



“VIRGINITY TEST” IN THE REPUBLIC OF MOLDOVA

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Introduction: The practice of “virginity testing” is a form of gender discrimination against women and girls prohibited by international legal norms. So-called “virginity” is not a medical or scientific term, but a social, cultural, and religious concept. Despite the Republic of Moldova became in 1995 a member of the Council of Europe and ratified the European Convention on Human Rights (ECHR) in 1997, adhered to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1994, virginity testing remains a permissible and frequently encountered practice in our country.

WHO, UN Human Rights and UN Women have issued a statement calling for the elimination of so-called “virginity testing”. The jurisprudence of the European Court of Human Rights has illustrated that virginity testing can amount to degrading treatment, which is prohibited under Article 3 of the ECHR and violates the right to private life under Article 8.

Currently, the Republic of Moldova’s procedural norms do not prohibit expressly the practice of “virginity testing”. Usually, this test is requested as an aim of extrajudicial forensic medical examination under pressure from parents or potential spouses to establish the examined person’s virtue, honour, or social value for marriage.

Results: In 2023, the Centre of Forensic Medicine started for the first time collecting statistical data related to “virginity testing” carried out by forensic medical experts from the whole country. According to its annual statistical reports, 49 girls and women were subjected to the virginity testing conducted in 8 regional medico-legal departments out of 24. There were no boys or men subjected to this practice. Thus, the highest values were noticed in Edineț district (40%), followed by Chișinău (18.4%), Soroca (14.3%), and Orhei (12.2%). Significantly lower values were recorded in Cimișlia (4.1%), Bălți and Rezina (2% each). This incidence can be explained by dominant social and religious traditions, as well as cultural and ethnic features of certain ethnic groups settled in those regions. Another explanation could be the lack of awareness that this practice constitutes an act of violence against women and a violation of human rights, such as the right to be protected from discrimination based on sex, and the right to freedom and security.

Conclusion: Although the Republic of Moldova ratified several important international standards “virginity testing” is still not prohibited. The authors argue that the “virginity test” is not a scientific and useful practice, and therefore cannot be used as evidence. It is degrading, humiliating, and offensive to girls and women examination which violates their rights and must be excluded.

Keywords: virginity tests, gender, rights, discrimination, degrading treatment

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