

HATE SPEECH AND INCITEMENT TO DISCRIMINATION

in the public space and media
in the Republic of Moldova

REPORT 2018



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The report has been carried out as part of the project "Strengthening the platform for development of activism and education of Human Rights in the Republic of Moldova", implemented by the Promo-LEX Association, with the financial support of the Department of Justice and Human Rights of the Soros Foundation - Moldova.

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LIST OF ABBREVIATIONS

- ACC** – Audiovisual Coordination Council
OHCHR – United Nations Commission on Human Rights
CoE – Council of Europe
CEC – Central Electoral Commission
ECHR – European Convention on Human Rights
CERD – Convention / Committee on the Elimination of Racial Discrimination
CPEDAE – Council on the Prevention and Elimination of Discrimination and Ensuring Equality
SCJ – Supreme Court of Justice
SCM – Superior Council of Magistracy
ECtHR – European Court of Human Rights
UDHR – Universal Declaration of Human Rights
ECRI – European Commission against Racism and Intolerance
ENEMO – European Network of Election Monitoring Organizations
LGBT – Lesbian, Gay, Bisexual, Transsexual
UNO – United Nations Organization
OSCE – Organization for Security and Cooperation in Europe
PAS – Party of Action and Solidarity
PCRM – Party of Communists of the Republic of Moldova
PDM – Democratic Party of Moldova
PIDCP – International Covenant on Civil and Political Rights
PL – Liberal Party
PLDM – Liberal Democratic Party of Moldova
NHRAP – National Human Rights Action Plan
SOR PP – SOR Political Party
PPDA – Platform of Dignity and Truth Political Party
PSRM – Party of Socialists of the Republic of Moldova
RM – Republic of Moldova
UNESCO – The United Nations Educational, Scientific and Cultural Organization

EXECUTIVE SUMMARY



This report presents a comparative analysis of international and national standards in the field of freedom of speech and hate speech, as well as the analysis of the data obtained by monitoring that provides insights into the current situation in the field, reveals the existing trends and key actors.

The report offers an interpretation of such concepts as hate speech, prejudice-motivated crime, sexist discourse and incitement to discrimination, both in terms of international mechanisms of human rights protection and interpretations given by certain authors. Reference is made to international treaties and standards of freedom of expression, to the exceptions from the realization of this right, providing an analysis of the national legislative system.

One of the chapters of the present report analyzes the mechanisms for protection against hate speech and the existing national public policies. In the absence of a separate public policy, the report analyzes the documents that tangentially address the issue of hate speech, including the National Human Rights Action Plan for 2018–2022, the Strategy for Gender Equality in the Republic Moldova for 2017–2021, the Strategy for the Consolidation of Interethnic Relations in the Republic of Moldova for 2017–2027.

The report analyzes some aspects of the activity of judicial, quasi-judicial and legal bodies, as well as of other authorities and their relation to hate speech: The Constitutional Court, the courts of justice, the Council on the Prevention and Elimination of Discrimination and Ensuring Equality (CPEDAE), Prosecutor's Office, Police, Audiovisual Coordinating Council (ACC) and the Central Election Commission (CEC).

At the same time, the report contains an analysis of hate speech that is based on a complex monitoring of online media, social networks and public events in the period between 15.02.2018–15.08.2018. The results of the monitoring procedure were analyzed in four chapters, which reveal the dynamics, trends and affected groups, as well as the correlation of hate speech with politics, religion and the media. The report focuses on the groups that are most often affected by hate speech, especially LGBT community, politicians and supporters of political parties, women, unionists, Muslims, Roma and journalists.

The correlation of hate speech and politics has been analyzed in the light of a general interpretation of the data collected during the monitoring process: politicians and representatives of political parties who have used hate speech, as well as politicians affected by this type of discourse. The report also analyzed the types of discourse, ways of expression, trends, as well as the dynamics of hate speech in the election.

The correlation of hate speech and religion has been analyzed, using the data on public personalities that have incited to hate and discrimination, taking into account the affected groups. At the same time, hate speech has been studied in the religious context, taking account of various forms of expression, types of messages used and how it manifests itself in relation to LGBT persons, women and Muslims.

Hate speech in the media has been analyzed in terms of general indicators: number of articles and TV programs, types of sources and the most common typologies of verbal expressions. The report also analyzes the affected groups, the attitudes of journalists and broadcasting moderators, as well as the comments that incite hatred and their moderation.

Finally, the report contains a list of recommendations, which arise from monitoring results and are addressed to the authorities, political parties and civil society organizations.

1 INTRODUCTION

Intolerance in a society can be influenced by different circumstances: poverty, low levels of living, quality of education, quality of access to information, lack of a climate that is favorable for understanding and respect for human rights. Perpetuation of prejudices and stereotypes in the public space is a catalyst for social tensions and a direct cause of spreading intolerance in the social environment.

The propagation of prejudices and stereotypes occurs in different ways, from the speeches of political leaders to the patterns of family behavior, from the rhetoric of religious figures and opinion leaders to the way of reflecting everyday life in the media. The general degree of intolerance depends on the intensity with which we promote prejudices and stereotypes in public space. The greater the influence of opinion leaders and the more prejudiced their discourse, the stronger the impact.

Such rhetoric usually takes the form of speeches that incite hatred, violence or discrimination. Speeches can also be sexist, based on social clichés or hostile attitudes towards certain groups of people. Regardless of different notions, they all root and promote negative or even hostile perceptions of others. Sooner or later, their effect will be hatred, which in the worst cases, can lead to infringement of rights, aggression and violence.

The recent history of the Republic of Moldova (the RM) shows that hate speech is consistently present in the public space. With the development of information technologies, social networks and online media, intolerance has acquired new forms and has fast widespread in the virtual space. Cyber evolution offers opportunities of promotion not only in the field of media, but also in political and religious affairs. Some use constructively these opportunities, while others use them destructively, hatred and discrimination being instrumental to them to strengthen their positions, to gain a niche in the media, to divide and induce fear in people.

It is hard to assess the real impact of these attitudes, especially given that most often they remain unpunished. The authorities' apathy in sanctioning hate speech can also be explained by the misunderstanding of this phenomenon. Indeed, there is little research in this area in Moldova, and the legislative framework is not clear enough to provide the responsible bodies with the capacity to react in the required manner. There are only a few studies on hate speech in Moldova, each of them being restricted to the environment in which it is manifested, or to the affected group.

The study "Monitoring Report Evaluation of Hate Speech in Online Media", conducted by the Center for Independent Journalism (CIJ) has analyzed the materials published on 15 news portals over a 31-day period, and identified issues in moderating comments¹.

The study "Combating the Causes of Hate Speech against LGBT People in Moldova" carried out by the GENDERDOC-M Information Center, provides a comprehensive analysis of the phenomenon from the perspective of LGBT people's rights².

Hate speech was also analyzed by the Legal Resources Center from Moldova, in an Analysis Note on the implementation of the obligations undertaken by the RM based on the Association Agreement with the European Union. According to the authors, politicians, political parties and the Orthodox Church frequently use hate speech to manipulate and distract the public attention from the issues that are truly important³.

So far, however, there is no overall view of hate speech and the extent to which it manifests itself in Moldova. For these reasons, the Promo-LEX Association has set the aim to carry out a complex research, tackling both its theoretical aspects at the level of legislation and public policies and the practical ones, aiming quantitative measurements of hate speech and intolerance in public space.

1. Center for Independent Journalism, 2015, [Monitoring Report Evaluation of Hate Speech in Online Media](#)
2. GENDERDOC-M Information Center, 2017, [Tackling the roots of hate against LGBT people in Moldova](#)
3. Grecu, P. Hriptievski, N. 2017, *The national anti-discrimination mechanism, hate-crimes and hate speech in Moldova: challenges and opportunities*. Policy Brief, Center of Legal Resources Center from Moldova

2 METHODOLOGY

The report analyzes the legal and practical aspects of hate speech, as well as the quantitative data obtained within the complex monitoring carried out by the Promo-LEX Association within the project "Strengthening the platform for the development of activism and education of Human Rights in the Republic of Moldova" implemented with the support of the Department of Justice and Human Rights of Soros Foundation – Moldova.

Problem description: The Republic Moldova has undertaken multiple international commitments on the development and promotion of human rights, ensuring equality and non-discrimination, inclusively. Although, declaratively, the Government is relatively open for the implementation of international standards and national legal provisions, there is a series of circumstances which, directly or indirectly, create impediments in this sense: insufficient financial resources; inefficient reforming of the justice sector; corruption; reticence and limited capacities of public institutions in some aspects of human rights.

Some political and religious actors divide the society, using hate speech and incitement to discrimination more frequently. The UN Committee on the Elimination of Racial Discrimination (CERD) recommended that the RM review the legislation to sanction this type of speech⁴. The CERD expressed its concern about the increasingly frequent promotion of stereotypes and prejudices against vulnerable groups: women, LGBT, Muslims, refugees, Roma, Jews, as well as the lack of responsibility for such violations. Abusive reference to religious freedom to restrict the rights of others creates a fertile ground for intolerance and hate. The indicator of generalized intolerance in the RM is 6.5 (*on a scale of 1 to 10, where 1 represents a high level of tolerance and 10 – a high level of intolerance.*), which is very high compared to Romania, for example, where in 2011, this indicator had the value of 1.9⁵.

The report has been accomplished based on the methodology developed especially for this research consulting the representatives of CPEDAE, CEC, ACC and media organizations.

Purpose of the research: To analyze and evaluate the use of the discourse that instigates to hatred and discrimination in the public space of the Republic Moldova, to assess the legislative framework and public policies, the manner in which public authorities react to hate speech and apply sanctions.

The regulations on hate speech have been analyzed through the light of international standards and national legislative framework. In addition, to analyze the activity of public authorities and law enforcement bodies, the necessary information was officially requested from the Superior Council of Magistracy, the Prosecutor's Office General, the Ministry of Internal Affairs, the CPEDAE, CEC and the ACC.

4. UN Committee on the Elimination of Racial Discrimination, 2017, [Concluding observations on the 10th and 11th Periodical Reports on the Republic of Moldova](#), point 12

5. Voicu, O. Cash, J. & Cojocariu, V. 2017, [Church and State in the Republic of Moldova](#), Soros Foundation – Moldova, point 18

The dynamics and intensity of hate speech have been analyzed on the basis of the information gathered in the public space during the monitoring process and the media of the Republic of Moldova.

Monitoring period: 15 February 2018 – 15 August 2018. The monitoring was carried out by five monitors contracted for this activity. The identified cases were reported through the monitoring questionnaires, developed for this report.

Sources subjected to monitoring: Online media sources, TV channels, social networks, cyber platforms for storing and distributing of information, public events, public statements made by public actors, politicians and religious actors.

Strategy for selecting the media sources: media sources have been selected based on the audience indicators and on the studies measuring Internet traffic, as well the surveys conducted by sociological companies⁶. Political and religious personalities were selected on the basis of opinion polls on the degree of public confidence, specialized studies and by the person's presence in the media (see Footnote 5).

| ONLINE MASS MEDIA | TV | RELIGIOUS MASS MEDIA |
|---------------------------|-----------------|-----------------------------|
| 1. www.actualitati.md | 1. 10TV | 1. altarulcredintei.md |
| 2. www.adevarul.ro | 2. Accent TV | 2. jw.org |
| 3. www.agera.md | 3. Btv.md | 3. www.aparatorul.md |
| 4. www.aif.md | 4. Canal 2 | 4. www.ephbalti.md |
| 5. www.bloknot-moldova.md | 5. Canal 3 | 5. www.episcopia-ungheni.md |
| 6. www.deschide.md | 6. Jurnal TV | 6. www.mitropolia.md |
| 7. www.flux.md | 7. Moldova 1 | 7. www.moldovacrestina.md |
| 8. www.jurnal.md | 8. NTV | 8. www.ortodox.md |
| 9. www.kankan.md | 9. Prime | |
| 10. www.kp.md | 10. ProTV | |
| 11. www.moldovandream.com | 11. Publika | |
| 12. www.noi.md | 12. RTR Moldova | |
| 13. www.point.md | 13. TV21 | |
| 14. www.protv.md | 14. TV8 | |
| 15. www.realitatea.md | | |
| 16. www.sputnik.md | | |
| 17. www.timpul.md | | |
| 18. www.tv8.md | | |
| 19. www.tvrmoldova.md | | |
| 20. www.unimedia.md | | |

Theoretical and practical approach: to analyze and interpret the data, we have adopted a broad approach to the concept of hate speech, which includes legal definitions of the national and international law and related concepts, such as incitement to discrimination, sexist, homophobic, racist speech, incitement to violence, threat, supporting ideologies based on the superiority of a certain group, defamation and public insult based on the depreciation or denigration of a group and public promotion of intolerance.

NOTE: to ensure uniformity of the language, the report operates with the generic notion of hate speech, which includes related and derivative notions, such as incitement to violence, threats, incitement to discrimination, racist, anti-Semitic, homophobic, sexist speech and prejudice-motivated crimes.

6. The sources were completed in the course of the monitoring process, based on the number of cases identified and the weight of political and religious personalities in the public space.

3

HATE SPEECH. DEVELOPMENT OF THE CONCEPT AND LEGAL REGULATIONS

The public discourse that promotes or supports intolerance can take various forms, depending on how it occurs, the affected group, the intended purpose or impact. In everyday speech, the term "*hate speech*" is used in a broad sense, encompassing incitement to hatred and incitement to violence, incitement to discrimination, anti-Semitic, racist or sexist discourse, homophobia, and other forms of intolerance expressed publicly.

This chapter provides an analysis of the most important national and international regulations in the field of hate speech, as well as of some related notions, such as incitement to discrimination, sexism and prejudice-motivated crimes, terms frequently used to legally enclose intolerance based discourse.

HATE SPEECH

Hate speech can be analyzed from two perspectives: a) the generic concept used in plain language, and b) the legal instrument for classifying incidents that are based on incitement to hatred. First of all, it is important to note that internationally, there is still much disagreement about the clear and uniform definition of this concept. One of the main recommendations of the 2015 UNESCO study "*Countering Online Hate Speech*",⁷ is that the international community should unite the efforts of UN member states and develop a comprehensive and commonly accepted definition.

Hate speech in common terms may mean promoting messages that urge action against a man or group. It can be manifested by calling for rejection, aggression, disorder, threats, and hostility. It can also be understood as a language of insults or public offense. It can also represent a rhetoric of dehumanization to create an easier target to attack. Sometimes, hate speech also involves manipulation, especially in a political context, accompanied by false or distorted news, in order to ridicule opponents, or to generate fears in society and resentment with respect to certain vulnerable groups. In a political context, inciting hatred is particularly aggressive in the context of public events, especially electoral ones.

7. UNESCO, 2015 [Countering online hate speech](#), p. 53-54

Hate speech can unite and divide at the same time. The very essence of it consists in organizing a group against another person or group. Hate speech is based on prejudices, stereotypes, conflicts or tensions that are exploited or amplified. Most often, hate speech is an antagonistic discourse: "WE" against "THEM". In a religious context, these categories are remodeled into "majority and minority", "normality and sin / sickness", "good and bad", "morality and amorality".

Regardless of the purpose and form in which it is manifested, the common element for these discourses is hatred for the one presented as different. In turn, hate must also be understood as a generic concept, which includes different emotions, feelings and negative attitudes. It is manifested in relation to a social or demographic group, being conditioned precisely by people's belonging to this group.

An important feature of hate speech is its manifestation in public space. There must be a triangular relationship: the object and subject of speech and the audience, to which it is addressed, in order to meet the component of *incitement / promotion / support / justification* of hatred based on intolerance, unlike other forms of discrimination that do not require a relationship with the audience.

The rhetoric of intolerance can have different forms of expression. Verbal exposure is the simplest but not the only form. It can be written when it is published in news articles, on web pages, social networks, blogs and other media platforms. A discourse can incite hatred through images, when it illustrates the message the author wants to convey. It can also be manifested by inscriptions made in public spaces, on banners, banners, graffiti, video and advertisements. The discourse that incites hatred can also be expressed in artistic and satirical forms – caricatures, poems, pamphlets, musical pieces.

The spectrum of expressions that hate speech can cover is so broad that it can hardly fit into a concrete normative framework. This is one of the fundamental difficulties in providing a uniform definition of this concept. Internationally, there have been several attempts to access and systematize the concept of hate speech.

Susan Benesch, a researcher at Harvard University (USA), has developed the concept of "dangerous speech," which refers only to those forms of expression that pose a significant risk of stimulating, catalyzing, or amplifying group violence against another group of people. In order to identify this type of speech, the following aspects should be considered: the character and popularity of the author of the speech, the emotional state of the public, the content of the speech itself as a call to action, the social and historical context, in which the ways of speech dissemination appear⁸.

On the other hand, Antoine Buyse, a professor of human rights at Utrecht University (The Netherlands), developed the concept of "fear speech", which refers to words capable of eventually leading to acts of violence as a way of defending security or integrity of a group⁹. The principle of this discourse is based on insinuating the idea of danger that a group of people pose to another group or the rest of society.

8. Susan Benesch, 2013, [Dangerous Speech: A Proposal to Prevent Group Violence](#), Dangerous Speech Project

9. Antoine Buyse, 2014, [Words of Violence: "Fear Speech," or How Violent Conflict Escalation Relates to the Freedom of Expression](#)

The international organization ARTICLE 19 has developed a set of principles, called the Camden Principles¹⁰. They are a progressive interpretation of international legislation and standards on the balance between the right to freedom of expression and equality, developed in consultation with high-level intergovernmental officials, civil society representatives and academic experts. In the context of hate speech, the Camden Principles state:

- ↪ The terms "hatred" and "hostility" refer to intense and irrational emotions of opprobrium, enmity and detestation towards a target group;
- ↪ The term "advocacy" is to be understood as requiring an intention to promote hatred publicly towards the target group;
- ↪ The term "incitement" refers to statements about national, racial or religious groups that create an imminent risk of discrimination, hostility or violence against persons belonging to these groups;
- ↪ Promoting a positive sense of group identity by different communities does not constitute hate speech.

SEXISM

Another form of advocating hatred and intolerance is sexism. The concepts of sexism and hate speech have more points of tangency (incitement to discrimination, manifestation of intolerance, relationship with the public), but they should be understood and treated as distinct phenomena. At this point, there is no unanimously recognized definition. However, the phenomenon of sexism is growing in scale, so it is targeted by many international mechanisms and organizations.

The Committee of Ministers of the Council of Europe noted that sexism, as a form of linguistic expression in which the male prevails over the female, denying equality of rights, prevents equality between men and women¹¹. The Council of Europe examines the possibility of unifying the notion of sexism at European level. For this purpose, several definitions have been proposed:

Definition 1. "Sexism refers to any actions, gestures or behaviors that are related to the gender of the person, or which involve inferiority due to the gender, committed in public or private space, and which make connection with harmful gender stereotypes, affecting the dignity of the person in a hostile, humiliating or degrading environment."

Definition 2. "Sexism represents facts related to the deeds, customs, traditions, or other practices based on the idea of inferiority of women, or stereotypes about the roles of women and men."

10. Article 19, 2009, [The Camden Principles on Freedom of Expression and Equality](#)

11. Council of Europe, 1990, *Recommendation no. R (90) 4 on the elimination of sexism from language*

PREJUDICE – MOTIVATED CRIMES

There is no unanimous internationally recognized definition of prejudice-motivated crimes. The UN treaties do not define separately offenses that are motivated by prejudice, even though it requires States Parties to declare as offenses punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race, and also the provision of any assistance to racist activities, including their financing¹².

The UN Special Rapporteur on Minority Issues said there are very rare cases, when prejudice-motivated offenses occur without prior stigmatization and dehumanization of affected groups or without causing hatred against them¹³. The rapporteur also stressed that three types of hate speech should be distinguished:

- a) Expressions that represent violations of international law and must be penalized.
- b) Expressions that are not criminally punishable, but which may be subject to justified restrictions or judicial review in civil matters.
- c) Expressions that cannot be sanctioned either by criminal law or civil law, but which raise concerns about tolerance, dignity and respect for others.

In 2011, the UN Human Rights Committee adopted a set of recommendations, called the Rabat Action Plan, to counteract the incitement to national, racial or religious hatred as an incitement to discrimination, hostility or violence¹⁴. It establishes a minimum set of conditions that must be met to penalize certain forms of expression. It refers to hate speech, which by its nature or the effects it can produce, is so severe that it needs to be incriminated. The Human Rights Committee proposed a 6 -part test:

- ↪ **Context.** The discourse has to be analyzed, taking into account the social and political context prevailing at the time, when this discourse was made or was disseminated.
- ↪ **Speaker (author).** Account must be taken of the speaker's position or status in society, in particular, its position with regard to the public to whom the speech is addressed.
- ↪ **The goal.** Negligence or indifference is not enough to qualify certain acts as hate speech. They must contain urge or incitement to action, not mere distribution or circulation of materials. There should be a triangular relationship between the object and subject of the discourse and the audience, to whom it is addressed.
- ↪ **Content and form.** Content analysis can reflect the extent, to which the discourse was challenging or direct, as well as the form, style and nature of the arguments brought in the discourse, and what the audience understood from this discourse.
- ↪ **Coverage of the speech.** Coverage includes elements such as the impact of the speech, its public nature, the intensity and size of the audience. Similarly, the methods of speech dissemination and their type (TV, radio, newspapers, online) should be assessed, whether the audience concerned is prone not to respond to incitement, whether the claim is circulated in a restricted environment or is accessible to the general public.

12. [International Convention on the Elimination of All Forms of Racial Discrimination](#), article 4 (a)

13. [UN Human Rights Council, Report of the UN Special Rapporteur on Minority Issues](#), 2015, point 52, A / HRC / 28/64

14. [UN Human Rights Committee, 2013, Report of the United Nations High Commissioner for Human Rights on the expert workshops on the prohibition of incitement to national, racial or religious hatred](#), Rabat Plan of Action

↪ **Probability and imminence.** It is not necessary for the action to which the public is urged by a certain discourse to result in a crime. However, it is important to identify a certain level of risk of danger. This means that the courts will have to determine whether there was a reasonable probability that the discourse would result in incitement to action against a group or not.

The European Commission against Racism and Intolerance (ECRI) has provided an interpretation of the notion of offenses motivated by prejudice, arising from the racial context:



"A racist incident shall be considered any incident that is perceived to be racist by the victim or other person."¹⁵

The Organization for Security and Cooperation in Europe (OSCE) has offered a more general notion:



"Hate crimes are criminal acts committed based on a prejudice."

3.1 NATIONAL AND INTERNATIONAL REGULATIONS

From a legal point of view, speech that incites hatred is also defined differently, depending on the region, the historical and social context, the actors defining it, as well as the level of development of democracy as such.

Before proceeding to the analysis of legal aspects, it is necessary to mention that hate speech contrasts two fundamental rights: equality and dignity (protection against discrimination) on the one hand and freedom of expression on the other. One of the main challenges of the legal definition of this phenomenon is to identify the balance between freedom of expression and non-admission of discrimination or violation of other rights.

REGULATIONS IN THE UN SYSTEM

Like other modern human rights concepts, hate speech originates from the Universal Declaration of Human Rights (UDHR), which was conceived as a tool for the protection of humanity after the Second World War and the problems it raised: Nazism, superiority of a group, hatred towards groups considered inferior, holocaust. Thus, the right to equality (Article 7) occupies a central place in the Declaration and plays a key role in the further development of human rights:

15. ECRI, 2007, [ECRI General Policy Recommendation no. 11. On Combating Racism and Racial Discrimination in Policing](#)



"All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."

This rule has influenced the evolution of many currents and areas (non-discrimination, gender equality, feminism, LGBT rights movement). Article 7 of the UDHR has also served as a basis for counteracting inequality-based phenomena rooted in people's conscience (racism, segregation, gender-based violence and domestic violence).

The notion of hate speech originates in Article 7 of the UDHR, interpreted in conjunction with Article 19 (Freedom of Expression). However, this concept has begun to exist separately with the adoption of the International Covenant on Civil and Political Rights (ICCPR). Article 19 of the Covenant defines freedom of expression and the criteria for limiting this freedom in the following way:



"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

(...) it may be subject to certain limitations which, but these shall only be such as are provided by law and are necessary:

a) For respect of the rights or reputations of others; b) For the protection of national security or of public order or of public health or morals.

In view of the possibility of restricting freedom of expression, the ICCPR, through Article 20 (2) sets two new terms - "incitement to hatred" and "incitement to discrimination, hostility or violence":



"Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law."

This international norm will later give rise to the concepts of "hate speech", "incitement to discrimination", "sexist speech" and others. In order to clarify how to interpret the concept of "hate speech" and to explain that Article 20 of the ICCPR is not a limitation on the very essence of the right to freedom of expression, in 2011, the UN Human Rights Committee adopted the General Comment no.34¹⁶. According to the Committee's interpretation, the actions or facts relating to Article 20 (2) of the ICCPR are an exception to the guarantees of freedom of expression and must cumulate 3 elements:

- ↪ To urge; *(public forms of expression that are intended to cause action or a response to calls to act are meant by urge)*;
- ↪ To have the purpose of advocating national, racial or religious hatred; *(hate is a strong emotion of criticism / reproach / disgrace, hostility or detestation that targets a group)*;
- ↪ To constitute an incitement to discrimination, hostility or violence; *(by incitement is meant an urge that is capable of generating imminent acts of discrimination, hostility or violence)*.

The Convention on the Elimination of All Forms of Racial Discrimination (CERD) forbids hate speech from the perspective of national, ethnic or racial groups, including the discourse emanating from public authorities:



"States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form..."

"States Parties shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination."

(Article 4)

Important aspects of combating hate speech were detailed in the Committee's General Recommendation No. 35¹⁷. The CERD recommended the Member States to declare unlawful and to punish by law the following actions:

- ↪ Any dissemination of ideas based on superiority or racial and ethnic hatred, regardless of the means used for it;
- ↪ Incitement to hatred, contempt or discrimination against members of a group on grounds of race, color, descent or national or ethnic origin;
- ↪ Threats or incitement to violence against members of a group on grounds of race, color, descent or national or ethnic origin;
- ↪ Expression of insults, ridiculing or slandering of persons or groups, justification of hatred, contempt or discrimination on grounds of race, color, descent or national or ethnic origin, where it clearly leads to incitement to hatred or discrimination;
- ↪ Participating in organizations and activities that advocate and stimulate racial hatred.

16. UN Human Rights Committee, 2011, [General Comment no. 34](#), CCPR/C/GC/34

17. UN Committee Against Racial Discrimination, [General Recommendation no.35](#), 2013

REGULATIONS IN THE CoE SYSTEM

The European Convention on Human Rights (ECHR) does not define hate speech separately. As it is the case of the UDHR, the Convention regulates freedom of expression and the prohibition of discrimination in separate rules, which are interpreted together when the European Court of Human Rights (ECtHR) examines such cases. Like the ICCPR, the ECHR does not provide absolute protection for freedom of expression; on the contrary, it expressly regulates the possibility and the conditions under which this freedom can be restricted:



"The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary".

(Article 10 (2))

Thus, freedom of expression is the only right guaranteed by the Convention, the wording of which expressly states the conditionality that that the rights entails both duties and responsibilities.

The ECHR expressly regulates the prohibition of discrimination (as distinct from UDHR) as a distinct right and autonomous existence in the European system of human rights:



"The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

(Articolul 14)

Examining the limits of freedom of expression in conjunction with the guarantee of protection against discrimination, the ECtHR has provided some valuable interpretations, applicable to the speech that incites to hatred as a form of punishable expression. For example, in the case of *Erbakan v. Turkey* (2006)¹⁸, the Court established:

18. European Court of Human Rights, 6 July 2006, [Erbakan v Turkey](#), no. 59405/00



"(...) the equal tolerance and respect of each person's dignity are the foundations of a democratic, pluralist society. Even so, it may be necessary in some democratic societies to sanction or even prevent all forms of expression that spread, incite, advocate or justify hatred based on intolerance."

Within the Council of Europe, the Committee of Ministers adopted the Recommendation on "Hate speech,"¹⁹ according to which the term of hate speech must be understood as:



"All forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin."

REGULATIONS IN THE NATIONAL LEGISLATION OF THE RM

At the national level, the Constitution of the Republic of Moldova recognizes, on the one hand, the principles of international law and UDHR (see Article 4) and, on the other, it regulates the standards in the field of equality and freedom of expression.



"All citizens of the Republic of Moldova are equal before the law and public authorities, regardless of the race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin."

(Article 16)

The difference between Article 16 and similar regulations of international treaties is the closed list of characteristics in the Constitution of the Republic of Moldova, which limits the applicability of the guarantee to social groups.

Article 32 (3) of the Constitution contains a rule interpreting a form of hate speech:

19. Council of Europe, 30 October 1997, [Recommendation no. R \(97\) 20 of the Committee of Ministers on "Hate Speech"](#)



"The law shall forbid and prosecute all actions aimed at denying and slandering of the State and people, instigation to sedition, war of aggression, national, racial or religious hatred, incitement to discrimination, territorial separatism, public violence, or other manifestations encroaching upon the constitutional order."

The regulation is deficient because it combines concepts that are different in essence: a) manifestations expressed against the state and its integrity; and b) manifestations expressed against groups of people.

The national legislation provides a special definition of hate speech, which is in fact a mixture of the concepts offered by the UN treaties and the notions proposed by the Council of Europe and is contained in the **Law on Freedom of Expression no.64/2010**:



"hate speech - any form of expression that causes, propagates, advocates or justifies racial hatred, xenophobia, anti-Semitism or other forms of intolerance-based hatred."
(Article 2)

The notion offered by the Law is incomplete, it cannot correspond to reality, nor does it provide clarity in what the hate speech means. The definition is rather permissive than restrictive, due to the phrases "any form of expression" and "other forms of intolerance-based hatred". Even so, given the lack of additional regulations and a supportive legal framework, complemented by insufficient understanding of the hate speech phenomenon in Moldova, the definition is vague and does not meet the practical needs of legal categorization and sanctioning. The definition also has a limited list of protected characteristics.

The Equality Law no.121 / 2012 regulates a form that is close to hate speech - "incitement to discrimination". The distinction between them is the narrow spectrum of relationships that the latter regulates, that is, behavior that is capable to incite discrimination against a person, based on criteria protected by law.



"Any behavior by which a person applies pressure or displays intentional conduct for the purpose of discriminating against a third person on the basis of the criteria stipulated in this law"

(Article 2)

Even if this definition has to be analyzed together with the general definition of discrimination,²⁰ it does not provide clarity in the understanding of the notion of incitement to discrimination.

20. Definition of discrimination: *"Any distinction, exclusion, restriction or preference in the rights and freedoms of a person or group of persons, and the support of discriminatory behavior based on the actual criteria laid down by this law or on presumed criteria"* [Law 121 on equality, 2012](#)

If we compare this notion to the elements that the hate speech cumulatively meets, as set out in General Comment No.34 of the HRC (analyzed above), we will notice at least an important inconsistency. Namely, the urge capable of generating discriminatory actions or behavior. An analysis²¹ of the Law on Equality carried out by the Council of Europe shows that the definition of incitement to discrimination does not refer to the "perceived" link between a person and a protected criterion, or to the intention to discriminate, incite discrimination and support someone to discriminate. Therefore, we can conclude that although there is a legislative framework, it is either insufficient or not sufficiently clear and predictable to provide effective protection against incitement to discrimination.

The Moldovan legislation does not provide a definition of sexism as such, but the **Law on ensuring equal opportunities for men and women** no. 5/2006 regulates sexist language:



"Expressions and addresses that present the woman and the man in a humiliating, degrading and violent manner, offending their dignity"

(Article 2)²²

The situation is not different from the contravention and criminal point of view. The Contravention Code of the RM does not contain any norm that would fully regulate hate speech. The Criminal Code provides a limited scope for some forms of dangerous expression in Article 346:



"Deliberate actions, public calls, including through either printed or electronic media, aimed at inciting national, racial or religious hostility or discord, the humiliation of national honor and dignity, direct or indirect limitation of rights or offering direct or indirect advantages to citizens by virtue of their national, ethnic, racial or religious affiliation."

The rule is unclear and restrictive. Expressions "the humiliation of national honor and dignity" and "direct or indirect limitation of rights or offering direct or indirect advantages" are abstract, especially given the lack of their practical understanding. Article 346 cannot meet the current needs, and in particular, it cannot provide protection for most of the groups affected by hate speech, because of the limitation of the protected characteristics: national, ethnic, racial and religious affiliation.

21. Ivana Roagna, Nevena Petrusic, 2016, [Assessment of the Law on ensuring equality in the Republic of Moldova in compliance with the Council of Europe anti-discrimination standards](#), p. 10-11

22. [Law on ensuring equal opportunities for men and women](#), 2006, article 2

Legal regulation, as well as the common understanding of hate speech, may vary from state to state, or from one region to another. From a legal perspective, hate speech must meet a number of rigorous conditions to be considered a violation of the law and be liable to sanctions. From a social perspective, however, it can be understood in a wider sense, given the multitude of forms of public expression capable of promoting hatred. An extended approach to this term can help reduce intolerance in society and diminish it in public space. Encouraging a tolerant and balanced speech, especially by politicians and opinion makers, can serve as an effective tool for educating the public.

4 REACTION OF THE AUTHORITIES TO HATE SPEECH

The international human rights system offers different types of instruments and mechanisms to ensure equality and combat discrimination, from education to sanctions, from public policies to supporting affected communities. This chapter provides an analysis of the national policy framework and protection mechanisms applicable to hate speech.

4.1 PUBLIC POLICIES

The Republic of Moldova has not adopted public policies that address exclusively hate speech. It is necessary to develop them, given that this phenomenon is amplifying, especially in the online field. However, their lack is explicable, given that hate speech is a sub-category of protection against discrimination, which has recently come to the forefront of public opinion in the Republic of Moldova.

National Human Rights Action Plan for 2018–2022 (NHRAP)

NHRAP 2018–2022 was adopted after a long series of consultations (nearly 18 months) and is the main policy document in the field of human rights. NHRAP contains several important objectives that can directly influence the process of combating hate speech, including:

✚ Incrimination of unlawful acts motivated by prejudice, contempt or hatred (Field of Intervention 5, Objective I, point 6 of the NHRAP).

This requires amendment of the criminal and contravention legislation in order to introduce the motive of prejudice, contempt or hatred for committing offenses and wrongdoings according to the list of criteria protected by the national legislation and the ECHR.

✚ Strengthening the capacities of criminal prosecution bodies, lawyers and judges to effectively apply criminal and contravention legislation with regard to offenses and wrongdoings motivated by prejudice, contempt or hatred (Field of intervention 5, Objective I, point 7 of the NHRAP).

Implementation will be achieved by adjusting training programs, developing methodological guides and training relevant actors on the application of criminal and contravention legislation in the field of crimes motivated by prejudice, contempt or hatred.

- ↪ Establishing a mechanism for collecting disaggregated data on offenses and wrongdoings motivated by prejudice, contempt or hatred (Field of intervention 6, Objective I, point 8 of the NHRAP).

The objective will be achieved by: **a)** changing the normative framework on the methodology of collecting disaggregated data on the number and type of offenses and wrongdoings motivated by prejudices, contempt or hatred, and **b)** implementation of disaggregated data collection mechanism.

These measures are necessary because neither theoretically nor practically, acts motivated by hate (including hate speech) are regulated or effectively sanctioned. Moreover, due to the lack of disaggregated data on these acts, it is difficult to determine the intensity and dynamics of the phenomenon of hate speech and crimes motivated by prejudice, making it difficult to analyze the deficiencies and barriers in their identification, reclamation and examination.

NHRAP also sets out a number of objectives that can indirectly contribute to combating hate speech:

- ↪ Strengthening the capacities of media representatives and students studying journalism with regard to the presentation of materials, targeting some groups of people (people with mental and intellectual disabilities, people with HIV positive status, the LGBT community, immigrants, former detainees, persons belonging to national minorities (Field of intervention 6, Objective I, point 2 of the NHRAP).

To achieve this goal, the NHRAP provides for both training and improving the capacity of journalists, as well as improvement of university study programs, elaboration of guides and informative materials in this respect.

- ↪ Adopting a new Audiovisual Code and implementing its provisions (Field of intervention 5, Objective I, point 1 of the NHRAP).
- ↪ The new NHRAP also sets out the need to increase the Audiovisual Coordination Council's response to hate speech and discrimination in the audiovisual media (Field of intervention 5, Objective I, Indicator 9 of the NHRAP).

For comparison, NHRAP 2011-2014²³ provided only for a few general measures in the field of equality and non-discrimination, among which the most important were the constitution of the national anti-discrimination mechanism and awareness-raising campaigns. The inclusion of measures that for the first time directly refer to hate speech and prejudice-motivated offenses highlights the timeliness of these issues.

23. [Government Decision no. 90 of 12.05.2011](#) on the approval of the National Human Rights Action Plan 2011-2014

Strategy for ensuring equality between women and men in the Republic of Moldova 2017–2021

The strategy²⁴ implies a set of principles, objectives and measures to promote equal rights for both sexes, but also to reduce gender stereotypes. The strategy contains some important and innovative elements in terms of language used in the public and communication on gender-related issues.

The strategy mentions that one of the current issues in the field is the unbalanced and tendentious reflection of women and men. The sexist content of advertising is caused by preconceived attitudes of the media, particularly journalists, advertising agencies and consumers. The insufficiency of campaigns promoting women's rights, the principle of equal opportunities, the necessity to reduce sexism in publicity perpetuates stereotypes and prejudices regarding gender roles.

To solve these problems, the Strategy proposes to media institution to implement the "**Gender balance in media products**" guide²⁵. The guidebook is a set of instructions and practical recommendations for an objective and balanced reflection of gender-related issues in the media.

The Deontological Code of the Journalist²⁶ does not contain sufficient provisions on equality and non-discrimination. According to the Strategy, there are no regulations that would discourage the perpetuation of stereotypes and sexism, and would encourage the need for non-discriminatory, unbiased, fair and balanced representation of women and men in media products. For this, the Strategy proposes to revise and modify the Code.

According to the Strategy, sexist and degrading advertising messages reduce the self-confidence of women, affect the way they are perceived by society and diminish their social status. Advertisers are not concerned with the identification and exclusion of sexist content from advertisements. Another issue is the persistence of violence against women and girls in the society, in media discourse and in the educational environment, as the extent of gender-based violence is caused, maintained and perpetuated, including through social discourse transposed into the media.

The Strategy on strengthening interethnic relations in the Republic of Moldova 2017–2027

The Strategy²⁷ states that one of the current issues in the field of interethnic relations is hate speech, which affects different minority groups. One of the priority actions is to develop and implement practical and effective tools for monitoring and reporting negative stereotypes and hate speech in the media (point 2.2). The hoped-for result is continuous monitoring of the audiovisual area in terms of content that incites interethnic hatred and negative stereotypes.

24. [Decision No. 259 of 28.04.2017](#), on the approval of the Strategy for ensuring equality between women and men in the Republic of Moldova 2017–2021 and the Action Plan on its implementation

25. I. Bunduchi, L. Handrabura, 2016, [Echilibrul de gen în produsele mediatice](#), (Gender balance in media products)

26. Press Council of the Republic of Moldova, 2011 [Journalist's Code of Ethics](#), New Edition

27. [Decision No. 1464 of 30.12.2016](#), on the approval of the Strategy on the consolidation of interethnic relations in the Republic of Moldova, 2017–2027

Another priority action is to promote the active involvement of civil society in reporting to competent bodies cases of incitement to interethnic hatred, discrimination and expression of intolerance (point 3.4). One of the progress indicators for these actions is the approval of legislative acts on the prohibition of incitement to hatred (point 3.1) and an increase in the number of consultations with representatives of the civil society on cases of incitement to interethnic hatred, discrimination and expression of intolerance.

Action Plan to Support the Roma Population 2016–2020²⁸

The plan does not contain objectives that would directly or indirectly address hate speech in relation to the Roma. However, it establishes support measures in enhancing journalists' capacities to equitably and objectively reflect information about the Roma community. Although this measure does not directly address hate speech, it could still tangentially contribute to reducing intolerance towards the Roma in public space.

In the absence of a comprehensive vision of equality and non-discrimination, we can still see that the problem of hate speech is becoming more and more pressing. Even if the fragmented development of some actions in branch strategies is not necessarily a result indicator, yet recognizing the problem is an essential step towards progress.

4.2 PROTECTION MECHANISMS

The protection mechanisms applicable to cases of hate speech, incitement to discrimination, sexist discourse or prejudice-motivated offenses do not differ greatly from the general mechanisms of protection against discrimination. These mechanisms are to be found both in the legal system (courts, criminal prosecution bodies, the Constitutional Court) and outside it (the Council on the Prevention and Elimination of Discrimination and Ensuring Equality, the Ombudsman, the Audiovisual Coordination Council, the Central Electoral Commission). Some civil society entities could also be seen as protection mechanisms, such as the Press Council, for example.

There is no comparative research into the activity of these mechanisms in the field of discrimination and the impact they have. For this reason, it is hard to determine which one is more effective in counteracting hate speech. However, we can mention that the specific nature of the above-mentioned institutions can bring benefits, as well as risks in examining potential cases of hate speech. Thus, some authorities have the necessary experience and expertise to qualify individual cases, others have the ability to sanction the facts of discrimination, to establish damages and compensations.

This subchapter does not intend to provide an exhaustive analysis of the competencies of the authorities that can or should examine cases of hate speech. Nor is it a comprehensive legal analysis of cases of hate speech.

28. [Decision No. 734 of 09.06.2016](#) on the approval of the Action Plan to Support the Roma Population, 2016

CONSTITUTIONAL COURT

Constitutional Court is an independent constitutional body of the state, its primary function being to control the constitutionality of normative acts and annul legal norms that contravene the Constitution, as well as to interpret the Constitution. In its recent jurisprudence, the Court has examined several complaints that tangentially address the issue of hate speech.

Examination of the constitutionality of Article 1 (2) letter c) Law no. 121 of 25 May 2012 on Equality²⁹

The case originates from the exception of unconstitutionality of Article 1 para. (2) letter c) of the Law no.121 of 25 May 2012 On Equality, raised by the lawyer Doina Ioana Straisteanu and the GENDERDOC-M Information Center in the file no. 3-49 / 16, examined by the Buiucani Court, municipality of Chisinau.

The referral to the Constitutional Court was based on the litigation that occurred during a TV show, when Ghenadie Valuta (a religious activist) spayed Angelica Frolov (LGBT activist) with holy water to do a religious ritual. CPEDAE qualified these facts as incitement to discrimination on grounds of sexual orientation³⁰ In the judicial examination of the case, Ghenadie Valuta invoked Article 1 (2) (c) of law no. 121 on Equality, which states that the provisions of this law do not apply to religious cults and their constituent parts as regards religious beliefs.

The GENDERDOC-M Information Center challenged that rule with the Constitutional Court, arguing that religious representatives are abusing this statutory exception in order to escape accountability, including in the use of hate speech.

Although the Court rejected the petition of GENDERDOC-M, it established that the right to have a conviction protects the person's inner being, not the external manifestation of his/her beliefs. In interpreting constitutional norms on equality and freedom of conscience, it is important to consider the following principles: 1) equality between believers and unbelievers; 2) cultivating a climate of tolerance and mutual respect; 3) prohibiting any manifestation of disagreement.

Confirmation of the election results of 13 November 2016 and validation of the mandate of President of the Republic of Moldova, based on Article 135 paragraph (1) letter e) of the Constitution³¹

The case is based on the notification of the Central Electoral Commission on the confirmation of the election results of 13 November 2016 and the validation of the mandate of the President of the Republic of Moldova, submitted to the Constitutional Court on 21 November 2016, pursuant to Article 135 paragraph (1) letter e) of the Constitution.

The presidential election campaign in 2016 was marked by active involvement of the Church in electoral activity. In a press conference, one of the leaders of the Orthodox Church in Moldova, Bishop Marchel, expressed his support for Igor Dodon and made several sexist statements against the other electoral contender, Maia Sandu.

29. Constitutional Court, [Judgment No. 14 of 16.05.2016](#), *On the objection of unconstitutionality of Article 1 para. (2) letter c) of Law no. 121 of 25.05. 2012 On Equality*

30. CPEDAE, [Decision of 19.05.2014 no. 064/14](#), *on discrimination on grounds of religious conviction and sexual orientation*

31. Constitutional Court, [Decision no. 34 of 13.12.2016, on the confirmation of election results and the validation of the mandate of President of the Republic of Moldova](#)

The Court found that, indeed, the statements made by Bishop Marchel were of sexist and discriminatory character, and the involvement of religious figures in electoral processes is inadmissible. The Court made a number of recommendations to the authorities, in particular on revising the laws and creating mechanisms to prevent this kind of interference in the future and imposing sanctions if necessary. *(The case is described in detail in Chapter 7 – Hate speech and Religion)*

JUDICIAL INSTITUTIONS

Courts are one of the most important protection mechanisms due to the variety of remedies offered, including: **a)** the recognition of the right; **b)** restoring the situation prior to the violation of the right and suppressing actions infringing the right or threatening the violation; **c)** recognition of the nullity of the legal act; **d)** declaration of nullity of the act issued by a public authority; **e)** compensation for the damages; **f)** compensation for moral damages and others.

The advantage that, at least theoretically, the courts offer compared to other national protection mechanisms (CPEDAE or the Police) is primarily the possibility of examining the issue of material compensations and moral damages. The court may oblige the person guilty of hate speech to apologize publicly, to stop discriminatory behavior, or to decide on other necessary remedies. Unlike the decisions of the CPEDAE, the judgments of the courts in this respect can be enforced through special procedures, established by the Code of Enforcement of the Republic of Moldova.

The jurisprudence of national courts in cases of hate speech is limited. According to the information provided by the Superior Council of Magistracy (SCM) for this research, the SCM does not have tools for collecting disaggregated information on this type of cases. For this reason, we cannot accurately provide statistical information on the number of cases of hate speech examined, the solution provided by courts or other information. However, using the search tools provided by court websites, we identified several cases that directly refer to incitement to hatred.

The case of Radita v. Plugaru

In 2012, in a press conference entitled "Political crisis, constitutional crisis – another solution", Anatol Plugaru (political analyst) made the following statement:



"It seems that Mr. Mihai Ghimpu and his political partners do exactly like Gypsies with their dirty child – instead of washing him, they prefer making another one."

The court ruled that the disputed phrase is racist and discriminatory with regard to the Roma, but ordered the defendant only to pay the state tax expenses of 200 lei, although the applicants had claimed moral damages in the amount of 60,000 lei.

The case of GENDERDOC–M v. Bishop Marchel³²

In September 2012, in a televised interview, Bishop Marchel of the Diocese of Balti and Falesti of the Moldovan Metropolitan Church stated that 92% of gays are carriers of HIV and AIDS and for this reason they should be forbidden to work in educational, as well as in public health and nutrition institutions.

32. Supreme Court of Justice, [Decision 2ra-1448/15 of 16.09.2015](#)

In September 2015, the court ruled that the bishop's statements represent a case of hate speech and incitement to discrimination against LGBT people. The court ordered Bishop Marchel to refrain from making statements that incite hatred and discrimination for the period of case examination, to make a public apology and ruled to collect 10,000 (ten thousand) lei for moral damages from his account.

However, the Supreme Court of Justice quashed the ruling, noting that bishop's speech referred to his manifestation of religious beliefs and falls within the freedom of expression.

The case of Mohamed Abobakar v. Mihail Musteata³³

Mohamed Abobakar, a citizen of Syria, was working as manager at H.S. Kebab. According to him, following a conflict that he had with a client – Mihail Musteata, the latter refused to pay the order, used vulgar words, shouted and threatened to close the place, all the injuries being based on his skin color and race. Mohamed Abobakar said that Mihail Musteata's racist attitude was based on prejudices against Arabs and Muslims, it was publicly expressed. The man threatened to use his position of a lawyer within the local public administration.

In February 2018, the court found that Mihail Musteata's behavior was racist and his attitude expressed in public was a case of racial segregation and incitement to discrimination. The court forbade him to display a racist attitude in the future, forcing him to pay moral damages in the amount of 5,000 lei.

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The above examples illustrate some types of hate speech and aspects of their examination in courts. They have no claim to exhaustively present all the cases of hate speech ever examined by the courts.

LAW ENFORCEMENT AUTHORITIES

Contravention and criminal law is very limited in terms of punishment for hate speech.

The Contravention Code of the RM (CC) does not provide for any rule that would directly and comprehensively regulate hate speech. Based on the existing practices, this discourse could be framed (theoretically) into one of the following wrongdoings:

Violation of legislation on religious cults. Article 54 of the CC contains in paragraph 2 the norm that is closest to the concept of hate speech. It sanctions confessional intolerance manifested through acts that hinder the free exercise of a religious cult or by propaganda of religious hatred.

However, the cited rule refers only to religious cults and beliefs and cannot cover all the spectrum of groups and characteristics that may be affected.

Insults (art. 69) and hooliganism (art. 354). Theoretically, on the basis of these rules, the police could sanction cases of hate speech, but most often, this sanction would be limited to public conduct, public order or the dignity of the victim, but not to incitement to actual discrimination.

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33. Supreme Court of Justice, [Decision 2r-103/18 of 07.02.2018](#)

In 2013, a Special Department for Cybercrime was set up within the General Inspectorate of Police. However, according to the NGOs, complaints about threats and inciting hatred in social networks are usually rejected or not properly investigated by police, mainly due to lack of capacities or because they are considered insignificant³⁴.

According to the Criminal Law, the law enforcement agencies are limited in the possibility of sanctioning hate speech. The only applicable criminal rule is the one set out in Article 346 of the Criminal Code of the Republic of Moldova:



"Deliberate actions, public calls, including through either printed or electronic media, aimed at inciting national, racial or religious hostility or discord, the humiliation of national honor and dignity, direct or indirect limitation of rights or offering direct or indirect advantages to citizens by virtue of their national, ethnic, racial or religious affiliation, (...)"

The rule quoted above is unclear and restrictive, being unable to offer effective protection, or to sanction hate speech or prejudice-motivated offenses. The article contains no mention of incitement to violence which, according to international standards (see Chapter 3), is an important element of this phenomenon.

Article 346 is limited to the exclusive protection of four groups: national, ethnic, racial and religious. The list of protected criteria should be adjusted to those provided by Article 14 of the ECHR and Law 121 on Equality. The list should include features such as skin color, language, citizenship, gender, sexual orientation, disability, political affiliation, and others.

However, simply rephrasing Article 346 is not enough. As practice shows, law enforcement agencies have many difficulties in understanding the phenomenon of hate speech and prejudice-motivated offense. The capacity to investigate and sanction them is also reduced.

The deficiency of this rule and the procedures related to the investigation of offenses motivated by prejudice can also be analyzed in light of the arguments used by prosecutors in such cases. International mechanisms for the protection of human rights urge the authorities to sanction prejudice-motivated offenses based on an extensive list of protected criteria (see, for example, the reports in footnotes 4 and 34). However, the law enforcement authorities refuse to do so. Here is an example of motivating the decision not to investigate a gender-biased offense:



"The criminal case has been classified as the provision of Article 346 of the Criminal Code expressly indicates the criteria of "discrimination - national, racial or religious", while those invoked by the petitioner are not included in the legal norm indicated above. It follows that "sexual discrimination" does not fall under the object of the offense provided by Art. 346"³⁵

34. European Commission Against Racism and Intolerance, March 23, 2018, [ECRI Report on RM, 5th monitoring cycle](#), point 47
35. Decision no. 21r-819/14 of 11.12.2014, Chisinau Court of Appeal

According to the information provided for this research by the Superior Council of Magistracy, the Ministry of Internal Affairs and the Prosecutor's General Office, there is no system of disaggregation of information based on this kind of offense. Thus, the lack of a data collection and systematization mechanism leads to the impossibility of analyzing the phenomenon as such, the impossibility of analyzing the problems encountered at various stages of investigation and their examination, as well as to ineffective sanctioning of these facts.

According to the ECRI report (see footnote 34), only 6 cases were examined on the basis of Article 346 of the Criminal Code in the period between 2014 and 2017. However, the authorities did not provide information about these cases, nor about the incidents treated as wrongdoings, which falls under civil liability.

The Criminal Code does not regulate in any way the threats, public insults and defamation, which are based on person's belonging to a specific group. The Code does not cover public messages with a racist purpose, an ideology that affirms superiority, depreciates or denigrates a group of people on grounds of race, color, language, religion, nationality, national or ethnic origin. The Code does not establish an aggravating circumstance for such offenses, which is why it is necessary to extend aggravating circumstances on the basis of a wider list of protected criteria for any offense in order to effectively protect vulnerable groups.

In order to remedy these legislative gaps, the draft law no. 301 for the amendment and completion of some legislative acts (version of July 2017, after the merger with draft no.277) was initiated³⁶.

The draft law addresses the amendment, completion and adjustment of the Criminal Code and the Contravention Code to improve the legislative framework and combat prejudice-motivated offenses and wrongdoings in line with international standards, in particular, with the Universal Declaration of Human Rights and the European Convention on Human Rights. However, so far, the draft law has not been adopted, although it was voted in the first reading by the Moldovan Parliament.

COUNCIL ON THE PREVENTION AND ELIMINATION OF DISCRIMINATION AND ENSURING EQUALITY

CPEDAE is an autonomous, impartial and independent public authority created in 2013, which aims at protecting against discrimination, ensuring equality, promoting equal opportunities and diversity.

The Council has the following general duties:

- ↪ Examining compliance of legislation and draft normative acts with non-discrimination standards;
- ↪ Monitoring the implementation of the legislation in the field;
- ↪ Examining complaints and bringing victims of discrimination to justice;
- ↪ Informing and raising the awareness of the society to eliminate all forms of discrimination.

36. [Draft Law amending and supplementing certain legislative acts](#), No. 301 of 01.07.2016

According to the information provided by CPEDAE for this research, since the establishment of the Council in 2013 and up to the present, it has examined 15 cases of hate speech. It is not the purpose of this research to carry out a comprehensive analysis of the CPEDAE jurisprudence. However, to exemplify the way in which discrimination cases are dealt with, the remedies offered by the Council and the impact of this institution's activity on counteracting the hate speech phenomenon, we will examine a few cases that have come to public attention.

The case of Renato Usatii

In a press conference in 2014³⁷, Renato Usatii, the president of the PaRus Party, made the following statement:



"I'm sorry for the phrase (about the Roma), it is known that, Filat is half Gypsy. However, Filat is a failed Gypsy (original: конченый), Filat killed my second child today, the first was Our Party, and PaRus is the second"

The CPEDAE found that Renato Usatii's statements represented a case of incitement to discrimination in the form of racism³⁸. It recommended that Usatii apologized to the public through the same mass media source, by which he had spread the racist message, using the following phrase: *"I apologize to the Roma community for the use of racist expressions in my speech."*

The case of Dorin Chirtoaca

In a press conference in 2015, Dorin Chirtoaca (at that time, mayor general of the municipality of Chisinau) made the following statements:



"I want to thank Mrs. Greceanii for participation. I congratulate her for having the courage to get involved in this campaign. So much the worse for the men in the PSRM and beyond it in the Kremlin, who hid behind her skirt. They were supposed to come forward, as men should behave in such a situation. It shouldn't have been a lady, who has already reached the age of 59 and is retiring, a man should have fought for the Chisinau City Hall. It was clear from the very beginning that there was a problem. I understand when a lady in full power, who is a professional comes to compete; you have the example of Mrs. Crudu in Cruzesti [...], yes, we agree, but not when the person is forced and put in the position to run. [...]"

37. [Press conference held by Renato Usatii, 15.09.2014, on the lifting by the MAI from the Ministry of Justice of the documents of the party PaRUs](#)

38. CPEDAE, [Decision of 13.10.2014, No.159 / 14, on the racist statements in the political discourse of Mr. Renato Usatii, leader of the political party PaRus](#)

Therefore, we recommend that the Kremlin and the socialists should not display acts of cowardice and not hide behind ladies' skirts."

The Council found that the above statements are incitement to discrimination on grounds of gender and age, constituting sexist and ageist discourse (gender and age)³⁹. CPEDAE recommended Dorin Chirtoaca to apologize to the public through the same mass media, he used to spread the sexist and ageist discourse, using the following phrase: *"I apologize for my discriminatory statements about women and men in politics and my sexist statements addressed to women."*

The case of Igor Dodon

The President of the Republic of Moldova, Igor Dodon said during the TV program "In profunzime" (In depth) with Lorena Bogza, broadcast on PRO TV on 12.05.2017:



"It is very difficult to be everyone's president. Today, I had a meeting with our partners, 40 ambassadors, the EU, the CIS, the US, China and some of the ambassadors of the EU member states told me: "Look, in a week or two, there will be protests or marches of sexual minorities in Chisinau". Well, I probably will not be able to represent them now, that is, I'm sure I will never be able to represent them in such a category. They are all citizens of the Republic of Moldova."

On 20 June 2017, in the TV show „Персональный акцент” (Personal accent) on Accent TV, Igor Dodon said:



"With regard to what the lady said that we should be representatives of all the people, I have never tried to divide, but there are certain principles, certain categories, certain things that I will never support. For me, there are four main things that cannot be negotiated and discussed:

1) This is the statehood of the Republic of Moldova (...); 2) I am a follower of neutrality; (3) I am a follower of our Christian values. Yes, there are other religious cultures, we have respect everyone, but 98 percent are Orthodox Christians and this ... I'm definitely against if anyone tries to say, look, let's register sexual minorities and so on.

39. CPEDAE, [Decision of 21.07.2015, No.284 / 15](#), On the racist statements in the political discourse of Mr. Renato Usatii, leader of the political party PaRus

That is why those who are for the liquidation of the church, those who are for the registration of sexual minorities, excuse me, but I will be your representative, but I cannot be your president."

The Council has determined that Igor Dodon's statements are incitement to discrimination on grounds of sexual orientation. CPEDAE recommended Igor Dodon to publicly apologize for discriminatory claims and incitement to discrimination on grounds of sexual orientation. The Council also recommended that the president be more accountable in his public positions and refrain from discriminatory statements and incitement to hatred⁴⁰.

If we compare the activity of the Council with that of other authorities (courts, police and prosecutors), we find that it is more effective in examining situations of discrimination and promoting equality. In recent years, CPEDAE has become a recognized institution, which plays a crucial role in promoting equality and combating intolerance. In addition to dealing with individual complaints, the Council has subjected to expertise several legislative acts, monitored the situation and made recommendations to authorities both directly and through international human rights mechanisms.

However, CPEDAE may only issue recommendations in individual cases, the Council may only issue a report on the finding of contravention, which must then be maintained by the court. CPEDAE is not in the position to impose sanctions on its own. Therefore, the Council cannot provide the necessary remedies in individual cases and does not have the necessary power to sanction the acts of discrimination, which decreases the authority of the decisions it issues.

The European Commission against Racism and Intolerance has recommended the authorities to strengthen the institutional capacity of CPEDAE (see the report in footnote 34, point 99). In particular, the authorities should: i) amend the relevant procedural rules to ensure the effective implementation of the CPEDAE mandate; ii) allocate sufficient financial and human resources, including funds to provide raising awareness campaigns; iii) ensure that the Council maintains its full financial independence from the government, and iv) intensify its efforts to promote compliance with the CPEDAE recommendations.

THE AUDIOVISUAL COORDINATION COUNCIL

The ACC is an autonomous public authority, which regulates the field of audiovisual communication. The fundamental objectives of the ACC include:

- ↻ Supervising the observance of pluralistic expression of ideas and opinions in programs broadcast by broadcasters under the jurisdiction of the Republic of Moldova;
- ↻ Protecting human dignity and protecting minors;
- ↻ Protecting the information space, linguistic, cultural and national heritage, including the culture and languages of national minorities.

40. CPEDAE, [Decision of 25.09.2017, no. 73/17](#), on Incitement to Sexual Discrimination

In its activity, the ACC has direct authorities of sanctioning hate speech. Article 6 of the Audiovisual Code lays down that the broadcaster is prohibited from broadcasting programs containing any form of incitement to hatred on grounds of race, religion, nationality, sex. It is forbidden to use sexist language, violent and degrading images of women and men.

The Audiovisual Code defines two concepts that are close to the hate speech (Article 1):

- 1) Sexual advertising – intentional and / or unintentional presentation (using words, sounds or images) that promotes erroneous, discriminatory and / or degrading messages from a gender perspective and reproduces sexist stereotypes, affecting the image and dignity of one of the sexes;
- 2) Sexist stereotype – prejudices, beliefs, preconceived ideas about the attributes and behavior of women and men, reflecting simplistic and distorted roles based on sex criterion.

The ACC can directly sanction the subjects that incite hatred or promote sexist messages through: warnings, fines (from 5,000 to 15,000 lei), suspending or withdrawing their license.

However, in its work so far, the ACC has not been remarked by a firm stance on sanctioning hate speech. There is no analysis of the Council's work in this respect. Based on the general activity reports, the ACC rarely applies the rule quoted above.

According to the Freedom House report for 2017⁴¹, due to its highly politicized membership, the ACC has not always effectively enforced regulations in the media. According to the ECRI (see footnote 34, point 45), the state reported that from 2014 until now, the ACC applied sanctions for incitement to hatred or discrimination (all in the form of a warning) in only four cases.

In July 2018, the Parliament of Moldova adopted a new Audiovisual Code⁴². Unlike the current version, the new Code regulates the hate speech in an extended version:



"Hate speech – an expression that propagates, incites, promotes or justifies racial hatred, xenophobia, anti-Semitism or other forms of hatred based on gender, racial or ethnic origin, nationality, religion or belief, disability or sexual orientation."

(Article 1)

Article 11 of the Code establishes that media service providers and media service distributors must respect fundamental human rights in audiovisual media services and, under paragraph 2 of the article:

41. Freedom House, 2017, Freedom of Press, Moldova

42. [Audiovisual media services code of the Republic of Moldova](#), project



"Audiovisual programs likely to propagate, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on gender, racial or ethnic origin, nationality, religion or belief, disability or sexual orientation are prohibited."

The definition of hate speech offered by the new Audiovisual Code is the most progressive of all the definitions provided by Moldovan law, both due to the broad spectrum of forms it contains and due to the extensive list of protected criteria. However, the closed nature of the list will make it difficult to sanction cases of incitement to hatred based on criteria other than those expressly listed in Articles 1 and 11.

Additionally, the new Code contains a regulation on gender balance:



"The use of sexist language, violent and degrading images of women and men is prohibited in audiovisual media services."

(Article 18)

Although it has precious provisions and prerogatives in sanctioning hate speech in the audiovisual field and has the opportunity to contribute directly to the development of a more tolerant environment, the ACC has so far not showed itself as an institution that wants to fulfill this role assigned by law.

NOTE: When this report was published, the new Audiovisual Code was not yet promulgated.

CENTRAL ELECTORAL COMMISSION

The Central Electoral Commission (CEC) is a public institution founded to carry out electoral policies for the proper organization and conduct of the elections. The mission of the Central Electoral Commission is to create optimal conditions for all Moldovan citizens to exercise freely their constitutional right to elect and be elected in free and fair elections.

The CEC acts based on several normative acts, but the most important of them is the Electoral Code of the Republic of Moldova⁴³, which contains some general provisions on equality and non-discrimination. They concern the respect for the principle of equality between women and men in electoral campaigns and equal rights in the use of mass media.

The Electoral Code does not regulate in any way discrimination in the electoral campaign or hate speech. Despite the fact that the CPEDAE identified and cases of hate speech and sexist discourse used in the last few electoral campaigns, including by the candidates, the electoral legislation cannot offer, so far, solutions or mechanisms to react promptly to this phenomenon.

43. [Electoral Code, No. 1381 of 21.11.1997](#)

It is true that hate speech does not necessarily fall under the electoral legislation, being rather the prerogative of other authorities (courts, CPEDAE). However, one cannot ignore the fact that electoral rhetoric, the programs and, implicitly, the speech of electoral contenders and their sympathizers is very important in shaping public opinion and voter's decision to participate in the elections or not, to vote or not to vote for one candidate or another.

The image built through the speech of the competitors, their opponents or sympathizers is often one of the decisive factors in the voting process. For these reasons, the need to regulate hate-based rhetoric becomes an increasingly pressing necessity. This necessity is exacerbated by the socio-political context of the Republic of Moldova, deeply affected by the division of society on social, geopolitical and religious criteria.

The recent experience of the presidential election campaign in 2016, as well as the elections of early spring in 2018, confirms this fact. For example, opinion polls showed that in the presidential election, one of the favorite electoral candidates was an unmarried woman without children. Some of the electoral opponents adopted the rhetoric of prejudices, using stereotypes based on gender and sexual orientation to denigrate her, create a negative image and associated her professional capabilities with these images.

At the same time, examining the involvement of Church representatives in the electoral process, the Constitutional Court explained that the state authorities, responsible for this process, did not honor the obligation to prevent and sanction the involvement of religious cults in elections. In order to remedy this issue, the Court recommended the establishment of prompt and immediate sanctioning mechanisms, including in criminal matters, for any attempt to involve religious cults in electoral campaigns (see footnote 31).

With regard to the same issue, the OSCE recommended that the authorities consider introducing an effective mechanism against intolerant rhetoric, such as sexist and homophobic language and gender stereotypes, including in election campaigns. The General Code of Ethics and the internal codes of broadcasters could include provisions to avoid discriminatory, sexist and homophobic language⁴⁴.

The European Network of Election Monitoring Organizations (ENEMO) has established that gender discrimination, discriminatory, sexist and homophobic discourses should be clearly identified and punished as required by law, and the CEC and monitoring institutions should promptly intervene in such cases by imposing clear sanctions on the authors⁴⁵.

In the presidential election of 30 October 2016 and especially in the second round electoral campaign, the Promo-LEX Monitoring Mission also identified proliferation of discriminatory, sexist, xenophobic attitudes, discourses and practices that fueled fears, stereotypes towards some social groups, such as women, immigrants, refugees, people of religious cults other than Christians, homosexuals. Promo-LEX experts recommended that discriminatory and defamatory discourses be consistently sanctioned under the current law⁴⁶.

44. OSCE / ODIHR, [Presidential Election Observation Mission in Moldova](#), Final Report on the Presidential Elections of 30 October and 13 November 2016, p. 34

45. ENEMO, [Presidential Election Observation Mission in Moldova](#), Final Report on the Presidential Elections of 30 October and 13 November 2016, p. 36

46. Promo-LEX Association, [Presidential Election Observation Mission in Moldova](#), Final Report on the Presidential Elections of 30 October and 13 November 2016, p. 61

It will be difficult to analyze the real impact of discriminatory rhetoric in electoral processes, as long as the legislative framework and the existing mechanisms in the field ignore the issue. Regulating hate speech in line with international standards and creating effective punishment mechanisms is an increasingly pressing need for ensuring free and fair elections, as well as increasing the level of democracy in the Republic of Moldova.

5 DYNAMICS OF HATE SPEECH IN PUBLIC SPACE. TRENDS AND AFFECTED GROUPS



The source of the image: realitatea.md

There is relatively little information about the extent of hate speech and how it is manifested in the Republic of Moldova. There are few statistics showing trends in scale, dynamics, intensity, authors, identifying or sanctioning intolerance in public space. Even so, the rhetoric of hatred has long been used in our society, prevailing in situations that attract public attention: electoral processes, political activity (including external), public events (protests, festivals, holidays) or religious events, mundane or other events.

The media is another area that predisposes and provides space for the emergence, amplification, and spreading of intolerance.

The development of information technologies has prompted the emergence of another public space in which hate speech can be manifested – the online environment. Massive media migration to the online space and the emergence of social networks have amplified the importance and role of this space in the society at rates that would have been unimaginable 20 or 30 years ago. Virtual media has become the largest public space to express and promote opinions, news, services, etc. It is more difficult to apply classical sanctioning laws and instruments to the online environment, which is different in nature, being more user-friendly, faster in disseminating information, and offering anonymity.

These circumstances favored the massive development of propaganda, manipulation, distortion of information and intimidation in the online space. There have even emerged new tools of manipulation and intimidation such as, for example, internet trolling⁴⁷ and fake news⁴⁸. All these have created a fertile atmosphere for the development of hate speech in the most varied forms and contexts.

The tendency to increase the rhetoric of intolerance is based on reasons related to the deficient legislative framework, political context, geopolitical aspects, as well as on the performance of religious figures, who are important actors on the public agenda in the Republic of Moldova.

The causes listed above have a decisive role in promoting a discriminatory rhetoric in the society. Obviously, there are also other causes (low quality of education, maintaining obsolete paradigms, habits and traditions based on prejudices), as well as factors that amplify this rhetoric (accessibility of online platforms, Internet connection speed, easy interaction on social networks, anonymity, physical distance between the author and the target group).



The source of the image: realitatea.md

In its latest report on Moldova, the European Commission against Racism and Intolerance confirmed that the political field plays an important role in the emergence, amplification and spread of hate speech. The ECRI also mentioned that prejudice in relation to some social groups (LGBT, women, Roma, Muslims) also favors promoting this discourse. It points out that the lack of response from the authorities, uncontrolled online environment, the ineffective sanctioning mechanisms and imperfect legislation play a no less important role in the spread of hatred and intolerance in society (see the report in footnote 34).

This chapter provides a vision of hate speech cases identified between February 15 and August 15, 2018 in the public space in the Republic of Moldova. The analysis will reflect both the quantitative aspect (the number of cases, the number of sources, where they were distributed, the authors) and the manner in which hate speech is expressed (forms of expression, trends, impact).

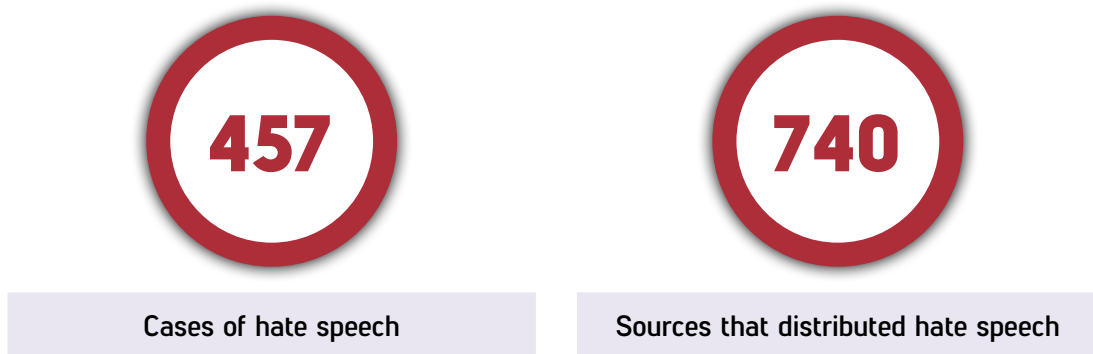
47. [Internet trolling](#) – misleading, destructive or disruptive behavior in various online social environments, apparently without any determined purpose.

48. [Fake news](#) – a type of yellow journalism or propaganda, which consists in spreading false information broadcast through traditional media or traditional social media such as online, TV or newspapers.

5.1 GENERAL TRENDS

Over 6 months of monitoring, there have been identified and reported cases that relate to the most diverse forms of speech: verbal expressions, written opinions, pictures, video sequences, speeches in public events, banners, social networking posts, comments to articles, etc.

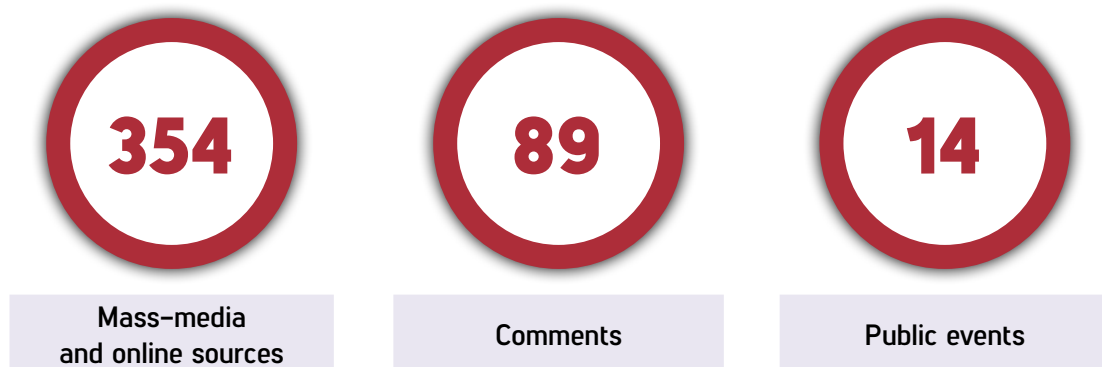
Number of cases identified and number of sources that distributed hate speech



In total, 457 cases of hate speech, expressed in mass-media, public events and news stories were identified during the monitoring period. The overall number of cases identified refers to both hate speech and the cases of incitement to violence, sexism, racism, incitement to discrimination and public promotion of stereotypes and prejudices.

The 457 cases of hate speech identified were distributed by a total of 740 sources, including online media, information platforms and TV channels. The figure of 740 has no claim to present an exhaustive list of sources that distributed hate speech during the monitoring period, it is rather an indicative one. News or events of public importance are usually taken over by a large number of sources, especially mass-media, so that the real figure could be much higher.

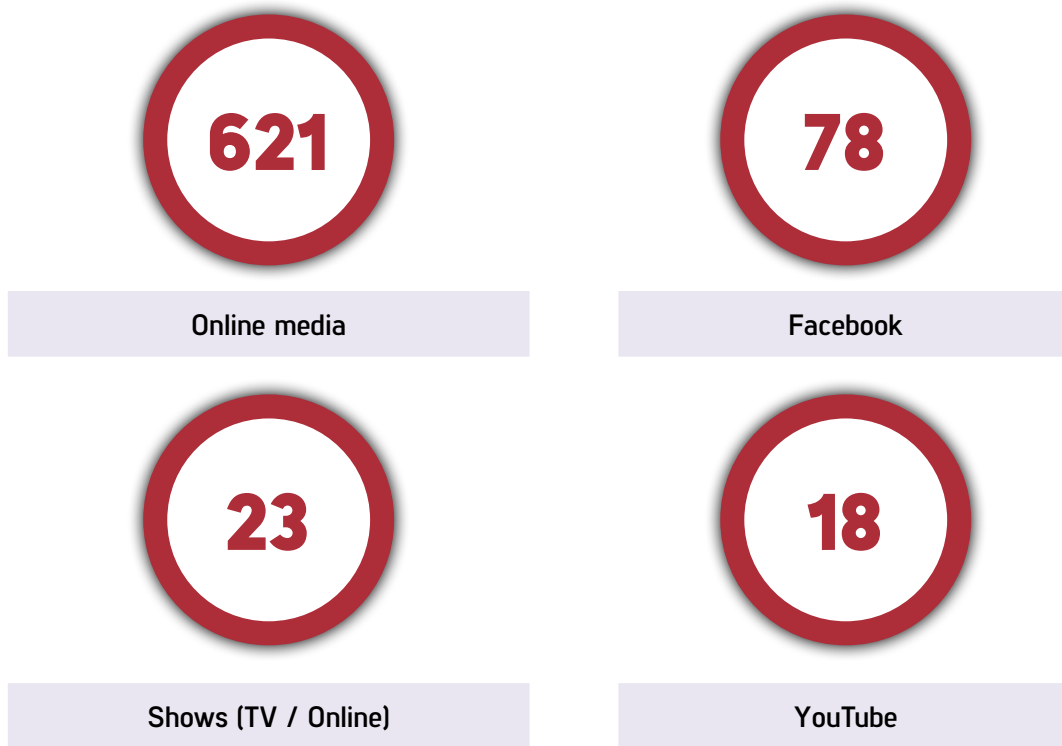
The context of expressing hate speech



Most cases have been identified in written articles, usually news or author's opinions. There have been reported cases identified in TV shows, interviews and posts on social networks of public figures. Also, a large number of comments to media articles, containing hate speech, have been reported.

Special attention was paid to public events. 17 public events were monitored, out of which 14 different cases of incitement to hatred or discrimination were identified.

Categories of sources



Intolerance rhetoric most often comes from politicians, public figures, sympathizers of political parties or electoral candidates and representatives of religious cults, which are taken over and spread by analytical articles, news, interviews or media shows.

In some cases, hate speech is generated by authors of articles, journalists, experts, or other people. Facebook is a very common and easy to use communication platform, allowing the author to interact quickly with the public and the media. TV and online shows, especially those attended by more than one guest, predispose to less-controlled, sometimes impulsive expressions. The least cases of public intolerance have been identified on YouTube, which is an online video content delivery platform. Cases of hate speech have been identified in video sequences, published on the pages of religious figures, politicians, bloggers and activists or media outlets. This platform has not been the subject of special monitoring. Only the cases, where YouTube has served as a video storage platform, have been reported.

NOTE: For the statistical analysis, only cases of hate speech and promotion of intolerance in the media, online environment and public events were used in this chapter. Statistics on comments that promote hate speech are not included in the overall data analysis. They usually refer to impulsive reactions and are posted by anonymous people, so they were included in the data analysis to exemplify different forms of expression and the escalation of hate in response to intriguing articles. Therefore, in this chapter, we will operate with the figure of 368, which covers the speeches in the media, online environment and public events.

Number of cases used for data analysis



The monitoring period covered a total of 181 days, in which 368 cases of hate speech were recorded. On average, there are two new cases of hate speech every day.

Public resonance



Views



Shares

The total number of views of the cases identified amounts to **3,276,216**, or an average of over **18,100** views per day. The number of views was calculated based on the public information provided by the websites of media institutions, social networks and other online platforms. It is impossible to determine the audience of cases identified in TV shows, as some online sources do not provide visualization data, so their actual number is much higher.

Based on these figures, we can conclude that the contact of the public with hate speech is high, especially in the online environment. Of course, we do not have data for comparison, but 18,100 daily views and the risk of interacting with two situations that can generate hatred and intolerance in the society on a daily basis means that this phenomenon has a broad resonance.

The total population of the RM is about 3.5 million⁴⁹. If we report this figure to the total number of accounted cases of hate speech, it appears that the ratio is almost 1:1, that is, we could assume that on average, every citizen of the Republic of Moldova, being an Internet user, interacted at least once with such cases.

49. [Demographic situation in the Republic of Moldova in 2016 National Bureau of Statistics](#)

Fig. 1. Distribution of hate speech in terms of the author's gender



According to monitoring data, the **authors of hate speech are in the vast majority of cases men, with a ratio of 88% (men) to 12% (women)**. The figure refers only to the situations, where hate speech came from a physical person that could be identified.

Such a large gap does not necessarily mean that women do not use the rhetoric of intolerance in public space. The reduced presence of women in politics and therefore, their reduced media exposure, compared to men, can be one of the explanations. Women also less often appear in religious contexts. However, it should be noted that, based on monitoring data, women are more attentive to the rhetoric they have in public.

Most frequently, hate speech is used by people aged between 35 – 50 years, followed by those over 50 years. Young people up to 35 years of age use it the least of all. To analyze this figure, we must take into account that it is heavily influenced by its environment, the conditions in which it occurs. In most cases, it is the media attention that politicians, activists, experts or representatives of religious cults enjoy. People up to the age of 35 are rarely in such positions, compared to those aged between 35 and 50 years. At the same time, the low figure for the group aged over 50 can be also explained by the fact that they interact less with new information technologies, especially with online sources.

Fig. 2. Distribution of hate speech in terms of the author's age

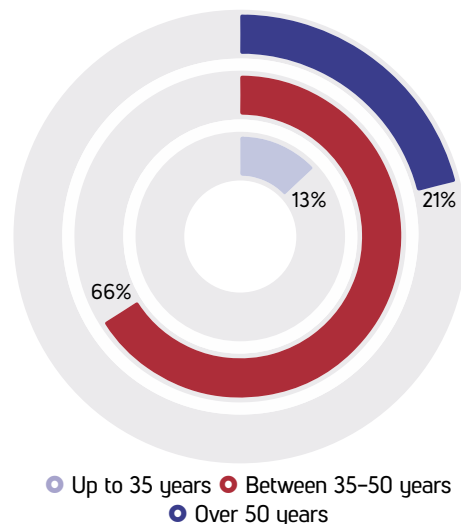
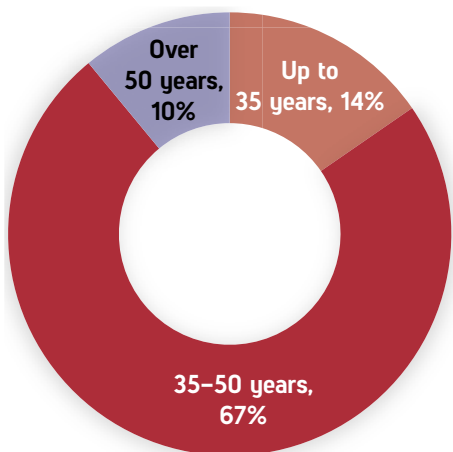


Fig. 3. Distribution of hate speech in terms of affected person's age



People aged between 35-50 years are most affected by hate speech, followed by young people up to 35 years and those aged over 50. The factors that influence this distribution are similar to those described above for people who generate hate speech.

Political and religious context encompasses all the spectrum of relationships and situations, starting with expressions that relate to political and religious subjects and ending with expressions that collaterally affect these domains or the actors that represent them.

The "Other" category includes relationships and issues on the public agenda that do not refer to either political or religious field. It can be national holidays, debates and discussions on current issues of the society, conflicts between different social groups, celebrations or public events. As it is seen in Figure 4, **hate speech is manifested predominantly in the fields of politics and religion**, while other fields represent a less fertile ground for promotion of intolerance.

Fig. 4. Distribution of hate speech in terms of the context which it is manifested in

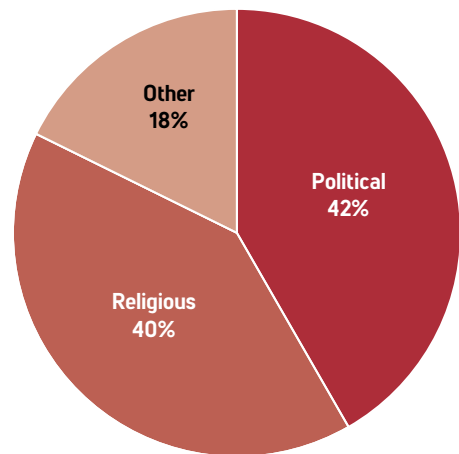
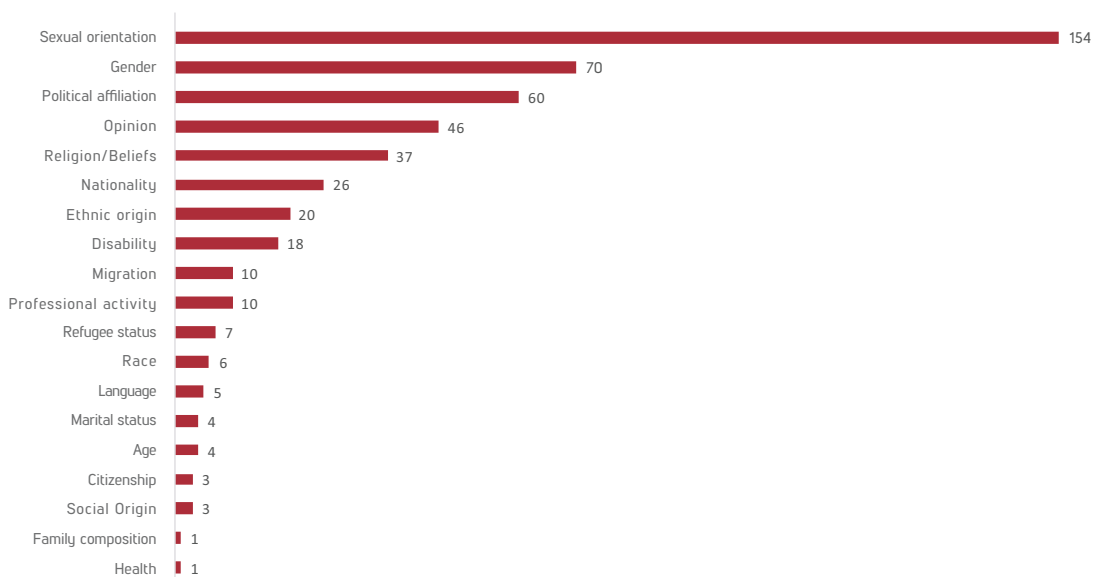


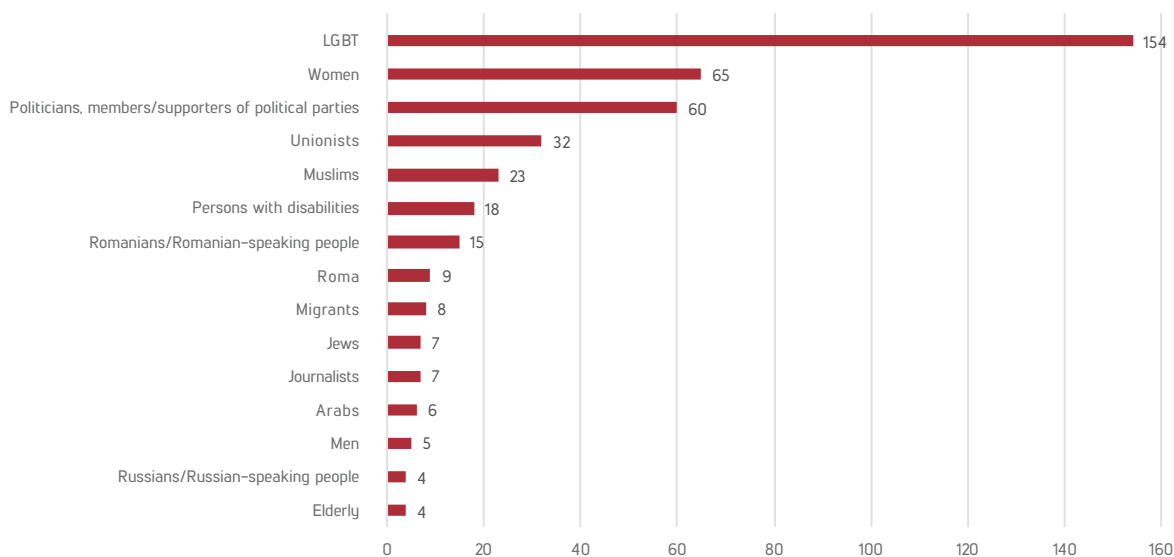
Fig. 5. Distribution according to the criterion underlying hate speech



Hate speech in its classic version, as defined in international treaties, refers primarily to hatred on grounds of race, nationality, ethnic origin, and religion. Based on the information gathered during the monitored period, we can observe that in the Republic of Moldova, there is a current intolerance of the LGBT group, women, affiliation to political and unionist groups or ideologies.

These data essentially reflect the general atmosphere in the society, which is strongly disaggregated based on geopolitical, linguistic, religious reasons. Lately, however, the **public space has been invaded by two very pressing issues: traditional values and unionism**. The first issue is mainly used by the exponents of the Orthodox religion in Moldova, especially representatives of the Moldovan Metropolitan Church and some neo-protestant trends, as well as by the politicians who included it, officially or unofficially, in political programs and rhetoric. The gap between the LGBT group and the rest of the groups is enormous. Cases, in which LGBT representatives have been affected by the rhetoric of intolerance are double, in comparison with the women and triple in comparison with persons who belong to political groups or their associates.

Fig. 6. Distribution by affected groups



The second issue – unionism – is largely exploited in the political context. This discourse affects Romanians as a nationality, and Romanian-speaking people, in certain situations – the Roma (when a Roma is considered Romanian), as well as the Russians and the speakers of the Russian language.

5.2 AFFECTED GROUPS

In 2015, CPEDAE published the study on perceptions and attitudes towards equality in the Republic of Moldova⁵⁰. The study has shown that the five most rejected groups in the society were: the LGBT, HIV-infected people, detainees, people with mental and intellectual disabilities, and the Muslims. This study shows that perceptions and attitudes towards certain vulnerable groups influence the public space and public discourse.

LGBT

The monitoring results show a significant gap in the discrimination of the LGBT compared to other groups, with a total of 154 cases out of the 368 registered. **The discourse addressed to the LGBT community is direct and aggressive, with the use of denigrating qualifiers, insults, association with immorality, sin and evil.** This way of expression is influenced by the rhetoric of Church representatives. In other cases, homophobic prejudices are used in political rhetoric as a negative element of association to denigrate a politician or a party.

50. CPEDAE, 2015, [Study on Perceptions and Attitudes towards Equality in the Republic of Moldova](#)

Fig. 7. Hate speech against LGBT in terms of the context it is manifested in

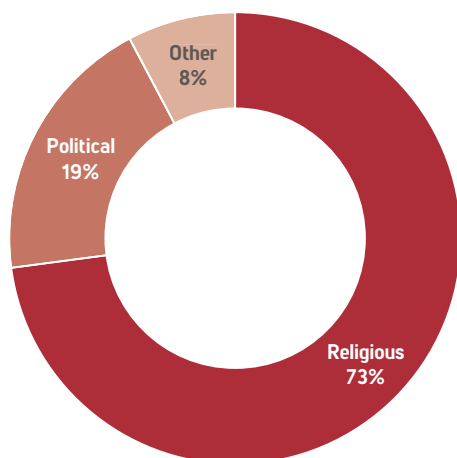


Image taken from a news story distributed on altarulcredintei.md⁵¹

Most often, hate speech against the LGBT group is manifested in a religious context, followed the political one. Sometimes, prejudices about homosexuality are used even by journalists or public figures in order to humiliate or offend, projecting the negative image on the person concerned.

RELIGIOUS PERSPECTIVE

In a religious context, hate speech is often accompanied by manipulation. The authors use images or real news, distorting their essence, associating the negative element with the LGBT group.

A piece of news about The Walt Disney Company, which initiated actions to support LGBT's rights was presented as a campaign of gay propaganda. The news contrasts the company's activity with prejudices against homosexuals, making allusion to the danger of gay propaganda for children.

Homosexuality is intensively associated with negative, dangerous or illegal images, events or acts. For example, the story entitled: **"Wild blaze in Sweden, an atheist country, which legalized sodomy and implanted chips to its citizens"**, induces the reader the idea that Sweden was in fire due to legalization of sodomy, which also refers to LGBT's rights⁵².



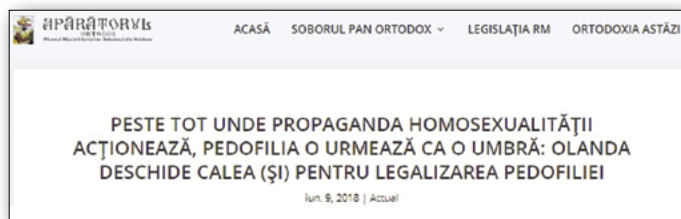
"God punishes this atheist country, which has legalized many habits contradicting the human nature, implants chips and gives up the use of cash."

Similarly, another news titled, **"Unpublished news: Over 500 sodomites burned in a fire that covered a party in Taiwan"**, refers to a night club fire in Taipei and associates homosexuality with death for the "sin of sodomy"⁵³.



"The conclusion is that: (...) definitely God has looked with dismay upon these young men and unleashed His temper upon the youth."

51. <http://altarulcredintei.md/decizie-luata-de-disney-cel-mai-popular-personaj-animat-pentru-copii-implicat-in-propaganda-homosexuala/>
 52. <https://www.aparatorul.md/intre-timp-in-suedia-incendii-in-intreaga-tara/>
 53. <https://www.aparatorul.md/stirea-despre-care-nu-se-scrie-pesto-500-de-sodomiti-au-fost-arsi-intr-un-foc-ce-a-acoperit-o-petrecere-din-taiwan/>



One of the manipulation instruments often used in articles published on these platforms is the association of homosexuality with pedophilia. Thus, the LGBT group is associated, on the one hand, with amorality and unacceptability, serving as an

emotional argument, and on the other, with an act forbidden by law, serving as a legal argument. Such articles present distorted information, taken out of the context and sometimes, they operate with false information.

The Orthodox news pages have a large number of followers, which sometimes exceeds that of many of the most popular media institutions. For example, the Orthodox Moldova portal has over 100,000 of followers on Facebook, which is close to the number of JurnalTV and PUBLIKA.MD followers and is double in comparison with that of Agora.MD. Hence, the audience of these materials is considerable.

POLITICAL PERSPECTIVE

In political and electoral contexts, prejudices against the LGBT community are increasingly being used to create the impression of an imminent danger to be faced. The rhetoric of the necessity to protect traditional values is becoming more and more popular. For example, in the electoral campaign for early local elections on 20 May 2018, the PSRM candidate, Ion Ceban declared that he will prohibit marches of the LGTB community in the RM⁵⁴.



"I opt for a traditional family. No one forbids them to do what they want in their homes. Do what you want at home, but don't bring these things to the public. I won't allow such things to take place."

This rhetoric was taken over from the PSDM's former president – Igor Dodon, who, after his victory in the presidential election, said he would not be able to represent the gay community as president⁵⁵.

Another PSRM representative, Vlad Batrincea, after the "No Fear" March organized by the GENDERDOC-M Information Center, said in a Facebook post:



"Liability is borne not only by the LGBT community who have decided that they can block the center of the capital of an Orthodox state and organize a propaganda parade of a perverse minority ..."

The socialist MP condemned the authorization of the march, thus inciting violation of freedom of assembly and using offensive phrases "perverse minority", "bacchanal", thus promoting public intolerance towards LGBT people.

54. See for example: TV8, [Electoral debates 2018 for Chisinau mayoralty: Alexandra Can, Ion Ceban and Andrei Nastase, 15.05.2018, and If Ion Ceban becomes a mayor, he will forbid unionist marches. "The law must be respected"](#)

55. <http://diez.md/2017/05/12/dodon-spune-ca-nu-va-reprezenta-niciodata-comunitatea-lgbt-este-greu-sa-fii-presedintele-tuturor/>

Stereotypes and hatred towards the LGBT group are used as a tool to denigrate counter-candidates or opponents and to compel intolerant voters against these opponents. For example, the leader of Our Party leader, Renato Usatii said in the "Shadow Cabinet" program:



"Vlad Batrincea is, in Russian they say zadneprivodnii (translator's note- bugger), ... In the Socialist party, Vlad Batrincea is in charge of all these close relations with homosexuals." ⁵⁶

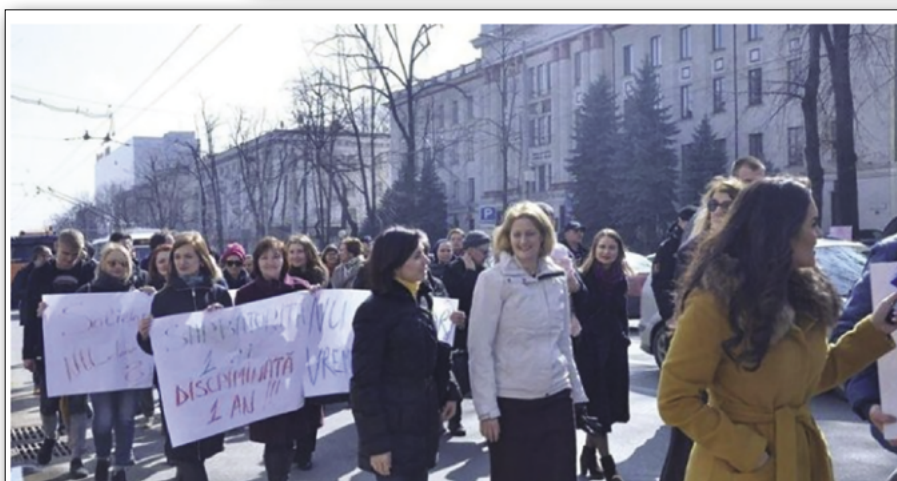
The allegation itself that a politician is homosexual is not discriminatory, but Renato Usatii used it in a denigration speech to project the intolerance of the LGTB on his opponent, thus promoting prejudices against gay people.

OTHER FORMS OF MANIFESTATION OF HATRED AGAINST LGBT

Similar to the media in the religious field, the classical media produces news and materials capable of instigating hatred. For example, in the article on the flux.md, the author makes several homophobic statements and promotes prejudices against LGBT people:



"Maia's smiling profile was noticed marching in the middle of a group of working lesbians, copiously funded by Soros networks, providing for other "Western values" such as euthanasia, homosexual marriages, adoption of children by homosexual couples, juvenile police and others of this kind. ⁵⁸"



Maia la marșul lesbienelor, fără Andrei, dar cu zâmbet pe chip

The source of the image: flux.md

56. <http://www.jurnaltvmd/news/12e3869c6a97087a/cabinetul-din-umbra-7-iunie.html>

57. <http://flux.md/stiri/diverse/maia-la-marsul-lesbienelor-fara-andrei-dar-cu-zambet-pe-chip>

The Sputnik.md has published some news promoting intolerance of the LGBT community. For example, the news on the Fearless March contains author's appreciations based on prejudices⁵⁸:



"At around 12:00, some two hundred demonstrators, who advocate homosexual relations, began marching through the Capital, flanked by hundreds of policemen, protecting them from the discontent and anger of the true followers of morality and normality."



The source of the image: sputnik.md



"This march takes place even if the Moldovan Orthodox Church urged the local authorities not to allow the conduct this immoral demonstration that promotes homosexual relations in the center of the capital."

The authors use a picture unrelated to the event, and the link to the news is accompanied by the message:



"Something horrible is happening right now in the center of the capital: Homosexuals are marching, protected by the Police."

The qualifiers and the way of expressing used by the journalists present the news in a subjective and biased manner, suggesting it is an abnormal and disgusting event. The authors perpetuate a negative image of the LGBT people, which can be taken over by readers, thus instigating discrimination.

58. <https://sputnik.md/society/20180519/19310272/centrul-capitalei-homosexuali-defileaza-protejati-politie.html>

Fake news is another form of online manifestation of intolerance. Typically, this type of news uses denigrating information and prejudices against the most rejected social groups in order to present the politicians or other public figures in the most unfavorable light.

On April 27, 2018, an alleged interview with a priest from the native village of the PPDA leader, Andrei Nastase, was published on the presaindependenta.wordpress.com. The article included several denigrating images and prejudices against the LGBT community and women, aiming directly at politicians Andrei Nastase and Maia Sandu:



"Oh ... God forbid such people (about gay). They will burn in hell. I think that's why Maia Sandu is not married and has no children. To be honest, I didn't know about the link PAS has with the LGBT, or whatever they call them ... "

After being repeatedly reported as a fake news platform⁵⁹, the page was deleted.

The impact of public opinion or news that promotes intolerance can be analyzed through the comments on such articles. Usually, the degree of hatred in comments is greater and the messages are more aggressive. For example, an article about Ion Ceban's statement on banning LGBT marches has caused particularly aggressive comments that incite violence⁶⁰:



"And, in general, all this crap must be burned! Burned at the stake, as it was in the times of the inquisition! And everybody should come to the central square and see it!"

Taking into account the social premise, the political instability and the high level of intolerance currently persisting in the public sphere, it is likely that hate speech addressed to the gay people will increase, especially in the context of the parliamentary and local elections scheduled for 2019.

WOMEN

Women are the second group most affected by hate speech. Almost no incidents of incitement to violence have been identified, with the exception of multiple (intersectional) discriminations, when some hidden criteria undelay the discourse. It is often manifested through clichés related to behavioral role models and gender prejudices. This rhetoric portrays the image of a woman who is weak or inferior to the man. The most aggressive expressions have been identified in comments on articles and news.

59. See for example: <https://www.zdg.md/editia-print/politic/stop-fals/stop-fals-dezinformarea-si-falsurile-stimulate-de-lipsa-sanctiunilor>

60. <https://point.md/ru/novosti/politika/kodrianu-prizval-bukharest-pomoch-unionistskomu-telekanalu-v-moldove>

SEXIST DISCOURSE

In the Dialog TV show, broadcast by BTV, Renato Usatii said about Maia Sandu⁶¹:



"(...) I'm against Maia, because any time, she can put on a pair of pink shoes, put on something nice, ... get a purse of natural leather and work for Geneva City Hall"

Similarly, during the Important TV show, broadcast by TVC21, Igor Grigoriev, former deputy mayor of Orhei, said in a discussion about the Moldovan politics⁶²:



"Why do they need Ghimpu if there is Leanca adorned as a bride?"

These messages are not always directly addressed to women, but they are used to offend the person they are addressed to, or to contrast it to some prejudices negatively perceived by the society. The authors of these phrases build their rhetoric against opponents based on derision, inferiority and insanity, associated with the prejudices they use. Such a comparison always has women at the opposite side, in one way or another.

For example, the expression "adorned as a bride", quoted above, aims to show that Mr. Leanca is useless (in the author's view) and his "decorative" role in politics. The object of comparison is the bride – a beautiful but unimportant decoration, the sexist context of the comparison is automatically projected on the general image of women.

During a protest rally organized by SOR Party⁶³, a participant recited a poem, referring to prejudices about the social role of women:



*"Everyone's asking,
"Sandu, what's your job?"
Instead of plotting something bad,
you'd better find a lad.
Honey, dear, better marry
and love your man forever.
Do not seek to do evil,
beware of God."*

61. <http://ru1.md/video/videntry/1553932941326380>

62. <https://www.youtube.com/watch?v=x-ZfuE4LHsU>

63. See, for example: <http://tv8.md/2018/05/28/foto-video-manifestatie-cu-muzica-flori-poezii-si-pancarte-sor-si-a-adus-sustinatorii-la-un-protest-anti-pas/>

In a post about the work of the Central Electoral Commission, Natalia Morari, journalist at TV8 channel, compared the institution to girls with low social responsibility, expression sometimes used to refer to frivolous women or prostitutes. The journalist conscientiously used the discriminatory comparison, assuming that the expression is an offense that affects the image of women in the society⁶⁴.



*"When a state institution looks more than "a girl with low social responsibility". And you do not know who is more offended – the institution, or the girl.
P.S. Forgive me my sexism, but the post is about something else."*

Молдавские политики оказались в тюрьме после секса с известными журналистками

Общество, 26.03.2018 10:06



Браки известных политиков и журналисток в Молдове по иронии судьбы совпадают с арестами и завершением карьеры мужчин.

В России разгорелся скандал вокруг сексуальных домогательств депутата Госдумы Леонида Слуцкого к журналисткам. Несколько сотрудниц крупных изданий обвинили его в приставаниях. Журналисты объявили бойкот Слуцкому, отказавшись брать у него комментарии, а руководство Госдумы в ответ лишило их аккредитации.

В Молдове мужчины-политики в последнее время часто оказываются в постели соблазнительных журналисток, а их возлюбленные после выхода замуж делают карьеру в масс-медиа. Истории бурных романов с политиками Анишоары Логин, Натальи Морарь и Анжелы Гонцы вписались в летопись светских скандалов Молдовы. Журналистки и политики бурно сходились, не менее громко расставались, а всем из них пришлось перенести и арест любимого мужчины.

The source of the image: bloknot-moldova.md

Article "**Moldovan politicians who got into prison after having made sex with famous journalists**", published on bloknot-moldova.md⁶⁵, shows the stereotype of women using sex to get career benefits. The author outlines clichés about women journalists, insinuating the destructive nature of their relations with politicians (after having made sex with journalists, politicians get under arrest).

News.md published the article: "**Women in trousers likely to remain unmarried**", which gives the opinion of a priest about how women should look like.⁶⁶



"Your little girl is likely to remain unmarried. Why? Because boys in their right mind like girls, not boys. (...) The problem is that the girls are losing their femininity."

64. <https://www.facebook.com/natalia.morari.5/posts/10216038482332512>

65. <http://bloknot-moldova.md/news/moldavskie-politiki-okazalis-v-tyurme-posle-seksa->

66. <https://stiri.md/article/international/preot-femeile-in-pantaloni-in-pericol-sa-ramana-nemaratate>

Some news presents prejudices against women directly in the headline. The news from unimedia.md about an incident that took place in public transport was entitled: **"Behavior worthy of ladies: curses and blows in a trolleybus in the capital."** The title implies a higher degree of responsibility for the participants in the conflict, because they are ladies⁶⁷.

More aggressive expressions can be seen in comments on women's articles. The harshness of the messages is amplified by their political affiliation. For example, some users resort to offending and dehumanizing comments about politicians and others incite violence or even rape.



- 1) *"(Name), whore, greetings, animal."*
- 2) *"(Name) you sow, ask what you need from your husband."*
- 3) *"Extinct this viper (name)."*
- 4) *"I would pull her on the hood of the car"*
- 5) *"(Name), you deserve a hefty thrashing..."*

To a large extent, the discourse addressed to women is not necessarily an incitement to hatred or violence, except for the cases identified in the comments section. However, the sexist rhetoric perpetuates prejudices against women, highlights their social roles, outlines the idea of inferiority to men and increases the degree of intolerance towards this social group.

UNIONISTS

Unionism is not an unprecedented topic for the Moldovan public, this issue has been increasingly drawing attention recently. In addition to the pro-union political parties, there also appeared anti-unionist parties. Through their stance, including through electoral programs, they militate against unionism as a social-political trend and the unionists, in particular. Placement of political parties in divergent positions with unionism led to the development of a permanent conflict in the public space. This conflict extended to the supporters of these parties, the supporters or opponents of unionism and became one of the most burning issues of 2018.

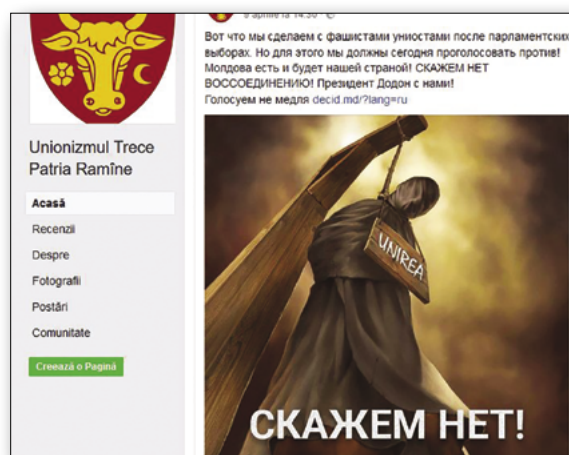
The public attention that unionism has gained in recent years is amplified by the 100th anniversary of the Great Unification of Romania that dates back to 1918. The actions of the unionists in connection with this event have generated many discussions and controversies. Symbolic declarations on union⁶⁸, large-scale unionist marches and demonstrations have drawn the attention of the media and society.

Hate speech against unionism and supporters of this trend is one of the most aggressive discourses registered in the period of monitoring.

67. <https://unimedia.info/stiri/video-comportament-de-dominisoare-Injuraturi-si-lovituri-intr-un-troleibuz-din-capitala-157850.html>

68. See, for example: <https://www.mediafax.ro/externe/peste-100-de-localitati-din-republica-moldova-au-semnat-declaratia-simbolica-de-unire-cu-romania-17052471>

A Facebook page called **"Unionism Passes Motherland Remains"** has explicitly promoted hatred for unionists in several posts. Messages inciting violence have attracted the public attention. A symbolic image, representing a person hanging on a pole with the inscription "UNIFICATION" is accompanied by a description in Russian, according to which the same thing – the hangman – awaits the "fascist unionists" after the parliamentary elections. The post drew the attention of the media, which published dozens of articles about incitement to violence against unionists, the human rights NGOs also condemned the hate speech and called for the Prosecutor's General Office to investigate the case⁶⁹. Subsequently, the Prosecutor's Office informed the Promo-LEX Association that the message used in this post cannot be investigated criminally since it falls within the limits of the freedom of expression.



The source of the image: Facebook page capture "Unionism Passes Motherland Remains"

The situation was amplified by the extension of the hate message to other social groups. A few weeks before this case, Igor Dodon ordered the placement of several billboards⁷⁰ with the message: "Unionism passes, Motherland remains", thus becoming associated with the hateful post. The supporters of the Party of Socialists were implicitly affected by the post, as well as the Russians and Russian-speaking population of the Republic of Moldova, because the threatening message was written in Russian.

A simple anonymous posting on a social network managed in a very short time to attract the interest of most media institutions, human rights organizations and authorities, as well as to confront 6 social groups: unionists, Romanians, politicians and sympathizers of these political parties, anti-unionists, Russians and Russian speakers. Subsequently, the post was deleted.

In March 2018, the Socialist Party newspaper dedicated an entire issue to unionism. Entitled "Unionism Tears Moldova", it contained a compilation of news, historical fragments, analyses, images and interviews – all about the dangers of unionism. Expression of disagreement with social or political ideas or trends cannot be *per se* qualified as hate discourse.

With all these, the issue included some harsh messages, the unionism being associated with fascism and violent historical events thus, it incited hatred for unionism and its supporters, violating the limits of freedom expression.



The source of the image: Ziarul "Socialistul"

Some messages contain both hate and intolerance qualifiers and urge to action. At the same time, the formulations incite the violation of unionists' rights, by declaring unionism out of law.

69. [Promo-LEX asks the law enforcement agencies to react to the messages inciting hatred, published on a social network, 11.04.2018](#)

70. https://adevarul.ro/moldova/politica/unionismul-trece-patria-ramine-dodon-a-invadat-tara-mesaje-unionisti-devenit-agresivi-perfizi-1_5aa65aabdf52022f7577be15/index.html



"Unionism corrupts many of our young people, takes control over them, alienating them from their own Homeland."



"We have to end this POISONOUS TREND. Unionism must be legally banned."

Special attention was paid to unionism in Gagauzia. Democrat Deputy, Corneliu Dudnic, declared in the District Council of Local Authorities in Gagauzia⁷¹.



"To close the issue of unionism, I assure you that if the unification occurs, I will be the first to take a gun and go to defend the autonomy of Gagauzia."

The statement alludes to violence and the use of weapons and projects them on unionism.

By his own example, the deputy provides the public with a model of aggressive behavior that can incite hatred and violence against unionists. The President of the Democratic Party, Vlad Plahotniuc, said that the party warned Corneliu Dudnic about the statements he made: *"At the same time, the Democratic Party does not accept incitement to violence, statements that imply the use of force or weapon."*⁷²

In a public event against unification, organized on 27 March 2018 in Ceadir-Lunga, the subject of unionism was extrapolated from the pro-unionist parties to pro-European parties and the current government which, in the view of the participants, supports the unionist movement, since it does not prohibit it by law. One of the participants alluded to the death of political figures⁷³:



"Together with my electorate, we wish Lupu, Ghimpu, Filat, the former Prime Minister Leanca, the oligarch Plahotniuc, the Prime Minister, the entire anti-popular gang, including Maia Sandu, to have fun in the grave."

The issue of unionism was also used as an electoral tool. Ion Ceban stated on several occasions that, if he became the mayor of the capital, he would forbid unionist marches. The statements were made in the context of the early local elections of 20.05.2018 in Chisinau, in televised broadcasts and electoral debates.⁷⁴

71. <http://agora.md/stiri/42601/video--deputat-pd-daca-se-va-produce-unirea--voi-fi-primul-care-va-lua-arma-in-mana>

72. https://adevarul.ro/moldova/politica/corneliu-dudnic-avertizat-vlad-plahotniuc-afirmatia-lua-arma-mana-cazul-unirii-romania-1_5a953dfbdf52022f7506f60e/index.html

73. <https://noi.md/md/societate/in-gagauzia-de-desfasoara-un-miting-de-protest-impotriva-unirii-republicii-moldova-cu-romania> min. 51

74. TV8, 10.04.2018, [Political TV Program with Natalia Morari](#), [Election Debates of 15.05.2018](#) and [Electoral Debates of 23.05.2018](#) (PSRM)

Aggressive messages and incitement to violence is visible in the comments made by users regarding articles about unification or unionism⁷⁵:



- *"Agree. They have to be shot and buried in Cucurești. "*
- *"The more oaks in the land, the more coffins for them."*
- *"Partisans will have enough work hanging Romanians))]"*

The pro-unionist rhetoric outlines the tendency to promote intolerance towards Russians, Russian speakers or those who support a Russia-friendly policy. In the anti-unionist rhetoric, hate speech is based on the idea of destroying the statehood, national history, traditions and people. On the other hand, there is also incitement to banning this trend or the limitation of the rights of the unionists, especially the right to expression and public assemblies.

Against the backdrop of political instability and geopolitical division of society, unionism becomes an issue increasingly exploited by Moldovan politicians, and this fact places it automatically on the public agenda. In the context of the 2019 parliamentary and local elections, unionism risks to become a nucleus of conflict that will predispose to the emergence and amplification of hate speech both from the groups that support the idea of unification with Romania and those who are pro-statehood, who plead against it.

MUSLIMS, ARAB, SIRIANS AND REFUGEES

According to the organization **Article 19**, hate speech in the European space is caused and amplified by the humanitarian crisis in Syria and the tidal waves of immigrants and refugees, faced by the European states⁷⁶. The quoted source mentions that the intensification of hate speeches and hate crimes is founded both on the cultural differences and the impact of migration on people, on the one hand, and on political rhetoric, on the other hand. More specifically, various political actors are artificially escalating tensions with immigrants and refugees by using discourses against these groups for gaining political dividends.

The echoes of these political strategies can also be felt in the Republic of Moldova, too. The most eloquent example is the case of "30,000 Syrians". It produced an entire avalanche of news, articles events, reactions and manipulations of public opinion based on a piece of fake news and misinformation during the presidential campaign of 2016. The impact of the case, manifested through hate speech and public promotion of intolerance, has been discussed in the international forums on human rights.

The UN Committee on the Elimination of Racial Discrimination raised this issue in informal meetings during the session for assessing the situation in Moldova⁷⁷. Subsequently, the Committee issued several recommendations that directly address the issue of hate speech, in particular the authorities' duty to take all measures to investigate and sanction cases of hate speech, regardless of the official status of the promoters (see the report mentioned in Footnote 4, point 13). Similar conclusions were formulated by the ECRI in the report on the RM for 2018.

75. <https://point.md/ru/novosti/obschestvo/v-rumynii-vysadili-1918-dubov-v-pamiat-ob-obedinenii-s-moldovoi>

76. Article 19, 2018, [Responding to 'hate speech': Comparative overview of six EU countries](#)

77. Committee on the Elimination of Racial Discrimination, 25.04.2017, [Situation in Finland, Republic of Moldova and Armenia](#)



The source of the image: presaindependenta.wordpress.com



The source of the image: Facebook Știri pe Spuse

After the presidential elections, the issue reappeared on public agenda during the new local elections in Chisinau. A series of webpages and Facebook pages that intensively promoted news on this topic appeared. For example, the independent press portal wordpress.com published a series of articles about Andrei Nastase's connection with the United Arab Emirates, the opening of mosques in Chisinau or bringing of 50,000 of Arabs to Moldova. Though this kind of news does not contain direct expressions that bring forth prejudices against refugees, Muslims, Syrians or immigrants, they aim at associating intolerance towards these groups in the public space with certain politicians.

Thus, a negative image transfer occurs, the image of some groups, perceived as dangerous, is transferred to some political figures. For example, the fake video "Moldova in Al Jazeera"⁷⁸ presents Andrei Nastase, the PPDA candidate for mayor's office in Chisinau, promising to give Chisinau for a rent of 50 years to some sheiks from Abu Dhabi. It is claimed that they will build mosques and arrange special places for Arabs. The video opens with a news story about Syria fighting with terrorists, projecting prejudices about Muslims and terrorists over the whole movie. The news also tells that terrorists from Syria, Muslims and Arabs (potential terrorists) will come to Moldova and build their mosques (danger for Christianity), presenting Andrei Nastase as the candidate, who is responsible for these actions.

The video has acquired nearly 600,000 views and has been distributed 11,504 times. For comparison, according to the information provided by the Central Electoral Commission, about 250 000 people participated in the new local elections in Chisinau (in round 2). Therefore, such manipulating materials can play an important role in the election campaigns, if the required measures are taken.

In the general context, news also exploits prejudices against Muslims, Arabs or refugees. For example, the article on Sputnik.md "**Muslim Immigration Threatens Europe's Security and Welfare**"⁷⁹ makes reference to the threat posed by Muslim immigrants. The author creates an antithesis: Christian Europe vs. Muslim immigration, suggesting that the danger is specifically generated by the religious status and convictions of people.



"To avoid conflicts between Muslims and Europeans, steps must be taken to stop Muslim immigration."

78. <https://www.facebook.com/stiripespuse/videos/261314841095669/>

79. <https://sputnik.md/multimedia/20180217/17331375/Imigratia-musulmana-ameninta-siguranta-si-bunastarea-Europei.html>

Together with the headline of the news, the text inspires the idea of the "enemy" we must defend ourselves from.

A pressing issue, during the monitoring period, was the restoration of the Moldovan Presidency from the money of the Turkish authorities. On this occasion, some politicians commented on the issue of religious beliefs, for example, the Communist Party President Vladimir Voronin said:



"Why would Turkey be interested in repairing our presidency? It has emerged that Dodon promised them to build a mosque here. And this will happen in the country where more than 90% of the population are Orthodox. Are you selling your religion?"⁸⁰

The Rhetoric of the former President of the Republic of Moldova creates the presumption that the construction of a mosque in Chisinau must not be allowed and that Muslims (or representatives of other religious confessions) are not welcome in Moldova. Vladimir Voronin attacks a political opponent, and his criticism is based on association with prejudices against Muslims and other religions. By his attitude, the PCRM president offers an example of behavior that could be taken over by the audience or other political figures.

With regard to same topic, the PAS leader, Maia Sandu said in a TV show⁸¹:



"Someone should ask him: Is it Christian to repair the presidency from the Turkish money, if Igor Dodon uses this argument of the church?"

Although Maia Sandu used a veiled wording and the expression was meant to be ironical with regard to Igor Dodon's position on Christianity, her message anyway promoted the idea of intolerance towards other religious confessions. In a large number of cases identified in the monitoring, the media misused information about race or ethnicity of the person, the status of immigrant or refugee, or convictions in a context that does not require this information. Thus, through mass media sources, the correlation between offenses or negative events is made with reference to the person's belonging to a certain group, although this has nothing to do with the facts reported.

Comments on Arab or Muslim news support intolerant behavior, or directly incite exclusion, hatred or violence. The escalation of aggression in users' comments may be influenced by the multitude of prejudices and negative events, which are associated with these groups. Similarly, this trend can be explained by the influence of public figures and their public statements, as well as the statements made by the media on the issue, in some cases.

80. <http://protv.md/stiri/politic/turcii-ne-repara-presedentia-pentru-ca-in-schimb-la-chisinau-sa---2174551.html>

81. TVR Moldova, "Today's Point" with Maia Sandu of 20.02.2018



- *Bravo Dodon! Do not give in to Islam! Moldova must be Christian!*
- *Muslims must go to Saudi Arabia, if they don't like something here! I agree with Dodon*
- *"Personally, I have had conflicts with Arabs. All these toads must be shot: blacks and Jews and Arabs ... They have become overwhelmingly active, they do not realize their infamy, their dirty faces, they are good for nothing... For such goodies, I have already prepared a hangman's knot "*

Although Muslims, Arabs, immigrants and Syrians are per se four distinct groups, quite often a common image of these groups is created in the public space, being generally perceived as dangerous. This one image has no factual basis and originates from intolerance that, in turn, provokes further intolerance.

PEOPLE WITH DISABILITIES

People with disabilities are most often affected by prejudices promoted by the media and in the online space. Unlike the LGBT or unionists, who are often attacked through tough and violent speeches, threatened with death or limitation of rights, the discourse related to people with disabilities is characterized by discriminatory terminology and language.

Politicians play a significant role in promoting intolerance of people with disabilities, as they do for other affected groups.

In the Political show hosted by Natalia Morari⁸², Renato Usatii used some expressions with reference to people with mental disabilities, to address the political analyst Vitalie Andrievschi, presenting these people in a denigrating light intimidating:



"Before you come to a TV program, take a certificate from the doctor"
"No, Mr. Ciobanu is a sane person (alluding to Mr. Andrievschi)"
"If we are to consult specialists from Costiujeni (translator's note: mental hospital), they will not be able to explain what Andrievschii said"

Ilian Casu, a municipal councilor representing Our Party, posted a message in the context of the organization of the strawberry festival by President Igor Dodon.⁸³



"Maybe Dodon should take a psychiatric test after his escape with Kirkorov & Co?"

82. <http://tv8.md/tv8-show/politica-nataliei-morari-discutii-cu-renato-usatii-ce-l-asteapta-pe-andrei-nastase/>
 83. https://www.facebook.com/permalink.php?story_fbid=2098156430465125&id=100008123654638

In a press conference, Vladimir Voronin said about Dorin Chirtoaca that the former mayor "falls off his bed at night", "hits his head against the concrete", describing him as a "retardate and "wretched person."⁸⁴



"Only if you bring a "medical certificate confirming that he is crazy" you can release him or else he will be held accountable"

Journalist Dumitru Ciubașenco published on his website an article, analyzing the actions and the work of Andrian Candu, Speaker of the Moldovan Parliament⁸⁵.



"Candu's progressive Russia- phobia raises questions about his mental health. If he continues it this way, it is not excluded that one day he would throw himself out the window of the Parliament, shouting "Russians are coming!", and then where will the "godfather" find such a valuable "counselor"?"

In each of the examples mentioned above, the author of the discourse uses a stereotyped image of people with mental disabilities as a reference term for comparison to offend and humiliate the person to whom it is addressed.

Some media portals have also published articles, in which authors use prejudices against persons with disabilities to humiliate, mock or satirize certain categories of people, public figures or their actions and ideas presenting them in a negative light.

For example, an article published in the newspaper Komsomolskaya Pravda in Moldova, entitled "Final diagnosis: most Moldovan politicians are potential patients of psychiatric hospitals".

According to the author, politicians are having mental health problems. The message does not refer to a factual basis or to evidence and operates with prejudices existing in the society about people with mental disabilities.⁸⁶



The source of the image: Komsomolskaya Pravda in Moldova

84. <http://agora.md/stiri/46542/video--voronin--atac-suburban-la-adresa-lui-chirtoaca-ii-voi-da-in-judecata-pe-acest-oligofren>

85. <https://ciubasenco.md/kandu-vidit-sebya-vo-glave-krestovogo-pohoda-protiv-rossii/>

86. <https://www.kp.md/daily/26798/3834030/>

A similar approach is found in the article "Why the liberal candidate Munteanu reacts ulcerously. Contributions to a future clinical record"⁸⁷, in which the author criticized the liberal candidate's attitude in the new local elections in Chisinau, ridiculing the politician and challenging the reasoning of his attitudes, insinuating that he would have mental health problems.



"We could, for example, analyze his press releases (which work, ask doctors from Costiujeni, as excellent examples of clinical records, revealing a lot of stuff); but the problem is not in these texts, which denote, besides a huge egophilia, a late infantilism (already rancid); in the way that a former minister of ours (the fact he was appointed by the Liberal Party is not an attenuating circumstance!) understands to treat indispensable (and, ultimately, natural) aspects of any election campaign. "You can release him, but held him accountable."

Similar attitudes can be seen in comments on articles that address similar topics. The article published on www.kp.md on 05.05.2018 is accompanied by comments that suggest that the liberal candidate for mayor's office is mentally ill⁸⁸:



"Munteanu is a sick man, you can understand by his face that he is a debilitating, mentally retarded man ..."

The article published on www.point.md on 07.06.2018 is accompanied by comments that insinuate that the liberal leader Mihai Ghimpu is mentally ill⁸⁹:



"(...) a bunch of liberals who suffer from schizophrenia, when it comes to issues of language. I wonder whether this idiocy will ever end"

Not all the identified cases can be qualified as incitement to hatred or discrimination, but all of them are capable of perpetuating a negative image of people with disabilities in the society, thus increasing the degree of intolerance against this group.

ROMA

The discriminatory rhetoric used in the public space with regard to Roma has similar characteristics with that used towards the people with disabilities. Affiliation to the Roma community is not directly condemned, it is not the object of aggressive or violent speeches, but it is manifested by the promotion of stereotypes and prejudices that can increase the degree of social rejection of this group.

87. <https://deschide.md/ro/stiri/editorial/30014/Ghenadie-NICU--De-ce-candidatul-liberal-Munteanu-reac%C5%A3ioneaz%C4%83-ulcerat-Contribu%C5%A3ii-la-o-viitoare-fi%C5%9F%C4%83-clinic%C4%83.htm>

88. <https://www.kp.md/daily/26826.7/3864957/>

89. <https://point.md/ru/novosti/obschestvo/mikhail-gimpu-prokommentiroval-pobedu-andreia-nestase-na-vyborakh-v-kishineve>

During the TV program "Chronicle of Bogatu" broadcast by TV Prime, presenter Petru Bogatu said:



"Every time I see Andrei Nastase in various shows, interviews or talk shows, I remember Petru Ispirescu's story about a gypsy who having zero-income was trying to sell his noble bitch ..." ⁹⁰

A news item from Accent TV shows a conflict between two homeowners. According to the news, one of the owners invited to his home Roma people to create unbearable conditions for the other owner. The news repeatedly mentions the ethnicity of people, showing images depicting the Roma only in a negative light. The news described Roma people as being scandalous, noisy, dirty, conflicting, and destroying the goods⁹¹.

The article "Belarus woman, lived for 17 years with gypsies in Moldavia: new life at home" published on Sputnik.md, tells the story of a woman who, in her childhood, had been abducted by the Roma, although this was not confirmed, the news being based on prejudice:



"The story tells about the 20-year-old Olga Romanovici from Belarus, who, when she was four, was kidnapped and brought to Moldova. It is supposed that the little girl was kidnapped by some local gypsies, acquaintances of a woman from Minsk."

The situation is more serious in the case of comments on articles that concern Roma people:



"What are you expecting from these monkeys?))) I am not a fascist, but the gypsies are not people and I do not understand for what sins the Lord gave them life / they're lying monkeys, cynical and very stupid"

JOURNALISTS

The situation in the media has worsened in recent years. According to Freedom House (see Footnote 41), pressures are being exerted by government officials and media owners. In some cases, journalists were denied access to public events and violent incidents were recorded.

Unstable political situation has caused the polarization of the press. One of the effects of such polarization is the development of hostile attitudes towards journalists. This phenomenon has a strong political substrate, be it the political forces in power or those in opposition.



90. https://www.prime.md/ro/emisiune/cronica-lui-bogatu_2460_video_71276.html

91. <http://a-tv.md/index.php?newsid=46108>

Although there is no data or investigation, which would offer a clear image of hate speech or incitement to violence against journalists until 2018, a few cases of hate speech or violence based on the activity of journalists have been identified in the monitoring period.

On 5.03.2018, carrying out a journalistic investigation, Jurnal TV reporters were assaulted and hit with a shovel⁹². The journalists said they hid in their service car and called the police, while an unknown car blocked their way. The head of the property guard praised, in an interview, the violent behavior of the guard, noting that the guard would be rewarded for his reaction.

During the protests organized in Chisinau, a team of reporters of Ziarul de Garda was assaulted by the guard of the Chisinau City Hall, while the reporters were trying to gain access to the courtyard of the institution. The guard threatened the journalists with death⁹³.



"In a day or two, I'll meet you and cut your throat."

According to the information provided by the representatives of the authorities, for such a behavior the guard was dismissed.

In some cases, journalists were threatened by politicians. In a video message posted on his Facebook page, Ilan Shor, president of the SOR Party, said⁹⁴:



"paid journalists, who write dirty things about people (...), stop or it will hurt you"

"I'd like to say a couple of words about the bastards that are writing now (...) I, unlike you, animals, I think of people"

These statements were condemned by human rights organizations and by the People's Advocate (Ombudsman), who asked the Prosecutor's Office to investigate the case⁹⁵.

The same Ilan Shor, in a public event held on 20.07.2018, delivered a hate speech in front of several thousand protesters. One of the messages referred to journalist Natalia Morari, sometimes used with reference to frivolous women or prostitutes:



"(...) this is a woman with low social responsibility"

92. <http://tv8.md/2018/03/05/video-reporterii-de-la-jurnal-tv-batuti-cu-lopata-seful-pazei-paznicul-nu-va-concediat-ci-premiat/>

93. <https://www.zdg.md/stiri/stiri-sociale/video-paznicul-de-la-primarie-catre-reporterele-zdg-maine-poimaine-te-intalnesc-si-iti-tai-gatul>

94. Ilan Shor, 20.07.2018, ["I'm grateful to you, dear residents of Moldova! Together, we shall overcome this infection!"](https://www.zdg.md/editia-print/social/amenintarile-lui-ilan-sor-in-atentia-ong-urilor-si-procuraturii-generale)

95. <https://www.zdg.md/editia-print/social/amenintarile-lui-ilan-sor-in-atentia-ong-urilor-si-procuraturii-generale>

Marina Tauber, deputy chair of the SOR party and mayor of Jora de Mijloc, assaulted a journalist from Radio Orhei during a rally and incited the public to violence against her⁹⁶. During the event, Marina Tauber lifted a broom above the journalist's head as a threat of violence:



"Please go away! I'll sweep the place, it's dirty here because of you."... Leave the place! ..." go, you provoker"

Subsequently, other participants threatened the journalist with a broom. A participant, approaching the journalist, said:



"Take Maia's hand (Sandu) and go to the cemetery, bitch!"

Intolerance against journalists has also been identified on social networks. After the publication of an investigation into criminal charity schemes, the reporters' team of Rise.md has become the target of several attacks marked by hatred and incitement to violence. Several offensive images have been published on Facebook.



The source of the image: Facebook

The hate speech addressed to the journalists is one of the most violent and in terms of aggression, it can be compared only with discourse against unionists, politicians or LGBT people.

96. Political Party SOR, 05.08.2018, ["Orhei residents protest against PAS, DA and PLDM for the initiative to block infrastructure projects in the city of Orhei"](#)

6

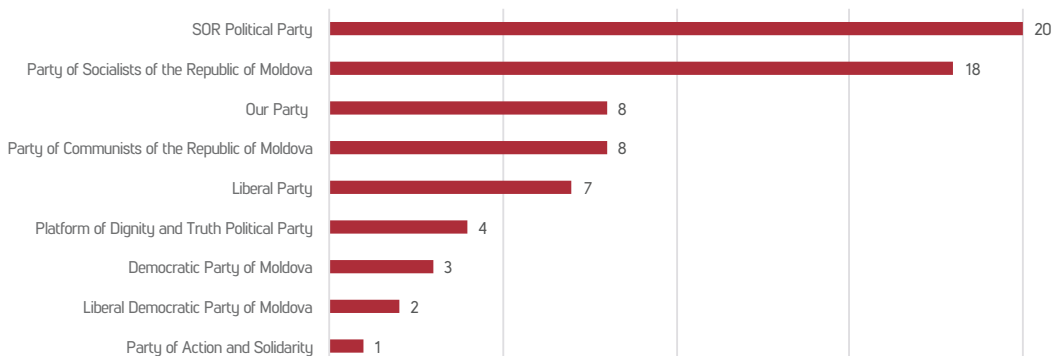
HATE SPEECH AND POLITICS

Convincing public discourse and constant media presence are indispensable elements of modern politics. Therefore, **the political field is probably the most favorable context for the emergence and promotion of hate speech**. This hypothesis is confirmed by the monitoring results, which demonstrate that in **42% of the identified cases** (see Figure 4), the hate speech is **manifested in this environment or under its strong influence**. This is confirmed by international human rights mechanisms (ECRI or OSCE), which identified several cases of hate speech among politicians, drew attention to its danger and recommended the authorities to take the necessary measures to prevent these situations, and the political parties to adopt codes of conduct that would ban the use of hate rhetoric (see the report in Footnote 34, points 30, 37, 50, 52).

6.1 INTOLERANCE GENERATED BY POLITICIANS

Hate and discrimination promoted by politicians is dangerous not only because of their impact on the media and tensions generated in the society at the moment, the real risk lies in their long-term effects. A significant part of the population often considers politicians to be the most important people in the state. Their behavior can root out prejudices and build attitudes, especially about phenomena that are not known to the public. As the case of the "30,000 Syrians" has shown, although the issue of refugees or immigrants is not actual for Moldova, through misinformation and exploitation of fears, including by politicians in electoral campaigns, intolerance of this group has been escalated.

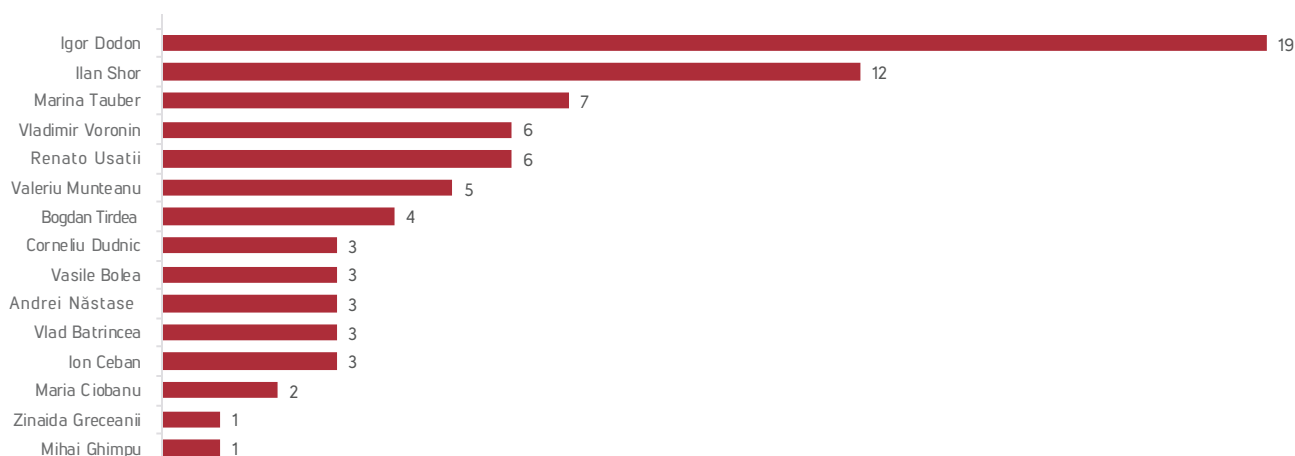
Fig. 8. Political parties that generated hate speeches



In total, there were recorded **153** cases of hate speech or other forms of promoting intolerance in a political context. Correlating this figure with the 181-day monitoring period, it appears that, **on average, every 28 hours a case of hate speech appears in the political** context.

The activity of political parties can generate intolerance through members, sympathizers or representatives of the party. Similarly, intolerance can be promoted collectively, through party positions, joint actions or public events.

Fig. 9. Politicians who resorted to hate speech



The rhetoric used by politicians can be different, both in intensity and as a form of expression. Intolerance can be promoted through direct attacks, through ironic or cynical expressions, making jokes, associated with prejudices about some social groups, as well as by association with negative historical events (wars, repressions, fascism, holocaust).

One of the most aggressive discourses identified belongs to the leader of the SOR Party – Ilan Shor⁹⁷

As part of a public demonstration, he addressed his political opponents: the PAS and PPDA parties and the leaders of these parties – Maia Sandu and Andrei Nastase.



- *"They are bastards, we will crush them like mice," "you are miserable bastards and we will strangle you, got it? Yeeees (public reaction) "" They are animals and we will punish them! "*
- *"I want to address this slut that is here in the hall." "We will destroy you, we will bury you." "I promise you that all that belongs to these three people, including to Topa, the villain, will belong to you."*

⁹⁷. SOR Political Party [Rally against PAS and PPDA! Hand off social stores!](#)



- *"I promise these bastards that we will hold popular tribunals and hang them in the central square, each of them will be hung on the Arch and anyone will be able to do with them what they want"*
- *"Bastards, we will crush and strangle them." "Will we crush these mice?" Yees (public reaction) "*

Ilan Shor's rhetoric contains injurious labels and dehumanizes the opponents by association with "mice" and "animals". His expression contains threats of physical violence and concrete examples of how these acts of violence will be applied "we will crush and strangle them" "we'll burry you". His speech contains threats with dispossession of property: "I promise you that all that belongs to these three people, including to Topa the villain, will belong to you".

Towards the end, the speech escalates into the threat of public execution of his opponents.

Ilan Shor's rhetoric contains another important element, encouraging the public to support violent behavior, asking questions and responding immediately to the audience: "Are we going to strangle them? -Yes, "will we crush them? - Yes".

The effect is the immediate triangulation of speech, which involves the creation of a relationship of interdependence between the author and the aggressive attitude of the group he attacks and public support.

This type of speech is particularly dangerous, not just due to the quality of rhetoric, but also due to the environment in which it is exposed: a public event involving thousands of people united against a common danger (closing down the social shops) and protecting what seems important to them (social support).

In another public meeting organized by the SOR party, hate speech escalated into violent actions. Members and supporters of the party came out with brooms, in a symbolic action to clean up the dirt, referring to their political opponents, PAS and PPDA. Vice-president of the party, Marina Tauber, threatened the participants in the event with a broom⁹⁸:



- *"We give you 2 minutes to leave the building. Are you men? Stay there ... Get out of here, hounds! "*
- *"Police, remove the dirt and garbage out! Bastards, out! "*



"Bastards, get out and close the window. Even the window is ours here. The air is ours. .Do not steal our air. Bastards, get away from the town."

98. https://www.realitatea.md/video-marina-tauber-primarul-comunei-jora-de-mijloc-filmata-in-timp-ce-agreaseaza-cu-matura-un-junalist-radio-orhei_81819.html

Subsequently, some participants took up this behavior and hit their opponents with the brooms.



- Participant: "get out, beasts!"
- Participant: "You'll get out of there dead".



The source of the image: realitatea.md

President Igor Dodon is the politician that used hate speech and other forms of intolerance most often. Although the President of the Republic of Moldova was not as aggressive in his speeches as the mayor of Orhei, Ilan Shor, his rhetoric was anyway among the toughest of those recorded and constantly manifested. We recorded 19 cases of hate speech used by Igor Dodon, the large number of cases being explained by the fact that two important topics frequently appear on the public agenda of the President. The first is the issue of unionism and the need to defend Moldovan statehood and the Moldovan language, and the second is the protection of the traditional family and Christian values.

The president's rhetoric towards unionism is based on the need to combat unionism by limiting the unionists' rights or by banning unionism legally. This idea has been expressed on several occasions:

Interview for the FLUX newspaper, February 15, 2018⁹⁹:



"Our opponents – opponents of statehood – what are they attacking most often? They attack our history, our religion and our family traditions. They want us to adopt the history of other states, they attempt to denigrate the Church in Moldova, want us to register sexual minorities. In my opinion, if we allow that, our statehood, the pillars of our state, will be destroyed"

99. <http://flux.md/interviu/igor-dodon-presedintele-moldovei-pledez-pentru-un-protectionism-rational-si-pentru-pastrarea-valorilor-traditionale#>

"Главный вопрос" ("Main question") on NTV Moldova, February 23, 2018¹⁰⁰.

President Igor Dodon said unionism is one of the biggest threats for the Republic of Moldova, and authorities must take action to ban this trend.

March 12, 2018, posted on the Facebook page¹⁰¹.



"The centennial anniversary has awakened in them the most irrational and dark emotions and passions. (...) They became treacherous and aggressive and, unfortunately, many people fell prey to this hysteria. (...) Time will cure this disease. (...) The absolute majority of citizens of the Republic of Moldova firmly condemns unionist actions, which are destroying the country, and the unification will never take place."

Interview for Adevărul.ro, March 21, 2018¹⁰².



"We will also fight thieves and unionists. They are two equal threats for the RM."

Article on the page dodon.md, March 25, 2018¹⁰³.



"Even if unionism has today seen a humiliating failure, we must condemn the propagation of this political plague in the Republic of Moldova. The future leadership will rebuild the economy and give hope to all citizens. And unionism will be outlawed."

The President's speech with regard to unionism perpetuates the idea that it is illegal, criminal, and those who believe in unionism are potential criminals. The president labels them as traitors, profiteers, thieves, naïve and hysterical people. Together, these expressions contribute to the proliferation of a public attitude of disgrace and rejection of the unionists, considered a group of traitors, potential criminals seeking to destroy the Republic Moldova.

100. <http://www.ipn.md/ru/politica/89612>

101. <https://www.facebook.com/dodon.igor1/posts/1973853266188891>

102. https://adevarul.ro/moldova/politica/igor-dodon-luptam-hotii-unionistii-doua-pericole-ancelasi-nivel-alimenteaza-reciproc-1_5ab23075df52022f75d7619c/index.html

103. <http://dodon.md/unionismul-a-inregistrat-azi-un-esec-umilitor/>

The second issue frequently addressed by Igor Dodon is the protection of traditional and Christian values. In most cases, those affected by this discourse are LGBT representatives. The case that sparked negative reactions occurred during the Family Festival, when the President, being on the stage with SPRM candidate for mayor's office of Chisinau, said that there is no place for non-traditional families in our country, and that the march planned by the LGBT should not take place¹⁰⁴. Referring to families in Moldova, he declared:



"(...) and we want only traditional families in Moldova, we do not accept any others, agree?"

In a press conference, Igor Dodon spoke about the "No Fear of Love" march¹⁰⁵:



"Why should such demonstrations be organized, if people are against them?! Doesn't this mean a challenge to violent actions? I understand that there are different people, but why would they organize marches and show it to the society that categorically does not accept this?! We have children. We respect our western partners, but one doesn't have to impose what we don't need. If for you this is normal, this is not so here and it will never be so. It's our position."

Of course, the president, like any other politician, can take a tough or negative stance to some phenomena or social processes with which he disagrees. However, in terms of impact, this rhetoric can incite discrimination, hatred and violence.

Other politicians have also had reactions which can incite hatred, violence and discrimination or perpetuate serious prejudices in the society.

Vladimir Voronin



*"When you talked, I was silent, you, beauty, calm down!"*¹⁰⁶

The sexist address of the President of the Party of Communists was made in a Parliament session.

Also in the Parliament's plenum, Vladimir Voronin incited discrimination against voters of the Liberal Party:

104. [https://www.europalibera.org/a/festivalul-familiei-sub-patronajul-lui-igor-dodon-\(galerie-foto\)/29227930.html](https://www.europalibera.org/a/festivalul-familiei-sub-patronajul-lui-igor-dodon-(galerie-foto)/29227930.html)

105. http://www.realitatea.md/dodon-condamna-mar-ul-lgbt-in-eleg-ca-sunt-i-altfel-de-oameni-dar-video_77802.html

106. <https://deschide.md/ro/stiri/politic/31784/Voronin-c%C4%83tre-Zotea-Fa-frumoaso- lini%C8%99te%C8%99te-te!.htm>



*"Let the hands of those who will vote for you dry up."*¹⁰⁷

Renato Usatii

In an interview for Adevărul.ro, the president of Our Party used prejudices against gay people to offend Vlad Batrincea¹⁰⁸:



"Batrincea is gay. Their LGBT parade is led by Dodon, not by me."

Bogdan Tirdea

One of Bogdan Tirdea's most aggressive speeches refers to the public confession of a young man from Gagauzia that he is homosexual. Tirdea posted a message on his Facebook page, in which he classified the case as an attack on the traditional family and compared gay people with pedophiles, zoophiles, necrophiles and gerontophiles¹⁰⁹:



"I'm waiting for fearless pedophiles, zoophiles, necrophiles and gerontophiles to appear."

Andrei Nastase

In a live on his Facebook page, Andrei Nastase said:



"That animal (Plahotniuc) is able to kill us all," "a dictatorship that we will only be able to escape by shedding blood"

Andrei Nastase uses in his speech both insults and dehumanization of his political opponent, as well as allusion to violence.

Ion Ceban

Ion Ceban has made several statements during the campaign for the new local elections in Chisinau, regarding the ban on the marching of the unionists and LGBT people. They were analyzed in section 5.2 of the report.

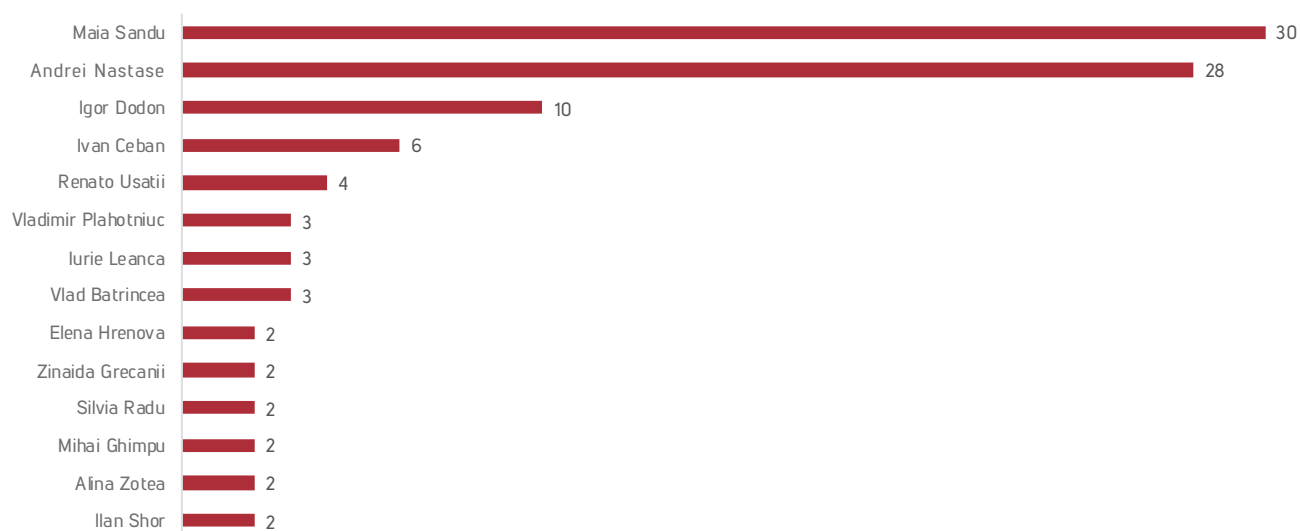
107. https://www.realitatea.md/voronin-replici-taioase-la-adresa-celor-din-parlament-sa-li-se-usuce-mainile-la-cei-care-va-vor-mai-vota-video_80914.html

108. http://adevarul.ro/moldova/politica/adevarul-live-ora-1800-renato-usatii-despre-rezultatele-alegerilor-locale-chisinau-balti-1_5b179af9df52022f75d517f4/index.html

109. <https://www.facebook.com/bogdan.tirdea.9/posts/2056403964578318>

6.2 INTOLERANCE AGAINST POLITICIANS

Fig. 10. Politicians affected by hate speech



A part of politicians' hate speech refers to other politicians, usually their opponents. In some cases, this leads to responses with the use of similar language. This creates a closed circuit of intolerance, in which the hatred produces hatred, and collateral victims are the people who consume this process through the media. Often, hate is produced by politicians' sympathizers, who take over their rhetoric, amplify it, and pass it on.

Another part of hate speech addressed to politicians comes from outside, from people who do not necessarily have a political affiliation, or are not directly related to this area. In some cases, they are people affected by politicians' rhetoric, and in other cases, they are people who disagree with the views of politicians or with how they express them. We could say it is a boomerang effect, when hatred and intolerance return to politicians. However, these cases occur less frequently in the public space, compared to those produced by politicians' sympathizers.

Maia Sandu and Andrei Nastase are the most targeted politicians by hate speech. This can be explained by their active presence in the public space, as well as by their critical position with regard to other political forces. The role of leaders of extra-parliamentary opposition, attributed by a part of the media, public figures and sympathizers, raises the risk of being attacked and denigrated. One form of attack is manipulation and spreading fake news, associating it with groups of people who are most rejected by the society (LGBT, Muslims, refugees, Syrians).

Some of this information is spread by sources that produce fake news, other by those that give it a satirical character, although many of the materials can be classified as fake news or denigrating information.

For example, the "presaindependenta.wordpress.com" portal published the news story: "Sources: Maia Sandu sells her apartment. Here's where the PAS leader wants to move." The news story tells the rumor that Maia Sandu would be living with LGBT activist Angelica Frolov.

Another news on the same page is entitled: "Sources: Maia Sandu appears with a man in public before the election. She wants to hide her homosexual orientation!". Similar to the previous news, it calls for prejudice against LGBT people, associating them with the PAS leader.

Andrei Nastase is also frequently targeted in such news, some of which was analyzed in the previous chapters of the study. The moldovanandream.com portal has published some denigrating materials about Andrei Nastase: "He did this! Andrei Nastase replaced the cross from the hand of Stefan the Great with the Arabian crescent!"¹¹⁰ – the article appeals to prejudices against Muslims:

"Andrei Nastase is in the psychiatric hospital in Costiujeni: I feel like home in your company!"¹¹¹ – the news associates the PPDA leader with people with mental disabilities.

Not only fake news is capable of causing intolerance. For example, the FLUX newspaper has published several articles, in which the authors incite discrimination. For example, the news "Maia at the lesbian march, without Andrei, but with a smile on her face," calls for gender discrimination and associates the PAS leader with LGBT people to create a negative image in the readership.

The most aggressive speeches, however, remain those used by political opponents. In the previous chapter, we analyzed cases of incitements to hatred and violence by the leader of the SOR Party against Maia Sandu (PAS), Andrei Nastase (PPDA) and his sympathizers. Ilan Shor, in a post on his Facebook page, threatens with violence (see Footnote 94):



*"And then, with this belt, I'll thrash your butt, Andriusha, and yours, Maicica (...) you'll get it from me, I warned you,"
"I'll teach you a lesson"*

In another post, Ilan Shor builds his discourse on disdain for Maia Sandu and her political affiliation, while using intolerance towards LGBT people¹¹²:



"(...) Thirdly, the only thing you bring from Europe to Moldova is LGBT propaganda, which I, as a sound person, hate and despise. By the way, I have the impression that you are part of this "community".

110. <https://moldovanandream.com/2018/05/11/a-facut-o-si-pe-asta-andrei-nastase-a-inlocuit-crucea-din-mana-lui-stefan-cel-mare-cu-semiluna-araba/>

111. <https://moldovanandream.com/2018/04/24/andrei-nastase-la-spitalul-de-psihiatrie-din-costiujeni-langa-voi-ma-simt-ca-acasa/>

112. <https://www.facebook.com/ilanshorofficial/photos/a.1623263267889870/2065919403624252/?type=3&theater>

Igor Dodon is the third most targeted politician by hate speech delivered in public space.

Mihai Ghimpu, in a public post, associated Igor Dodon with the crimes committed by the Soviet regime, as well as with other negative events:



"If we are to talk about the "gendarme", you Dodonists tell me, who, after the "liberation" of Bessarabia, deported hundreds of thousands of citizens to Siberia? Who killed millions of people in peacetime? Who conceived the organized famine, which resulted in the death of 300,000 people, and some mothers had to sacrifice a child to save the others (cannibalism)? (...) Who destroyed the churches, and those that remained were turned into horse stables and amusement clubs – the Romanian gendarme or the Kremlin's soldier? You, lost traitors!!!

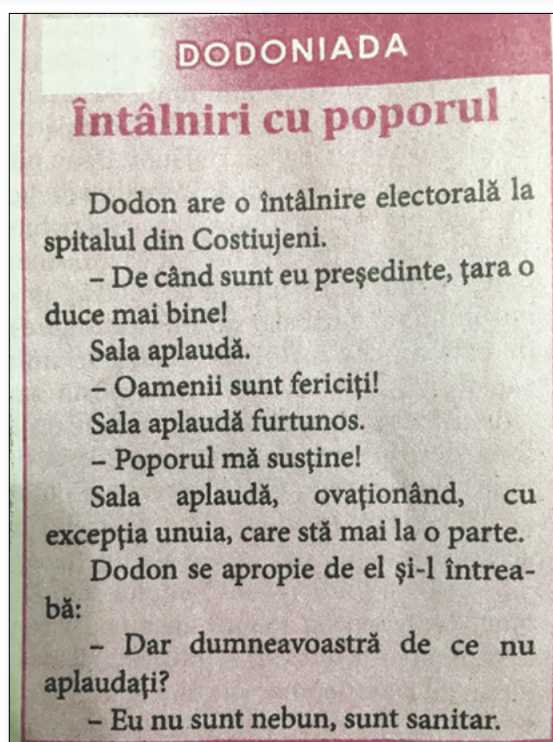
(...) Who is still shooting at his blood brother in Ukraine – "The Romanian gendarme" or the Russian soldier??? Who "privatized" the wine and cognac plants and, in general, everything that brings profit in this piece of land: the Romanians or the Russians? And finally, who led the Republic during all these years of "independence" and is still leading it: the Romanians or the Pro-Russian Communists / Socialists? (...) "

Association with such events produces a strong impression on the reader. This association, however, is not limited to Igor Dodon, it extends to his supporters and to the Russians due to the fact that the author puts an equality sign between them and the crimes listed.

Several images were published on social networks, denigrating the President Igor Dodon, as he appears as a woman, Vladimir Putin 's girlfriend or gay.

There were also identified printed brochures spread in Chisinau, which associate Igor Dodon with mentally disabled people.

In an interview for Adevarul.ro, Renato Usatii, the president of Our Party, said that Igor Dodon was "the slut number one in the CIS", associating him with whores or prostitutes and promoting gender prejudices that affect women.¹¹³



113. http://adevarul.ro/moldova/politica/adevarul-live-ora-1800-renato-usatii-despre-rezultatele-alegerilor-locale-chisinau-balti-1_5b179af9df52022f75d517f4/index.html

The candidate of the PSRM for mayor's office in Chisinau was also targeted by the posts that contain annoying images¹¹⁴. At the same time, in a meeting with voters, attended by Andrei Nastase, Ion Ceban was targeted in incitement to violence. While Andrei Nastase declared that such people as Ceban should not be attacked, a supporter of Nastase shouted that they must be "killed"¹¹⁵.

6.3 HATE SPEECH IN ELECTION CAMPAIGN

The political context, as shown by the monitoring results, tends to increase the number of cases of manifestation of public intolerance. However, the electoral processes represent an additional factor that amplifies political rivalry, media presence and interaction with voters. From this point of view, it is important to determine if hate speech is intensified during electoral processes and if legislative or institutional measures are required to control this phenomenon.

Account must be taken of the findings made in section. 4.2 of this report, which show that in the electoral field, there are no regulations or mechanisms capable of sanctioning hate speech and appreciating its impact.

The new local elections in Chisinau took place on 20.05.2018 and 03.06.2018. May was the busiest electoral period, as most of the debates, public actions, meetings with voters, and the first round of elections were held in this month.

Fig. 11. Dynamics of hate speech during the period subjected to monitoring

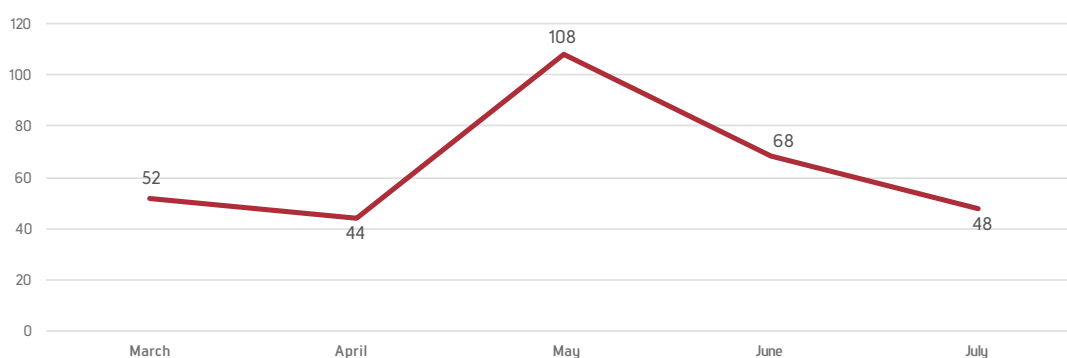
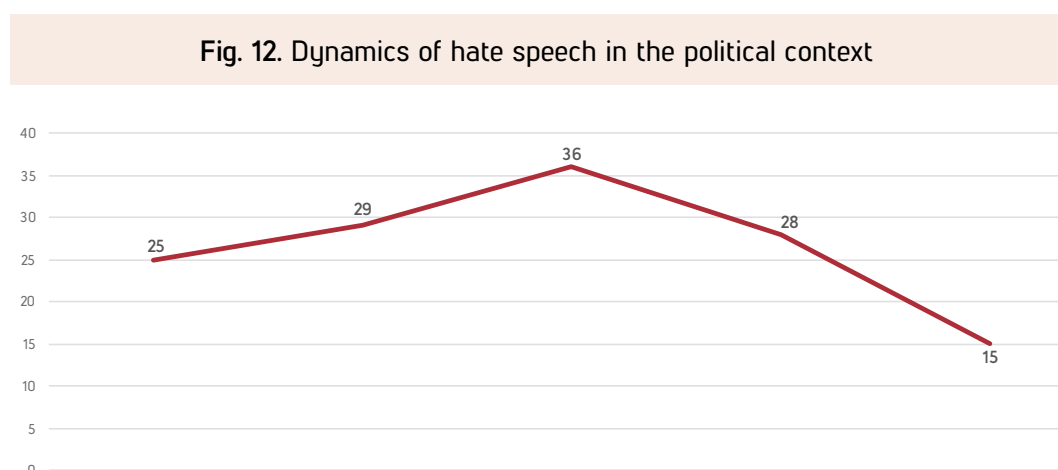


Figure 11 shows the total number of cases identified during the period under monitoring. In terms of dynamics of hate speech, the largest number of cases were recorded in May. However, it is not the number of cases that matters, but its significant increase, the leap is almost triple compared to April, from 44 to 108 cases.

114. <https://www.facebook.com/NUvremDodoane/photos/a.1789214914671332/2053677658225055/?type=3&theater>
 115. <https://point.md/ru/novosti/politika/storonnik-nestase-predlozhi--34-ubivat-34-takikh-kandidatov-kak-cheban>

However, neither the large figures nor the gap between them can reveal the decisive factor in the increase in the number of cases. It should be mentioned that there was another event in May, which attracted the media's attention and led to several cases of incitement to hatred and intolerance. It was the march of the LGBT community "Without Fear of Love", which provoked the fierce reaction of the Metropolitan of Moldova, religious community, the media and some politicians, including President Igor Dodon. Thus, the increase could be due to this event and the reaction that it had caused.

But if we consider the figures that relate exclusively to cases that occurred in the political context, we can observe the same growing trend, although the number of identified cases is lower.



Most of the cases identified in the period of April – June 2018 have an electoral context. Based on the monitoring results, we can say that **electoral processes lead to increased intolerance and hate speech in the public space**. Amplification refers primarily to the speeches of electoral contenders, as well as to the people and the circumstances that surround them and can influence these processes.

For example, a part of the cases identified concerned Maia Sandu. Although the PAS leader did not participate in the new local elections, she publicly supported the candidate Andrei Nastase. At the same time, the hate speech, intolerance, or the prejudices used with regard to Maia Sandu were extrapolated to Andrei Nastase. Some of these cases have already been analyzed above and we will not repeat them. Another similar case is the fake video that featured Maia Sandu and Andrei Nastase, declaring they will bring 30,000 Syrians to Moldova¹¹⁶.

Another example is the sexist article on moldovandream.com entitled "Maia Sandu: Andrei Nastase doesn't have the balls to participate in the debate with Ion Ceban."¹¹⁷

The nature of the cases identified revealed a growing trend in the number of fake news and satirical materials, which in fact, directly or indirectly, incite to hatred and discrimination against electoral competitors.

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116. <https://www.facebook.com/nastase.platformada/videos/1009356619222415/>

117. <https://moldovandream.com/2018/05/24/maia-sandu-lui-andrei-nastase-nu-i-ajung-coaie-ca-sa-participe-la-dezbateri-cu-ion-ceban/>

Although the Party of Communists of the Republic of Moldova did not participate in the new local elections in Chisinau, its representatives were present in the media space and commented on the electoral process. An analysis of competitors' electoral programs, published on the party's page, mentioned:



"Nastase's position is weaker and he refused to participate in the debates. So under the Arc of Triumph, Ceban is indulging in speaking himself, which brings to the mind a scene from the madhouse."



*"After you vote, call all your acquaintances and ONCE AGAIN make sure that they all voted for Ivan Ceban." It is a pity that he did not propose to submit a certificate of rigor to the PSRM district committee ..."*¹¹⁸

The appeal to prejudice against people with mental disabilities contributes to the spread of intolerance in public space and may incite discrimination against them.



The source of the image: Facebook page of the DA-Platform – Stăuceni

A message inciting violence was posted in the Facebook page of the DA-Platform – Stăuceni. The message was posted on June 20, 2018, considering the invalidation of the new local elections in Chisinau, won by the PPDA candidate – Andrei Nastase.¹¹⁹

The phrase "pull out the forks" is used with sense of rebellion, urging violent actions.

The post was distributed over 700 times, and the call was supported by users through comments:



"I don't think there will be any results without forks. We've lost too much time so far." Let's pull out the forks and the axes".

Thus, **hate speech in the electoral context can be manifested in various forms**, ranging from insults, direct threats and denigration, to fake news, satirical materials and veiled forms of association of politicians with negative images or events, resorting to prejudices against certain social groups.

118. http://www.pcrm.md/main/index_md.php?action=news&id=13219

119. <https://www.zdg.md/stiri/stiri-politice/doc-cum-motiveaza-judecatoria-chisinau-hotararea-de-invalidare-a-alegerilor>

According to the information provided by the Central Election Commission for this study, **during the electoral period, competitors were not penalized for the use of hate speech**, although some complaints have been reported and the Commission documented certain situations.

It is clear that the **authorities are not reacting to the phenomenon of hate speech. There is no effective legal framework and no mechanisms to combat it.** General protection mechanisms, such as the courts of law or the CPEDAE, may examine the hate rhetoric in civil terms, but they cannot provide a solution that would remedy the problem in the electoral field. In this respect, hate speech is completely uncontrolled, no matter what impact it would have on the electoral processes.

7 HATE SPEECH AND RELIGION

Religion has a great influence in the Republic Moldova. According to a sociological survey¹²⁰ published in March 2018, which coincided with the period of monitoring for this study, the church enjoys a trust ratio of over 62%, the largest of all the institutions and organizations from the RM. The trust for the church is almost double compared to the next institution in the ranking – City Hall (about 37%), thus, people prefer to count more on a religious institution than on a state one.

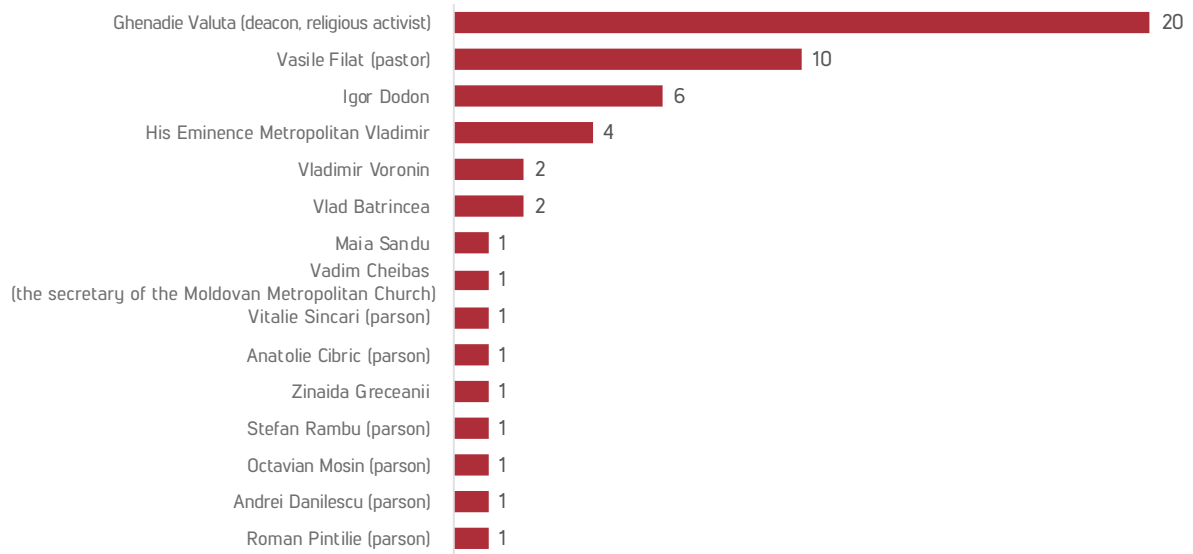
The impact religion has on people and social processes contributes to the formation of attitudes and perceptions. It can be positively externalized when religion serves for the unification of efforts for noble purposes (ex. actions of social support or charity). However, the religion or its interpretation can be a factor of division, causing conflicts or social tensions (ex. tensions related of LGBT marches).

The influence of the Orthodox Church in Moldova is amplified by the public rhetoric of some politicians, who on numerous occasions, reaffirm the role Christian values and the church have in the state and quite often, build up their political programs on the so-called Christian values, inclusively. The cohesion between the State and the Church, or between Politics and the Church, is an ascending phenomenon, which is more and more often manifested in the public and media space. This is understandable, since about 93% of Moldovans claim to be Christians (see report in Footnote 5, p. 10) representing the most numerous electorate and politicians' discourses, in many cases, are addressed to them, using religious values shared by this electorate.

It is for this reason that the hate speech identified in the religious context is generated not only by representatives of the Church or of other religious currents, but also by some politicians.

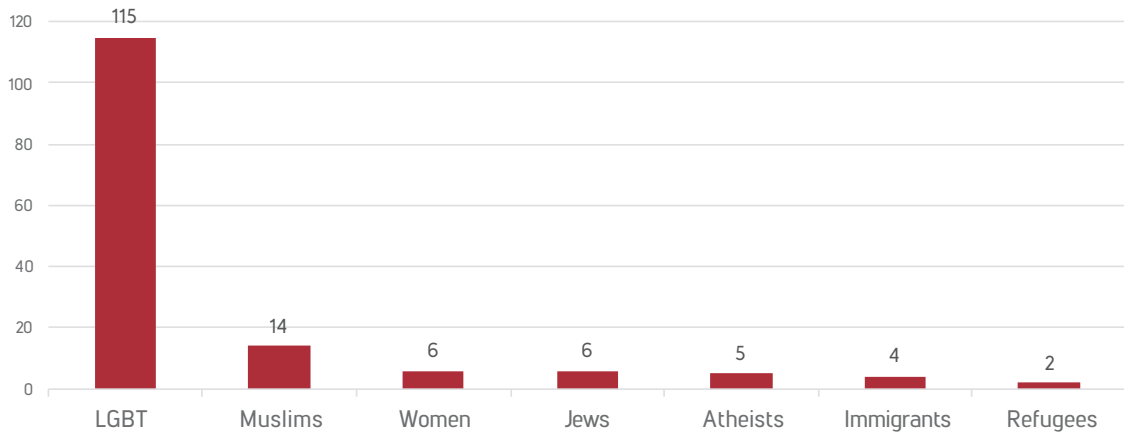
120. Institute of Marketing and Surveys, 2018, [Socio-Political Barometer](#)

Fig. 13. The authors of hate speech in religious context



Most of the politicians presented in Figure 13 represent parties (the PSRM and the PCRM) that included on their agendas the protection of Christian / Orthodox values. Meanwhile, Maia Sandu's speech (PAS) addressed to Igor Dodon ("Is it Christian to restore the Presidency on Turkey's money?") triggered dissatisfaction in some communities, especially from the ATU Gagauzia, who interpreted this question as promoting religious intolerance.

Fig. 14. Groups affected by hate speech in religious context



Thus, social perceptions and issues of major interest are influenced by the values publicly promoted by church representatives, on the one hand, and the rhetoric of politicians based on these values, on the other. In the context of hate speech, the rhetoric of protection of traditional and family values, threatened by the LGBT groups, the danger of Islamization generated by Muslims, Arabs, immigrants and refugees predominates, being complemented by that of defending the role of women in the family and society that is threatened by gender equality and feminism. Namely, the rhetoric built on these pillars generates most of hate speech cases and intolerance, a conclusion that results from the results of the monitoring.

It is through the religious context that we understand the rhetoric of religious figures or the situations, in which the speeches of politicians, journalists or of other public persons are based on religion, in a way or another.

Monitoring data show that **the LGBT group is the most often targeted** in these cases. They outnumber all the other cases taken together, which emphasizes the seriousness and timeliness of the problem. This issue is followed by that of the Muslims, women, Jews and atheists.

7.1 HATE SPEECH AGAINST LGBT

The way in which hatred against the LGBT is manifested in the religious context was partially analyzed in Chapter 5. We shall not repeat our findings, but some typical messages commonly used in public space against homosexuals or transgender must be mentioned.

A. Homosexuality is a serious sin and it is severely punished



"Pornography, through video recordings and photo footage, directly exhorts its consumers to various sexual orgies – homosexuality, lesbianism, masturbation, sexual abuse, incest, etc. These are shameful and outrageous sins, for which, in the history of mankind, God sent punishments upon the earth and its inhabitants. I think no one wants a punishment like the one sent on Sodom and Gomorrah."¹²¹

B. Homosexuality threatens Christian values and must be legally banned



"The Constitution says that the relationship of marriage and family is formed between man and woman and not otherwise. We would like to ask that the Code of Contravention bans promoting or propagating other relationships"¹²²

¹²¹ <http://tinarulortodox.blogspot.co.uk/2018/02/pornografia-poate-fi-mai-daunatoare.html>

¹²² <http://protv.md/stiri/actualitate/nu-vor-sa-mai-vada-marsuri-ale-comunitatii-lgbt-sute-de-crestini---2262981.html>

C. Homosexuality is immoral and a mental illness



"Why should these sick men besmirch my land and all that I have inherited."

"Our children should grow up normal children, not some filthy men"¹²³

D. Homosexuality is a threat to children



"We don't want the gay propaganda to attract our children and tomorrow or the day after tomorrow, they will take their side. Suppose, one day, the drunkards come to the parade to show that they are drunkards, what do you say?"

"I would not like my child to be taught at school that homosexuality would be one of the possible choices."¹²⁴

Messages against homosexuality are not limited only to these typologies, but they are most frequently encountered in the analyzed public speeches. Intolerance of LGBT is so great that it can be associated with the most diverse negative phenomena. For example, in one of the cases analyzed in section 5.2 (LGBT), a fire in a night club was associated with the punishment for the sin of homosexuality. As part of the protest organized by the Association of Mother Matrona, an organization affiliated to the Moldovan Metropolitan Church, one of the participants associated the LGBT with the drought:



"It is not raining because of these pederasts. Is it the reason it's not raining? (journalist) Yes, it's the God's wrath."

At the same event, the PSRM deputy, Vlad Batrinca, said:



"We will register this bill and we will do everything to prohibit by law such propaganda and under this law, the city hall will not be able to authorize such events in the city center."

Thus, the hate speech against LGBT people becomes a complex manifestation. On the one hand, we have the Church that is the origin of anti-LGBT rhetoric and feeds it through dogmatic manipulation. On the other hand, we have the supporters, who take over the message of the Church, internalize and reproduce it, while the politicians, who offer political support and back anti-homosexual discourse, are at the opposite end.

123. Ibidem

124. Ibidem

Thus, the public gets a message that may seem credible: The Church is struggling with an indisputable evil, some political forces support this struggle, while people are dissatisfied. In the absence of information or counter-opinions, the media retransmits this message in a rough form and it can easily be taken over by the audience.

7.2 "GENDER IDEOLOGY"

In a number of identified cases, the authors use the concept of "gender ideology", particularly with regard to transsexuals, abortion, and to the role of women in the society. None of the articles analyzed in this context provides a clear explanation of the concept of "gender ideology" and how it should be understood, but it presents it as a harmful and dangerous phenomenon for the whole mankind.



"It seems that schools in the country have become a battleground to indoctrinate children with transgender ideology. (...) A wider picture shows that it is actually an attack on nature itself – the created order (...) Schools are no longer centers of education that form the hearts and minds of children. They have become centers of destruction that corrupt our hearts and minds, and now the bodies of our children¹²⁵"

In the specialized literature and international doctrine in the field of human rights there is no concept of "gender ideology" and no official trends that may be associated with it. Most sources offered by search engines refer to pages of religious organizations.



For example the Pro -Family Coalition¹²⁶ – an association of religious organizations (most of them) from Romania, which promotes the traditional family and initiated the organization of the referendum on the definition of the family in the Romanian Constitution, held on 6–7 October 2018. According to the Pro-Family Coalition, gender ideology is the denial of differences between men and women, caused by the radicalization of feminism that aims at deconstructing the society to gain control over it.

Although the interpretation given to "gender ideology" appears to be more conspiratorial, this term is increasingly used by representatives of different religious movements and traditional family advocates.

¹²⁵ <https://www.aparatorul.md/scolile-de-acum-sunt-campuri-de-lupta-pentru-radicalizarea-copiiilor-in-activisti-sodomiti/>

¹²⁶ <http://coalitiapenturfamilie.ro/despre-proiectul-coalitia-pentru-familie/>

Most often, such a rhetoric affects transsexuals, women, gays and feminists, but often the discourse is extrapolated on human rights and equality, in general, or on people working in this field:



"In April, the European Parliament held a conference on "the future of gender equality in the European Union "(...) the aim of this conference is (...) to produce, at Union level, a gigantic cultural mutation in the thinking of Europeans, especially of young people, on sexuality and the use of sexuality as a method of achieving gender equality between men and women"



"Others have proposed that in future, countries that want to join the European Union should accept a sexual education program prepared by the European Union that eliminates homophobia, transphobia, or negative opinions about gender identity. Moldova has already been partially captured in this project when, years ago, it was forced to adopt the law of non-discrimination of homosexuals."¹²⁷

In connection with the march of the LGBT community held on 19.05.2018, Iurie Rosca published an article entitled "A march WITHOUT FEAR of God" in the FLUX, in which he mentions:



"This heresy took the shape of the Declaration of Human and Citizen's Rights back in 1789. And after the Second World War, it was included in the Universal Declaration of Human Rights adopted by the United Nations in 1948. Namely, this delusive ideology, so attractive and even seductive, which seems to focus on the respect of the dignity of the person, has, in the last decades, acquired its extreme forms, breaking all the values that have been preserved in the collective mentality and national legislation."

So by "gender ideology", they are trying to create a concept with doctrinal claims that distorts the essence of human rights and disqualifies gender equality.

Some experts claim that "gender ideology" is a fiction that has neither an academic definition nor doctrinal support, promoted by radical or ultraconservative movements designed to promote a false concept and justify discrimination¹²⁸.

¹²⁷ <https://www.aparatorul.md/baieti-si-fete-cuvinte-interzise/>

¹²⁸ See, for example, Gillian Kane, [Gender ideology: big, bogus and coming to a fear campaign near you](#), 2018, The Guardian and Michelle Gallo, ["Gender Ideology" Is a Fiction That Could Do Real Harm](#), 2017, Open Society Foundations

There is no doubt that aggressive promotion of the concept of "gender ideology", combined with religious dogmatism, may pose real risks for the perceptions and attitudes of the Moldovan society towards human rights

7.3 HATE SPEECH ADDRESSED TO MUSLIMS

The religious rhetoric in relation to Muslims is simpler than that relating to the LGBT or "Gender Ideology" and is largely based on the so-called "threat of Islamization."

The "threat of Islamization" per se implies a variation of events, prejudices, and problems that it is associated with.

A. Menace for Christianity and Christians



"They are rewriting Christian songs in order not to offend the Muslims"¹²⁹



The news concerns the dissatisfaction of some parents in an Austrian school with the intention of a teacher to change the name of Jesus to Allah in a song, because most of the children in the class were Muslims. The article emphasizes disfavoring Christians in favor of Muslims and makes a visual link with an aggressive image used to associate Muslims with terrorism.

B. Muslims are terrorists



"Muslim migration risks triggering large-scale interethnic and social conflicts in European states."¹³⁰

129. <https://www.aparatorul.md/se-rescriu-cantecelul-crestine-pentru-a-nu-i-ofensa-pe-musulmani/>

130. <https://sputnik.md/multimedia/20180217/17331375/Imigratia-musulmana-ameninta-siguranta-si-bunastarea-Europei.html>



"Europe must not become accustomed to Islamic terrorism, Europe needs to fight Islamic terrorism. It must put an end to the political correctness and the utopia of multiculturalism and realize that Europe is under siege, and that if we don't take action as soon as possible, the Europe we know will become history. Just as we read in the history books about Constantinople and the Cathedral of Saint Sophia"¹³¹



"The Islamization of Europe predicts an imminent collapse and the main problem is that Europe has lost its Christian roots"¹³²

Hate speech against Muslims is not based only on Islamophobia, it is also founded on the association with negative events and phenomena associated with Muslims, such as the issue of migration and the crimes committed by refugees.

This rhetoric was extensively used during the electoral period for the new local elections of 20.05.2018, and mainly targeted the candidate for Chisinau mayor's office, Andrei Nastase. In a series of fake news, the PPDA candidate was associated, in various contexts, with Arabs, Muslims, refugees and phobias related to these groups, for example:



He did this! Andrei Nastase replaced the cross in the hand of Stefan the Great with the Arabian crescent!¹³³



Andrei Nastase's initiatives are appreciated not only in Chisinau and Frankfurt, but also in Syria¹³⁴



We intend to do what they don't want to, to bring 30,000 Syrians to Chisinau¹³⁵

Advocating intolerance against Muslims is a phenomenon that is spreading in Moldova and is used both in religious contexts, to strengthen the rhetoric of protection of Christianity against the danger of Islamization, and in the political context, to disfavor electoral competitors and denigrate politicians, exploiting Muslim fears.

131. <https://www.aparatorul.md/efectele-multiculturalismului-va-trebui-sa-ne-obisnuim-cu-terorismul/>

132. <https://www.aparatorul.md/islamizarea-europei-prevesteste-un-colaps-iminent/>

133. <https://moldovandream.com/2018/05/11/a-facut-o-si-pe-asta-andrei-nastase-a-inlocuit-crucea-din-mana-lui-stefan-cel-mare-cu-semiluna-araba/>

134. <https://www.facebook.com/nastase.platformada/videos/1011591255665618/>

135. <https://www.facebook.com/nastase.platformada/videos/1009356619222415/>

7.4 HATE SPEECH ADDRESSED TO WOMEN

Intolerance against women is mostly manifested through sexist speeches. The most eloquent example is Bishop Marchel's speech in the presidential election campaign addressed to Maia Sandu. He said that she has no family, no children and is sterile. The Bishop declared:



"The Republic of Moldova has to choose a president from two candidates. A Christian or a non-Christian. A patriot or a non-patriot. Yes, that's how it is, because that's how the two candidates positioned themselves. That is how they stratified themselves by their deeds, by their words, by their work. I will not speak much about the attitude of a candidate, Igor Dodon, who is known as a Christian and patriot, because it is normal to have a good attitude towards the church, faith and national values. But the attitude of Mrs. Sandu, the second candidate aspiring to the position of president ... Her attitude towards Christian morality, the soul's purity, to all that is holy seems to be abstracted from the axis of normality. That's what brought us out of our homes to come and share our concern with you"¹³⁶

Examining the statements made in the election validation procedure, the Constitutional Court found that there was an aggressive involvement in the presidential election of representatives of the Moldovan Metropolitan Church, who used extremist, xenophobic, homophobic and sexist language, which was also confirmed by the reports of national and international observers.

The Court also noted that such behavior is contrary to the provisions of the Constitution and is a ground for suspending the activity of religious cults. On the other hand, the state authorities responsible for the electoral processes and the activity of religious cults did not respect the positive obligation to prevent and sanction the involvement of religious cults in the electoral process. For this, a Recommendation has been sent to the Parliament to establish prompt and immediate sanctioning mechanisms, including criminal ones, for any attempt to involve religious cults in electoral campaigns.

136. [Conference "Words and arguments to support a healthy and pro-orthodox moral candidate. Problems and Threats to the Country ...", 04.11.2016](#)

However, the Constitutional Court could not properly assess these facts given the invalidation of the elections. Indeed, it would have been difficult for the Court to objectively analyze this issue for the sole reason that no authority has examined the impact the interference of the Church had on the electoral process, neither have they examined the impact of the hate speech and sexist discourse. However, the finding of the inadmissibility of the Church's interference in the elections and the recommendation to revise the legislation and establish mechanisms to sanction these facts is an important argument and a starting point for improving the future electoral processes (see the Footnote 31).

However, so far, **no legislative measures or mechanisms have been put in place to sanction the involvement of religious cults in electoral campaigns.**

No similar speeches were identified in the monitoring period. This could be explained by the lack of circumstances and reasons of similar magnitude (as the presidential elections), which could provoke such speeches. Another cause could be the impact of the judgement of the Constitutional Court cited above, as well as the social resonance and disapproval of Bishop Marchel's behavior.

Some of the cases identified relate to gender prejudices regarding the role of women in the family and their behavior in society:



"What else can I say about women? They have nothing in their heads but garments. They're competing showing off their clothes. What can I say about the incongruous clothing that the evil devil urges them to wear? Woe!"¹³⁷

Other cases concern women's rights, in particular the right to private life, reproductive health and abortion:



"Many mischiefs happen in the world, especially two: lechery and abortion. No times have seen such an evil, mothers kill 6-10 children and feel no twinge of conscience, but if they had a bit of repentance and feeling, they would have had to open their graves and lay with them to suffer torments, but they are careless ... They sometimes confess, but they do not repent sincerely"¹³⁸

Ghenadie Valuta declared in a debate on women's role in politics, hosted by the "Principles" TV Show on Prime TV, that before going to politics, women must stay home and take care of their children and their families:

137. <https://www.aparatorul.md/cand-rusinea-femeilor-va-disparea-atunci-ziua-judecatii-va-fi-aproape-4/>

138. <https://www.aparatorul.md/un-rau-atat-de-mare-nu-s-a-intamplat-in-nici-o-vreme-ca-mamele-sa-ucida-6-10-copii-si-sa-nu-simta-deloc-mustrare/>



"When we try to bring the woman into politics at any cost, we have to ask ourselves, who will be in charge of the family institution? (...) this does not mean that the woman cannot join politics, but first of all, she needs to take care of her family."¹³⁹

Ghenadie Valuta also said in the "Expertise Time" show broadcast by Jurnal TV:



"Liberalism and all liberal movements aim at emancipating the woman in such a way as to rehabilitate the criminal Eve."¹⁴⁰

Hate speech in the religious context is different in nature from all other types of discourse. The difference lies in its dogmatic justification, which is based on the religious rhetoric. If in any other field, hate speech can be taken down based on the fundamental rights, human dignity, violated legislation or public security, then in the religious context, this is more difficult.

By its nature, religion excludes doubts and prohibits any contestation of dogmas. For this reason, those who believe in the Orthodox doctrine cannot doubt the arguments of the Church, and even if someone does this, there is little probability that they will find support. There is no room for opinion or debate in this rhetoric. That is why it is very difficult to carry out a dialogue between the groups affected by hate speech and the Church.

However, these groups need a negotiating platform. The high degree of intolerance promoted by religious rhetoric cannot be ignored. Identifying dialogue possibilities to diminish this rhetoric is very important. But since neither party can initiate this discussion, the initiative for identifying solutions and reducing intolerance in this context must be assumed by the state.

139. http://www.prime.md/ro/emisiune/principy_2542_video_69249.html

140. <http://www.jurnaltv.md/news/88928c88164d3b05/dodon-pe-contrasensul-constitutiei.html>

8 HATE SPEECH AND MEDIA

Media is the most important source of spreading intolerance in public space. According to the monitoring results, all the **457** cases of hate speech revealed during the monitoring period were spread over by **740** different sources. Of these, **621** are online media and **23** – TV programs. The rest of the cases fall for social networks and other online platforms.

During the monitoring period, practically all the important media institutions in Moldova reported and distributed cases of hate speech and promoting of intolerance, which appeared in the public space.

Most of the accounts of hate speech cases have been conducted equidistantly. However, some media sources interpreted the message or the related events, thus contributing to the promotion or amplification of hate speech. Other media sources either delivered hate speeches or promoted intolerance in the materials they presented to the public.

8.1 COVERING HATE SPEECH IN THE ONLINE MEDIA

Most frequently, hate speech is covered by the news, because most of the situations were produced by concrete people, many of them being public figures from the religious or political fields. In most of the cases, media presented the speeches in whole or in part, with reference to the source.

At the same time, the media reflect cases of hate speech by emphasizing the most aggressive, negative or scandalous elements. The headlines of such news items most often underline the elements of discrimination, attack, denigration, aggression, hatred and violence.

For example, the news on deschide.md of 31.05.2018, which reports about a few replies from the Parliament's plenum was entitled: "**Voronin, to Zotea: You, beauty, calm down!**" Although the story, in fact, correctly reflects the situation in the Parliament, the headline immediately provokes the reader to react to the sexist discourse in one or another way.

Of course, all of this is part of the freedom that the press has in its activity. But, at the same time, we cannot ignore the fact that such an approach leads to an increase in the effect the hate speech may have on the public. At the same time, the cases of hate speech are very rarely reflected by the presentation of counter-opinions, which would balance the message and offer an alternative opinion.

Sometimes journalists (or other authors) use procedures and expressive means that lead to the amplification of hate speech, promotion of prejudices, changing the nature of the news, or distorting the facts.

For example, realitatea.md has published an article about the apparel of the deputy Elena Hrenova, entitled "Fashion in the Parliament?! MP Hrenova amazed everyone appearing in a natural fur hat."¹⁴¹ The article calls for gender prejudices as to how women dress.

Another sexist article was published on aif.md¹⁴² entitled "Alina Zotea confused the sitting of the Parliament with a party." The article makes stereotype-based descriptions of what a woman should wear in the Parliament.

An article published on bloknat-moldova.md entitled "Political prostitutes – Nastase, Sandu and Usatii – forced an inhabitant of Balti to attack the Parliament of the Republic of Moldova" reports about an incident at the Parliament's building. Although the story tells of the protagonist's discontent with the governance and some political leaders, the headline calls for gender prejudices and denigrates the politicians concerned by associating them with prostitutes.¹⁴³

The same portal has published a piece of news, which calls for prejudice to the Roma and promotes intolerance of this ethnic group¹⁴⁴: "Miss Soroca, who had been kidnapped by the Roma, became a tramp in Minsk." The news tells the reader that Roma had stolen the woman when she was a child, although there is no evidence or argument in the article that would confirm this fact.

Page 10tv.md has published an article entitled: "ACTUALLY INCREDIBLE // Dodon incites violence and orders to hang the Unionists."¹⁴⁵ Although the story relates to a hate speech message posted on an anonymous Facebook page, the headline associates the incident with Igor Dodon, which was not officially confirmed.

A series of news has been identified, in which the headlines do not objectively reflect the text of the articles, calling for prejudice.

For example, a document about the liberalized visa regime was published on the kp.md page, but it was entitled: "Moldovan girls are now more likely to have sex with Paraguayans and Mauritius" The author suggests that the liberalized visa regime will open the boarder for tourists, which will facilitate sex tourism in Moldova.

141. www.realitatea.md/fashion-in-parlament---deputata-hrenova-i-a-uimit-pe-toti-cu-o-caciula-din-blana-naturala--foto-72807.html

142. <http://aif.md/alina-zotja-pereputala-zasedanie-parlamenta-s-vechernim-rautom-foto/>

143. <http://bloknat-moldova.md/news/politicheskie-prostitutki-nestase-sandu-i-usatyy-v-946397>

144. <http://bloknat-moldova.md/news/pokhishchennaya-romami-koroleva-krasoty-sorok-prev>

145. <https://10tv.md/2018/04/10/incredibil-dodon-incita-la-violenta-si-porunceste-ca-unionistii-sa-fie-spanzurati/>

In many of the articles analyzed in the study, the authors refer to the person's nationality or religion in the context of crimes, offenses or terrorist attacks, associating these characteristics with the negative image of the related facts.

Presenting this information in the headline, without any link to the facts described, increases the risk of publicly promoted intolerance:



"A Muslim threatened to blow up a Cathedral in France because the Koran is not read" ¹⁴⁶



"Worse than in the USSR! Jews and Muslims against European values" ¹⁴⁷



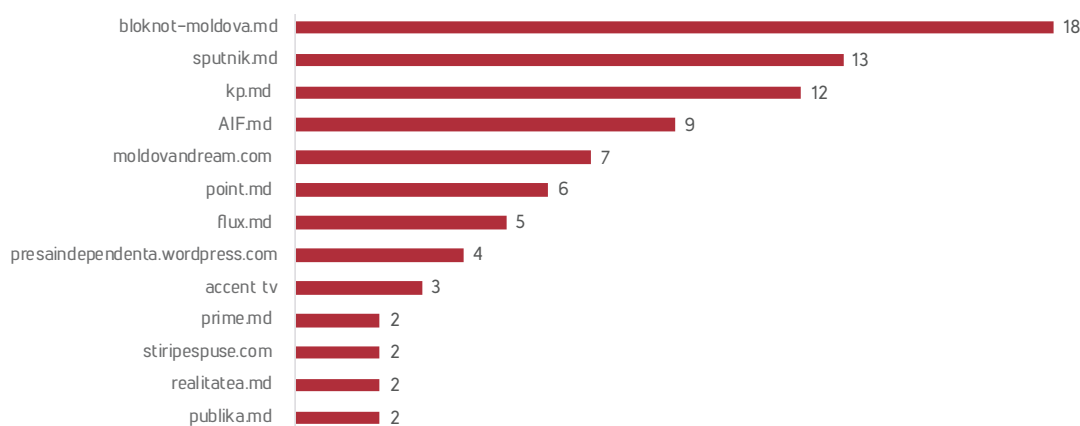
"(VIDEO) Gypsies had a bloody fight with axes and iron rods right in the middle of the road" ¹⁴⁸



"In Balti, a mentally ill Ukrainian, along with some accomplices, bestially beat youngsters" ¹⁴⁹

In total, we identified 97 cases, in which the media generated or amplified hate speech.

Fig. 15. Hate speech and intolerance generated by mass media



146. <http://altarulcredintei.md/un-musulman-a-amenintat-ca-arunca-in-aer-o-catedrala-din-franta-pentru-ca-nu-se-citeste-coranul/>

147. <https://sputnik.md/religion/20180506/19002632/urss-ue-evrei-musulmani-impotriva-valorilorOeuropene-ei-nu-ne-inteleg.html>

148. „(VIDEO) Țiganiile au organizat o bătaie sângeroasă, cu topoare și tije de fier chiar în mijlocul drumului” (nota trad.)

149. „La Bălți, un ucrainean bolnav psihic, împreună cu niște complici, i-a bătut cu bestialitate pe niște tineri” (nota trad.)

In addition to the sources presented in Figure 15, cases of hate speech or of promotion of intolerance were identified on the following sources (one case per each source): 10tv, Actualitati.md, Jurnal.md, JurnalTV.md, protv.md, unimedia.md, tv8.md, deschide.md, zumi.md, stiri.md, hotnews.md, moldovesti.info, the Socialist newspaper.

The above-mentioned cases refer only to the situations, where the media influenced the way in which the events were reflected, aggravating or amplifying cases of hate speech, or to the cases where media, journalists or authors themselves generated hate speeches or intolerance.

8.2 TV AND ONLINE PROGRAMS

Monitoring included broadcasts, interviews, talk shows and other video formats that involve interaction of the participants.

23 cases of hate speech were identified on TV and online platforms::

Fig. 16. List of TV stations and shows which resorted to hate speech

| | | |
|---|--|--|
| Prime – 6 Principes Cronicles of Bogatu | TV8 – 4 Politics with Natalia Morari Electoral debates | Accent TV – 3 Analytic reflection Delo printsiipa |
| Jurnaltv.md – 2 Shaddow Cabinet | TVC21 – 2 Important | Adevărul.ro – 2 (interview) |
| BTV – 1 Dialog | NTV Moldova – 1 Glavniy vopros with Iulia Fiodorova | TRM – 1 Electoral debates |
| RTR Moldova – 1 Vesty Nedely Special issue | | |

Of the 23 cases, in 14 moderators were men, and in 9 cases – women. When the shows were moderated by men, no moderator intervened to interrupt the hate speech or to warn the speaker. Only Mihail Sirkeli, moderator of Electoral Debates on TV8, intervened after Ion Ceban's speech about the ban of LGBT marches, asking him what will he do with human rights.

Neither did the moderating women intervene in the hate speech produced by their guests, except for Natalia Morari on the TV8 channel. In the Politics show of May 22, 2018, Natalia Morari intervened in the speech delivered by Vasile Bolea (PSRM deputy) about the Arabs and the 30.000 Syrians, warning him about his intolerant behavior.

In the same TV show, on 04.06.2018, Natalia Morari intervened in Renato Usatii's speech addressed to Vitalie Andrievschi, warning him not to attack the person, because the TV8 does not admit such behavior.

While most moderators ignored the discriminatory attitude of their guests, some of them even supported or provoked it.

8.3 COMMENTS INCITING HATRED AND DISCRIMINATION

It was not the purpose of this study to carry out a special analysis of hate speech in comments on the webpages or on social media networks. Data relating to intolerance expressed in comments were collected occasionally during the general surveillance, when identified. Thus, the information on this issue is only indicative, being used to analyze the escalation of the hate speech and relationship with the public.

89 cases, where hate speech, incitement to discrimination, violence and other forms of promoting intolerance were identified in comments during the monitoring period.

The policies of media institutions differ in this respect. Some pages moderate comments, others delete comments that are discriminatory or aggressive, and the rest do not interfere, or do little to deal with this.

In 2015, a hate speech study carried out by the Center for Independent Journalism showed that some portals and media pages encountered problems in moderating comments and advised them to pay attention to deontological norms, to moderate comments more carefully, and to organize periodic trainings to help journalists better distinguish cases of hate speech (see Footnote 1). Based on the results of the monitoring, it appears that the problems identified in 2015 have not been resolved and persist in the online environment.

The most aggressive and discriminatory comments have been identified in relation to linguistic, national, ethnic, religious issues, as well as in relation to the LGBT, women and politicians. They were analyzed throughout the report, so we will not repeat the information in this chapter.

The influence of the media and the online environment in the propagation of hate speech is decisive.

The educational component in such materials is almost totally missing. Part of the news portals and webpages unintentionally use prejudices, while another part deliberately uses hate speech and incitement to discrimination in the materials it publishes.

The lack of an effective monitoring and sanctioning mechanism in the media field leads to impunity and the amplification of this rhetoric in public space.

9 RECOMMENDATIONS

LEGISLATIVE LEVEL

Criminal and contravention sanctioning for hate speech

Amending the Criminal and Contravention Code for the investigation and sanctioning of prejudice –motivated offenses and hate speech, including in the electoral context, in accordance with international standards, in particular, Article 19 of the International Covenant on Civil and Political Rights, Article 4 of the Convention on the Elimination of All Forms of Racial Discrimination and the CERD General Recommendation No.35 of 2013, General Comment No 34 of the UN Human Rights Committee and the ECRI General Policy Recommendation no. 11 on fighting racism and racial discrimination of 2007.

CRIMINAL CODE

The provisions of the Criminal Code should be supplemented with a special norm to define the motives for the prejudice that were the basis of the offense.

The provisions of the Criminal Code, in particular Articles 77 and 346, should be amended to be clearer and include elements referring to incitement to violence, public insult and defamation, threats, public expression with a racist purpose, the support of ideologies based on superiority or depreciating or denigrating a group of people.

The list of grounds underlying prejudice –motivated offenses should be extended to contain: color, national origin, ethnicity, language, citizenship, gender, sexual orientation, gender identity, disability, political opinion and membership. The list of motives must be uniform and enforceable as an aggravating circumstance.

Criminal sanctions for hate speech, applied to guilty persons, including electoral competitors, opponents or their sympathizers, should take into account the individualization of punishment, and be prompt, effective and discouraging.

CODUL CONTRAVENȚIONAL

The provisions of the Contravention Code shall be supplemented by a special rule defining the motives for prejudice, which were the basis of the offense.

The list of grounds underlying prejudice –motivated offenses should be extended to contain: color, national origin, ethnicity, language, citizenship, gender, sexual orientation, gender identity, disability, political opinion and membership. The list of motives must be uniform and enforceable as an aggravating circumstance.

The sanctions applied for hate speech to offenders, including electoral contestants, opponents or their supporters should take into account the individualization of punishment, and be prompt, effective and discouraging.

Civil punishment for hate speech

Revision of national legislation to streamline the notion of hate speech in line with international standards. In particular, review:

- a) the notion of hate speech from the Law on freedom of expression, of Article 2;
- b) the notion of incitement to discrimination in Article 2, Law on Equality to include the declared intention to discriminate, encouraging or aiding another person to discriminate;
- c) the notion of sexist language in Article 2, the Law on Equality on ensuring equal chances for women and men to include the link between language and gender prejudices.

The national legislative framework needs to be revised and streamline the list of discriminatory criteria, in particular the legislative acts mentioned above.

The Law on Equality and the Law on CPEDAE's activity must be reviewed to give the Council powers to penalize cases of discrimination, including hate speech.

The national legislative framework needs to be complemented in order to create a mechanism for sanctioning the cases of involvement of Church representatives or other religious cults in electoral processes, including through hate speech, homophobia and sexism.

Electoral punishment of hate speech

Revise the electoral legislative framework, especially the Electoral Code, to define the notion of hate speech in electoral campaigns and regulate ways to discourage the use of this discourse.

Establishment of a mechanism for monitoring, documenting and sanctioning hate speech in electoral campaigns.

INSTITUTIONAL LEVEL

The Parliament

Adopt the draft law no. 301 for the modification and completing some legislative acts on the regulation of prejudice -motivated offenses in accordance with the international standards.

The Parliamentary Commission on Human Rights and Interethnic Relations should actively monitor the implementation of the National Human Rights Action Plan 2018–2022. To this end, the Commission should:

- Organize regular meetings on the fulfillment of the NHRAP 2018–2022;
- Publish information on the implementation of the NHRAP 2018–2022.

Government

Develop, together with the civil society, a comprehensive strategy for preventing and combating hate speech. The strategy should include provide for the creation of a mechanism to monitoring hate speech, cooperation between law enforcement authorities and other relevant institutions (of ex. CPEDAE) to facilitate criminal prosecution for hate speech and improvement of sanctioning mechanisms.

Develop and implement regular awareness raising campaigns on preventing and combating hate speech, in collaboration with law enforcement agencies, the CPEDAE, the Ombudsman, the Audiovisual Coordination Council, the Press Council, the Central Electoral Commission and civil society.

Establish the National Human Rights Council, which will be responsible for monitoring and evaluating the implementation of the NHRAP 2018–2022 and other national policy documents on human rights. In this sense, the Government should start as soon as possible the procedures for the foundation of the Council and the selection of members, as well as ensure all the necessary conditions for its proper functioning.

Establish, as soon as possible, the Permanent Secretariat for Human Rights, which will be responsible for the current work of the National Human Rights Council. In this respect, the Government must take all measures necessary to establish the Secretariat and ensure all the necessary conditions for its functioning.

The Audiovisual Coordination Council

Effectively apply the provisions of the new Audiovisual Code with regard to hate speech, sexist discourse and measures to ensure equality in audiovisual products.

Firmly react to all cases of hate speech and impose sanctions appropriate for each infringement.

Establish an internal mechanism for monitoring hate speech and collect disaggregated data on hate speech in audiovisual products.

Develop a disaggregated data collection system to provide a coherent and integrated vision on cases of hate speech, the form of discourse and reasons that caused it, as well as the solutions applied. This information shall be periodically made available to the public.

Develop internal tools to streamline hate speech monitoring and sanctioning process (instructions, guides).

Carry out regular training activities for members and employees on the identification of hate speech, sexism, racism, homophobia and forms of their manifestation, the protection criteria and the prejudices of the society.

Central Electoral Commission

Initiate the establishment of a mechanism for monitoring, documenting and sanctioning of hate speech in electoral campaigns.

React promptly and firmly to all cases of reported hate speech and set appropriate sanctions for each violation.

Develop a disaggregated data collection system to provide a coherent and integrated vision on cases of hate speech, the form of discourse and reasons that caused it, as well as the solutions applied. This information shall be periodically made available to the public.

Develop internal tools to streamline hate speech monitoring and sanctioning process (instructions, guides).

Condemn in public hate speech and carry out activities to promote tolerant public discourses in electoral processes and discourage electoral competitors from using intolerance based rhetoric.

Carry out regular training activities for members and employees on the identification of hate speech, sexism, racism, homophobia and forms of their manifestation, the protection criteria and the prejudices of the society.

Council on the Prevention and Elimination of Discrimination and Ensuring Equality

Initiate awareness campaigns on discouraging hate speech and promoting equality in the media and public space.

Continue monitoring the hate speech in the media and the public space, especially in a political context, and take action whenever such cases are detected.

Develop a disaggregated data collection system to provide a coherent and integrated vision on cases of hate speech, the form of discourse and reasons that caused it, as well as the solutions applied. This information shall be made available to the public on a regular basis.

Strengthen efforts to assist other public authorities (police, prosecutors, ACC, CEC) to monitor, identify and sanction hate speech.

Supreme Court of justice

Analyze hate speech and hate crimes in their activity of streamlining judicial practice and make recommendations for the national courts to examine these cases taking into account the best practices and international standards.

The National Institute of Justice and the Superior Council of Magistracy

Carry out periodical activities to inform judges and their assistants on hate speech, sexism, racism, homophobia, forms of their manifestation, protection criteria and sanctioning methods based on international standards and best practices.

Police and Prosecutor's Office

Develop internal instruments to streamline the process of identification and sanctioning of hate speech and prejudice motivated offenses (regulations, instructions, guides).

Perform regular training activities for police officers, prosecution officers and prosecutors on hate speech, sexism, racism, homophobia, forms their manifestation, the protection criteria and the sanctions on the basis of international and best standards practices.

Develop a disaggregated data collection system to provide a coherent and integrated vision on cases of hate speech, the form of discourse and reasons that caused it, as well as the solutions applied. This information shall be made available to the public on a regular basis.

Political parties and politicians

Condemn hate speech and adopt codes of conduct that prohibit its use. Invite party members and supporters to abstain from the use of hate speech and to apply disciplinary sanctions in the event of deviations.

Use national mechanisms for the examination and punishment of hate speech, whenever they are targeted or affected by this type of speech.

To carry out periodic training activities for party members on hate speech, sexism, racism, homophobia, forms of their manifestation, protection criteria, prejudices existing in the society and ways of ensuring a tolerant discourse.

Mass Media

Press Council and media organizations should review their regulations and codes conduct, including the Code of Ethics of the Journalist, to ensure that the cases of hate speech and incitement to discrimination are reflected in a balanced way, excluding inadmissible behavior towards vulnerable groups.

The Press Council and media organizations should develop and adopt instruments (guides or recommendations) to ensure that the journalistic material reflects equidistantly and does not amplify the situations, in which hate speech is used.

News portals and media institutions should include in their internal policies and programs rules condemning and excluding hate speech from their media activity.

News portals should adopt clear and effective mechanisms for managing the comments, to avoid promoting hate speech.

Media organizations and press institutions should carry out periodical trainings for journalists to ensure adequate understanding of hate speech phenomenon and developing the journalists' capacity of managing journalistic materials, so as to reduce to the minimum the impact of the cases involving this type of discourse.

Civil society organizations

Periodically monitor hate speech and the dynamics of this type of discourse in the public space and in the online environment, and contribute to the improvement of the legislative framework in field.

Initiate and implement, including together with authorities, information campaigns to raise public awareness of the phenomenon of hate speech and its impact on the society.

Perform regular training activities for young people, students, journalists, activists (including politicians) and representatives of religious cults on hate speech, sexism, racism, homophobia, forms of manifestation, protection criteria and the danger generated by these types of discourses.

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The authors of the hate speech are men (88%) and women (12%)

The hate speech manifests predominantly in the political and religious spheres

The most aggressive speeches are those used by political opponents

The hate speech to the LGBT group is direct and aggressive and is associated with amorality, sin and evil

Women are the second most affected group of hate speech

Lack of an effective monitoring and sanctioning mechanism in the media field leads to impunity and amplification of hate speech in public space

Mass media is the most important source to disseminate intolerance in public space

In electoral campaigns, the hate speech is completely uncontrolled, irrespective of its impact

The authorities of the Republic of Moldova have no answer to the hate speech