

## **MOLDOVA (Tier 2 Watch List)**

Moldova is a source and, to a lesser extent, a transit and destination country for women and girls subjected to trafficking in persons, specifically forced prostitution and for men, women, and children in conditions of forced labor. Moldovan women are subjected to forced prostitution in Turkey, Russia, Cyprus, Bulgaria, the UAE, Kosovo, Israel, Lebanon, Italy, Greece, Ukraine, and Romania. Men, women, and children are subjected to conditions of forced labor in Russia and Ukraine in the construction, agriculture, and service sectors. Some children from Moldova are subjected to conditions of forced begging in some neighboring countries. Some women from Ukraine and also Moldovan girls and women are trafficked within the country from rural areas to Chisinau and subjected to forced prostitution. Men from Turkey travel to Moldova for the purpose of sex tourism. The small breakaway region of Transnistria in eastern Moldova is outside the central government's control and remained a source for victims of both forced labor and forced prostitution.

The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government again did not demonstrate sufficient efforts to prosecute, convict, or punish any government officials complicit in trafficking, which remained a significant obstacle to effective anti-trafficking reforms; therefore, Moldova is placed on Tier 2 Watch List for the second consecutive year. The new government demonstrated a high-level commitment to trafficking by establishing a cabinet-level national committee on trafficking led by the foreign minister and, for the first time, fully funded and staffed the Permanent Secretariat of the National Committee for Preventing Trafficking in Persons. Moldovan authorities demonstrated sustained, strong efforts to identify and refer victims for assistance and the government continued funding the government and IOM-run trafficking assistance center.

**Recommendations for Moldova:** Demonstrate vigorous efforts to investigate, prosecute, and convict government officials complicit in trafficking, and seek criminal punishment of any guilty officials; improve child trafficking victim protection by encouraging law enforcement to consult with NGO experts during the victim interview process; improve cooperation between local anti-trafficking commissions and local law enforcement; conduct awareness and prevention campaigns targeted at children living in orphanages – a population highly vulnerable to trafficking; continue efforts to improve data collection on trafficking cases through all stages of the penal process, including investigations, prosecutions, convictions, and sentences prescribed for convicted trafficking offenders; continue to provide funding for victim assistance and protection; continue efforts to identify and protect trafficking victims, including child and adult victims trafficked within Moldova; and consider prevention activities specifically targeted at reducing the demand for human trafficking in Moldova.

### **Prosecution**

The Government of Moldova demonstrated uneven progress in its efforts to combat human trafficking. Although the government increased the number of trafficking offenders convicted during the reporting period, it did not demonstrate significant efforts to prosecute, convict, or criminally punish government officials complicit in human trafficking. The Moldovan government prohibits all forms of trafficking through Articles 165 and 206 of its criminal code. Penalties prescribed range from five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for rape. In order to harmonize local law with EU standards as part of a larger EU integration process, the government amended its criminal code to reduce the length of all trafficking-related criminal penalties in May 2009; the amendments reduced the minimum and maximum penalties for trafficking from seven years' to life imprisonment to five to 20 years' imprisonment. Although the government continued its efforts to improve the collection of trafficking statistics, concerns remained regarding the accuracy of data reported. The government reported initiating 206 trafficking investigations, down from 246 reported in 2008. Authorities prosecuted 70 individuals for sex trafficking offenses in 2009, compared with 127 trafficking prosecutions in 2008. Courts convicted 65 trafficking offenders during the reporting period, an increase from 58 convictions reported in 2008. Forty-three convicted offenders were prescribed sentences ranging from five to 10 years' imprisonment. The remaining 22 convicted offenders received probation or paid a fine and did not serve time in prison.

Despite continued reports of corruption related to human trafficking, the government has yet to convict an official for complicity in human trafficking during the reporting period. In December 2009, the government again launched a criminal investigation into a high-profile case dating back to 2006 involving multiple government officials allegedly involved in protecting a well-known international sex trafficker; to date there have been no government officials prosecuted, convicted, or criminally punished in this case. The government did not provide updated information on the status of the prosecution of a trial court judge suspected of trafficking complicity, as reported in the 2009 TIP Report. Further, the government did not report efforts to investigate, prosecute, convict, or criminally punish any low-level government officials complicit in trafficking, including low-level police officers or border guards.

### **Protection**

Moldova improved its victim protection efforts during the reporting period. The government provided approximately

\$50,700 in funding for a primary shelter it operated in partnership with the IOM for repatriated adult and child victims, compared with \$52,000 allocated by the government for the shelter in 2008. The center provided temporary shelter, legal and medical assistance, psychological counseling, and vocational training to 130 victims during the reporting period. In total, 159 victims were identified and assisted by IOM and government authorities, including 133 victims identified and referred for assistance by government authorities. The government encouraged victims to assist law enforcement with trafficking investigations and prosecutions; in 2009, 189 victims assisted law enforcement during criminal proceedings. The government applied the 2008 witness protection law for the first time to assist two victims of trafficking who chose to assist government prosecutions during the reporting period. Moldovan law exempts trafficking victims from criminal prosecution for unlawful acts committed as a direct result of being trafficked. There were no reports of victims being punished and NGOs did not document instances of trafficking victims' rights being violated in court in 2009. One foreign victim was identified by the government and assisted by a center operated by the government and IOM. Moldova provided legal alternatives to the removal of foreign victims to countries where they may face retribution or hardship. The government has yet to address ongoing concerns about the lack of specialized protections for child victims of trafficking; children are often interviewed multiple times over the course of several hours by police without special training and some are confronted and threatened by their traffickers.

### **Prevention**

The government demonstrated increasingly significant prevention efforts during the reporting period. The majority of public outreach and trafficking awareness efforts were conducted by NGOs in close coordination with the government at the national and regional levels. In 2009, the government-operated National Referral System increased its efforts to raise public awareness in order to warn potential victims of the dangers of trafficking through its system of 34 regional multidisciplinary commissions. Operating on a local level, these commissions consist of representatives from NGOs, social workers, medical personnel, police, prosecutors, and local public administration officials. The commissions met on a regular basis, usually once a month, to deal with trafficking issues including organizing public awareness events, discussing reintegration efforts for victims, and updating information about any possible cases. Although these commissions had been meeting sporadically in 2008, 2009 was the first full year of their operation. IOM and NGOs working in this field credit prevention efforts conducted by these commissions for the reduction of identified victims during the reporting period. In April 2009, the government implemented a new law simplifying birth registration procedures, which enabled birth certificates to be issued before the mother and child are discharged from the hospital; such an effort may make Moldovan citizens less vulnerable to trafficking because they will have legitimate identification documents. In 2009, members from the National Center for Combating Trafficking in Persons participated in 10 interviews broadcast on radio and TV and again conducted seminars on trafficking prevention in schools and universities and provided outreach to church leaders. The government did not conduct awareness activities aimed at reducing the demand for commercial sex.