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Country Report

1. *Which country have you studied?*

Moldova

1. *Provide an overview that explains whether this country is a source, transit, and/or destination for international human trafficking, and/or whether trafficking/enslavement are largely internal within the country (e.g. from rural to urban areas, or local enslavement on farms or in domestic servitude, etc.) Explain and substantiate your response.*

For the most part, Moldova is a source country, according to the 2014 US Trafficking in Persons report (10). Men, women and children are all sourced for forced labor and sex trafficking. The TIP report also states that there is domestic sex trafficking within Moldovan brothels, saunas, and massages parlors of women and children. The prevalence of this source for human trafficking comes from conditions of poverty in Moldova, leading people to desperately look for work abroad, often leading to situations of forced labor (3). Typically, recruiters convince people of legitimate job offers abroad and then people become trafficked from there. Nearly half of the victims were recruited out of the capital Chisinau, but still 37 percent of victims were recruited out of their village (1). Only eight percent of victims say that they were kidnapped and then trafficked. According the National Bureau of Statistics of the Republic of Moldova, there were 25,000 victims of trafficking for labor exploitation in 2008 (7).

3) *If this is a destination country and/or if there is internal human trafficking,* ***which forms of trafficking are common in this country?****(If you think that there are no forms of trafficking happening within this country, provide citations about that, and some reasons why it is not happening. The reasons don't have to be proven, but they must be plausible.)*

The most common form of internal trafficking in Moldova is sex trafficking (10). Women and children are sexually exploited through brothels, saunas, and massage parlors. Sex tourism is a form of sexual exploitation that Moldavian children are subjected to. Turkey is the principle country involved in this practice being so close to Moldova (7). Using the Internet, foreigners from Australia, Denmark, Germany, Israel, Italy, Norway, Sweden, Thailand, and the United States recruit and exploit these children. Another form of internal trafficking is the sale of organs. Illegal organ trafficking is not a form of forced labor but still is an exploitative form of trafficking. Many people in rural areas sell organs in order to get money sometimes to be able leave the country (8). Children are also subject to forced begging as a form of trafficking within Moldova (7)

4) *If this is a source country,****into which forms of human trafficking and into which countries are citizens from this country commonly trafficked?****(If you think that there is little or no trafficking of people from this country internationally, provide citations about that, and some reasons why it is not happening. The reasons don't have to be proven, but they must be plausible.)*

Many people leave Moldova because of financial strains and overall dismal living conditions. Because of this, many people are picked up by traffickers in a vulnerable state. According to the US Department of State TIP report, men are sent into forced labor in agriculture and construction in the Ukraine and in Russia (10). Women are also subjected to forced agricultural labor in Ukraine and sex work in multiple countries. Girls have been subjected to sex trafficking internally as well as abroad. In the period between 2005-2010, most victims were trafficked to Turkey and Russia, 29 and 28 percent respectively (1). Russia is a popular destination for trafficking because visas are not needed to enter the country (9). Trafficking people abroad took off in the mid and late 1990’s after Moldova gained its freedom. Then, trafficking went towards Western Europe and towards Russia. Since the early 2000s, trafficking has moved more towards the Middle East countries, Russia, and Turkey (7).

5) *What are the current national laws against human trafficking in this country and how have they been assessed by legal experts (e.g. by the U.N., the U.S. Dept. of State TIP Report, and/or the Protection Project)?*

The Moldovan constitution outlaws forced labor (6). In 2005, Moldova passed the Law on Prevention and Combating of Trafficking in Human Beings. This law encompassed and in some instances surpassed the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons (4). This law was passed as a part of Moldova’s National Plan to Prevent and Combat Trafficking in Human Beings, which has includes both a National Committee and Territorial Commissions.

The criminal code sets punishment for anyone who commits trafficking of people for commercial or noncommercial sexual exploitation, forced labor, armed conflicts or other criminal activity, or organ or tissue transplantation by use of violence, threat of violence, fraud, or an abuse of power or a victim’s vulnerable state (6). The punishment for this crime is seven to fifteen years. It is increased to ten to twenty years if the crime is repeated, there are multiple victims or a pregnant victim, there are multiple perpetrators, the victim’s life is in danger, or there was inhuman treatment or torture of the victim. If a criminal group orchestrated the offense or the offense leads to serious injury or death, the punishment is imprisonment from 15 years to life. There is similar criminal codes that access offenses against children. It encompasses illegal adoption and abandonment of a child in another country, as well as the forced labor included in the Anti-Trafficking Law (6). The associated punishments are very similar to those mentioned above but pushes the punishment for trafficking multiple children or repeated instances of trafficking up to 15 years to life imprisonment. The criminal code was most recently amended in 2013 to enhance certain definitions (10).

Under the Anti-Trafficking Law, the victims, witnesses, and any other involved people are protected (6). In December 2006, a regulation was passed that oversees victim assistance centers (4). These centers are public institutions created to help rehabilitate victims of trafficking. Victims can stay for six months, and in some cases up to a year. Victims must submit a case profile in order to receive services from these centers.

Moldova is ranked as a Tier 2 country by the US Department of State TIP Report meaning that the government does not fully comply with the standards of anti-trafficking legislation (10). They only moved off the Tier 2 Watch List in 2011 (after dropping to Tier 3 status in 2008), so there has been progress in recent years but not enough to reach Tier 1 status. The most critique comes at corruption within the judicial sector. Also the TIP report reports unsecure shelters, witnesses being threatened, and delayed court hearings. While Moldova has laws and policies in place to combat trafficking, the implementation of these laws has been slow to form (4).

In 2006, the Organization for Security and Cooperation in Europe (OSCE) Mission to Moldova began a program, which evaluates judicial systems based on a human rights approach. The results found several defects including delays, restricted public access, and insolent judges (6). This reaffirms the findings of a corrupt judicial system in the US TIP Report.

6) *Which types of anti-trafficking efforts by which types of actors are evident in this country? (along with a general summary, provide brief descriptions and URLs of 2-3 noteworthy examples)*

NGOs are major players in anti trafficking in Moldova. NGOs participate in various efforts including prevention, lobbying, and victim assistance. NGOs were key in establishing the National Referral System after noticing an absence of a consistent system.

La Strada International: La Strada International is a European NGO network fighting human trafficking from a human rights approach (5). The Moldovan branch opened in March 2001. Now, La Strada operates a drop-in center, 24-hour hotline, and a 24-hour crisis response unit. The hotline in particular receives anywhere from five to seventy calls in one day. Many of the calls are people considering migrating out of the country for work and wanting to know if their job offer is legitimate. The crisis response unit reports that about 40 percent of their calls come from self-identified victims, while the other 60 percent is someone else regarding the rescue of a victim (4). Since 2007, they have also worked to raise awareness along with numerous partners. La Strada Moldova also works with other organizations and is a member of the National Committee on combating human trafficking. <http://lastradainternational.org/ls-offices/moldova>

The International Organization for Migration (IOM): This organization is a leader in inter-governmental work in the field of migration. Moldova has been a member of this organization since 2003. Because the Moldova is mainly a source country, the IOM is working to develop common migration procedures across the region and better combat illegal activity. IOM is also involved in a anti trafficking program with focuses on the protection of victims and proactive prevention (2). <http://www.iom.md/index.php/en/about-us/project-chart>

Social workers also play an important role in anti trafficking efforts in Moldova. Most commonly, social workers are most necessary is identifying victims when the initial problem is not identified as trafficking. By providing these social workers with National Referral System training, the Ministry of Social Protection, Family and Child hopes to increase victim identification (4).

Law enforcement is a primary actor in anti human trafficking. They are often the first people on a scene and are essential in victim identification and referral. Additionally, training often is not utilized because of high staff turnover due to low salaries and morale and a general prioritization of other things over victim identification. Recently law enforcement has begun to reach out to NGOs when they need to interview a particularly vulnerable victim. All victims are supposed to receive a 30-day reflection delay period before having to decide if they want to go through with a police investigation, but victims are often not given this period (4). Border and airport police also lack the training needed to properly identify situations of trafficking.

7) *What are the main obstacles to anti-trafficking efforts within this country and/or of this country’s citizens internationally?*

In a report published by the UNODC, it is pointed out that data collection in Moldova specifically tends to be inconsistent. Organizations collecting data all use different methods and some service providers do not differentiate potential victims from actual victims or between different types of exploitation (4). Shifting data can lead to misinformation and therefore problems addressing the problem in the most effective and efficient ways.

Victim identification has proved to be a struggle in Moldova. There is not a clearly defined victim identification procedure. In the years 2004-2005, law enforcement only referred 13 percent of the trafficking victims that were known to have received assistance (4). Because of this NGOs IOM, La Strata, and Faith, Hope, Love worked together to develop an identification and referral procedure. In coordination with the Ministry of Social Protection, Family and Child the National Referral System was established and adopted in 2008 (4).

One of the reasons trafficking is as large of a problem in Moldova as is because of the prevalence of poverty and a large emigration population. With 80 percent of the country’s population making less than a dollar per day, many go abroad to search for work (6). These people are desperate for work and therefore are vulnerable to trafficking situations. Additionally many parents are forced to abandon their children leaving the children vulnerable to traffickers. This prevalence of desperation for work and income is an obstacle in anti trafficking efforts.

Moldova only gained its independence in 1992, and only then were people allowed to travel freely. Ever since, there has been an illegal migration problem (1). This allows criminal networks to operate over Moldovan borders. But in recent years, the majority of victims emigrate legally into their trafficking situation, so illegal migration is less of a problem (1).

8) *References*

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