

Moldova

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working in 2000:	30.1% ²⁷⁸⁰
Minimum age for admission to work:	16 years ²⁷⁸¹
Age to which education is compulsory:	9 years ²⁷⁸²
Free public education:	Yes ²⁷⁸³
Gross primary enrollment rate in 2002:	86% ²⁷⁸⁴
Net primary enrollment rate in 2002:	79% ²⁷⁸⁵
Percent of children 5-14 attending school:	Unavailable
Percent of primary school entrants likely to reach grade 5:	Unavailable
Ratified Convention 138:	9/21/1999 ²⁷⁸⁶
Ratified Convention 182:	6/14/2002 ²⁷⁸⁷
ILO-IPEC participating country:	Yes ²⁷⁸⁸

Incidence and Nature of Child Labor

In 2000, approximately 31.2 percent of boys and 28.9 percent of girls ages 5 to 14 were working in Moldova.²⁷⁸⁹ It is common for parents to send their children to work on family farms or other forms of work.²⁷⁹⁰ According to the Government of Moldova, the number of registered cases of the worst forms of child labor increased between 2001 and 2004, the most recent period for which such information is available.²⁷⁹¹ The Ministry of Internal Affairs reported that in 2003, 3,681 children were living or working in the street.²⁷⁹²

Moldova is a major country of origin for children trafficked abroad for sexual exploitation, forced labor, and begging.²⁷⁹³ There have been reports that girls are trafficked internally from

²⁷⁸⁰ UNICEF MICS UCW analysis of ILO SIMPOC, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

²⁷⁸¹ U.S. Embassy- Chisinau, *reporting*, August 26, 2005. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, project document, Geneva, 2006, 34.

²⁷⁸² U.S. Department of State, "Moldova," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78828.htm>.

²⁷⁸³ Government of Moldova, *Constitution of the Republic of Moldova, 1994*, Article 35; available from <http://www.e-democracy.md/en/legislation/constitution/>.

²⁷⁸⁴ UNESCO Institute for Statistics, *Gross and Net Enrolment Ratios. Primary*, accessed December 2005; available from <http://stats.uis.unesco.org>.

²⁷⁸⁵ Ibid.

²⁷⁸⁶ ILO, *List of Ratifications of International Labor Conventions, C182 Worst Forms of Child Labor Convention, 1999*, February 5, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdroff=1&Lang=EN&conv=C182>.

²⁷⁸⁷ Ibid.

²⁷⁸⁸ ILO-IPEC, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, October 2006, 29; available from http://www.ilo.org/iloroot/docstore/ipcc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

²⁷⁸⁹ UCW analysis of ILO SIMPOC, *Child Economic Activity and School Attendance Rates*.

²⁷⁹⁰ U.S. Department of State, "Country Reports- 2006: Moldova," Section 6d.

²⁷⁹¹ United Nations, *Common Country Assessment*, United Nations, Chisinau, July 2005, 37; available from http://www.un.md/key_doc_pub/doc/CCA_Eng_last.pdf.

²⁷⁹² PROTECT CEE, *Moldova Country Profile*, [online] 2006 [cited October 19, 2006], 4; available from http://www.ilo.org/iloroot/docstore/ipcc/prod/eng/2005_fs_moldova.pdf.

²⁷⁹³ U.S. Department of State, "Country Reports- 2006: Moldova," Section 5.

rural areas to Chisinau.²⁷⁹⁴ Estimates on the numbers of child trafficking victims remain limited. In 2004, the IOM reported that 40 percent of trafficking victims were minors at the time of trafficking, and that 12 percent were minors at the time of their return.²⁷⁹⁵ According to information gathered by ILO-IPEC through a rapid assessment survey, boys and girls as young as 12 years are trafficked, many of them recruited by people they know.²⁷⁹⁶ Migration for work has left approximately 23,000 children parentless. These children often do not have proper supervision and are at greater risk of being trafficked and being involved in other worst forms of child labor.²⁷⁹⁷

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 16 years.²⁷⁹⁸ In certain cases, children 15 years can work with parental or legal authorization, if the work will not interfere with the child's education or growth. Children between 15 and 16 can only work a maximum of 25 hours a week and no more than 5 hours a day. Children between 16 and 18 years can only work a maximum of 35 hours a week and no more than 7 hours a day.²⁷⁹⁹ Children must pass a medical exam every year until they reach 18 to be eligible to work.²⁸⁰⁰ Children under 18 years are prohibited from participating in hazardous work, including work at nightclubs or work involving gambling or selling tobacco or alcohol. Legal remedies, civil fines and criminal penalties exist to enforce the provisions of the labor law, with prison terms of up to 3 years for repeat offenses.²⁸⁰¹ The government has approved a list of hazardous work forbidden to children, including underground work, metal work, energy and heat production, and well drilling.²⁸⁰²

In September 2006, the Ministry of Education, Youth, and Sports issued two orders concerning child labor. The first prohibits the involvement of students in agricultural work in the autumn of 2006. The Municipal Departments of Education were tasked to monitor the situation and the General Department of Pre-University Education was tasked with enforcement. The second forbids pre-university students from doing work that threatens life or health, allows participation in harvest-related work only with parental permission, and orders teachers to accompany

²⁷⁹⁴ U.S. Department of State, "Ukraine (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/>.

²⁷⁹⁵ U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2005*, Washington, DC, March 8, 2006, Section 5; available from <http://www.state.gov/drl/rls/hrrpt/2005/61682.htm>.

²⁷⁹⁶ ILO-IPEC, *Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Moldova, 2003*, Chisinau, 2004, 25-28, 54-56; available from http://www.ilo.org/public/english/standards/ipecc/publ/download/cee_moldova_ra_2003.pdf. See also ILO-IPEC, *Combating the Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, project document, Geneva, September 2003, 10.

²⁷⁹⁷ PROTECT CEE, *Moldova Country Profile*, 5.

²⁷⁹⁸ ILO-IPEC, *Balkans Child Trafficking Phase II, project document*, 34.

²⁷⁹⁹ See the Labor Law as cited in U.S. Embassy- Chisinau, *reporting, August 26, 2005*. See also U.S. Embassy- Chisinau, *reporting*, December 8, 2006, Section 6d.

²⁸⁰⁰ U.S. Embassy- Chisinau, *reporting, August 26, 2005*.

²⁸⁰¹ U.S. Embassy- Chisinau, *reporting*, October 16, 2002.

²⁸⁰² U.S. Embassy- Chisinau, *reporting, August 26, 2005*. See also U.S. Embassy- Chisinau, *reporting, August 26, 2005*.

students who work in agriculture. Only 2 weeks of work is permitted, and schools are required to sign agreements with employers regarding pay and working conditions.²⁸⁰³

The constitution prohibits forced labor and the exploitation of minors.²⁸⁰⁴ The law provides for 10 years to life imprisonment for trafficking and using children in the worst forms of child labor, as defined by ILO Convention 182.²⁸⁰⁵ Penalties increased to 15 years to life imprisonment and confiscation of property for repeated or more serious offenses such as trafficking in children, through deception, kidnapping, or abuse of power with violence or by a criminal organization.²⁸⁰⁶ The law protects children under 18 years from prostitution or sexual exploitation.²⁸⁰⁷ The law permits vulnerable youth from 16 to 18 years (including those living in residential institutions, orphans, children from single parent families, and victims of trafficking) to receive benefits from the Unemployment Fund.²⁸⁰⁸ Although the law contains prohibitions against trafficking, some traffickers are prosecuted under less severe pimping charges.²⁸⁰⁹ The minimum age for compulsory military service is 18 years. The minimum age for voluntary military service for officer trainees is 17 years, though participation in active combat is not permitted until 18 years.²⁸¹⁰

The Labor Inspection Office is responsible for enforcing all labor laws, including those pertaining to child labor. In 2006, 10 enterprises were sanctioned for failure to create adequate work conditions for minors.²⁸¹¹ The law permits inspection of both legal workplaces and workers, including child workers. The inspectors are also allowed to seek assistance from local public administrators to withdraw licenses of employers who repeatedly neglect labor inspection recommendations.²⁸¹² The U.S. Department of State reports that the Government of Moldova does not enforce its child labor laws effectively.²⁸¹³

The Ministry of Justice is responsible for addressing juvenile delinquency and the social reintegration of children who have been used for criminal activities and are at risk of trafficking.²⁸¹⁴ The law stipulates police protection for the victims/witnesses in trafficking cases. The U.S. Department of State and others report that because of financial constraints the law has been inadequately implemented, and very few witnesses feel safe enough to testify in court.²⁸¹⁵

²⁸⁰³ U.S. Embassy- Chisinau, *reporting, December 8, 2006.*

²⁸⁰⁴ Government of Moldova, *Constitution of the Republic of Moldova*, Articles 44 and 50.

²⁸⁰⁵ U.S. Embassy- Chisinau, *reporting, August 26, 2005.* See also U.S. Department of State, "Country Reports-2006: Moldova," Section 5, 6d.

²⁸⁰⁶ U.S. Department of State, "Country Reports- 2005: Ukraine," Section 5.

²⁸⁰⁷ U.S. Embassy- Chisinau, *reporting, August 26, 2005.*

²⁸⁰⁸ *Ibid.*

²⁸⁰⁹ U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine."

²⁸¹⁰ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global report 2004*, 2004; available from http://www.child-soldiers.org/document_get.php?id=917.

²⁸¹¹ U.S. Embassy- Chisinau, *reporting, August 26, 2005.* See also U.S. Department of State, "Country Reports-2006: Moldova," Section 6d.

²⁸¹² U.S. Embassy- Chisinau, *reporting, August 26, 2005.*

²⁸¹³ U.S. Department of State, "Country Reports- 2006: Moldova," Section 6d.

²⁸¹⁴ ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, technical progress report, RER/03/P50/USA, Bucharest, March 2005, 3.

²⁸¹⁵ U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine." See also Barbara Limanowska, *Trafficking in Human Beings in Southeastern Europe. 2003 Update on Situation and Responses to Trafficking in Human Beings in: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Serbia and Montenegro including the UN*

Under the law, trafficking victims are permitted to receive benefits, although there are no reports that anyone has done so.²⁸¹⁶ The inter-agency Center to Combat Trafficking in Persons is involved in law enforcement in trafficking cases.²⁸¹⁷ Border controls are inadequate, especially in Transnistria, and low-paid border guards and migration officials are susceptible to bribery.²⁸¹⁸ The government withdrew the licenses of several employment agencies and tourism companies for suspected involvement in trafficking activities.²⁸¹⁹

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The National Strategy of Labor Force Employment (2002-2008) aims to end discrimination against youth of legal working age in the labor market, which is considered an important anti-trafficking strategy.²⁸²⁰ The National Human Rights Action Plan was also revised to include measures to address trafficking in persons.²⁸²¹

The Government of Moldova had a Second National Action Plan to Prevent and Combat Trafficking in Persons (2005-2006).²⁸²² The government also participates in the Stability Pact for Southeast European Cooperative Initiative on Trafficking in Human Beings, which fosters regional cooperation and offers assistance to governments to combat trafficking.²⁸²³ In partnership with OSCE and the Council of Europe, the Ministry of Internal Affairs and the Ministry of Economy and Trade conducted a special training for trafficking investigators.²⁸²⁴ The Ministry of Economy and Trade has partnered on a small scale with international and local NGOs to provide employment assistance to victims of trafficking and to address the root causes that increase at-risk populations' vulnerability of being trafficked.²⁸²⁵

The Government of Moldova participated in a USD 1.5 million USDOL-funded ILO-IPEC regional project to combat the trafficking of children for labor and sexual exploitation. The project worked in partnership with local organizations to strengthen local anti-trafficking committees, support youth centers, provide training to representatives of trade unions and

Administered Province of Kosovo, the Former Yugoslav Republic of Macedonia, Moldova, and Romania., December 2003, 79; available from http://www.osce.org/documents/odhr/2003/12/1645_en.pdf.

²⁸¹⁶ U.S. Department of State, "Trafficking in Persons Report- 2006: Ukraine."

²⁸¹⁷ Ibid. See also U.S. Department of State, "Country Reports- 2006: Moldova," Section 5.

²⁸¹⁸ U.S. Department of State, "Country Reports- 2006: Moldova," Section 5.

²⁸¹⁹ Ibid.

²⁸²⁰ ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine, Moldova Country Strategy*, project document, RER/03/P50/USA, October 2004, 7.

²⁸²¹ ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, 2.

²⁸²² U.S. Embassy- Chisinau, *reporting, August 26, 2005*. See also ILO-IPEC, *Child Trafficking Project, progress report March 2006*, 3.

²⁸²³ Organization for Security and Cooperation in Europe, *Stability Pact for Southeastern Europe: Task Force on Trafficking in Human Beings*, [hard copy on file] accessed May 11, 2005], [hard copy on file]. See also U.S. Department of State, "Country Reports- 2006: Moldova," Section 5.

²⁸²⁴ OSCE, *Training Police to Combat Human Trafficking in Moldova*, [online] May 30 2005 [cited October 22, 2006]; available from <http://www.osce.org/item/14059.html>. See also Limanowska, *Trafficking in Human Beings, 2003*, 76.

²⁸²⁵ Centre for the Prevention of Trafficking in Women, *Trafficking in Children for Sexual Exploitation in the Republic of Moldova*, Chisinau, 2003; available from http://www.ecpat.net/eng/Ecpat_inter/projects/promoting_law/East-West_Research-2004/Moldova_ENG.pdf.

employers' associations, encourage employment for at risk youth, and improve rehabilitative care.²⁸²⁶ The project withdrew 34 children and prevented 359 children from exploitive labor in Moldova.²⁸²⁷ The government is also participating in the USD 3.5 million USDOL-funded second phase of the project (2006-2009). The project is operating in Albania, Bulgaria, the UN-administered Province of Kosovo, Moldova, Romania, and Ukraine. The project aims to withdraw 1,350 children and prevent 3,150 children from exploitive labor in the region.²⁸²⁸ The government is also participating in the USD 2.2 million German Government-funded ILO-IPEC project to combat child labor in the Stability Pact countries.²⁸²⁹ The Government of Moldova is also supporting three U.S. Government-funded anti-trafficking projects implemented by Catholic Relief Services, Winrock International, and UNDP. The projects aim to assist children and young women who were trafficked or at risk of trafficking.²⁸³⁰

Various U.S. Government donor agencies have supported establishing a network of transition centers for victims returned to Moldova who were trafficked and for those vulnerable to trafficking. The centers link victims to legitimate employment opportunities and strengthen law enforcement efforts.²⁸³¹

In November 2004, the World Bank and the International Monetary Fund (IMF) announced their support to implement the *Economic Growth and Poverty Reduction Strategy Paper (EGPRSP)*, which contains direct references to trafficking in persons.²⁸³² In an effort to provide youth in Moldova with developmental opportunities, the government's State Department for Youth and Sports has begun implementation of the National Youth Strategy that includes the establishment of 9 community centers for youth; non-formal education sessions that reach more than 14,000 young people; and financial support to 25 youth NGOs. A draft of the UN Country Common Assessment that will serve as a basis for the development of the UN's development framework for the years 2005 to 2008 has integrated child labor issues, including the trafficking of children.²⁸³³

²⁸²⁶ ILO-IPEC, *Combating Trafficking in Children for Labor and Sexual Exploitation in the Balkans and Ukraine*, technical progress report, Geneva, September 7, 2006. See also U.S. Department of State, "Country Reports- 2005: Ukraine," Section 6d.

²⁸²⁷ ILO-IPEC, *Combating Trafficking in Children for Labor and Sexual Exploitation in the Balkans & Ukraine*, technical progress report, Geneva, January 31, 2007, 63.

²⁸²⁸ ILO-IPEC, *Balkans Child Trafficking Phase II, project document*, cover page, 69.

²⁸²⁹ ILO-IPEC official, Email communication to USDOL official, November 16, 2006.

²⁸³⁰ ILO-IPEC, *Balkans Trafficking, technical progress report September 2006*, 19,20. See also Catholic Relief Services, *Moldova Employment and Training Alliance (META)*, technical progress report, Chisinau, January 31, 2007.

²⁸³¹ U.S. Embassy- Chisinau, *reporting, August 26, 2005*.

²⁸³² ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*,

2.

²⁸³³ Ibid.