

Promo-LEX Association Requires Emergency Measures Addressing the Hate Violence Against a GENDERDOC-M Association Female Employee

Promo-LEX Association expresses its concern about the acts of gender-based violence taken on 17 April against a GENDERDOC-M Association female employee.

Promo-LEX draws authorities' attention on the fact that hate crimes are violent manifestations of intolerance and have a deep impact on not only the immediate victim, but also on the group the victim belongs to. Last but not least, hate crimes affect social community and cohesion.

To this end, pursuant to Article 7 of the Declaration of Principles on Equality^[1], *any act of violence or incitement to violence that is motivated wholly or in part by the victim having a characteristic or status associated with a prohibited ground, constitutes a serious denial of the right to equality. Such motivation must be treated as an aggravating factor in the commission of offences of violence and incitement to violence, and States must take all appropriate action to penalise, prevent and deter such acts.*

Law enforcement bodies must intervene within their legal powers to ensure active replies to hate crimes, and guarantee the person's and community's safety. During the prosecution of the unlawful deed, they should consider and investigate efficiently the reason for the violence.

Where the law enforcement bodies and courts of law fail to reply appropriately to the large number of nationally reported

hate crimes, the Parliament of the Republic of Moldova should enact in final reading, as soon as possible, the draft Law No 301 of 1 July 2016^[2] (amending the Criminal Code and Contravention Code on offences motivated by prejudice, contempt or hatred).

Promo-LEX believes that a clear, concrete and understandable legal framework for the prevention of bias, contempt and hatred crimes will increase the possibilities of law enforcement bodies to use it in a concrete way. In addition, an efficient legislation will allow for creating a framework for the identification of cases and collection of data. However, the legislation is only a part of the reply to hate crimes. Along with other instruments, the effective regulatory framework might speed up the process of changing the bias and stereotypes in the society.

In its Report Addressing Discrimination and Inequality in Moldova, June 2016^[3], Promo-LEX Association described several serious hate, contempt and bias-motivated crimes against LGBT persons, ethnic minorities, foreign nationals. The report found the law enforcement bodies' reply unsatisfactory and recommended them to take more action, which we reiterate and require to be applied immediately, as follows:

- Enact in final reading, as soon as possible, the draft Law No 301 of 1 July 2016 (amending the Criminal Code and Contravention Code on offences motivated by prejudice, contempt or hatred);
- Train professionally the criminal justice staff involved in prosecuting hate crimes, and develop specific procedures to interact with victims and prosecute efficiently these cases;
- Organize public education campaigns (particularly for youth) promoting tolerance and non-discrimination principles;
- Adopt by the General Prosecutor's Office certain internal regulations ensuring that hate crimes are

- properly investigated;
- Provide training by the General Police Inspectorate for all law enforcement bodies to ensure that all hate crimes against LGBT, ethnic minorities and foreign nationals are properly investigated;
 - Collect accurate data on bias crimes, regardless of whether they are prosecuted as hate crimes;

You can read about the case of 17 April against Genderdoc-M female employee over here: <http://bit.ly/2om2n0Z> .

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[\[1\]](#)

<http://www.equalrightstrust.org/ertdocumentbank/Pages%20from%20Declaration%20perfect%20principle.pdf>

[\[2\]http://parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3349/language/en-US/Default.aspx](http://parlament.md/ProcesulLegislativ/Proiectedeactelegislative/tabid/61/LegislativId/3349/language/en-US/Default.aspx)

[\[3\]](#) From words to deeds: Addressing Discrimination and Inequality in Moldova, Equal Rights Trust Country Report Series: 7 London, June 2016. Source: https://promolex.md/wp-content/uploads/2016/08/ENG_doc_1469547155.pdf