U.S. DEPARTMENT of STATE

Moldova

Country Reports on Human Rights Practices - 2007
Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

Moldova is a republic with a form of parliamentary democracy, with an estimated total population of 4.2 million inhabitants; an estimated 533,000 persons live in the secessionist-controlled region of Transnistria. Approximately 750,000 Moldovans live outside of the country. The constitution provides for a multiparty government with power shared by the president, the executive, a unicameral Parliament, and the judiciary; however, in practice the three branches of government are heavily influenced by the presidency. Parliamentary elections in 2005 generally complied with most international standards for democratic elections. Communist Party leader Vladimir Voronin was reelected by parliament in 2005 as president for a second consecutive term. Civilian authorities generally maintained effective control of the security forces. Unless specifically stated, all references herein exclude the secessionist region of Transnistria.

The government generally respected the human rights of its citizens; however, security forces beat persons in custody and held persons in incommunicado detention, prison conditions remained harsh, and security forces occasionally harassed and intimidated the political opposition. There were reports of judicial and police corruption, arbitrary detention by police, and occasional illegal searches. The government attempted to influence the media and intimidate journalists, maintained some restrictions on freedom of assembly, and refused official registration to some religious groups. Persistent societal violence and discrimination against women and children; trafficking in women and girls for sexual exploitation; discrimination against Roma; limits on workers' rights; and child labor problems were also reported.

In 1990 separatists supported by Soviet military forces declared a "Transdniester Moldovan Republic" (Transnistria) in the area along the eastern border with Ukraine. The Moldovan government has very limited authority in the region. Approximately 40 percent of Transnistria's population is Romanian-speaking, 28 percent is Ukrainian-speaking, and 23 percent is Russian-speaking. A 1992 cease-fire agreement established a tripartite peacekeeping force composed of Moldovan, Russian, and Transnistrian units. Voting in the 2005 Moldovan parliamentary election did not take place in Transnistria; however, more than 8,000 voters residing in Transnistria voted at polling stations in government-controlled areas. Transnistrian authorities held separate legislative elections in 2005 and "presidential" elections in December 2006.

The human rights record of the Transnistrian authorities remained poor. They restricted the right of residents to change their government, and interfered with the ability of Moldovan citizens to vote in Moldovan elections. Transnistrian residents were expected to vote in Transnistrian elections. However Transnistrian residents cannot freely put themselves forward as candidates, nor can restricted Transnistrian media freely report on candidates or issues. Transnistrian elections were neither monitored nor recognized by international organizations. Torture and arbitrary arrest and detention continued to be problems, and prison conditions remained harsh. Transnistrian authorities continued to harass independent media and opposition lawmakers, to restrict freedom of association, movement, and religion, and to discriminate against Romanian-speakers.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings in the country, including Transnistria.

b. Disappearance

There were no reports of politically motivated disappearances during the year in the country, including Transnistria.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices and criminalizes inhuman treatment and torture; however, there were credible reports that police used cruel and degrading arrest and interrogation methods and that guards beat prison inmates. Under the law, inhuman treatment carries a sentence of eight to 15 years imprisonment; torture carries a sentence of 16 to 25 years.

In June the Organization for Security and Cooperation in Europe (OSCE) Mission to Moldova reported that jailed Gagauz activist and separatist Ivan Burgudji complained to visiting OSCE officials of being mistreated and subjected to humiliation during interrogation on charges of misappropriating funds. He also told OSCE officials that he had not received prompt medical treatment for severe back pain. On August 9, Burgudji underwent back surgery at the National Center of Neurological Surgery. At year's end he was reported to be in good health and remained in custody.

On July 13, the Moldova chapter of Transparency International (TIM) reported that the Prosecutor General's Office won convictions of five policemen from the Chisinau Central Police Station accused of torture and violent inhuman treatment. They received prison sentences of two to five years. The convictions stem from abuse cases that occurred in 2003 and 2004.

In one case, Andrei Chicu and Mircea Tataru received sentences of five years for detaining a person in November 2003 without cause and for using torture to obtain information about car thefts in the capital. In a second case, three policemen were found guilty of extortion and illegally detaining a person in 2004 who was already sentenced to jail. According to TIM, one of the policemen, Vladimir Ilisov, was sentenced to seven years in a closed penitentiary; the other two, Vitalie Sarbu and Ruslan Dondiuc, each received a two-year suspended sentence, a fine of $97 (1,054 lei), and both were deprived of the right to hold certain public offices for two years.

During the year the European Court of Human Rights (ECHR) ruled against the country in several cases involving inhuman treatment. For example, on January 16, the ECHR ruled that the government failed to conduct a proper investigation into allegations by Ion Pruneanu that police beat him in detention in 2002. On March 27, the ECHR determined that Viorel Istratii, arrested in 2004, was denied emergency medical attention and handcuffed to a heater. On May 10, the court ruled that Vladimir Modarca, arrested in 2004, was detained for 20 months with three other persons in a cell measuring 48 square feet; electricity and water were frequently cut off.

In Transnistria, the region's closed military court system regularly ignored reports of alleged hazing and abuse. According to a Chisinau-based NGO, some conscripts

were forced to march and run in boots that were several sizes too small.

On July 2, the Molodvan government rejected an ECHR ruling as "groundless" in the April 2006 torture case brought by Vitalii Kolibaba against police officers. Kolibaba filed the complaint in December 2006; the ECHR ruling referred the case back to the government for comment, pretrial resolution, or settlement.

There were no developments during the year in the 2006 case of Mihai Corsacov, who accused two police officers of torture. In April 2006 the ECHR ruled unanimously in favor of Corsacov. In September 2006, the Prosecutor General's Office opened a criminal investigation into the charges against the officers and passed the findings to the Hincesti court to examine its merits.

Prison and Detention Center Conditions

Conditions in most prisons, including those administered by Moldovan authorities and those in the separatist Transnistria region, remained harsh, dangerously overcrowded and in some instances life threatening**.** Cell sizes did not conform to local legal requirements or international standards. The incidence of malnutrition and disease, particularly tuberculosis, was high in all prisons. Conditions were particularly harsh in pretrial and presentencing facilities.

On September 17, the Department of Penitentiary Institutions announced that three prison guards were summarily dismissed for inhuman treatment or torture of prisoners. There were no developments in the government's investigation into the July 2006 death of a pretrial detainee in a hospital after being beaten by a group of police officers.

According to news reports during the year, inmates in Balti Prison were each allotted two square meters (approximately 36 square feet) of space. Juveniles were held together with adults, and all prisoners suffered from poor ventilation and low-quality food; 31 prisoners were diagnosed with HIV/AIDS.

The Bender prison, which is controlled by the government and housed 108 inmates, remained disconnected from municipal water, sewage, and electricity. A generator supplied electricity for four hours a day, and water was supplied in buckets.

In September, following a visit to the country, the Council of Europe's Committee for the Prevention of Torture (CPT) issued a preliminary report noting improvements in some areas. For example, authorities gave prisoners a summary of their rights, there were more employment opportunities inside the prisons, special rooms were set aside for prisoners with life sentences to meet with their families, and patients with tuberculosis received better treatment.

The CPT report also noted that physical mistreatment of prisoners almost always occurred at the time of arrest, and that a reduction in the overall number of detainees in detention centers that the CPT delegation visited had a positive effect on conditions. The report described allegations of physical abuse — electrical shock and beating the soles of the feet - as the most severe. However, in contrast to its previous report, the CPT did not use the term "life-threatening" to describe prison conditions.

Pretrial detainees were generally held apart from convicted prisoners, although there were reports of convicted prisoners remaining in detention facilities because of prison overcrowding. Children convicted of crimes were sent to adult prisons, where they were held in separate cells.

The government permitted independent monitoring of prison conditions by local and international human rights observers, and prison officials generally allowed observers to talk in private with inmates. The government cooperated with the International Committee of the Red Cross (ICRC) and permitted visits to prisoners in accordance with the ICRC's standard practices.

In March 2006 Transnistrian authorities allowed a CPT delegation access to all detention facilities that it had asked to visit. It was the CPT's third visit to the separatist region.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, in practice authorities did not observe these prohibitions.

In contrast with 2006, there were no reports of arbitrary arrest and detention.

Foreign nationals who attempted to conduct academic research in Transnistria were subjected to frequent involuntary interviews with state security services. Several Moldovan NGOs active in Transnistria reported frequent arbitrary stops by Transnistrian authorities, who on occasion confiscated legal rights training materials.

Role of the Police and Security Apparatus

The national police force is the country's primary law enforcement body. It is subdivided into regional and city police commissariats, which are subordinated to the Ministry of Interior. Police corruption remained a problem.

The Office of the Prosecutor General is responsible for investigating police activities. However, staff of the prosecutor's office stated that the Ministry of Interior often ignored, or only superficially examined, their reports of violations by police. An internal affairs unit that reported to the ministry investigated incidents of impunity and corruption.

Arrest and Detention

The law allows judges to issue arrest warrants based on evidence from prosecutors. Authorities must promptly inform detainees why they were arrested and describe the charges against them. Suspects may be detained without charge for 72 hours. The law provides accused persons the right to a court hearing; however, these rights were not always respected in practice.

Once charged, a detainee may be released on personal recognizance pending trial. The law provides for bail, but it was rarely used, and the bail system did not function well. Authorities generally did not authorize bail for detainees accused of violent or serious crimes.

On November 6, the ECHR called for the government to award opposition political party leader Eduard Musuc $17,500 (12,000 euros) in compensation for his illegal detention in 2006, and the violation of his rights to freedom. Musuc was arrested in September 2006 by the government's Center for Combating Economic Crimes and Corruption (CCECC) on charges of fiscal impropriety. In October 2006 a court set bail at the unprecedented level of $166,667 (two million lei). Musuc failed to pay bail and was jailed on March 7. He remained in detention for 47 days. On April 23, the Buiucani District Court rejected as groundless a request from the prosecutor general to indict Musuc and released him from detention.

Detainees have the right to a defense attorney; however, at times this right was restricted. Authorities generally did not grant detainees access to a lawyer until 24 hours after being detained. Police often told persons that they were witnesses in a case, questioned them without a lawyer present and subsequently detained them as suspects. Detainees were often informed of the charges against them without a lawyer present. The government required the local bar association to provide an attorney to indigent defendants but did not pay legal fees; such defendants often did not have adequate counsel. Detainees were generally allowed access to family members.

The law permits pretrial detention for up to 30 days. The courts may extend pretrial detention for up to 12 months, based on the severity of the charges. Detention of several months was common.

According to a November 2006 OSCE report on the country's trial procedures, trials were frequently postponed because of the absence of a key participant. In over half of trials that were monitored, prosecutors, defense attorneys, victims, or witnesses failed to appear in court with no explanation or prior notification.

In Transnistria security services continued to harass and detain persons suspected of being critical of the regime.

On June 22, Gagauz activist and separatist Ivan Burgudji was sentenced to 12 years in prison on charges of embezzling $6,825 (81,900 lei) in 2002 from the Gagauz regional budget to operate an office in the Transnistrian city of Tiraspol. Moldovan police arrested Burgudji in December 2006 without a warrant and did not promptly inform him of the charges. The OSCE Mission to the country expressed concern over the severity of the sentence, saying it raised questions about its proportionality to the alleged crime. In January the autonomous Gagauz Executive Committee declared that the decision to establish the Tiraspol office was made in 1999 by the Gagauz Peoples Assembly and was never challenged by Moldovan authorities. The committee refused a Ministry of Interior request to participate in the case against Burgudji, saying it had no complaint against him. Attorneys for Burgudji argued that the case was politically motivated because of their client's active support for Transnistrian and Gaguaz independence.

Amnesty

Amnesty was generally granted for persons sentenced to less than four years in prison.

On July 9, the Chisinau Court of Appeals amnestied former defense minister Valeriu Pasat. He was arrested in 2005 on charges of defrauding the government of millions of dollars and for unlawfully selling state property. In January 2006, following a closed civilian trial, a court sentenced Pasat to 10 years in jail. In October 2006 the appeals court acquitted Pasat of some of the charges and reduced his sentence to five years. Pasat, who supported opponents of the country's president in the March 2005 parliamentary elections, claimed that the charges against him were politically motivated.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, official pressure and corruption remained a problem. There continued to be credible reports that local prosecutors and judges asked for bribes in return for reducing charges or sentences, and observers asserted that courts were sometimes politically influenced.

Political factors played a role in the reappointment of judges. According to a January report by the American Bar Association/Central European and Eurasian Law Initiative (ABA/CEELI), younger judges, who hold initial five-year appointments, were vulnerable to executive-branch influence; their promotion is based on nontransparent criteria and subjective tests.

During the year the number of cases brought by Moldovans before the ECHR increased. On September 5, according to an OSCE report, Prime Minister Tarlev described the large number of adverse rulings from the ECHR as a major problem for the government. Since independence in 1991, the government has lost 104 cases filed with the ECHR and has been ordered to pay more than $2.7 million (1.88 million euros) in fines.

The judiciary consists of lower courts, courts of appeal, and the Supreme Court of Justice. A separate Constitutional Court has exclusive authority in cases relating to the constitutionality of draft and final legislation, decrees, and other governmental acts. The Constitutional Court was the only court generally regarded as fair and objective. The Office of the Prosecutor General is autonomous and answers to parliament. It is responsible for overseeing criminal investigations, prosecuting charges, and protecting the rule of law and civil freedoms. Prosecutors may open and close investigations without bringing the matter before a court, giving them considerable influence over the judicial process.

The military court system is separate but generally has similar problems of corruption and inefficiency. The jurisdiction of military courts extends to crimes committed by active duty, reserve and retired military personnel. Military courts can also try civilians for crimes committed against military personnel.

Trial Procedures

By law defendants in criminal cases are presumed innocent; however, in practice a prosecutor's recommendation carried considerable weight and limited a defendant's presumption of innocence. Cases were presented to a judge or to panel of judges. Defendants had the right to a lawyer, to attend proceedings, to confront witnesses, and to present evidence. The law requires the local bar association to provide an attorney to defendants who cannot afford one. Prosecutors occasionally used bureaucratic maneuvers to restrict lawyers' access to clients. Defense attorneys were able to review evidence against their clients when preparing cases. Convicted persons have the right to appeal to a higher court.

A November 2006 OSCE report, which was based on a six-month trial monitoring project in Chisinau, found a range of problems at the district and appeal court levels. For example, 80 judges in five district courts in Chisinau had access to only 12 courtrooms; as a consequence, 71 percent of trial hearings were held in judges' offices, where hearings were often interrupted by individuals requesting signatures, seeking to lodge complaints, or wishing to visit the judge. While most judges acted professionally, others engaged in frequent ex parte communications with prosecutors and defense attorneys, thus creating an appearance of impropriety. Space limitations during proceedings placed victims and witnesses in close proximity to defendants; victims and witnesses were often treated abusively and insensitively. Public access to trials was hindered because many judges did not publicly post their calendars or schedules of cases. Most court clerks were not diligent about their duties and some did not properly record trial proceedings. Delays and postponements bred disenchantment and eroded respect for trial proceedings

The law provides for defendants to have an interpreter; however, the OSCE trial monitoring report observed a shortage of interpreters, a lack of knowledge of legal terminology, and tendency to mix Romanian and Russian terms. Nearly 40 percent of court interpreters did not translate in a fully satisfactory manner. The OSCE report also noted that judges at times ordered proceedings to be conducted in Russian, even though some participants complained they could not understand the language.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

In June Transnistrian authorities released the final two members of the "Ilascu Group," Andrei Ivantoc and Tudor Petrov-Popa, who spent 15 years in prison at hard labor. They were arrested in 1992 and convicted of anti-Soviet activities and killing two Transnistrian officials. On July 12, the European Parliament adopted a resolution condemning severe and widespread human rights violations in the separatist region. As examples, the resolution noted the cases of Ivantoc and Petrov-Popa, who were cited as having been subjected to "degrading treatment."

Civil Judicial Procedures and Remedies

By law citizens can seek damages in civil courts for human rights violations. Under the constitution, the government is liable in cases where authorities violate a person's rights by administrative means; fail to reply in a timely manner to an application for relief; or make damaging errors during prosecution. However, judgments awarded in such cases were small and frequently not enforced.

During the year the ECHR issued a total of 61 adverse decisions on human rights violations, bringing the overall total since 1991 to 104. Of the 61 decisions, 29 faulted the authorities for not enforcing judgments in cases involving property disputes; 20 involved unlawful arrests and inhuman treatment; seven dealt with freedom of expression; four involved fair trial or access to courts, and one involved religious freedom. On March 15, Minister of Justice Vitalie Pirlog publicly criticized the courts for repeating "the same inadmissible mistakes."

While the law provides for restitution of property and compensation for victims of political repression, commissions set up to receive petitions have not been funded to make payments. In Chisinau, where $500,000 of funding (6 million lei) was allocated for compensation, there was no commission to make payments. Applicants must prove a direct causal connection between political repression and the seizure of their properties to receive restitution.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions; however, the government did not respect these prohibitions in practice.

It was widely believed that authorities, including the Ministry of Interior, the Prosecutor General's Office, and the Security and Information Service, continued to conduct illegal searches and wiretaps. By law judges may authorize legal wiretaps only in cases where a criminal investigation is underway; however, in practice the judiciary lacked the ability to prevent illegal wiretaps by security organizations and police. Courts continued to accept evidence that was obtained illegally.

During the year opposition politicians repeated allegations that government authorities were monitoring them illegally. Some politicians reported that unidentified persons, whom they believed to be members of the security services, openly filmed and recorded their public appearances.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, the government sometimes restricted these rights and on occasion journalists were intimidated into practicing self-censorship.

Public criticism of the government was generally allowed; however, members of the media and local NGOs believed that authorities attempted to impede criticism made by influential persons. During the year, according to international NGOs that monitor media practices, overall media freedom has deteriorated despite some progress with media law reform. For example, the Freedom House annual freedom of the press survey has rated the country's media as "not free" for the past four years. The country's last "partly free" media rating by Freedom House was in 2003.

The print media expressed diverse political views and commentary. The broadcast media were weaker in this regard because local private broadcasting was limited. The government continued to influence the media through its role in distributing broadcast licenses and its financial support for privatized media outlets, including the public radio and television broadcaster Teleradio Moldova (TRM), which covered most of the country.

The broadcasting code regulates the activity of private television and radio stations, the government-controlled public broadcaster TRM, and the government's main regulatory authority for broadcasting, the Audiovisual Coordinating Council (ACC). Local media NGOs have expressed concern that the code places all public television and radio stations under TRM's control, which could stifle independent media.

The government owned the Moldpress News Agency; local and city governments subsidized approximately 25 newspapers. Political parties and professional organizations also published newspapers with circulation of less than 15,000. The government did not restrict foreign publications, but most were not widely circulated because of their high cost. Newspapers from Russia were available; some published special weekly supplements for the country.

Several privatized newspapers, including the formerly government-owned *Moldova Suverana* and *Nezavisimaia Moldova*, continued to publish favorable reports about the government's activities and to exclude reports about opposition figures and alternative viewpoints. Opposition party-owned and independent newspapers, such as *Flux, Timpul, Jurnal de Chisinau,* and *Ziarul de Garda*, published more diverse views and articles critical of the government and its policies.

According to the ACC, there were 47 radio stations and 213 television stations and cable operators in the country. Most of them rebroadcast programs from Romania, Russia, and Ukraine and offered a limited amount of locally produced programming. Other foreign programs, including international news broadcasts, were available by subscription from private cable television operators. Some local governments, including that of the autonomous territory of Gagauzia, also operated television and radio stations and newspapers.

The controversy over the government's nontransparent privatization of the public broadcasters Radio Antena-C and Euro-TV continued during the year. In January the two stations were sold for approximately $287,000 (3.5 million lei). According to local news reports, Radio Antena-C was sold for approximately $123,000 (1.5 million lei), and Euro-TV was sold for approximately $164,000 (2.0 million lei). The purchasers of both stations were alleged to be supporters of the ruling Communist Party.

The controversy began in December 2006 when the Chisinau Municipal Council dismissed the directors of the two stations, which often criticized the government. Antena-C's signal was interrupted and police surrounded the station to prevent staff from entering. Many journalists at both stations were dismissed. Opposition parties, NGOs, and the international community expressed concern about the council's action, since it deprived the public of important alternative sources of information. Journalists at the two stations unsuccessfully challenged the privatization in court, but other cases brought by journalists who were dismissed were ongoing at year's end.

On March 14, officials from 14 Western diplomatic and international organizations issued a statement criticizing the sale and privatization of Radio Antena-C and Euro TV, noting a "worrying trend" in efforts by the government to limit the space for the free flow of information.

On February 20, a six-member group of local media outlets spoke out against the ACC's unexplained refusal to renew the broadcast license of a popular FM station in Balti. In a statement the group said the suspension of the station, appeared to be an example, together with the actions against Radio Antena-C and Euro TV, of authorities attempting to limit a plurality of opinion and criticism of the government ahead of local municipal election campaigns.

On May 23, the ACC criticized Teleradio Moldova for slanted coverage of progovernment candidates who were campaigning in nationwide municipal elections. According to an analysis by the Electronic Press Association, one-third of the public broadcaster's news reports praised the government and government officials. On August 1, Prime Minister Tarlev complained that TRM was not reporting enough about government accomplishments and stated that the government was drafting an agreement to stipulate what TRM should broadcast about the government.

Opposition ACC members continued to complain about central government pressure, principally in the form of what they called abusive and arbitrary investigations of extortion. On July 31, the nine-member ACC removed its progovernment chairman and elected opposition representative Vlad Turcanu. However, Turcanu's election was

not officially recognized, and he could not assume the chairmanship. On September 19, allegedly in response to government pressure, the ACC elected a new progovernment chairman, Gheorghe Gorincioi.

In contrast to previous years, no new libel cases were reported during the year. Libel is no longer a criminal offense and the law limits the amount of fines that can be claimed for slander. However, journalists reportedly continued to practice self-censorship and avoid controversial issues out of concern that government officials and other public figures could use civil defamation laws to retaliate for critical news coverage.

On March 28, in response to detention by police of two television news crews who were filming a peaceful protest in the capital, the head of the OSCE mission in the country issued a statement expressing concern over restrictions of freedom of the media. The statement characterized police actions against Pro TV and DTV and police confiscation of videotape showing the arrests as "neither proportional nor necessary in a democratic society."

There were no developments in the October 2006 bribery case against Ghenadie Braghis, sales director of the independent Pro-TV media company. Braghis was arrested in September 2006 and detained for 10 days on allegations of bribery. Following his release, the prosecutor general reinstated bribery charges. Observers stated that Braghis's arrest may have been politically motivated as retaliation for critical Pro-TV news reports about the interior minister. While in detention, Braghis was held incommunicado and denied prompt access to legal counsel.

In Transnistria authorities sharply limited freedom of speech and of the press. Alternative viewpoints were subjected to widespread censorship, and residents were wary of voicing alternative opinions and engaging in meaningful debate over key issues affecting the separatist region.

It was difficult to register, maintain, and financially sustain independent newspapers, radio stations, or television stations in Transnistria, though several existed. Most newspapers from government-controlled areas did not circulate widely in Transnistria, although they were available in Tiraspol.

Both of Transnistria's major newspapers, *Pridnestrovie* and *Dnestrovskaya Pravda*, were official publications of the separatist administration. One independent weekly newspaper was published in Bender and another in the northern city of Ribnitsa. However, according to a study by a western academic researcher, the Ribnitsa-based *Dobryi Den* newspaper did not publish any articles critical of Transnistria or separatist authorities. Separatist authorities harassed independent newspapers for critical reporting of the Transnistrian regime. Opposition newspapers in the region, such as *Novaia Gazeta* and *Chelovek i yevo Prava* (Man and His Rights) were published, but had limited circulation of about 3,000.

Other Transnistrian media that printed reports critical of the secessionist authorities also had small circulations and appeared either weekly or monthly.

The majority of television and radio stations in Transnistria were controlled by the authorities, who largely dictated editorial policies and financial operations. Some broadcast networks, such as the TSV television station and the INTER-FM radio station, were owned by Transnistria's largest commercial entity, Sheriff Enterprises. The enterprise also effectively controlled the Obnovlenie Party, which held a majority of seats in the region's legislature. The other major television station in the region, Transnistrian Moldovan Republic TV, is operated by the Transnistrian government. While these outlets on occasion expressed alternative views on social and economic policy, Transnistrian authorities sharply criticized any mention of compromise with the Moldovan government or questioning of Transnistrian "independence."

Internet Freedom

There were no reports of government restrictions on access to the Internet or of government monitoring of e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail.

An estimated 11.5 percent of the country's population could access the Internet. While few could afford computers and private access to the Internet, public access at cafes in major cities around the country was readily available.

In Transnistria, Internet connections were available in most parts of the region, and most residents accessed the Internet through publicly available computers at cafes. One single company, Sherriff, was the sole Internet provider in the region.

Academic Freedom and Cultural Events

On September 3, Transnistrian authorities cordoned off the Romanian-language secondary school in Corjova and threatened to close it for playing the country's national anthem at a school ceremony. Authorities also threatened school principal Constantin Sucitu with "unpleasant consequences" if he again violated Transnistrian law.

On October 16, a bust of Romanian writer Liviu Rebreanu was unveiled in Chisinau's central park. Authorities had refused to allow installation of the bust since 2003, characterizing it as a symbol of Romanian nationalism.

There were no developments regarding the "integrated history" course that the Ministry of Education attempted to introduce for preuniversity students in 2006. Academicians had condemned the course for reflecting Stalinist ideas and promoting xenophobia and anti-Romanian sentiments.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly; however, at times the government limited this right in practice. On several occasions local authorities arrested and detained citizens during peaceful protests and later released them without charges.

On March 22, Chisinau municipal authorities banned the NGO Hyde Park from holding demonstrations at the Ministry of Foreign Affairs, the local office of the European Commission, and at the Romanian Embassy, to protest discrimination against ethnic Romanians. On March 27, police arrested and fined 15 Liberal Party members as they attempted to lay wreaths on the graves of National Assembly members who voted for reunification with Romania in 1918. Members of two television film crews were also arrested and detained; their videotape was confiscated.

On April 11, Chisinau municipal authorities refused the gay rights NGO GenderDoc-M permission to hold a demonstration calling for legislation to bar discrimination on the basis of sexual orientation. The denial was issued despite a February 13 Supreme Court ruling that a similar ban in 2006 was a violation of the right of assembly. On May 8, Chisinau Municipal authorities banned Amnesty International (AI) Moldova from gathering on Victory Day in memory of World War II veterans and women who had suffered in armed conflicts.

In Transnistria authorities usually did not permit free assembly; on those occasions when they did issue permits for demonstrations, authorities often harassed organizers and participants and ordered that the demonstrations take place in obscure locations away from city centers. Permits for demonstrations and public meetings were issued predominantly to organizations and groups loyal to the authorities.

On March 11 and 12, Transnistrian police preemptively arrested 10 persons who had planned a protest rally against the regime on March 13. At year's end there was no information regarding their whereabouts.

Freedom of Association

The constitution provides for freedom of association and states that citizens are free to form parties and other social and political organizations; however, the constitution also prohibits organizations that are "engaged in fighting against political pluralism," the "principles of the rule of law," or "the sovereignty and independence or territorial integrity" of the country.

In Transnistria, authorities restricted freedom of association by intimidation and prosecution for alleged offenses or on fabricated charges. In April 2006 Transnistrian leader Igor Smirnov issued a decree prohibiting external financing of NGOs. After criticism from the international community and Transnistrian NGOs, Smirnov changed the decree to prohibit external financing of only those NGOs that are directly "engaged in political activities."

On August 10, the Transnistrian government promulgated a law that gives the authorities broad and vague powers to fight extremism, which is defined was promotion of mass disorder, public defamation, or acts to change the constitutional order.

On October 25, the Tiraspol City Court gave Transnistrian Communist Party leader Oleg Horjan a suspended prison sentence of 18 months, and fined him approximately $120 (1,000 Transnistrian rubles) for organizing unauthorized protest rallies in March and resisting arrest. Horjan was not permitted to participate in election campaigns during the period of his prison sentence, and faced mandatory prison time if found guilty of any further offense.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice; however, the law includes restrictions that inhibit the activities of unregistered religious groups. There is no state religion; however, the Moldovan Orthodox Church received favored treatment from the government. For example, the Metropolitan of Chisinau and All Moldova is issued a diplomatic passport, a privilege accorded to no other religious leader.

In Transnistria, separatist authorities continued to deny registration to a number of minority religious groups and harassed their members.

On July 26, parliament passed a new religion law that requires religious groups to register with the Ministry of Justice. Previously, religious groups were required to register with the State Service for Religious Affairs (SSRA). Unregistered religious groups may not buy land or obtain construction permits to build churches or seminaries.

The new law notes the special status of the Moldovan Orthodox Church in the country's history and culture and simplifies registration procedures. However, it includes a new requirement for groups to obtain signatures from 100 citizens to register as a national religious organization. The law also allows religious groups more access to public places, permits congregations to switch denominational allegiance, but expands the definition of "abusive proselytism" to include psychological manipulation and subliminal techniques.

The SSRA was dissolved on October 16. All registration files were to be transferred to the Ministry of Justice within two months, and unresolved applications were to be transferred within 15 days. At year's end no religious organization had reported attempts to register with the Ministry of Justice.

Before it was formerly dissolved in October the SSRA still had not registered the True Orthodox Church of Moldova, despite a 2002 Supreme Court ruling in the church's favor and a February 27 ruling by the ECHR, which fined the government $15,600 (12,000 euros) for not registering the Church. The Ukrainian Orthodox Kyiv Patriarchate, the Central Muslim Spiritual Board of Moldova, a variety of Protestant congregations, and the Spiritual Organization of Muslims in Moldova continued to encounter bureaucratic obstacles to registration.

The SSRA, prior to its dissolution, continued to maintain that Muslim organizations had failed to present necessary documents for registration. The Spiritual Organization of Muslims (SOM) reported that a hearing on their case before the Chisinau Court of Appeals was again postponed because a Ministry of Justice representative was not available. The appeals court was also awaiting a justice ministry decision on the registration of the Ideli Tatar Muslim community. On December 9, the SOM affirmed its constitution and planned to register with the Ministry of Justice as soon as new administrative structures were available.

On August 29, members of the Unification Church approached the SSRA to register their church under the provisions of the new religion law. An SSRA representative told members to return in three months when new Ministry of Justice administrative structures would be in place.

In December 2006 the SSRA registered the Church of Jesus Christ of Latter-day Saints (Mormons) in response to a Supreme Court ruling. The SSRA action ended a six-year legal effort by the Mormons to obtain official government recognition.

On October 2, the Transnistrian Constitutional Court ordered the separatist government to comply with its August 16 order, which determined that the Jehovah's Witnesses should be accredited and permitted to import literature. On November 29, the Tiraspol City Court recognized Jehovah's Witnesses' right to have their new charter registered.

The ruling ended a two-a-half-year legal battle with the Tiraspol city prosecutor to request registration documents that are required to obtain accreditation. The prosecutor had twice ordered the community to bring its charter into compliance with the law.

On October 8, Igor Velikanenko of New Life Mission was arrested and questioned for nine hours after he attempted to distribute free copies of a Protestant magazine in Tiraspol. Police charged him with illegally importing the magazines, even though they were cleared for entry by Transnistrian customs. Velikanenko paid a fine of $139 (1,170 Transnistran rubles). His car was confiscated for eight days, but the magazines were not returned.

In August 2006 Transnistrian authorities forced the Ribnitsa-based nonprofit Pentecostal Christian charity Missia Svet (Light Mission) to change its name to the more secular-sounding Lucia Svet (Lucia Light) and closed down its drug rehabilitation center.

Foreign missionaries, like all other foreigners, may enter the country for 90 days on a tourist visa. Although the new religion law prohibits "abusive proselytizing," the government did not take legal action against individuals or organizations for proselytizing. However, police and other local authorities frequently call visiting foreign missionaries into police stations for extensive questioning about religious and charitable services offered by the missionaries.

The new religion law does not address property restitution. However, the Law on Rehabilitation of Victims of Political Repressions provides for restitution of property confiscated during the Nazi and Soviet regimes to religious communities. Claims by the Moldovan Orthodox Church have been favored over those of other religious groups and the church has recovered nearly all of its property. In cases where property was destroyed, the government offered alternative compensation. Property disputes between the Moldovan and Bessarabian branches of the Orthodox Church have not been resolved; representatives of the Bessarabian Orthodox Church claimed that their property rights were still being violated.

While the Lutheran Church reports that authorities have not returned or provided compensation for any of their pre−World War II properties, the Jewish community has had several of its properties restored.

Societal Abuses and Discrimination

Members of Jehovah's Witnesses complained that local town councils and Orthodox priests and their adherents continued to impede their ability to practice their religion freely.

In Transnistria, non−Orthodox groups complained that they were generally not allowed to rent property and were often harassed during religious services.

The Jewish community had approximately 25,000 members, including 2,600 living in Transnistria. Synagogues functioned openly in the country, without harassment.

On March 25, five tombstones were knocked over in the Jewish cemetery in Chisinau. Jewish leaders considered the act to be a minor incident and stated that they had not experienced anti−Semitism during the year. On March 28, authorities arrested five young men in connection with the incident on suspicion of vandalism and desecrating a Jewish cemetery.

For a more detailed discussion, see the 2007 International Religious Freedom Report.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for these rights, and the government generally respected them in practice. Transnistrian authorities at times restricted travel to and from the separatist region. On several occasions during the year Western diplomats stationed in Chisinau were denied entry into the secessionist region for routine visits. However, on other occasions, they were allowed in.

On September 19, the Transnistrian legislature approved a measure to cancel a "migration tax" that was levied on Moldovans from government−controlled areas and on some foreign nationals who crossed into Transnistria. The new measure was intended to take effect in 2008.

Transnistrian authorities often stopped and searched incoming and outgoing vehicles. According to the local Helsinki Committee, waits of up to two hours at Transnistrian customs occurred from time to time, as did arbitrary fines and seizures of the goods of persons entering or exiting the region.

During the year the length of stay for short−term visitors to Transnistria was lowered from 24 to 10 hours. A longer stay required an official letter of invitation and registration at a local passport office. Transnistrian authorities allowed farmers from government−controlled villages in the Dubasari region of Transnistria to travel to areas outside Transnistria to sell their produce. However, in August Transnistrian authorities prohibited farmers from harvesting their crops unless a Transnistrian customs officer was present. Farmers were required to provide transport for these officers from Tiraspol to their fields, which were approximately 20 miles (30 kilometers) away.

Moldovan law prohibits forced exile, and the government did not employ it.

Moldovan citizens residing in Transnistria reportedly requested permission from the Moldovan government to perform military service in government−controlled areas to fulfill Moldovan government legal requirements and to avoid the harsh treatment meted out to conscripts in Transnistria. However, according to the legal rights NGO Promo−Lex, Moldovan authorities refused all requests and advised their citizens to complete military service in Transnistria.

Citizens generally were able to depart from and return to the country freely; however, there were some limitations on emigration. The law requires persons wishing to emigrate to first meet all outstanding financial obligations to other persons or legal entities. However, this requirement was not strictly enforced in practice. Close relatives who are dependent on a potential emigrant for material support must also give their concurrence.

Protection of Refugees

The law provides for the granting of asylum or refugee status to persons in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution. The government granted refugee status and asylum.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 UN convention and its 1967 protocol. During the first 11 months of the year 68 persons filed for asylum. Of that number 18 received asylum; 35 applications were rejected and 15 others were administratively closed. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

As of November 30 there were 150 refugees in the country, according to the UNHCR. The majority of refugees and asylum seekers were from the former Soviet Union, including Russia, particularly its breakaway region Chechnya and Armenia; others were from the Middle East and African countries.

Stateless Persons

As of September 30, there were 1,623 stateless persons with permanent residence in the country, and two with temporary residence. Stateless persons may obtain Moldovan citizenship only if they marry Moldovan citizens. Moldovan citizenship is derived by birth within the country's territory (jus soli) and from one's parents (jus sanguinis).

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right in practice in most of the country through periodic, generally free and fair elections held on the basis of universal suffrage; however authorities at times harassed and intimidated the political opposition.

In Transnistria authorities restricted the right of residents to change their government and interfered with the right of Moldovan citizens to vote in Moldovan elections. For example, during the country's municipal elections in June, authorities aggressively blockaded a polling station at the Transnistrian town of Corjova, which was under central government administration, and beat local councilor Iurie Cotofana. They also arrested mayoral candidate Valentin Besleag without revealing charges against him. At year's end Besleag remained in prison, and Transnistrian authorities had not released details of the charges against him.

The country's constitution provides for a form of parliamentary government. Parliament elects the president by a three-fifths majority vote. The president appoints the prime minister, who in turn names a cabinet. Parliament must approve both the prime minister and the cabinet.

Elections and Political Participation

Multiparty parliamentary elections in 2005 complied with most international standards for democratic elections. While the balloting was free and fair, an OSCE election observation mission reported that campaign conditions and media coverage preceding the vote "were not satisfactorily equitable." As a result, the elections fell short of meeting standards "central to a genuinely competitive election process." Restrictive legal provisions and interference by authorities, in particular at the local level, hampered the campaigns of some candidates, particularly those representing the opposition.

There were 21 women and 26 members of ethnic minorities in Parliament. One woman and three minority members sat in the 21-member cabinet. Russian, Ukrainian, Bulgarian, Azeri, and Gagauz minorities were represented in Parliament.

Nationwide municipal elections were held on June 3 and June 17. An OSCE international election observation mission reported that the elections were generally free and well administered. However, while voters had a genuine choice of candidates, there were shortcomings, including intimidation of candidates and media bias.

For example, there were credible reports of harassment of opposition candidates by the ruling Communist party and authorities, which led to some candidate withdrawals. There also was misuse of state funds and equipment to promote Communist Party candidates and unbalanced media coverage that benefited progovernment candidates. However, the Communist Party lost its majority control of local governments; it went from controlling 29 districts to controlling 11. The party also lost the mayor's race in Chisinau to a Liberal Party candidate who polled 61 percent of the vote.

The Gagauz Christian Turkic minority enjoyed local autonomy in Gagauzia in the southern part of the country. According to the OSCE and the Council of Europe, the two rounds of voting for governor of Gagauzia in December 2006 were held in a generally orderly manner and complied with most international standards. Opposition candidate Mikhail Formuzal was elected governor for a four-year term.

In Transnistria authorities restricted the right of residents to change their government and interfered with their ability to vote. Lack of education about voting rights, lack of transparency regarding the location of polling places, restrictions on media, widespread progovernment propaganda, and complex rules for transferring one's right to vote to one's district of residence interfered with residents exercising their right to vote.

Elections in 2005 for the Transnistria region's Supreme Soviet gave 23 out of 43 seats to the Obnovlenie (Renewal) Party and 13 to the Respublika (Republic) Party of "president" Igor Smirnov. In the December 2006 elections for Transnistrian "president," Smirnov, was elected for a fourth consecutive time, receiving 82.4 percent of the vote according to official results. However, exit polls showed that Smirnov received 63.3 percent. None of the elections in the secessionist region have been monitored or recognized by international organizations.

Government Corruption and Transparency

The law provides provide criminal penalties for official corruption; however, the government did not implement these laws effectively, and corruption was reported by various NGOs and international organizations to be pervasive throughout government and society. The World Bank's worldwide governance indicators reflect that corruption was a serious problem.

The government has acknowledged that corruption is a major problem and established special law enforcement agencies, such as the Center for Combating Economic Crimes and Corruption (CCECC) and judicial units to fight corruption; however, some observers asserted that authorities used these units to harass political opponents.

During the year the CCECC opened 29 criminal cases against representatives of the judiciary on charges of fraud, corruption and trafficking of influence (requesting money and pretending to pay judges in return for a favorable decision). At year's end, no developments were reported on the status of these cases.

The law provides for free public access to official information; however, its implementation remained problematic. According to a 2006 Freedom House report, 82 percent of ministries and state agencies in Chisinau provided required information. However, only nine percent of town halls, 24 percent of local police stations, and 25 percent of courts responded to requests for information.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups generally operated in the country without government restriction, investigating and publishing their findings on human rights cases.

However, international observers noted that government authorities and other officials often did not cooperate with or respond to the views of local independent NGOs, and that many NGOs lacked the institutional capacity to influence the government meaningfully. During the year the government involved NGOs in public discussions on plans for national development and efforts to combat trafficking in persons. Numerous local NGOs also cooperated with international organizations and foreign embassies to observe the campaigns leading up to the June municipal elections.

In Transnistria, authorities continued to impede activities of human rights groups. For example, the interior ministry's migration service frequently blocked entry of NGOs into the region that had planned to meet with human rights counterparts and other contacts.

The government continued to cooperate with the OSCE mission on international efforts to resolve the longstanding Transnistrian conflict. The OSCE participated in the Joint Control Commission, which monitored compliance with the 1992 cease-fire agreement that the government negotiated with Russian and Transnistrian officials. Transnistrian authorities frequently limited OSCE access to the separatist region, including the three-mile security zone dividing Transnistria from the rest of the country. On August 1, authorities in Transnistrian-controlled Bender city forced the OSCE to evacuate and close its regional office there without explanation. Authorities also intimidated property owners to prevent them from renting new office space to the OSCE. In September the OSCE found office space near Bender in a building not under official Transnistrian jurisdiction.

The law provides for three parliamentary ombudsmen who make up the independent Moldovan Human Rights Center (MHRC). Parliament appoints the ombudsmen to examine claims of human rights violations, advise Parliament on human rights problems, submit legislation to the Constitutional Court for review, and oversee MHRC operations. MHRC personnel also provided training for lawyers and journalists, visited prisons, made recommendations on legislation, and organized roundtable discussions.

On July 26, Parliament enhanced the powers of the ombudsmen, granting them authority to independently select the places and persons they visit and to use audiovisual equipment and the assistance of specialists such as physicians, lawyers, and NGOs.

In 2006 the MHRC reported receiving 1,913 petitions (of which 1,008 came from prisoners) and granting 1,715 interviews. The MHRC also received more than 6,000 calls to its hot line and hits on its Web site. The MHRC report also noted little or no progress in the provision of access to justice and a fair trial, execution of court decisions, and no improvement in prison conditions.

In Transnistria authorities continued to control and intimidate NGOs by "inviting" NGO representatives to meetings with security officials and pressuring landlords not to renew leases for office space. Authorities restricted NGOs to providing legal advice and other assistance on apolitical programs, such as domestic disputes, access for the handicapped, and pension rights.

In March 2006, Transnistrian leader Igor Smirnov signed a decree, "to ensure security," prohibiting NGOs from receiving foreign funding and authorizing authorities to close any organization that violated the decree. Following international criticism, Smirnov altered the decree to prohibit only funding of NGOs directly engaged in political activities. Observers regarded the modified decree as a slight improvement, but still unduly restrictive.

The Chisinau-based NGO Promo-Lex reported that its members were stopped and questioned several times when attempting to enter Transnistria. While Promo-Lex members were ultimately allowed to enter, on occasion they cancelled visits to protect their employees inside Transnistria.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, or social status; however, trafficking in persons and societal discrimination against women and some ethnic minorities, particularly Roma, were problems.

Women

The law criminalizes rape or forcible sexual assault but does not specifically address spousal rape; penalties range from three years to life in prison. During the first eleven months of the year, 249 cases of rape were reported to the Ministry of Interior (MOI). Of that number, 147 cases were prosecuted. However, most observers believed that many rapes were not reported. There were no specific government activities to combat rape.

Domestic violence against women and spousal abuse remained a widespread problem; however the law does not specifically address or define domestic assault.

Women's groups continued to assert credibly that incidents of spousal abuse were underreported. According to the Ministry of Interior, 2,519 cases of spousal abuse were reported during the year; in 2006 2,855 domestic violence complaints were reported. However, the actual numbers were believed to be much higher.

The government supported education efforts, usually undertaken with foreign assistance, to increase public awareness of domestic violence and to train public and law enforcement officials to address the problem. The city of Chisinau operated a women's shelter for victims of domestic violence. Private organizations operated services for abused spouses, including a hotline for battered women.

Prostitution is not criminalized; however, pimping is a crime with penalties ranging from two to seven years in jail. Prostitutes may be penalized under civil law with fines or administrative detention of up to 30 days. Prostitution was widespread, and observers noted that sex tourism continued to grow, particularly in upscale hotels in Chisinau.

Trafficking in women for commercial sexual exploitation was a serious problem.

The law does not prohibit sexual harassment, but it was a common problem.

Women have the same legal rights as men. In practice, women, who constituted approximately 50 percent of the workforce, received equal pay for equal work; however, women did not hold high-paying jobs in the same proportion as men.

Children

The government is committed to children's rights and welfare.

Extensive legislation protects children, and the government provided supplementary payments for families with many children; however, conditions for children in the country remained difficult.

Primary education was free and compulsory until ninth grade. However, many inadequately funded schools, particularly in rural areas, charged parents for school supplies. While not illegal, such fees contradicted the government's policies and resulted in some parents keeping their children at home. Government and local authorities provided annual assistance of $30 (300 lei) to children from vulnerable families for school supplies.

According to a 2006 report of the UN Childrens Fund (UNICEF), the percentage of children attending primary school dropped from 94% to 88% between 2000 and 2005. Approximately 16,000 young people between the ages of 15 and 16 leave the educational system each year without any professional qualifications. Secondary school enrollment was approximately 88.5 percent, with little difference in the rates for boys and girls. However, according to the Moldovan Human Rights Center (MHRC), secondary school attendance was decreasing because of absent parents (many of whom were working abroad), and the lack of preschools in rural areas were limiting educational opportunities.

The law prohibits child neglect and specific forms of abuse, such as forced begging; however, child abuse was believed to be widespread. No government statistics were available on the extent of the problem. In 2006 the NGO National Center for Child Abuse Prevention reported that it registered 116 cases of abuse.

Trafficking of children for the purpose of sexual exploitation and begging remained a problem. According to the Center to Combat Trafficking in Persons, 28 children under 18 were trafficked in the first six months of the year, compared to 61 in 2006. However, the actual numbers are believed to be much higher.

Conditions for children in orphanages and other institutions remained generally very poor. Underfunding caused major problems such as inadequate food, "warehousing" of children, lack of heat in winter, and disease. In its 2006 report, the MHRC stated that 85 percent of 10,350 institutionalized children were not orphans; one or both parents were living, and had entrusted their children to institutions because of poverty or departure to work abroad.

Trafficking in Persons

The law prohibits trafficking in persons and provides for criminal penalties. However, trafficking was a serious problem and the country remained a major source, and to a lesser extent, country of transit, for trafficked persons, particularly women and girls for sexual exploitation.

Women and children were trafficked for sexual exploitation to Turkey, Israel, the United Arab Emirates (UAE), Ukraine, Russia, Cyprus, Greece, Albania, and to West European countries such as Austria, France and Portugal. Men and children were trafficked to Russia and neighboring countries for forced labor and begging. According to the latest available figures for 2005 and 2006 from the International Organization for Migration (IOM), 52 percent of the 1,568 Moldovan trafficking victims it assisted were between 19 and 24 years old. The vast majority of the victims were female; 13 percent were male. Approximately 56 percent of victims came from rural areas. The majority of victims (82 percent) were subjected to sexual exploitation, 11 percent were exploited for labor, 4 percent were forced into begging, and 3 percent suffered from multiple types of exploitation. The number of victims returned from the UAE increased from nine in 2005 to 39 in 2006.

The country was to a lesser extent also a transit point for trafficked victims from Ukraine, and there were reports of some internal trafficking of girls from rural areas to the capital, Chisinau.

Most victims were trafficked through false newspaper advertisements promising well-paying jobs abroad. The International Labor Organization's program for the elimination of child labor reported that in many cases traffickers of children were Roma.

Victims were transported across borders by car, van, train, or on foot. Sometimes false documents were used, but increasingly victims traveled willingly by plane with genuine documents, believing that they were headed for legitimate jobs. Some of the principal traffickers were travel and employment agencies. During the first nine months of the year, the Ministry of Interior reported that it conducted 62 raids to inspect 195 travel and employment agencies; it withdrew the licenses of 14 (six travel and eight employment agencies) for suspected trafficking. Fines were levied amounting to $5,074 (61,900 lei).

The law provides criminal penalties for trafficking ranging from seven years to life imprisonment, depending on the circumstances and severity of the offense.

The government's principal antitrafficking agency is the Center to Combat Trafficking in Persons (CCTIP), which operates a task-force to coordinate investigation and prosecution; provides witness protection; and cooperates with international law enforcement agencies.

During the first 11 months of the year the Ministry of Interior registered 495 trafficking cases. Of these, 246 involved trafficking in persons; 43 involved trafficking in children; 146 for pimping, and 60 for illegal migration. In that same period 219 persons were convicted for trafficking in persons violations: 50 for trafficking; 138 for pimping; nine for trafficking in children, 17 for organizing illegal migration, and five for organizing begging. Of the number convicted, 50 persons were sentenced, 17 received suspended sentences, 20 were amnestied, nine were acquitted and 123 were fined. No information was available on the length of prison terms.

There have long been reports that low- and high-ranking government officials, as well as border guards and police officers, were involved in trafficking, and international organizations and foreign governments criticized the government for not making significant efforts to investigate, prosecute, convict, and sentence complicit officials.

In October 2006, the Ministry of Interior dismissed several senior officials for trafficking, including a former CCTIP deputy director who was under investigation on charges of protecting a major trafficker, Alexander Covali. According to the Ministry of Interior, other government investigators and prosecutors were also involved in the protection scheme and remain under investigation. In June 2006, police had arrested Covali and charged him with trafficking after finding confined women on his properties. He was released on bail but arrested again in August 2006 after an investigation revealed that he had been protected by police. He remained in jail at year's end awaiting a court hearing.

The ministry also reported that in the first 10 months of the year it investigated and eradicated 33 illegal migration and trafficking networks. Of that number, 18 trafficked for sexual exploitation, two for labor exploitation, 10 for illegal migration, one for begging, and two for internal pimping.

The government had few programs to assist victims, in part because of limited resources. It continued to rely primarily on NGOs and international organizations for assistance and actively cooperated with them. Several NGOs offered repatriation assistance, temporary housing, medical care, and job training for victims. The NGO Save the Children worked with trafficking victims, particularly repatriated girls. The NGO La Strada Moldova provided informational and educational services as well as a national toll-free hot line. In 2006 the IOM assisted 1,104 persons, including 265 new cases, 512 at-risk individuals, and 297 persons already registered with the IOM. The IOM continued a public information program aimed at helping citizens going abroad to avoid exploitation. Local NGOs also operated public school programs to educate young women about the dangers of prostitution.

There were reports of a significant amount of trafficking from and through the separatist region of Transnistria. The only major effort in the region to fight trafficking and provide assistance to victims was by the NGO Interaction. According to Interaction, which established a hot line in March 2006 with help from the IOM, it received 664 calls during the first six months of the year. Five hundred were for information on the legitimacy of foreign job offers, and 106 were emergency calls. The NGO also stated that it organized 370 seminars in 2006 and 2007 and provided emergency assistance, help in resettlement, and psychological counseling to 195 victims. Of that number, 116 were adults; the rest were ages 16-18. Authorities in Transnistria neither helped nor hindered Interaction's activities.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities; however, in practice the government generally did not enforce the law. The local NGO Gaudeamus reported continued widespread discrimination against students with disabilities.

There is no law mandating access to buildings for persons with disabilities, and few government resources were devoted to training persons with disabilities. The Social Assistance Division in the Ministry of Health and Social Protection and the National Labor Force Agency are responsible for protecting the rights of persons with disabilities.

National/Racial/Ethnic Minorities

Non-caucasian foreigners were refused entry to Chisinau businesses because of their ethnic origin. On September 20, the Chisinau Central Court rejected a case of racial discrimination brought by Michael Gebre, a Moldovan citizen of Ethiopian origin. Gebre alleged that his supervisor at a state scientific organization used insulting language toward him. This was the first case brought to court by a member of the Moldovan Society of Descendents from African and Asiatic Countries.

Roma suffered violence, harassment, and discrimination.

Roma NGOs reported that Roma are denied medical services, are told that promised jobs are already filled when they report to employment centers, and are subjected to arbitrary arrests. The Roma were the poorest of the minority groups and continued to live in unsanitary conditions in segregated communities lacking basic infrastructure. These conditions often led to segregated education and schools with even fewer resources than existed elsewhere in the country. Many Romani children did not attend school, very few received a secondary or higher education, and no Romani-language education was provided. Roma NGO groups stated that 80 percent of Roma children were illiterate.

Official statistics put the number of Roma at 11,600. However, Romani NGOs estimated it to be 200,000, arguing that government census forms allow only one choice to identify one's ethnic group, and that many Roma are unwilling to identify themselves.

Minority rights and language were closely related problems.

Romanian, officially known as Moldovan, is the only official language. However, all official documents are also translated into Russian, which was used for interethnic communication. Government officials are required to know both Romanian and Russian "to the degree necessary to fulfill their professional obligations." The law provides parents the right to choose the language of instruction for their children, and the government observed this right in practice.

In Transnistria authorities continued to discriminate against Romanian speakers. Under a temporary arrangement Romanian-language schools were allowed to use the Latin script for instruction. However, they complained that the arrangement, which applies to all Romanian-language schools, could be rescinded arbitrarily at any time by the authorities. On August 28, Transnistrian authorities seized 900 science textbooks being transported to the central government-run Latin-alphabet Romanian-language high school in Tiraspol. Authorities stated that persons transporting the books refused to pay a 100 percent levy on items imported from government-controlled areas of Moldova into Transnistria. The text books were released one week later without payment of the import levy. In the Transnistrian city of Ribnitsa, a Romanian-language school continued to meet in temporary quarters after Transnistrian authorities in the summer of 2004 confiscated its own building, which was built by the Moldovan government.

Other Societal Abuses and Discrimination

There were reports of governmental and societal discrimination based on sexual orientation. According to the gay-rights NGO GenderDoc-M, lack of community recognition, negative media portrayals, and condemnation by the Orthodox Church often led to public ostracism of gays, lesbians, and their families. On April 11, Chisinau municipal authorities refused permission to GenderDoc-M to hold a demonstration calling for legislation to bar discrimination on the basis of sexual orientation (see Section 2.b.).

In Transnistria homosexuality was illegal, and gays and lesbians were subject to governmental and societal discrimination.

Several NGOs reported instances of discrimination against persons with HIV/AIDS, particularly in rural villages.

Section 6 Worker Rights

a. The Right of Association

The law provides workers the right to form and join unions; however, there were reports that the government continued to pressure individual unions to join a confederation that supported government policies. The law also provides for the right to strike, except for workers in essential services, and workers exercised this right by conducting legal strikes.

Approximately 50 percent of the workforce was unionized.

However, the law does not stipulate penalties for violating trade union rights. As a result, prosecutors may reject appeals by trade unions against antiunion behavior by employers and the government; violations of the Trade Union Act remained unpunished.

There were two union associations, the Trade Union Confederation of Moldova (TUCM) and the Confederation of Free Trade Unions Solidaritate (Solidarity). The latter advocated government positions and was widely believed to enjoy government support. During the year, the government continued to pressure local unions to quit the TUCM and join Solidarity. On February 3, delegates from 30 workplace organizations convened in Chisinau to establish the Trade Union Association of Public Administration and the Civil Service. However, the government refused to register the new trade union, asserting that the district organizations of the 30 entities had not been registered. However, the law requires only national registration and makes no provision for registration of district trade union associations.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining, the right to organize, and the right to conduct activities without government interference; however, the government did not always respect these rights in practice.

A July 2006 law called for establishing a national commission for collective consultations and bargaining that includes trade unions, employers, and government representatives.

The government, company management, and unions negotiated national minimum wages in tripartite talks. Arbitration committees typically settled workplace labor disputes. If an arbitration committee failed to settle a dispute, parties could take it to the court of appeals.

Public officials and workers in essential services such as emergency healthcare, water and energy, telecommunications, air traffic control, law enforcement, the judiciary, and the armed forces, do not have the right to strike; the law provides for arbitration of disputes in these sectors with court mediation as a final option.

There are no special laws or exemptions from regular labor laws in export-processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, but some reports stated that such practices occurred, particularly in the countryside during the harvest season when some children were compelled to work in fields.

d. Prohibition of Child Labor Practices and Minimum Age for Employment

The law sets standards for child labor, including the minimum age for employment, hours of work, and working conditions, and prohibits the worst forms of child labor; however, the government did not effectively enforce these protections.

Child labor was a problem. Because of poor economic conditions, parents often sent children to work in fields or to find other work, and those children living in rural areas often assisted in the agricultural sector. According to a report issued during the year by the International Labor Organization, two-thirds of rural children were engaged in farm work by the age of 14.

There were reports that children were trafficked within and to points outside the country for sexual exploitation, labor, and begging. The law provides for 10 to 15 years' imprisonment for persons involving children in the worst forms of child labor; under aggravated circumstances, the sentence could be life imprisonment. There were no reports of such convictions during the year.

The minimum age for unrestricted employment was 18 years. Persons between the ages of 16 and 18 were permitted to work under special conditions, including shorter workdays, no night shifts, and longer vacations. Children aged 15 were permitted to work if they obtain written permission from a parent or guardian. According to figures gathered by the International Labor Organization from the National Bureau of Statistics, there were 7,100 persons under the age of 18 in the workforce (approximately 1 percent all workers). However, these figures may be inaccurate because labor inspectors inspected only 4 percent of the total number of companies. The government did not record the number of children under 15 who were employed.

Efforts to enforce child labor laws did not deter violations. The most common violations involving persons under 18 involved failure to issue work contracts, illegal overtime, scheduling work during school hours, and underpayment or nonpayment of wages.

Trafficking in children was a serious problem.

e. Acceptable Conditions of Work

The legal minimum monthly wage was approximately $25 (305 lei) for public sector employees and approximately $58 (708 lei) for private sector employees. In September the government stated that the average monthly wage was $147 (2,130 lei). Neither minimum wage provided a decent standard of living for a worker and family. The Labor Inspection Office is responsible for enforcing the minimum wage. Budgetary constraints often prevented government and private sector employers from paying wages on time.

The law sets the maximum workweek at 40 hours with extra compensation for overtime, and the law provides for at least one day off per week.

The government is required to establish and monitor safety standards in the workplace, and the Labor Inspection Office (LIO) is responsible for enforcing health and safety standards. However, according to the LIO it had the capacity to inspect only 4 percent of the approximately 180,000 registered enterprises in the country. For example, during the first four months of the year, the LIO conducted 2,001 health and safety inspections. In 2006, 6,025 inspections were conducted.

Workers have the right to refuse work if conditions represent a serious health or safety threat; however there were no reports that workers exercised this right in practice. Poor economic conditions led enterprises to economize on safety equipment and give inadequate attention to worker safety.

BACK TO TOP

Published by the U.S. Department of State Website at http://www.state.gov maintained by the Bureau of Public Affairs.