

Civil Society Makes Recommendations Aimed to Improve Regulatory Framework in the Non-Discrimination Field



Three years after implementing the Law No 121 on Equality, the civil society and state institutions representatives discussed about

the enforcement of the legal framework in the non-discrimination field, as well as the achievements and shortcomings in combating discrimination and ensuring equality.

The discussions were held on 17 February 2016 in a round table, entitled “Law No 121 on Equality in the Republic of Moldova – 3 years after its implementation: achievements and difficulties”. The event was organized by Promo-LEX Association in partnership with the Council on Prevention and Elimination of Discrimination and Ensuring Equality.

“The efforts of civil society, as well as Council’s activity and decisions represent an important step taken in combating the discrimination in the Republic of Moldova. In spite of all these, a recent study carried out by IPP shows clearly that,

unfortunately, in past years the discrimination has increased in Moldova – at least this is the way how population perceives the situation, and most commonly affected are people with mental and physical disabilities, poor people, HIV-positive people, Roma people, elderly and women”, Ion Manole, the Executive Director of Promo-LEX, emphasized.

The President of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality, Ian Feldman, spoke about the achievements of the institution that he represents, but also about the challenges that the Council is encountering. According to the data submitted so far, the Council registered 348 complaints and issued 209 decisions. The most cases in which the Council found discrimination refer to the discrimination in access to public services and goods, discrimination at workplace, access to justice and violation of human dignity. The most frequently targeted criteria refer to disability, health condition and gender.

A number of representatives of Non-Government Organisations that are active in this field, such as the Centre for Legal Assistance for People with Disabilities, Gender Equality Platform, *GENDERDOC-M*, National Center for Roma People, Non-Discrimination Coalition, Center for the Rights of the Roma People from Moldova, Charity Centre for Refugees and Center for Health Development *AFI*, submitted data on the achievements and shortcomings in combating discrimination in different fields, enforcement of the legal framework, interpretations of the Constitutional Court in the equality field, specific aspects on the examination of discrimination cases, national case-law, etc.

In the end, Non-Discrimination Coalition, Center for Legal Assistance from Moldova, Promo-LEX Association and Council on Prevention and Elimination of Discrimination and Ensuring Equality came with a number of suggestions and recommendations to improve in-field regulatory framework. The most frequently mentioned recommendations refer to the Council’s empowerment

to apply sanctions; extension of the prescription term for administrative offence liability for discrimination acts; Council's empowerment to inform the Constitutional Court about the constitutionality of some regulatory provisions related to equality and non-discrimination; State's regulation of the decisions issued by the Council, provision of non-pecuniary damages for discrimination acts and other.

Mrs. Cristina Melnic, Head of the General Legal Division of the Ministry of Justice, welcomed the debates during the event and the recommendations suggested by civil society. Mrs. Melnic also mentioned that, at present, the Ministry of Justice works on the amendment of several in-field regulatory acts.

The event was organized in partnership with the Council on Prevention and Elimination of Discrimination and Ensuring Equality under the Project "Strengthening civil society organizations from Moldova, including the Transnistrian region, to combat discrimination through advocacy actions". This Project is funded by the European Union and is co-financed by Soros Foundation-Moldova.

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