

MOLDOVA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution protects the right of individuals to practice their religion and states religious groups are autonomous and independent from the state. The law, however, recognizes the “exceptional importance” of Orthodox Christianity and the government continued to provide preferential treatment to the Moldovan Orthodox Church (MOC). A lower court ordered the dissolution of two Falun Gong Moldova public associations. The decision remained pending at year’s end, awaiting a final decision by the Supreme Court of Justice. Minority religious groups expressed concern about Orthodox religious education in schools, as well as reported discrimination by local authorities in granting permits for houses of worship. In the separatist Transnistria region, authorities restricted the activities of minority religious groups, which were reluctant to report problems. A decree signed by the de facto Transnistrian leader in February introduced alternative service for conscientious objection.

Minority religious groups, including Jehovah’s Witnesses, Baptists, and Pentecostals, reported cases of verbal abuse and media discrimination. No protests against minority religious groups were reported during the year, but religious groups stated there was a low level of acceptance of minority denominations by the majority religious group.

The U.S. Ambassador discussed tolerance and equal rights for all religious groups with government officials and addressed these issues in public statements. Embassy officials met with representatives of minority religious groups to discuss the concerns of these communities and raised these concerns with government officials. The embassy organized a number of events for religious groups during the year to promote religious freedom and tolerance, in particular with the Jewish and Muslim communities. The Ambassador took part in Jewish events, including commemorations of the Holocaust. The embassy sponsored a photo exhibit on the Holocaust and a study on religious education in schools.

Section I. Religious Demography

The U.S. government estimates the population at 3.6 million (July 2014 estimate). According to a 2011 global Gallup survey on religion, the most recent available, the predominant religion is Orthodox Christianity, with 96 percent of the population belonging to one of the two Orthodox groups: 86 percent to the MOC,

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which is subordinate to the Russian Orthodox Church, and 13 percent to the Bessarabian Orthodox Church (BOC), under the Romanian Orthodox Church. According to a 2012 Gallup poll, 83 percent of the population considers itself religious, while 5 percent declares itself atheist. A 2012 poll conducted by the Human Rights Information Center, a nongovernmental organization (NGO), estimates active membership in non-Orthodox religious groups at 150,000. The largest non-Orthodox religious groups, accounting for 15,000 to 30,000 adherents each, are Roman Catholics, Pentecostals, Seventh-day Adventists, Jehovah's Witnesses, Baptists, Jews, evangelical Christians, and Muslims.

Smaller religious groups include Bahais, Molokans, Messianic Jews, Lutherans, Presbyterians, members of the Unification Church, other Christians, and Krishna Consciousness followers.

In the separatist Transnistria region, the largest religious group is the MOC. The Tiraspol-Dubasari diocese is part of both the MOC and the Russian Orthodox Church, and an estimated 80 percent of the Transnistrian population belongs to the MOC. Other religious groups in the region include Catholics, followers of Old Rite Orthodoxy, Baptists, Seventh-day Adventists, evangelical and charismatic Christians, Jews, Lutherans, Muslims, and Jehovah's Witnesses.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states freedom of religious worship is guaranteed and that religious groups may organize and operate according to their own statutes, independent from the state. In addition, the constitution stipulates that relations between religious groups must be free of discord, and that the state shall facilitate religious assistance in the army, hospitals, penitentiaries, nursing homes, and orphanages. The constitution provides for equality of all citizens before the law and before public authorities, regardless of religion.

The law implementing the constitutional provisions states that every individual has the right to the freedom of thought, conscience, and religion and these rights must be exercised in the spirit of tolerance and mutual respect. The law states that every person has the right to belong or not belong to a religion, to have or not have individual beliefs, to change religion or beliefs, and to practice religion or beliefs

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independently or as a group, in public or in private, through teaching, religious practices, or rituals. According to the law, religious freedom can be restricted only if necessary to ensure public order and security, to protect public health and morality, or to protect a person's rights and freedoms. The law also prohibits discrimination based on religious affiliation.

The law bans religious entities from engaging in political activity and prohibits "abusive proselytism," which is defined as the action of changing a person's or a group's religious beliefs through coercion.

The law allows religious groups to establish associations and foundations. It permits local religious groups to change their denominational affiliation or dissolve themselves. The law exempts registered religious groups from paying real estate and land taxes.

The law provides for a registration process in which a religious group must present to the Ministry of Justice (MOJ) a declaration including its exact name, fundamental principles of belief, organizational structure, scope of activities, financing sources, and rights and obligations of membership. The law also requires a group to show it has at least 100 founding members. A religious group must present proof of having access to premises where it can conduct its religious activities, but the law does not specify that the group must own this property. The MOJ is required by law to register a religious group within 30 days if the registration request is made according to law. The applicant may request that this term be extended if the documentation submitted is insufficient. At the request of the MOJ, a court can suspend the registered status of a religious group if it "carries out activities that harm the constitution or laws," or "affects state security, public order, [or] the life and security of the people." The law also provides for suspension or revocation of a religious group's registration in case of violation of international agreements or for political activity.

The law does not require registration, but registration gives religious groups legal status that allows them to build churches, own land in cemeteries, and publish religious literature along with owning property, opening bank accounts, and hiring employees. Individual churches or branches of registered religious groups are not required to register with the MOJ as long as they do not carry out legal transactions and do not receive donations as local legal entities. The parent organization must exercise authority in those areas for unregistered local branches. Unregistered

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groups may not act as legal entities or obtain space in public cemeteries in their own names. All religious groups, whether registered or not, have freedom to worship.

Although the law provides for restitution of property confiscated during the successive fascist and Soviet regimes to politically repressed or exiled persons, the provision does not apply to property confiscated from religious groups. Local authorities can arrange with local parishes to return church properties.

The law allows all religious groups to hold services at state facilities, including orphanages, hospitals, schools, and military and police institutions, at the request of individuals in such institutions, provided they obtain the approval of the institution's administration.

A provision in the law stipulates that the state recognizes the "exceptional importance and fundamental role" of Orthodox Christianity, particularly that of the MOC, in the life, history, and culture of the country.

The law defines as "extremist" and makes illegal any document or information justifying war crimes or the complete or partial annihilation of a religious or other kind of societal group, as well as any document calling for or supporting activities in pursuit of those goals.

According to the law, religion classes in state educational institutions are optional. The religious curriculum derives from instructional manuals developed by the Ministry of Education with input from the MOC and includes teaching guidelines developed with the support of the BOC. Teachers and Orthodox priests teach these optional courses, which focus on Orthodox Christianity.

According to the law, citizens aged 18 to 27 have the right to choose civilian over military service if the latter is counter to their religious beliefs. The duration of the alternative civilian service is six months for citizens with higher education, and 12 months for citizens with secondary education or vocational studies. Civilian service is carried out at public institutions or enterprises specializing in such areas as social assistance, healthcare, industrial engineering, urban planning, roads and road construction, environment protection, agricultural associations or agricultural processing, town management, and fire rescue.

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Missionaries may submit work contracts or volunteer agreements to apply for a temporary residency permit, and can reside and work in a paid status or as unpaid volunteers. Only missionaries working with registered religious groups may apply for temporary residency permits. Foreign missionaries may remain for 90 days on a tourist visa. Foreign religious workers must register with the National Agency for the Occupation of the Workforce, the Bureau for Migration and Asylum, and the Ministry of Information Technology and Communications and must present documents confirming the official status of the registered religious group for which they will work, papers confirming the temporary residence, and proof of valid local health insurance.

The law mandates immunization of all children and does not provide an opt-out for religious reasons.

In separatist Transnistria, Transnistrian “law” affirms the role of the Orthodox Church in the region’s history. All religious groups, whether registered or not, officially have freedom to worship, but the law restricts the right to freedom of conscience and religion “if necessary to protect the constitutional order, morality, health, citizens’ rights and interests, or state defense and security.” Foreign citizens also have the freedom to worship. The prosecutor’s office oversees implementation of the law on religious freedom.

Transnistrian law provides for the registration of religious groups, but registration is not legally required. The region’s self-professed Ministry of Justice registers religious groups and monitors their adherence to the goals and activities set forth in their statutes. Registration provides a number of advantages to religious groups, including the ability to own and build places of worship, open religious schools, and publish literature.

To obtain legal registration in Transnistria, a local religious group must present proof of activity in Transnistria for at least 10 years and must have at least 20 members aged 18 years old and above with permanent residence in the region and Transnistrian “citizenship.” A local religious group may also register as part of a centralized religious organization, which must consist of at least six local religious groups. The central religious organization must inform the registration authority on a yearly basis about intentions to extend its activities.

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A religious group also must provide the Transnistrian “Ministry of Justice” with a list of founders and their personal details, the group’s statutes, the minutes of its constituent assembly, basic religious doctrine, contact details of its governing body, and an official tax receipt. The decision to register a religious group must be taken within 30 days of the application. If the de facto Transnistrian authorities decide to conduct a religious assessment, which is a law enforcement investigation of the group’s background and activities, registration may be postponed for up to six months or denied if the investigating authorities determine the group poses a threat to the security or morality of the region, or if foreign religious groups are involved in the activity.

Religious groups can disband upon their own decision or upon a Transnistrian court’s decision. The prosecutor’s office or the region’s executive, city, or district authorities can request disbandment or suspension of a religious group in the courts.

Transnistrian law allows the use of private homes and apartments to hold religious services. It does not, however, allow religious groups to use homes and apartments as their officially registered addresses. The law also allows religious services and rituals in public places such as hospitals, clinics, orphanages, geriatric homes, and prisons.

The import and export of religious printed materials, audio and video recordings, and other religious items is subject to screening and any import or export can be banned upon a decision of the Transnistrian authorities.

In Transnistria foreign religious groups may not undertake religious activities and do not have the status of officially registered religious groups. Foreign citizens cannot be founders or members of religious groups.

In Transnistria the authorities do not allow religious groups to participate in elections or other political party activities or to support NGOs involved in elections.

A decree signed by Transnistrian leader Evgeny Shevchuk in February institutionalized alternative service for conscientious objectors to military duties. According to the law, citizens have the right to choose alternative civilian service over military service if the latter contradicts an individual’s religion and beliefs.

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At the same time, alternative civilian service can be performed only at organizations under the Transnistrian or “other military forces,” and at institutions subordinate to the “executive bodies of the state or local administration.”

According to the Transnistrian criminal code, courts may sentence those who avoid or evade military service to imprisonment of three to 10 years.

Government Practices

A court in the Chisinau district of Buiucani ordered the dissolution of the two Falun Gong organizations in the country: Falun Gong Moldova and Falun Dafa, which had both registered as public associations after unsuccessful attempts to register as religious groups. In 2013 the Association for the Protection of the Disabled and Veterans “Echitate” had filed a request to place the Falun emblem, which incorporated five swastikas based on that symbol’s usage in traditional Chinese religious documents, into the register of materials with extremist character kept by the MOJ pursuant to the law on extremism. Despite an “irrevocable” court decision on the same subject in 2010, where the Buiucani court did not find the Falun symbol to be extremist, the same court readmitted the case and in April adopted a decision to remove the two associations from the State Register of Public Associations on the grounds of promoting extremist activities and using a symbol similar to the Nazi swastika. The Falun Gong associations exhausted legal remedies in lower courts and at year’s end the case was pending a final decision at the Supreme Court of Justice.

The government continued to grant privileges to MOC clergy it did not grant to other religious groups. Under a cooperation agreement between the MOJ and the MOC, MOC chaplains had free access to detention facilities for religious assistance without prior approval of the prison administration. A cooperation agreement between the MOC and the Ministry of Defense allowed MOC priests to preach to National Army units, bless military personnel prior to their enrollment in peacekeeping missions, and distribute religious literature to libraries within the army. Following a 2013 agreement with the Ministry of Labor, Social Protection, and Family, the MOC began developing a network of Christian social assistance, including opening day care centers and temporary shelters within churches and monasteries. The authorities also granted privileges to the MOC regarding the importation of religious materials and the restitution of church property.

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The government issued a diplomatic passport to Metropolitan Vladimir of Chisinau and all Moldova, the highest-ranking cleric in the MOC. He was the only religious leader accorded this privilege. In July the government conferred a presidential honor award on Metropolitan Vladimir in appreciation for his “special merits in the moral and spiritual revival of the society,” as well as for his contributions to “the promotion of Orthodox Christian values,” and the restoration of churches.

During the year the MOJ registered 51 religious entities, including three new Christian denominations, five religious institutions, and 43 religious groups as component parts of existing religious denominations, including the Baptist Church, the Lutheran Church, the MOC, the BOC, and the Union of Pentecostal Churches. The three new Christian denominations were the Metropolitan Church of Eastern Moldova, the Augustinian Lutheran Church, and the Movement of Christian Organizations.

The Spiritual Gathering of Muslims of Moldova, which had registered as an NGO after unsuccessful attempts to register as a religious group, did not attempt to register with the MOJ again. The group stated it no longer believed a positive outcome was likely. The MOJ reported the group’s previous applications had been denied because it had not submitted the correct documentation. Registration as an NGO allowed the group to conduct commercial activities such as opening a bank account, but not religious activities.

The Union of Pentecostal Churches began construction of a new church in Chisinau. The courts granted the union a construction permit in 2013 after 10 years of litigation.

Leaders of the Islamic League, the only recognized Muslim religious organization in the country, reported discriminatory treatment of league members at points of entry into and out of the country. League representatives traveling to Saudi Arabia for the Umrah pilgrimage were subject to thorough checks at the airport. According to the Islamic League, authorities stopped only those people on the plane known to be Muslims prior to departure and upon arrival, photocopying their documents and religious literature, hand-checking their luggage, and scrutinizing all their video equipment.

Unlike in previous years, leaders of Jewish religious groups reported no overt discrimination or displays of anti-Semitic feeling by government officials.

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In contrast with previous years, there were no reports of serious incidents involving the Pentecostal Church in rural areas, such as the refusal by local authorities to enforce court decisions and issue construction permits.

Local authorities continued their reluctance to allot land to minority religious groups in local cemeteries, which were usually under the administration of Orthodox churches. They were also often reluctant to allocate land for the construction of houses of worship.

Jehovah's Witnesses reported local public officials were pressured by Orthodox priests to continue to discriminate against them, and they faced difficulties obtaining permits to build or use their houses of worship. In Mereni village, on June 30, and again on July 19, the mayor refused to issue a permit allowing the Jehovah's Witness community to use its completed kingdom hall following a final court ruling mandating the government to grant a construction permit. The local Jehovah's Witnesses community reported the mayor met with them and stated he would not issue the permit due to fear of upsetting the local Orthodox priest, Vitalie Saramet, and local residents. Saramet threatened to demolish the kingdom hall and reportedly ended all religious services with calls for the villagers to oppose the spread of the Jehovah's Witness faith and to obstruct meetings of the Jehovah's Witnesses community. The Jehovah's Witnesses said the priest instigated hatred and violence against the community. In July two villagers living in the vicinity of the kingdom hall filed a court case requesting permission to demolish the building; as of the end of the year the case was pending. The Jehovah's Witnesses community reported it filed a complaint on October 17, in the Anenii Noi City Court to gain the mayor's signature on the occupancy permit. A hearing on the case was postponed until 2015.

A case submitted to the European Court of Human Rights by the Catholic Church in 2012, concerning the restitution of a cathedral and other church properties was still pending at year's end.

The Lutheran Church's repeated requests for property restitution remained unresolved.

Property disputes between the MOC and BOC were not resolved, and the MOC continued to refuse to return property to the BOC, based on the 2009 government

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decision granting the MOC ownership of most churches, monasteries, and historic religious sites.

Human rights NGOs criticized the Ministry of Education for allowing the optional course on religion to cover only Orthodox Christian doctrine, to the exclusion of other religious teachings. NGOs and minority religious groups criticized the law on religious practice for failing to provide equal rights to all religious groups, and for granting a leading role to the Orthodox Church. The Ministry of Education took no steps to expand the “moral and spiritual instruction” curriculum in public schools to include any belief aside from Orthodoxy. The MOC continued to have priority access to schools and the development of educational materials.

In contrast to previous years, in August the Ministry of Education issued a decree banning religious rituals to mark the new school year. Prior to the ban, only Orthodox Christian rituals had been observed.

The Seventh-day Adventists Reform Movement reported problems enrolling children in kindergartens as a result of their refusal to have children immunized.

In February a Chisinau court handed down a four-year suspended sentence to the male perpetrator in a 2013 case involving a young couple who had desecrated graves at the Chisinau Jewish cemetery. Investigators dropped charges against the female perpetrator because she was underage at the time of the offense. The couple had taken pictures and videos while vandalizing the tombs and making Nazi gestures, later placing the images on social media.

According to human rights NGOs monitoring religious freedom in Transnistria, religious groups were reluctant to report problems and preferred solving them on their own. The Lutheran Church was unable to reclaim property seized during the Soviet era. The BOC did not make renewed attempts to open churches in Transnistria.

Transnistrian authorities refused to accredit the leaders of the Tiraspol and Rybnita Jehovah’s Witnesses or to register new charters for Jehovah’s Witnesses in Tiraspol, Rybnita, Grigoriopol, and Tighina. Jehovah’s Witnesses in Tiraspol reported receiving threats from the Transnistrian prosecutor’s office, indicating the intent to repeal the community’s registration and close its activity.

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Section III. Status of Societal Respect for Religious Freedom

Representatives of the newly registered Metropolitan Church of All Eastern Moldova requested that the Romanian patriarch accept jurisdiction over the church, which would make it the second Moldovan metropolitanate under the Romanian patriarchate's authority after the BOC. At year's end the Romanian patriarchate had not granted this request. BOC representatives said the new church was a false Metropolitan Church and had been set up to create "confusion and division between clerics and lay persons."

Jehovah's Witnesses reported approximately 30 cases of verbal harassment, threats of physical violence, and physical abuse in rural areas during the year, without breaking down this information further. In several cases Orthodox priests and community members reportedly demanded Jehovah's Witnesses leave their villages, threatening to burn down kingdom halls if they did not do so. Local public officials and priests reportedly refused to execute court orders allowing use of the facilities or pay fines for not doing so.

Intimidation and harassment of Baptist Church members in rural areas continued during the year. In several locations, Baptists were impeded from holding summer day camps for children, including in the village of Peticeni. Villagers alleged these camps involved forced indoctrination of the children.

Representatives of the Union of Pentecostal Churches said media outlets were reluctant to report on charity events and activities organized by its churches, and only covered its charity activities if public officials or representatives of state institutions attended them. The Union of Pentecostal Churches said this media neglect was discriminatory.

The Islamic League reported reduced discrimination against Muslims during the year. There were reports only of isolated cases of discrimination, including expressions of negative attitudes in schools and hindering of access to public transportation.

In contrast to previous years, there were no protests by Orthodox groups against minority religious groups in Chisinau. According to religious groups and human rights organizations, the level of acceptance by the majority religious group of minority denominations remained low.

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The Islamic community in Transnistria ran a cultural and an educational center, but was not registered as a religious community under Transnistrian law. In contrast to the previous year, there were no reports of harassment of Islamic community representatives in Transnistria.

Section IV. U.S. Government Policy

The U.S. Ambassador discussed tolerance and equal rights for all, including religious groups, with government officials. Embassy officials met with leaders and representatives of religious groups to discuss religious freedom, in particular societal and governmental attitudes towards minority religious groups, cooperation between majority and minority religious leaders, and ways to promote tolerance towards other religious denominations. Embassy officials also heard the concerns of these communities and then raised them with government officials. The Ambassador took part in a number of events organized by the Jewish community, and emphasized in speeches throughout the year the need to ensure equal rights regardless of ethnicity and religious affiliation.

The embassy took a number of steps to support awareness of and teaching about the Holocaust: in January it sponsored a Holocaust photo exhibit at the Ethnography Museum in Chisinau. On January 27, the Ambassador took part in a commemoration of Holocaust victims in Chisinau organized by the American Jewish Joint Distribution Center in Moldova and the KEDEM Jewish Cultural Center. In July the Ambassador paid homage at the monument dedicated to Jewish victims of the Chisinau pogrom in 1903.

In July the Ambassador hosted representatives of all the Muslim religious groups represented in Chisinau at an iftar dedicated to promoting unity and understanding among different Muslim groups. Attendees discussed tolerance among religious groups and the challenges faced by the Muslim community, particularly among refugees from predominantly Muslim countries.

The embassy funded grants for a study on religion and human rights and a study on religious education in schools.