while in the rural areas the situation is very much different.”

*From the interview with the **Evangelicals and Baptists** group*

Policy and Legal Framework in the area of Religious Freedoms and Rights

A number of religious groups provided their comments and recommendations with regard to the existing or desirable policy and legal framework in the area of religious freedoms and rights. Most interesting and relevant are brought below.

Evangelists and Baptists believe that the public authorities should ensure the implementation and enforcement of the existing legal provisions. The government shall make an emphasis on practical implementation of the law, and on eradication of corruption.

The **Seventh Day Adventists (Reformist Movement)** recommend prohibition of the religious exposure of the politicians, electoral campaigns based on religion (when the politicians go to the church for religious ceremonies, and this is widely covered by media). Politicians should not use the image of church in their electoral or political activities.

Falun Dafa recommends strengthening of the anti-discrimination law and its implementation mechanism in order to ensure effective sanctioning of the acts of discrimination. Falun Dafa also calls for strengthening of the civil society sector in order to ensure better civil oversight over the respect for fundamental religious rights and freedoms. The main reason for weak protection of the fundamental religious rights and freedoms, and in general of all fundamental human rights and freedom, is the lack of political will and verticality (integrity).

As number 1, **Baha’i group** recommends the public authorities to stick to the provisions of the Moldovan Constitution with regard to democracy, separation of the religion, church and the state, fundamental human freedoms and rights, including fundamental religious freedoms and rights. Baha’i group strongly calls for “depoliticization” of religion. They believe that religion is a private matter, and its politicization violates the law.

The **Islamic group of Talgat Mashaev** recommends the Ministry of Justice to initiate the dialogue with religious denominations present in Moldova to ensure the fundamental religious freedoms and rights in the country.

The **Islamic League** recommends the public authorities to initiate public hearings / presentations to bring together the religious denominations and to get to know each other. The Ministry of Justice and the Moldovan Orthodox Church do not know the religious denominations, they do not know about their activities and specifics.

The **Lutheran Church** believes that the first thing the public authorities should do in their relation with religious denominations is that “they should turn to religious groups with their face”, and start effectively communicating with them. Many people leave the country, including because of religious discrimination on religious grounds. The Lutheran Church calls for respect of rights of all, and for equal treatment of all religious groups without privileges and preferences.

The **Catholic Church** believes that the public authorities should seriously consider the issue of return of properties, expropriated in the past from the religious groups.

The **Bessarabian Orthodox Church** calls onto public authorities to keep equidistance in relation to religious denominations, and to make sure that the religious organizations do not become political actors.

The **Jehovah Witnesses** believe that currently of utmost importance is the effective implementation and enforcement of legislation, as well as wide awareness-raising on religious rights and freedoms.

The **Pentecostals** believe that the mentality and tolerance within the society should be improved, which needs to be done through education and awareness-raising.

Updated Law on the Freedom of Conscience, Thought and Religion

The following groups appreciate the updated law as generally good: **Armenian Gregorian Church, Seventh Day Adventists, Seventh Day Adventists (R), Bessarabian Orthodox Church, Evangelists and Baptists**. Other groups either did not provide their appreciation of the law, or formulated important comments and objection to the law. Most interesting and relevant of them are brought below.

The **Moldovan Orthodox Church** stated that the previous (prior to December 2011) version of the Law on Religious Denominations was better, because “it did not allow so many non-traditional religious groups, not characteristic for Moldova to enter the Moldovan confessional market”.

The **Islamic group of Talgat Mashaev** recommends taking out from the law the paragraph on the “outstanding role of the Orthodox Church”. Also this group believes that the limitation of the law by which the founders of a religious denomination in Moldova may be only the citizens of Moldova is wrong.

The **Islamic League** believes that there are no substantial changes in the new version of the Law on religious organizations. The League’s recommendation is to request from every religious denomination a periodic financial report on generated incomes and on expenditures. The League also recommends development of comprehensive framework for inter-religious dialogue and communication in Moldova.

Falun Dafa believes that the current legislation on religious organizations has to provide for an effective and functional mechanism for holding the public officers accountable and for their sanctioning in case of discrimination on religious grounds.

Baha'i group recommends strengthening the legislation on religious organizations with effective measures to ensure separation of the church and the state, with ensuring effectively equal and equitable treatment of all religious denominations, and eradication of all forms of preferential treatment of some religious groups over the others.

The **Russian Orthodox Old Rite Church** believes that the Law on religious denominations needs to be amended to allow the citizens of other countries to occupy the leadership positions within the denomination.

The **Bessarabian Orthodox Church** believes that the national legislation on freedom of conscience, thought and religion shall be further improved in terms of providing the regulation on religious properties. The current framework on regulation of religious properties in the view of BOC is very unclear and inadequate.

The **Pentecostals** believe that the updated legislation on freedom of conscience, thought and religion shall provide for much simpler procedure for registration of religious organizations, and shall establish a separate department on religions within the Ministry of Justice.

The **Methodists** believe that the updated law on freedom of conscience, thought and religion shall provide for a smaller number of persons for registration of a religious denomination, and shall allow non-citizens to be the founding members of religious denomination.

IX. SPECIFIC OBSERVATIONS and FINDINGS

during the Observation and Documentation Visits to Rural Localities

This section of the Report describes specific observations and findings visits made during the observation and documentation visits to a number of rural localities, which were not reflected in the previous sections of the Report.

The observation team visited 8 pre-selected rural localities of Moldova, where it observed the activities of 15 religious groups, and interviewed local leaders of 11 such groups. The mentioned groups are as follows (interviewed – **in bold**):

| N | Rural Locality | Present religious groups |
|----------|--|---|
| 1. | Singerei Noi , <i>Singerei district</i> | Christian Orthodox, Adventists, Emmaus Baptists, non-registered Baptists |
| 2. | Mereni , <i>Anenii Noi district</i> | Christian Orthodox, Jehovah Witnesses |
| 3. | Corjeuti , <i>Briceni district</i> | Christian Orthodox, Pentecostals , Jehovah Witnesses, Baptists, Adventists |
| 4. | Colibasi , <i>Cahul district</i> | Christian Orthodox, Baptists , Adventists |
| 5. | Cliscauti/Hincauti , <i>Edinet district</i> | Christian Orthodox, Adventists , Pentecostals, Jehovah Witnesses |
| 6. | Gura Galbenei , <i>Cimislia district</i> | Christian Orthodox, Baptists |
| 7. | Pocrovca , <i>Donduseni/Soroca district</i> | Christian Orthodox of the Old Rite (Old Believers) , Christian Orthodox |
| 8. | Tintareni , <i>Anenii Noi district</i> | Christian Orthodox, Baptists , Pentecostals |

The most relevant and interesting findings of these observations and interviews, which are specific and/or different from the findings made during the interviewing of the denominations leaders in Chisinau, are presented below.

Registration

Of the 11 interviewed local religious groups 3 religious groups (one Baptist group from Singerei Noi, one Adventist group from Cliscauti, and one group from Gura Galbenei) are non-registered groups. In all three cases the groups chose voluntarily not to register.

Inter-religious relations

In addition to the findings presented above, there are two more important observations related to inter-religious relations in rural areas.

First of all, the more religious groups in terms of numbers are present in a locality, the less aggressive and influential are the local Orthodox priests, and more tolerant are the local public authorities, and the general population. Thus, out of the 8 visited rural localities, the best inter-religious relations are in the villages of Singerei Noi (4 religious groups present), Corjeuti (5 religious groups present), Colibasi (3 religious groups

present), Tintareni (3 religious groups present). Correspondingly, the worst situation is in the rural localities where there are only two groups present: the majority Orthodox group, and a minority non-Orthodox group (out of the 8 visited rural localities the worst inter-religious situation is in the Mereni village, where there are only two groups present: Christian Orthodox, and Jehovah Witnesses).

Second, many non-Orthodox religious group display a very “pacifist” approach to the discrimination, problems and issues on religious grounds. Thus, it is quite common to hear the following statements:

*The Pastor of the local **Colibasi village Baptist** group mentioned that in general, in his opinion, the local public authorities acted well because they did not impede the exercise of the fundamental religious freedoms and rights. At the same time there was a problem related to the LPAs: the followers of the Baptist church were denied the provision of social assistance, even when they were eligible and entitled to receive it. The authorities justified this practice by the fact that the Baptists are hard-working people, and they can make it without the social assistance.*

*The Presbyterian of the **Singereii Noi Adventist** group stated that in his village “there was tolerance towards everyone”. At the same time earlier during the interview he complained that the local Orthodox priests from time to time called the Adventists “sectarians”, and made negative statements about their beliefs.*

In *Corjeuti (Briceni district)*, a village with 5 religious denominations present (Christian Orthodox, Pentecostals, Baptists, Jehovah Witnesses, Adventists) the interviewed principal pastor of the local Pentecostal group declared that his group had no problems whatsoever with the exercise of fundamental religious freedoms and rights. At the same time he made a curious statement:

*“Vasile Antoci [the principal pastor] mentioned that they do not have problems. On the contrary the [Orthodox] priest from the village helps them, participates in the on-going evangelization. Recently the priest has **allowed** the Pentecostal group to run an activity at the **local stadium**.”*

In other words, the principal pastor implies that the local Orthodox priest “allows” or “disallows” the use of the local public stadium, which is supposed to be managed by the local public authorities. This situation very much resembles the situation with some other local premises and assets, like public cemeteries, schools, houses of culture, etc, when these facilities are treated as being under “joint” control of the LPAs and the Orthodox Church, which is a clear violation of the Moldovan Constitution and human rights standards.

Local Political Representation & Participation

In general there is some local political representation and participation of non-Orthodox religious groups in rural areas of Moldova, but it is insufficient. The data collected through the observation and documentation visits to the rural areas of Moldova, as well as the findings of other studies⁴ provide the following typical examples:

⁴ Sociological Study MONITORING OF PARTICIPATION OF WOMEN AND VULNERABLE GROUPS IN 2011 LOCAL ELECTIONS, performed by the Center “Partnership for Development” within the Joint Integrated Local Development Programme of the Government of Moldova, UNDP, UN Women with the support of the Government of Sweden.

Representation of religious groups in the local council of Singereii Noi, Singereii district (in terms of proportion)

| | Followers total number | % of the total local population | Councilors in the local council | % of the total number of councilors | Under or over representation (ratio) |
|----------------------------|------------------------|---------------------------------|---------------------------------|-------------------------------------|--------------------------------------|
| SINGEREII NOI total | 3341 | 100% | 15 | 100% | 1,00 |
| Orthodox | 1200-1500 | 36-45% | 13 | 86,6% | 1,92-2,41 |
| Adventists | 1000 | 30% | 1 | 6,7% | 0,22 |
| Emmaus Baptists | 275 | 8% | 1 | 6,7% | 0,84 |
| Non-registered Baptists | 300-400 | 9-12% | 0 | 0% | 0,00 |
| Others | 170-570 | 5-17% | 0 | 0% | 0,00 |

Representation of religious groups in the local council of Colibasi, Cahul district (in terms of proportion)

| | Followers total number | % of the total local population | Councilors in the local council | % of the total number of councilors | Under or over representation (ratio) |
|-----------------------|------------------------|---------------------------------|---------------------------------|-------------------------------------|--------------------------------------|
| COLIBASI total | 6030 | 100% | 15 | 100% | 1,00 |
| Orthodox | 2000-2150 | 35% | 10 | 67,7% | 1,93 |
| Adventists | 1200 | 20% | 3 | 20,0% | 1,00 |
| Baptists | 2400-2500 | 40% | 2 | 13,3% | 0,33 |
| Others | 200-300 | 5% | 0 | 0% | 0,00 |

The general pattern in rural areas of Moldova is that the Christians Orthodox in the local councils are significantly over-represented (their proportion in the local councils is 2,0-2,5 times higher than the proportion of Christian Orthodox among the population), while non-Orthodox groups significantly under-represented (their proportion in the local councils is often 3-5 times lower than the proportion of non-Orthodox among the population, only in some cases close to the proportional representation – with ratio of representation of circa 0,85-1,00).

What is the actual number of practicing Orthodox believers in rural areas of Moldova?

The 2004 Population census states that 93,34% of the entire Moldovan population are Christian Orthodox. To test this hypothesis on the ground, the observation and documentation team counted the number of followers of the religions from the visited rural Moldovan localities, who actually attend the weekly religious services most important for the relevant religion (for Christian Orthodox – the Sunday morning service). Below is the typical comparative table of the received data:

Attendance of the weekly service by religious denomination in Singerei Noi, Singerei district

| | Followers total number | % of the total local population (declared) | Attend weekly service | % of the total local population |
|----------------------------|-------------------------------|---|------------------------------|--|
| SINGEREII NOI total | 3341 | 100% | | |
| Orthodox | 1200-1500 | 36-45% | 50-60 | 1,5-1,8% |
| Adventists | 1000 | 30% | N/A | N/A |
| Emmaus Baptists | 275 | 8% | 100 | 3% |
| Non-registered Baptists | 300-400 | 9-12% | 160 | 4,8% |
| Others | 170-570 | 5-17% | N/A | N/A |

Attendance of the weekly service by religious denomination in Corjeuti, Briceni district

| | Followers total number | % of the total local population (declared) | Attend weekly service | % of the total local population |
|-----------------------|-------------------------------|---|------------------------------|--|
| CORJEUTI total | Circa 8000 | 100% | | |
| Pentecostals | 450-600 | 5,6-7,5% | 400 | 5% |
| Orthodox | N/A | N/A | 150 | 1,875% |
| Jehovah Witnesses | 500 | 6,25% | N/A | N/A |
| Baptists | 250 | 3,125% | N/A | N/A |
| Adventists | N/A | N/A | N/A | N/A |
| Others | N/A | N/A | N/A | N/A |

Attendance of the weekly service by religious denomination in Tintareni, Anenii Noi district

| | Followers total number | % of the total local population (declared) | Attend weekly service | % of the total local population |
|-----------------------|-------------------------------|---|------------------------------|--|
| CORJEUTI total | 2867 | 100% | | |
| Orthodox | N/A | N/A | 60 | 2,09% |
| Baptists | 170 | 5,93% | 70 | 2,44% |
| Others | N/A | N/A | N/A | N/A |

The above data show that the **actual number of Orthodox believers** who attend the weekly (Sunday) service on the average is about **1,5-2,1%** of the entire population of the rural localities of Moldova. The overwhelming majority of those attending are women (over 80%) in advanced age (over 50 years old).⁵ A slightly higher number attend “special” (big holiday) services – circa 5% of the entire locality population.

⁵ To mention, according to rule 80 of the VI Ecumenical Council mandatory onto all Orthodox believers: “If anyone, episcopo, or presbyter, or deacon, or anyone co-opted into clergy, or a laic person, without having a pressing need, or impediment, which would for a long time prevent him from his church, being present in the locality, three Sundays within three weeks, does not attend the church meeting: the clergyman shall be recalled from clergy, while the laic person shall be excommunicated from the church.”

X. Fundamental Religious Freedoms and Rights of Refugees, Asylum-Seekers, and Immigrants

This section has been developed based on the information provided by the leaders of religious groups, bringing together both, Moldovan citizens, and non-citizens (like the Islamic League, the Islamic group of Talgat Masaev), and by the head of the Charity Center for Refugees (Mr. Djavid Paknehad), as well as on information collected by the authors of the study from other open sources.

According to the collected information in Moldova the situation of refugees, asylum-seekers and immigrants in terms of fundamental religious rights and freedoms is not much different than the situation of Moldovan citizens of the same religious affiliations.

In Moldova the majority of refugees and asylum-seekers are Muslims. Some Muslim refugees, asylum-seekers and immigrants in the recent past faced issues with frequent identity checks by police and security forces at the collective prayer places. At the same time the same checks were performed on both, citizens and non-citizens, and therefore this treatment did not discriminate because of citizenship status, but rather because of the affiliation to Islam.

The situation of Muslim refugees, asylum-seekers and immigrants improved since 2011 due to registration of the Islamic League by the Ministry of Justice, which provided the Muslims a solid legal platform for freer operation of their legitimate religious activities.

According to the head of the of the Charity Center for Refugees, Mr. Djavid Paknehad, refugees and asylum-seekers, who are the beneficiaries of the Center did not face cases of discrimination because of their status as refugees or asylum-seekers. Some of the issues encountered by them (like difficulties in employment) are related to objective factors, like lack of local languages knowledge, rather than to their religious affiliation and/or non-citizen status.

It is to mention that according to Moldovan legislation non-citizens cannot serve as founders of religious denominations, which thus presents a limitation on their right to establishing their religious groups as legal entities.

Mr. Paknehad recommended strengthening and intensifying the inter-religious and wider inter-cultural dialogue in order to improve the situation with fundamental religious rights and freedoms in Moldova. He strongly called for avoiding of unnecessary pressures by public authorities on religious groups, because such pressure can only cause marginalization and radicalization of the groups.

XI. Fundamental Religious Freedoms and Rights in Transnistria

During the interviews with leaders of some religious groups, some information on situation with fundamental religious freedoms and rights in Transnistria has been collected, which is provided below.

Lutherans in Transnistria have local groups in Tiraspol, Camenca and Kolosovo. They reported that for those groups it is difficult to hold any property in the name of the religious group because of surveillance and persecution of the so-called authorities. The groups have no access to public spaces for their religious activities. The Lutheran cemetery in Camenca has been abandoned by the authorities and vandalized.

The Transnistrian so called security services on a number of occasions called the husband of the Lutheran leader to “conversations”. Incoming visitors are routinely monitored by the security services, sometimes banned to enter Transnistria. At a number of occasions the mobile phones of Lutheran adepts were disrupted. In Slobozia and Tighina (Bendery) the religious burial ceremonies at the local cemeteries have been prohibited.

In 2002-2003 Vladimir Krause has been assassinated in the so called Transnistrian Army, including because of his religious beliefs. He survived the assassination, but after demobilization from the army, has been killed at home. Perpetrators have not identified and brought to justice.

Two high-ranked so called Transnistrian officials had to change their Lutheran religion, because of impossibility to keep it, while occupying the respective functions.

There are about 1000 of **Jehovah Witnesses** in Tiraspol (2 communities), none of them being able to get registration of the so called authorities. The so called Transnistrian Prosecutor’s Office pursues liquidation of the local JW communities.

Also Jehovah Witnesses reported cases of seizure of their religious literature and materials in Transnistria.

LIST of the INTERVIEWED RELIGIOUS GROUPS (interviewed in Chisinau)

1. Moldovan Orthodox Church
2. Bessarabian Metropolis of the Romanian Orthodox Church
3. Russian Orthodox Old Rite Church, Moldovan Eparchy
4. Roman Catholic Church
5. Federation of the Jewish Communities from Moldova “Habad Liubavici”
6. Armenian Gregorian Church
7. Saint Paul Lutheran Center
8. Union of the Christian Evangelical Baptists Churches, Moldova
9. Seventh Day Christian Adventist Church
10. Seventh Day Adventist Church, Reformist movement
11. United Church of the Evangelical Belief Christians (Pentecostals)
12. Jehovah Witnesses
13. United Methodist Church
14. Salvation Army
15. Free Christian Community “Christ’s Church”
16. Islamic League
17. Islamic group “Sermon and Guidance” led by Talgat Masaev
18. Religious movement Unification Church
19. Baha’i
20. Society for Krishna Consciousness
21. Falun Dafa
22. Tao group “Tao Way”

In addition an interview with the head of the Charity Center for Refugees, Mr. Djavid Paknehad, has been performed to reflect the situation with fundamental religious rights and freedoms among non-citizens.

LIST of the Visited Rural Localities and Interviewed Local Religious Groups

| N | Rural Locality | Interviewed religious groups |
|-----------|--|---|
| 1. | Singerei Noi, Singerei district | Christian Orthodox, Adventists, Emmaus Baptists, non-registered Baptists |
| 2. | Mereni, Anenii Noi district | Jehovah Witnesses |
| 3. | Corjeuti, Briceni district | Pentecostals |
| 4. | Colibasi, Cahul district | Baptists |
| 5. | Cliscauti/Hincauti, Edinet district | Adventists |
| 6. | Gura Galbenei, Cismislia district | Baptists |
| 7. | Pocrovca, Donduseni/Soroca district | Christian Orthodox of the Old Rite (Old Believers) |
| 8. | Tintareni, Anenii Noi district | Baptists |