LCRM – Legal Resources Centre from Moldova

Civil society organizations request the completion of draft law no. 301 on the regulation of crimes motivated by prejudice

Gribincea Vladislav · Wednesday, June 10th, 2020

During the last two years, civil society has drawn attention to the fact that hate speech and incitement to discrimination are increasingly used in both political and religious contexts. In 2019 alone, during 7 months of monitoring carried out by the Promo-LEX, 835 cases of hate speech and incitement to discrimination were identified, which affected various groups of people.

Thus, if in 2018, in the public space and media in the Republic of Moldova were registered on average 2 cases/day, in 2019 this number increased to 4.2 cases/day. Most of the cases were perpetrated by men (87%): politicians, representatives of the Orthodox Church, journalists, opinion leaders, etc.

At the same time, the monitoring experience of the previous electoral campaigns carried out by Promo-LEX showed that discourse based on various forms of intolerance is becoming a tool used more and more often in electoral processes in Moldova. The media remains the most important source of distributing intolerance in the public space. For example, between August and November 2019 alone, hate speech cases received 6,288,058 views, which is 51,541 views per day.

Civil society organizations remind that in March 2020, following a hearing of the Republic of Moldova Government, the UN Committee on the Elimination of All Forms of Discrimination against Women recommended "Adopt a law on hate speech and enhance the protection of women from hate speech, including through awareness-raising campaigns among politicians, monitor the use of discriminatory stereotypes and sexist language in political discourse and ensure effective remedies for victims".

The European Commission against Racism and Intolerance (ECRI), in its report on the Republic of Moldova, also warned in 2018 that the lack of reaction from the authorities, the uncontrolled online environment, inefficient sanctioning mechanisms and imperfect legislation play a significant role in spreading hatred and intolerance in society.

In 2017, the UN Committee on the Elimination of Racial Discrimination (CERD) recommended that the Republic of Moldova review its legislation in order to sanction this type of discourse. The Committee expressed concern about the increasing promotion of stereotypes and prejudices against vulnerable groups: women, LGBT, Muslims, refugees, Roma, Jews, etc., but also the lack of responsibility for such violations.

On 5 March 2020, Committee for Legal Matters, Appointments and Immunities organized public consultations on draft law no. 301 (the variant merged with project no. 277 of 20.06.2016) for the amendment and completion of some legislative acts (regarding the regulation of crimes motivated by prejudice).

Following these consultations, within 10 days, the Committee was to finalize the draft law, taking into account the amendments proposed by civil society organizations and the Council for Preventing and Eliminating Discrimination and Ensuring Equality.

In this sense, civil society organizations reiterate the importance of finalizing the draft law no. 301/2016 and the acceptance of amendments formulated by civil society organizations, as well as the recommendations of international organizations, which will increase the responsibility of actors involved in the use of hate speech and will provide the opportunity to effectively combat the acts motivated by prejudiced, including hate speech.

Signatory organizations and authorities**:**

1. Council for Preventing and Eliminating Discrimination and Ensuring Equality
2. Promo-LEX
3. Legal Resources Centre from Moldova
4. National Coalition ”Life in family without violence”
5. The Platform for Gender Equality
6. GENDERDOC-M
7. RCTV Memoria
8. INVENTO
9. AO Vesta
10. AO BIOS
11. Association for Rehabilitation of disabled people from Moldova
12. Union of Organizations for Disabled from Moldova
13. INFONET Alliance
14. Foundation for Development from the Republic of Moldova
15. WatchDog.MD Community
16. National network LEADER
17. LDA Moldova
18. Transparency International-Moldova
19. Institute for European Policies and Reforms (IPRE)
20. Association of Independent Press (API)
21. Association for Participatory Democracy (ADEPT)
22. Institutum Virtutes Civiles
23. National Environmental Center

The People’s Advocate subscribes to the Appeal of several NGOs regarding the need to urgently finalize the draft law no. 301 regarding the regulation of crimes motivated by prejudice. More details on the ombudsman.md website.

The appeal in Romanian is available here:

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