

Summary of Legislation Related to the Rights of LGBT, other MSM, and PLWH

Moldova



Legislative Aspect	Law	Practice
Travel and Immigration Bans on People Living with HIV (PLWH)	There are no legal obstacles for PLWH to travel or immigrate to Moldova.	Immigrants may be required to undergo medical observation or HIV testing depending on the epidemiological situation of their country of origin.
Criminalization of HIV Transmission	Transmission of HIV is criminalized.	Knowingly subjecting another person to the danger of HIV infection is punishable by imprisonment of up to 1 year; infection of another person with HIV by someone who knows they are infected is punishable by imprisonment of up to 5 years; HIV transmission resulting from professional negligence of medical professionals is punishable by imprisonment of up to 5 years.
Ban on Blood Donation by MSM	MSM are not prohibited from donating blood.	While there is no direct ban on blood donation by MSM under Moldovan legislation, those wishing to donate blood must fill out a form where they must indicate whether they have been involved in risky sexual behavior, such as sex "with homosexuals." This could be the basis for refusing to allow someone to donate blood.
Criminalization of Same-Sex Sexual Activity	Same-sex sexual activity is legal.	Same-sex sexual activity was decriminalized in 1995. Age of consent is 16 for both men and women.
Ban on "Homosexual Propaganda"	There is no ban on "homosexual propaganda".	In 2013, Moldovan lawmakers passed a bill banning the promotion of "relationships other than those linked to marriage and family." This bill was overturned four months later.

Eurasian Coalition on Male Health



Laws on Gender Identity and Expression (changing one's legal gender and related procedures)	A person may change their legal gender according to existing legislation.	Trans* people in Moldova are authorized to change their legal gender, however, there are a number of problematic areas under existing procedures. Transsexualism is still considered a psychological disorder in Moldova. Trans* people must receive a diagnosis and undergo relevant medical and surgical procedures before they can receive new identity documents. Receiving this medical care is not covered by state health insurance and its cost is prohibitive to many Moldovans. The procedures for changing one's documents are often lengthy and not sufficiently transparent. Changing one's legal gender can only be done once the applicant has undergone the necessary procedures and received a court order allowing him or her to do so.
SOGI Antidiscrimination Laws	Discrimination on the basis of sexual orientation in the field of employment is prohibited.	The Constitution of Moldova, as well as the separate law "On Ensuring Equality" prohibit all forms of discrimination. However, discrimination on the basis of sexual orientation is only explicitly prohibited in the field of employment. Thanks to practical enforcement mechanisms, LGBT people in Moldova have been able to avail themselves of antidiscrimination protections.
Hate Crimes Legislation	There is no comprehensive hate crimes legislation.	Aggravating criminal circumstances arise when a crime is committed on the basis of the victim's nationality, race, or religion, but there are no provisions including sexual orientation or gender identity.
Recognition of Same-Sex Partnerships	There is no recognition of any kind of same-sex partnership or union.	Marriage is the only form of legal partnership. It is defined as a union between man and woman. The Family Code of Moldova explicitly prohibits marriage between two people of the same sex.
Adoption	There is no legal act allowing LGBT people to jointly adopt children.	Single parents are eligible to adopt children. Thus, it is still possible for LGBT people to adopt.



This document has been funded by grant 2014097 to the Consortium of MSM and Transgender Networks by the Robert Carr civil society Networks Fund.