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Reply from the Republic of Moldova to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

Fourth evaluation round

Thematic focus: Addressing vulnerabilities to trafficking in human beings

Adopted by the Group of Experts on Action against
Trafficking in Human Beings (GRETA) on 30 June 2023

Reply submitted on 12 February 2024

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.¹

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.² Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.³ The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics

¹ [Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.](#)

² [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

³ https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf

do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive **country-specific follow-up questions** related to recommendations not implemented or partially implemented after the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

Part 1 – Addressing vulnerabilities to trafficking in human beings

I. PREVENTION (Articles 5, 6 and 7)

1. Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

National reports on the implementation of the policy on preventing and combating trafficking in human beings (THB)⁴, developed annually, contain data on the profile of victims of THB, which allows us noting the categories of persons vulnerable to THB. The last National Report for 2022 on the profile of the (adult) victims of THB states that most of the victims come from rural areas, have secondary and specialized education or gymnasium education, most of them were trafficked for the purpose of labour exploitation. For the victims of child trafficking, it was found that all the victims were girls, most of them came from rural areas, most of them were sexually exploited on the territory of the Republic of Moldova. By 31 March 2024, the National Report for 2023, which will cover the latest trends in the field, will be drawn up.

Civil society organizations also conduct studies addressing vulnerability to THB. It is worth mentioning the research carried out by the International Center (I.C.) "La Strada": "Vulnerability of migrants to trafficking in human beings and exploitation, on the territory of the Republic of Moldova"⁵, "Trends in the evolution of trafficking in human beings in the Republic of Moldova and external factors of influence"⁶ (available in Romanian).

In the Program for Preventing and Combating Trafficking in Human Beings for 2024-2028 (approved by Government Decision no. 715/2023)⁷, in force from 01.01.2024 (hereinafter "Program"), vulnerable groups are described as: young persons, in general, and young specialists, in particular, women and girls who have suffered from domestic violence, subjects of probation, refugees, persons without a job, and measures to prevent exploitation are provided for. The process of monitoring the activity of private economic agencies from vulnerable sectors (agriculture, construction) regarding their possible involvement in THB schemes remains relevant and is also addressed in the Program through specific measures.

Cross-border crime is constantly evolving and the tensions that are taking place currently in the context of the aggression in Ukraine put increased pressure on the state border, and the developments of contemporary society, highlight some specific features of this phenomenon, namely the rooting of these illicit activities, despite increasing and strengthening the operational and response capacities of law enforcement authorities. The law enforcement authorities actively contribute on multiple levels to countering criminal phenomena and ensuring stability and security at the external border of the EU.

2. What specific measures are taken to reduce children's vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:

- a. protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);**

⁴ <https://www.antitrafic.gov.md/libview.php?l=en&idc=30&id=1438&t=/Reports/National-Reports/National-Report-on-the-Implementation-of-the-Policy-on-Prevention-and-Combating-Trafficking-in-Human-Beings-for-2022>
<https://www.antitrafic.gov.md/libview.php?l=en&idc=30&id=1381&t=/Reports/National-Reports/National-Report-on-the-Implementation-of-the-Policy-on-Prevention-and-Combating-Trafficking-in-Human-Beings-for-2021>
<https://www.antitrafic.gov.md/libview.php?l=en&idc=30&id=1362&t=/Reports/National-Reports/National-report-on-the-implementation-of-the-policy-for-preventing-and-combating-trafficking-in-human-beings-for-2020>

⁵ https://lastrada.md/pic/uploaded/Raport_migratie_en_2020.pdf

⁶ https://lastrada.md/pic/uploaded/Tendinte%20TFU%20rom_TFU.pdf

⁷ https://www.legis.md/cautare/getResults?doc_id=139888&lang=ro

With the approval by Government Decision (GD) no. 347/2022 of the National Program for Child Protection for 2022-2026 and the Action Plan for its implementation – the most important public policy document in the field of child protection, thematic topics such as ensuring children grow up in a safe and protective family environment, preventing the separation of children from their parents, preventing children from any form of violence, etc., through the planned actions, have become desirable objectives for the authorities at any level, with competences in the field of children's rights protection.

Thus, the National Program for Child Protection for 2022-2026 proposes another approach to the process of establishing priorities for the development of the child protection system – one based on the impact of recorded evidence, strong institutions, an informed and active society, as well as through strengthened capacities for effective response. This approach puts the children and their best interest at the center of the change.

Therefore, one of the three general objectives of the above Program is General Objective 3 "Ensuring that adults and children have zero tolerance for any form of violence against children".

The notion of violence against children means all types of violence defined in art. 2 of Law no. 45/2007 regarding the prevention and combating of domestic violence, including child neglect, labor exploitation and child trafficking.

The current regulatory framework provides for the actions that need to be taken to ensure the rights of children at risk, thus art. 8 of Law no. 140/2013 on special protection of children at risk and of children separated from their parents, provides for the risk situations in which a child may find him/herself, which also includes the component of child victims of trafficking.

In the same context, according to GD no. 143/2018 for the approval of the Instruction regarding the inter-agency cooperation mechanism for the primary prevention of risks regarding the child's well-being, in order to ensure the child's well-being, elements are provided in the objectives of the respective mechanism, which aim to: 1) strengthen the intervention of universal service employees to meet the needs of the child; 2) ensure the holistic approach in observing and removing signs of concern in order to improve the child's well-being; 3) reduce the need for protective interventions through primary prevention actions; 4) harness the potential of the family in the growth and development of the child.

It is important to note that, on 25 November 2022, the Joint Order⁸ was signed by the Ministry of Labor and Social Protection (MLSP), the Ministry of Education and Research (MER) and the Ministry of Health, through which the working instrument was approved, namely:

- Child's well-being observation form;
- Child's well-being assessment form;
- Action planning form for the primary prevention of risks for the child's well-being.

We highlight that the respective Instructions regulates the way of intervention and cooperation of employees who work in the fields of education, health care, social assistance and public order for the primary prevention of risks for the child's well-being.

At the same time, in 2022, the MLSP signed the Memorandum of Collaboration with the Moldovan Football Federation, which consists in strengthening efforts to promote and protect the rights of children (including those with special educational needs) in order to popularize and develop football in the Republic of Moldova, spreading the healthy life, training children in the systematic practice of physical exercises and football for strengthening their health, stimulating extracurricular activities in preschool and pre-university educational institutions in the Republic of Moldova.

The object of this memorandum is the organization and implementation of a complex program for strengthening professional capabilities, with the aim of involving children and juniors in competitions and tournaments to develop sports skills by involving community social workers and other specialists in the field of child rights protection within the framework of the football projects for children and juniors implemented by the Federation, in particular "Open Fun Football Schools + Sport + School + Police".

A final success in the implementation of this Memorandum of Collaboration was recorded in September, when the Moldovan Football Federation, in collaboration with the Cross Cultures Project Association, organized a series of activities within the international project "Open Fun Football Schools", dedicated to children between the ages of 6 and 11.

For six days, thousands of children were involved in various football activities, living in a world of sports. The Cross Cultures Project Association/Open Fun Football Schools project was implemented in several localities in the Republic of Moldova, such as: Ocnita village, (Ocnita district), Hrusova village (Criuleni district), Ungheni town (Ungheni district), Copceac village (ATU Gagauzia), Ceadir-Lunga municipality (ATU Gagauzia), Taraclia

⁸ https://social.gov.md/wp-content/uploads/2022/12/Ordin-comun-MMPS_MS_MEC_privind-aprobarea-Fiselor-de-observare-evaluare-si-planificare_96_1006_1158-din-25.11.2022.pdf

town (Taraclia district), Slobozia-Dusca village (Criuleni district), Mindresti village (Telenesti district), Manoilesti village (Ungheni district), Singera town (Chisinau municipality), Slobozia town (reg. from the left of the Dniester), Dubasari town (reg. from the left of the Dniester).

More than 2,400 children (1,230 girls and 1,170 boys) participated in the events, including 60 children with special educational needs and children with disabilities. 180 coaches-teachers (117 women and 63 men), 144 young volunteers (91 women and 53 men) were also involved.

The directions of the special Sports – School – Police program were also applied within the activities. 51 law enforcement employees and 20 other representatives of the General Inspectorate for Emergency Situations, the General Inspectorate of Border Police, the General Inspectorate of Carabiniers, as well as 12 community social workers participated in their organization and implementation. The initiative of the Public Security Section promotes the convergence of joint efforts at the local level to prevent juvenile crime, being oriented to the resocialization of delinquent children by involving them in cultural and sports activities.

In order to ensure respect for the best interests of refugee children, the MLSP, in collaboration with the Ministry of Internal Affairs (MIA), developed the *Regulation on the establishment of the inter-agency cooperation mechanism for the identification, assistance and monitoring of children at risk, coming from the territory of Ukraine during the declaration of war in Ukraine*, which was approved by the Commission for Emergency Situations of the Republic of Moldova on 14.04.2022.

Thus, in order to implement the provisions of para. 21, subpara. e) of that Regulation, there were approved:

a) Joint order of the MLSP and MIA no. 34/169 of 22 April 2022 on certain measures to implement the Decision of the Commission for Emergency Situations of the Republic of Moldova, by which the model of the Act for the authorization of the crossing of the state border of the Republic of Moldova on the exit way for unaccompanied children or children accompanied by an unauthorized companion was approved;

b) Order of the MLSP no. 36 of 5 May 2022, which approved the model of the Act of rapid assessment of the best interests of the child at risk, coming from the territory of Ukraine during the declaration of war in Ukraine, which are placed on the Ministry's web portal.

It is important to specify that, based on the above documents, the responsible persons from the territorial guardianship authorities and the border police, who ensure the registration, processing and providing the necessary assistance, including when drawing up the identity documents of unaccompanied children or children accompanied by an unauthorized companion have been appointed.

According to the mechanism approved by the Commission for Emergency Situations, when crossing the border in the entry direction, the Border Police identifies children at risk during the check. In the case of unaccompanied children or children accompanied by an unauthorized companion, the Border Police refers these children to the responsible person appointed within the territorial guardianship authority, who operates at the Border Crossing Point.

We also inform you that the same assistance measures apply to unaccompanied Ukrainian children and those accompanied without authorization as for Moldovan children, and the priority is their placement in family-type services (establishment of custody, placement in the social service of professional parental assistance/family-type orphanage).

At the same time, Order of the MLSP no. 65/2022 approved the social assistance measures established by the MLSP, financed from the United Nations Children's Fund (UNICEF) sources, which are implemented by the local public administration authorities.

The commitment to strengthen the child protection system, undertaken by the MLSP and achieved by attracting funding sources from the United Nations Children's Fund (UNICEF) and transferring funding for the implementation of social assistance measures in the territory administered by the Local Public Authorities, creates premises for the positive evolution of situation for children and families with children temporarily at risk, including those who came from the territory of Ukraine during the aggression in Ukraine.

At the same time, the MLSP, in order to ensure the well-being of children originating from Ukraine, who were identified without legal representatives on the territory of the Republic of Moldova, took measures to develop child-friendly social services, namely family-type social services – Professional parental assistance for the placement of those children.

In this sense, among the social assistance measures established by Order of the MLSP no. 65/2022 and no. 56/2023 financed from the United Nations Children's Fund (UNICEF) sources, a measure was provided to finance additional units of professional parental assistants, specialized in assisting children at risk, including refugee children (the action refers to ATU Causeni, Donduseni, Orhei).

Therefore, in accordance with the Regulation, approved by Decision of the Commission for Emergency Situations no. 14/2022, the persons appointed by the territorial guardianship authorities are responsible for the prompt evaluation of the best interest of the child, in order to prevent risk situations in relation to the child.

Thus, after the evaluation process, unaccompanied children or children accompanied without authorization are referred either for their reintegration into their biological families in case of identification of their legal representatives or placement of the children in extended families (through the establishment of guardianship/tutorship), establishment of custody, or these children are referred to professional parental assistance services.

Also, in the case of child refugees who are victims and potential victims of violence, neglect, exploitation and trafficking, the same inter-agency mechanism, regulated in Law no. 140/2013 on special protection of children at risk and of children separated from their parents and in Government Decision no. 270/2014 on the approval of the Instructions on the inter-agency cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking, is applied.

According to the information presented weekly by the territorial social assistance structures on the 7th, 14th, 21st and 28th day regarding unaccompanied, accompanied without authorization refugee children coming from the territory of Ukraine during the aggression, as well as the documents issued during the exit way: 1) during the year 2022 on the territory of the Republic of Moldova were registered: 497 unaccompanied children, 1175 accompanied children without authorization and 475 documents were issued for authorizing crossing on the exit way of the border of the Republic of Moldova.

2) during 2023 (as of 07.12.2023), according to the information presented by the territorial guardianship authorities, refugee children were registered as follows: 184 unaccompanied children, 575 accompanied without authorization children and 384 documents were issued for authorizing crossing on the exit way of the border of the Republic of Moldova. Based on a long-term partnership negotiated in the context of the Executive's approval of the National Program for Child Protection for 2022-2026, the MLSP and UNICEF agreed and signed on 5 August 2022 a Memorandum of Understanding regarding the provision of technical assistance for strengthening the child protection system, including social services. According to that memorandum and the bilateral action plan, starting from 1 September 2022, the allocation of financial sources (over 226 million MDL) for certain social assistance measures established by the MLSP, financed from UNICEF sources, which were to be implemented by the local public administration authorities and aimed at granting financial aid from the social service Support for families with children; employment of personal assistants for children with disabilities, including refugees; rendering of additional financial support/financial supplement for professional parental assistants, parents-educators and children placed in professional parental assistance services and family-type orphanage; development of new professional parental assistance services; contraction of consultants in the field of child protection for territorial social assistance structures and granting of increases for certain categories of staff in the field of social assistance were provided. Among the types of assistance offered, we mention:

- preventing the separation of the child from the family by identifying children in difficulty, assessing their situation, determining the optimal form of care and monitoring their situation and opening Case Management;
- familiarizing community social workers regarding the correct use of financial means granted to families with children at risk, including refugee children;
- monitoring refugee children enrolled in educational institutions;
- weekly reporting to the MLSP of the number of newly arrived refugee children from the territory of Ukraine and record of refugee children from Ukraine;
- offering consultations to unauthorized companions of refugee children regarding the establishment of custody.

We reiterate that social assistance is granted to children at risk without any discrimination, regardless of the child's citizenship.

b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;

During the last years, in the Framework Plan for primary, secondary and high school education, the optional subject Media Education is included in the list of optional subjects recommended for 5th-9th grades (7th-8th gr.). The Standards for the online protection and safety of children/students were developed and approved (Order no. 985 of 07.10.2022 of the Minister of Education and Research). Also, *the Guide for the Implementation of the Standards for the online protection and safety of children/students* was developed.

c. putting in place a system for monitoring and reporting cases of abuse;

According to the provisions of GD no. 270/2014 on the approval of the *Instructions on the inter-agency cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking*, which regulated the obligation of representatives of educational, health, public order, social assistance institutions, other public authorities and institutions with responsibilities in the field of child protection, namely:

- 1) to register the notifications of persons regarding suspected cases of violence, neglect, exploitation, child trafficking and/or to inquire in situations where they have identified suspected cases of violence, neglect, exploitation, child trafficking by applying the sectoral procedures and
- 2) to immediately inform the territorial guardianship authority by phone, and, within 24 hours, to send to it the notification form for the suspected case of violence, neglect, exploitation, child trafficking.

This mechanism is intended not only to protect the rights of victims of child trafficking, but also child victims of other offences, as well as children who are exposed to various risk situations.

Thus, in 2022, 8422 notifications/inquiries were registered (there were 6714 children in 2021) regarding cases of violence, neglect, exploitation and trafficking, through which 5 child victims of THB were identified (there were 3 children in 2021).

It is important to emphasize that the increase in the number of notifications received should not necessarily be associated with the increase in the phenomenon of violence, neglect, exploitation and trafficking, it was primarily the result of increasing the capabilities of professionals from different fields in applying the inter-agency cooperation mechanism for the identification, assessment, referral, assistance and monitoring child victims and potential victims of violence, neglect, exploitation and trafficking.

Table no. 1 Information regarding the implementation of the Instructions on the inter-agency cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking (Government Decision no. 270/2014) for 2021 -2022

Year	2021	2022
Total number of notifications/inquiries	6,714	8,422
Total number of <u>NOTIFICATIONS</u> registered according to GD no. 270/2014	5,325	6,233
Number of confirmed notifications of the total number of registered ones	3,740	3,666
<i>Of the total number of REGISTERED notifications, disaggregation is as follows:</i>		
Children subject to violence*, total, including:	1,808	1,564
<i>Physical</i>	853	741
<i>Sexual</i>	117	110
<i>Psychological</i>	755	595
<i>Spiritual</i>	28	13
<i>Economic</i>	55	105
Neglected children*	3,502	4,658
Children exploited by labor*	13	6
Children victims or alleged victims of trafficking*	2	5
Total number of <u>INQUIRIES</u> registered according to GD no. 270/2014	1,389	2,189
Number of confirmed inquiries of the total number of registered ones	1,137	1,506
<i>Of the total number of REGISTERED inquiries, disaggregation is as follows:</i>		

Children subject to violence*, total, including:	197	333
<i>Physical</i>	92	128
<i>Sexual</i>	10	10
<i>Psychological</i>	83	161
<i>Spiritual</i>	1	4
<i>Economic</i>	11	30
Neglected children*	1,190	1,854
Children exploited by labor*	1	2
Children victims or alleged victims of trafficking*	1	0

It should be mentioned that, by the joint order of the MLSP, MIA and MER, *the Guide for the practical application of the inter-agency cooperation mechanism* was approved, in order to effectively implement the provisions of GD no. 270/2014 on the approval of the Instructions on the inter-agency cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking⁹.

The Guide provides a series of recommendations and useful information aimed at ensuring effective and quality multisectoral and multidisciplinary interventions in each suspected or confirmed case of violence, abuse, neglect, exploitation and trafficking of children.

The Guide is addressed to all representatives of educational, medical-sanitary and social assistance institutions, regardless of their legal form of organization, cultural, public order institutions, state labor inspectorate, other authorities and public institutions with duties in the field of child protection. In the same context, in order to effectively fulfill the mission and duties assigned, namely the collection and analysis of data in the field of child protection, the MLSP, along with development partners, proposed to develop an automated information system in the field of child protection in order to centralize and digitize the processes of collection of disaggregated data regarding the situation of children at risk, children separated from their parents, adopted children, repatriated children and kidnapped children. This fact will facilitate the registration, recording, assistance, referral and monitoring of children, as well as allow the calculation of relevant and reliable national statistical indicators, absolutely necessary in the decision-making process.

Therefore, on 26 June 2022, by GD no. 446, the Concept of the Information System in the field of child protection was approved¹⁰.

The Information System in the field of child protection is an IT solution for the case management of children in the records of the competent authorities and follow-up of the social services provided to children or forms of protection identified for children, as appropriate. This Information System replaces manual reporting processes using paper forms, telephone data collection and data reporting via Word or Excel files.

The Information System will also be used for the implementation of case management in the field of child protection, which will facilitate the process of recording and monitoring the cases under examination and will streamline decision-making on the examined cases, for the benefit of the children as well as the specialists involved in case management.

In the same context, the case management adjustment project was developed in order to streamline the process of examination and prompt resolution of cases of children identified as being in difficulty or at risk (https://social.gov.md/wp-content/uploads/2023/09/Ordin-nr.-134_Management-de-caz.pdf).

The adjustments relate to regulating the purpose and objectives of case management; regulating the obligations, duties and powers of the case manager, members of the multidisciplinary team and case manager on duty; simplifying the Support Guide for practical application of case management; reviewing the stages of case management; including the case referral stage; clarifying the gaps related to the use of erroneous terminology for case referral-transfer, etc.

Also, among the new elements of the case management project, the following are highlighted:

⁹ <https://social.gov.md/wp-content/uploads/2021/12/GHID-de-aplicare-practic%C4%83-a-HG-nr.-270.pdf>

¹⁰ https://www.legis.md/cautare/getResults?doc_id=132016&lang=ro

- the express stipulation of the responsibility of the employees of the central and local public authorities and of the structures/institutions/services subordinate to them, which work in the fields of social assistance, education, health care, legal bodies, probation bodies, to participate in the activity of multidisciplinary teams in the process of initial and complex assessment of the child's situation, at the request of the local guardianship authority, as well as in the process of developing and implementing the individual assistance plan;
- the obligation to intervene and cooperate according to the inter-agency cooperation mechanisms approved by the Government.

The specialists of the territorial social assistance structures participated in the workshops, which took place in July 2023 that were intended to provide information on the new provisions related to carrying out case management in the field of child protection, proposed by the MLSP.

The participants in the workshops contributed to improvement of the quality of developing the normative act presented for consultation, using the experience accumulated over the years in this field.

d. providing training to child care professionals, legal guardians, education professionals;

In the context of the implementation of the Standards for the online protection and safety of children/students (approved by Order of the MER No. 985 of 07.10.2022) and to provide methodological support to teaching staff, the MER has developed *the Guide for the Implementation of the Standards for the online protection and safety of children/students*. In this context, training sessions for teaching staff were organized on the topic Online protection and safety of children/students. Implementation of the Standards for the online protection and safety of children/students (29.04.2023) with the involvement of specialists of the I.C. "La Strada". The training sessions were attended by 70 school psychologists, who were trained to identify immediate and long-term actions in online violence situations, based on the outline of the intervention plan proposed by the moderators. Furthermore, they also mastered what are the elements that make the difference between a hazardous situation for the child and situations of online sexual abuse in order to be able to act depending on the situation (risk behavior – prevention; online sexual abuse – intervention). Also, 5 (online) meetings were organized for methodological assistance of teaching and management staff, participating in the project "Preventing and protecting children from violence including in the digital environment in the Republic of Moldova", implemented with the support of the Council of Europe Office in Chisinau (MER circular no. 5512 of 30.11.2022).

In order to raise awareness of specialists from the pilot institutions regarding situations of online violence and offering functional models of intervention in various situations of online violence, but also about the risks of intervention, especially in situations of online sexual abuse, during the period January-April 2022, 5 workshops on the topic "Intervention of specialists from the educational institution in situations of online violence" were held. The workshops were conducted by the I.C. "La Strada", the MER's partner, in the context of implementing the Standards for the online protection and safety of children/students approved by the MER in 2022 and the Collaboration Agreement signed in 2020. The 125 school psychologists, participants in the workshops, learned to identify immediate and long-term actions in online violence situations, based on the outline of the intervention plan proposed by the moderators. They also mastered what are the elements that make the difference between a hazardous situation for the child and situations of online sexual abuse in order to be able to act depending on the situation (risk behavior – prevention; online sexual abuse – intervention).

During 10-26 May 2022, 6 activities were carried out on the topic "Discussion with the child about online sexual abuse". The aim of the activities was to raise awareness of the need to discuss with children about online sexual abuse and to train parents in the skills required to discuss thereabout in a child-friendly manner. 105 parents of 8th grade students participated in the activities. The activities were carried out by specialists of the I.C. "La Strada", according to the activity plan regarding the piloting of the Standards for the online protection and safety of children/students, approved by Order no. 985 of 07.10.2022 of the Minister of Education and Research and the Collaboration Agreement signed in 2020.

In 2022, the MER developed and approved the Methodology regarding the prevention and combating of bullying. Previously, the Ministry supported the introduction of the notion of bullying and the principle of nonviolence into the Education Code. The Methodology regarding the prevention and combating of bullying was approved by Order no. 1024/2022 of the Minister of Education and Research and was published in the Official Gazette no. 349-361/2022. The prevention and combating of bullying is part of the policy on preventing violence against children and adolescents in educational institutions, and the particularities of the process of prevention and intervention in cases of bullying are established complementary to the existing normative framework.

During 10-13 October 2022, the training workshop was organized and carried out for coordinators on cases of abuse, neglect, exploitation and trafficking of children from 35 local specialized bodies in the field of education (LASFE), as well as for psychologists of the district/municipal psychopedagogical assistance services in the field of bullying (Order no. 429 of 23.05.2022 of the Minister of Education and Research).

The MLSP organized several training sessions for social assistance staff with the involvement of development partners.

Thus, the MLSP in partnership with UNICEF, the UN Refugee Agency in Moldova (UNHCR) and the "Ave Copiii" Association organized an extensive training course, at the national level, for all specialists in the field of child protection between 03 and 05 April 2023.

The training covered the priority aspects of the child protection system, the national normative framework in the field of protection of unaccompanied or separated children, their alternative care methods and other aspects relevant to this field.

These trainings are also timely in the context of the implementation of the National Program for Child Protection for 2022-2026, which focuses on the main areas of intervention, namely:

- strengthening the child protection system, in order to respond promptly and effectively to the needs of each child;
- ensuring that adults and children have zero tolerance for any form of violence against children;
- ensuring children grow up in a safe and protective family environment.

Likewise, during September 2023, 240 social workers and child protection specialists from 36 regions of the country participated in training on providing integrated assistance to child victims and potential victims of violence, neglect, exploitation and trafficking in human beings, due to a series of trainings organized with the support of the Council of Europe.

Under the guidance of the trainers, the participants discussed topics related to the reporting obligation, personal and institutional responsibility and had the opportunity to participate in several practical exercises related to the initial assessment, protection interview and establishment of urgent child protection measures.

At the same time, social workers and child protection specialists had the opportunity to exchange knowledge with their colleagues from other regions and to identify together possible challenges, to which they prepared actions and response plans.

The relevant trainings were organized within the Council of Europe project "Preventing and protecting children from violence including in the digital environment in the Republic of Moldova".

Considering the need to ensure a prompt and effective response to all cases of violence and trafficking against children by specialists working for and with children, the MLSP, in partnership with the Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings and in collaboration with the OSCE Mission in Moldova, organized in November 2023 trainings on the topic "Unconditional access to services for victims of trafficking in human beings", which were intended for specialists working in the field of child rights protection in order to strengthen professional capabilities and to train specialists working for and with children, to identify good practices regarding trafficking in human beings. About 108 representatives of the territorial guardianship authorities who work in the field of protecting children's rights or in the field of protecting families with children at risk participated in these trainings.

e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;

In accordance with art. 2 of the UN Convention on the Rights of the Child, ratified by the Republic of Moldova, all rights are applied to all children without exception and the state is obliged to protect children from any form of discrimination. And art. 3 establishes that all actions regarding the child must take into account the overall best interests of the child.

Recognizing the guarantees offered by the Constitution of the Republic of Moldova according to art. 36, the minimum medical insurance offered by the state is free of charge, and Law no. 270/2008 on asylum in the Republic of Moldova according to art. 30 para. (4), guarantees to minor asylum seekers access to *medical assistance* under the same conditions as for minor citizens of the Republic of Moldova, as well as the provisions of Law no. 1585/1998 on compulsory health insurance according to art. 4 para. (4) subpara. a), by which the Government has the capacity of the insured for children under the age of 18, which establishes that minor asylum seekers are provided with medical assistance under the same conditions as minor citizens of the Republic of Moldova. At the same time, by Decision no. 88 of 13.10.2023 of the Commission for Emergency Situations of the Republic of Moldova (para. 6), it is established that the National Health Insurance Company pays for

emergency medical assistance, primary medical assistance and free medical examination for reasons of public health, granted from 1 March 2023 by the medical-sanitary institutions, included in the system of mandatory health insurance for minors displaced from Ukraine without temporary protection status. Thus, the medical-sanitary institutions included in the mandatory health insurance system are obliged to comply unconditionally with the legal provisions mentioned above.

With reference to the *field of education*, on 17.07.2014, the Parliament of the Republic of Moldova adopted the Education Code of the Republic of Moldova no. 152. The Education Code establishes the legal framework for reports on the design, organization, operation and development of the education system in the Republic of Moldova. Article 7 of the Code stipulates that some of the fundamental principles of education are: a) the principle of equity – based on which access to learning is achieved without discrimination; g) the principle of social inclusion; h) the principle of ensuring equality; i) the principle of recognizing and guaranteeing the rights of persons belonging to national minorities, including the right to preserve, develop and express their ethnic, cultural, linguistic and religious identity, etc. Citizens of the Republic of Moldova have equal rights of access to initial and continuing professional education and training through the national education system (Art. 9, Education Code no. 152 of 17.07.2014).

In order to strengthen inter-ethnic relations, the GD on the approval of the Program for 2023-2025 for the implementation of the Strategy for the consolidation of inter-ethnic relations in the Republic of Moldova for 2017-2027 was approved in 2023.

In order to solve the multiple problems and constraints faced by the Roma population and to achieve fundamental changes for improving the situation of the Roma population, the Program for the support of the Roma population for 2022-2025 was approved. The Program includes a separate chapter The rights of migrant Roma persons and the fight against trafficking in human beings, which provides for targeted actions in order to implement international commitments and recommendations, namely:

- Organizing information campaigns regarding the risks and consequences of involvement in the phenomena of illegal migration and other criminal activities;
- Providing the necessary assistance to the victims/alleged victims of trafficking in human beings of Roma ethnicity within the centers providing specialized services;
- Providing state-guaranteed legal assistance to ensure access to justice for victims of trafficking in human beings of Roma origin, including informing victims of their right to state financial compensation and protection against intimidation during and after investigation/trial;
- Preventing the trafficking of Roma children and women for the purposes of sexual, labor exploitation, involvement in begging activities and other illegal actions;
- Training community mediators on the e-learning platform regarding trafficking in human beings and the methods of identifying and referring victims and alleged victims from the Roma community;
- Developing informative materials regarding migration and trafficking in human beings, including translation into Romani, for distribution in Roma communities.

With reference to children of migrants and children of migrant workers, the MER ensures the updating of information on the website of the Ministry of Education and Research, in the directory "In support of children and youth in Ukraine". Thus, the information can be viewed at <https://mec.gov.md/ro/content/sustinerea-copilor-si-tinerilor-din-ucraina>, <https://mec.gov.md/ro/content/v-podderzhku-detey-i-molodezhi-ukrainy>

At the same time, the School Manuals in pdf format: <http://ctice.gov.md/manuale-scolare/> and the Digital Library: <http://educatieonline.md/> can be accessed.

Also, the MER has placed on the official page the regulatory normative acts:

- 1) Instruction regarding the integration of children from refugee families from Ukraine and other countries in a state of war in the general education institutions of the Republic of Moldova and placed on the MER website
(https://mec.gov.md/sites/default/files/ordin_mec_1109_din_04.09.2023_instruatiune_refugiati.pdf)
(approved by Order of the Minister of Education and Research no. 1109 of 04.09.2023)
- 2) Order of the MER no. 177 of 15.03.2022 on enrollment in study mobility of refugee students from Ukraine
- 3) Recommended useful resources:

a) Guide How to do what matters in stressful times.

An illustrated guide for those facing stress, managing stress and living safely. → <https://apps.who.int/iris/handle/10665/336712>

b) Guide How to deal with emotional major disaster-related stress / Як впоратися з емоційним стресом великого лиха / Как справляться с эмоциональным стрессом, связанным с крупными бедствиями.

This Guide develops emotional stress management strategies to cope with the consequences of life-threatening events and situations.

c) Guide Methodological guidelines regarding instructive-educational activities in the case of refugee children facing stress and trauma.

Experiences that cause stress or trauma in refugee children and their symptoms are described in this guide. The Guide also describes pedagogical tools that teaching staff can use to support children, including practical activities for primary and secondary circle. → <https://www.unhcr.org/ro/wp-content/uploads/sites/23/2019/11/RO-Orientari-privind-stresul-si-trauma.pdf>

f. birth registration for all children born in the country.

The Public Services Agency (PSA), among its basic tasks, ensures the registration of civil status documents in strict accordance with the legislation in force, in order to protect the rights of individuals, but also the interests of the state. The legislative framework for ensuring the state registration of children's births is constituted by Law no. 100/2001 on civil status acts. In accordance with its provisions, the state registration of the birth of newborn children is mandatory and free of charge, it takes place on the day the parents or other persons authorized by law apply to the civil status body. Ensuring the registration of the facts of the birth of all newborn children is a continuous concern, in terms of the participative contribution that the PSA makes, on its own initiative, through the established internal mechanism for monitoring cases of non-declaration of the facts of the birth of children, in order to notify the territorial guardianship authority from the place of residence of the mother as well as the district commissions for the protection of the rights of the child, in order to ensure the necessary measures for the full exercise of the rights and interests of the children, in terms of identifying and ensuring them with the birth certificate. In this sense, the civil status structural and territorial subdivisions within the Public Services Agency carry out a systematic and continuous verification of the cases of non-declaration of the facts of their birth by the parents within the legal term of 3 months, established for the registration of the birth certificate, with the information of the police bodies, in order to identify the puerperants and to take strict measures to ensure the registration of the facts of the birth of minors. Also, the exposed exercise involves the periodic review of the reports generated monthly by AIS "State Register of the Population", in the segment of the record of medical birth certificates.

According to the respective reports, all cases of non-registration of newborn children are examined, in order to determine the categories of problematic cases, according to the criterion of the parents' domicile or other subjective reasons that constituted the basis for not declaring the birth of newborns. An additional verification is carried out in terms of a possible declaration of the fact of birth in the context of the initiation of a special administrative procedure, as follows:

- subsequent registration of the fact of birth, declared after the expiration of one year from the birth of the child (according to the provisions of art. 26 of Law no. 100/2001 on civil status acts);
- transcription of foreign birth certificates in the national civil status registers (in the event of the primary registration of the birth certificate at diplomatic missions and/or foreign consular offices accredited on the territory of the Republic of Moldova);
- procedure for certifying birth recorded on the left bank of the Dniester. For the cases of the birth of children whose parents are domiciled on the left side of the Dniester, by default, the issue arises on the possibility of recording the facts of birth in the localities on the left side of the Dniester, and later at the request of the parents, the release of civil status documents is carried out under the conditions of the legal mechanism for certification of civil status facts, which occurred and/or were recorded on the left bank of the Dniester.

Thus, in order to avoid the non-declaration of the birth of a newborn within the legal term (3 months), but not more than a year, by his/her parents, the civil status bodies continuously monitor the process of registration of the birth of children, in relation to the information on the number of births produced in medical institutions and medically ascertained, notifying the facts of the non-registration of newborn children to the police and guardianship bodies.

The cases of failure to register the facts of the birth of the children notified to the guardianship authority remain to be resolved in terms of the functional competence of the guardianship authorities in the field of child protection.

As part of the Project "Modernization of government services in the Republic of Moldova", financed by the World Bank, the Ministry of Health implements with the support of the Electronic Government Agency the reengineering services for medical birth and death ascertainment certificates. Thus, the information system that allows the electronic medical ascertainment of birth and death, involving the registration and transmission of

data by representatives of public and private medical institutions, in real time, to the State Population Register, is in the process of testing.

At the same time, the Ministry of Health developed the draft GD on the approval of the Concept and Regulation of Information System "Medical ascertainment of birth and death" which is in the process of being approved.

3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

Experience of women and girls of trafficking differs from that of men and boys. Women and girls tend to suffer a disproportionately greater impact than boys and men, respectively, we consider it imperative to include the principles of gender equality in the formulation and application of legislation and programs aimed at preventing THB. In this sense, the new national population support programs developed align with the requirements of international mechanisms aimed at reducing the risks associated with social inequities, eliminating poverty, supporting women from underrepresented groups, stimulating productive employment and decent work for all women and empowering all women, including women with multiple vulnerabilities. We mention three national programs developed by MLSP that pursues this goal, namely: the Program for Promoting and Ensuring Equality between Women and Men in the Republic of Moldova for 2023-2027, the National Program on Preventing and Combating Violence against Women and Domestic Violence for 2023-2027 and the National Employment Program for 2022-2026.

The Program for Promoting and Ensuring Equality between Women and Men in the Republic of Moldova for 2023-2027 was approved on 12 April 2023 (GD no. 203/2023). It includes a holistic approach to promote the dimension of gender equality in order to ensure inclusion and social equity by reducing the gender salary gap for equal work performed; expanding support services for caregivers by providing a package of better social protection services; developing women's empowerment and promotion programs; eradicating stereotypes regarding the involvement of men in performing work in feminized fields, etc.

On 31 May 2023, the National Program on preventing and combating violence against women and domestic violence for 2023-2027 was approved (GD no. 323/2023). The Program aims to contribute to ensuring gender equality and combating gender stereotypes; zero tolerance towards all forms of violence against women and domestic violence to the extent that they constitute a vulnerable group to potential cases of THB; ensuring effective multidisciplinary victim-centered response to cases of violence against women by developing sufficient social services appropriate to the needs of victims and effective justice system response.

The National Employment Program for 2022-2026 was approved in November 2022 (GD no. 785/2022) and sets priorities for improving the functioning of the labor market, strengthening the policy of active measures in the labor market, institutional capacities of the main institutions in the labor market. Following the implementation of the Program, the women employment rate will be increased by 4%. In this sense, actions are expected to develop alternative child care services – family-type nurseries, to support employees who create their own nurseries, as well as to expand the offer of child care services, at affordable prices in all areas the country. At the same time, the employment rate for persons with disabilities will be expanded.

4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:

a. research;

The topic of preventing and combating THB is provided for in the activity plans of academic groups in universities. The subject of the bachelor's and master's theses, as well as the year's theses, also includes this topic, formulated and elaborated from various perspectives: sociological, psychological, legal, criminological, forensic, social assistance and even economic.

Within the State University of Moldova, in the 2022-2023 academic year, teaching staff, master's students and doctoral students participated with communications on the THB issue in national and international conferences, symposia (National conference with international participation "Through research and innovation"; round table "Protection of victims of trafficking in human beings"), which were covered later in 5 master's theses.

At the same time, several activities were organized in 2022 regarding the research of the phenomenon of THB with about 3 thousand participation of students and scientific and teaching staff.

At the Stefan cel Mare Academy, the scientific activity with the topic: Trafficking in human beings and illegal migration: current trends and prevention strategies, covered in the contents of 2 master's theses, was carried out.

Within the State University A. Russo from Balti, the Institute of Criminal Sciences and Applied Criminology, the "Alexandru cel Bun" Military Academy, subjects related to trafficking in human beings, prevention and combating it, included in the following general themes of the Master's/year thesis: "Trafficking in human beings: methods of prevention, combating and sanctioning", "Strategies for assistance and protection of victims and potential victims of trafficking in human beings", Trafficking in human beings in the view of practitioners (3 theses), etc. were addressed.

Annually, in the higher education institutions of the republic, research is carried out on the phenomenon of THB, including the coverage of the aspects related to the evolution and trends of the methods of recruiting victims (children and young people) both online and offline, by including these topics in the subject of master's theses, scientific conferences, round tables, etc. Thus:

1) State University A. Russo from Balti had carried out:

Scientific seminars: "Strategies for assistance and protection of victims and potential victims of trafficking in human beings"; Strategies for assistance and protection of victims and potential victims of trafficking in human beings". A lecture titled: "Trafficking in human beings: methods of prevention, combating and sanctioning".

2) The State University of Moldova had carried out:

Lectures with a research aspect: "Addressing the issue of trafficking in human beings in the genres of information journalism"; "The minor – victim of child trafficking"; "Population migration and the European Anti-Trafficking Day"; "European Anti-Trafficking Day";

Round tables with the title: "The phenomenon of trafficking in human beings in the Republic of Moldova; "Protection of victims of trafficking in human beings".

3) The Institute of Criminal Sciences and Applied Criminology carried out the research "Trafficking in persons during the pandemic in and from Romania".

4) The State University Gr. Tamblac from Taraclia accomplished the subject: "Combating trafficking in human beings in Moldova"; "Economic and psychological factors of trafficking in human beings" in 2 round tables with research aspects.

5) The Academy "Stefan cel Mare" carried out scientific activities with the title: "Trafficking in human beings and illegal migration: current trends and prevention strategies".

6) The Academy of Economic Studies of Moldova conducted 4 lectures with research elements:

"STOP Trafficking in Human Beings!"; "Preventing and combating child trafficking"; "Trafficking in human beings is inhumane"; "Preventing and combating trafficking in human beings."

7) The State University "B.P. Hasdeu" from Cahul researched the anti-trafficking phenomenon in the public lecture: "How to detect a human trafficker".

b. information, awareness-raising and education campaigns;

Annually, in the context of the "European Day against Trafficking in Human Beings", marked on 18 October in the Republic of Moldova, the National Campaign "The Week against Trafficking in Human Beings" is carried out. During a week, the central and local public authorities, in partnership with international organizations and civil society organizations, distributed informative materials and organized actions, with the aim of raising awareness and informing the general public, in particular pupils, students and young people, parents, teaching staff, regarding the risks and consequences of THB, employment opportunities in the Republic of Moldova, as well as the institutions they can apply to in case of need.

In 2023, through the Campaign, approximately 200,000 pupils/students, 10,500 teaching staff, 1,500 specialists (employees of the town hall, community social workers, professional parental assistants, etc.) and 34,500 persons who belong to the general public (unemployed, jobseekers, potential migrants, probationers, convicted persons, refugees, etc.) were informed.

Apart from the National Campaign, each public institution in collaboration with international organizations and civil society organizations carries out information actions in its field of activity.

c. socio-economic initiatives targeting underlying and structural causes;

The MLSP has the mission of ensuring the achievement of the prerogatives of the Government of the Republic of Moldova regarding the support of persons from vulnerable groups, whether we are talking about children, the elderly, persons with disabilities, the unemployed, trafficked persons, victims of domestic violence or other categories of persons in order to reduce vulnerabilities and prevent risk situations.

Starting from 2008, the Republic of Moldova implements the Social Aid Program, which aims to ensure a guaranteed minimum monthly income for disadvantaged families by granting social aid established in accordance with the assessment of the global average monthly income of each family and its need for social assistance.

Social assistance is regulated by Law no. 133/2008 on social assistance and GD no. 1167/2008 on the approval of the Regulation on the method of establishing and paying social assistance – normative acts containing the mechanism by which the respective benefit is established.

The Social Assistance Program, which is intended for disadvantaged families (and not separately for certain categories of persons), with the aim of ensuring a guaranteed minimum monthly income to promote self-support and includes three sets of criteria, which applicants must meet in order to qualify for social benefits.

In the context of the emergence of the energy crisis in the Republic of Moldova, the MLSP assumed the mission of reducing the energy vulnerability of the citizens of the Republic of Moldova by partially compensating the cost of the consumption of natural gas, electricity and thermal energy in a centralized regime. In this sense, the Program "Help at the meter" was launched, through which, in the cold season 2022-2023, over 895 thousand households in the country received compensation in their energy bills, and the most vulnerable consumers were compensated with up to 60% of the value invoices.

Also, with the support of partners the United Nations Population Fund, the United Nations High Commissioner for Refugees, UNICEF and the World Food Program, based on a Memorandum of Understanding, the MLSP implemented the emergency financial assistance program for the crisis-affected population of the Republic of Moldova, through which 56 thousand vulnerable families benefited from monetary support of 4,900 MDL in the 2022-2023 cold season. The beneficiaries of the emergency financial aid program were families with persons with disabilities in their composition, single-parent families with one or more children, families with more than 3 children, families with children aged 0-2 years in their composition (priority for pregnant or breastfeeding women). The largest share of beneficiaries of the program was represented by families in which there are persons with disabilities, followed by single-parent families. At the same time, the most extensive age category was over 60.

d. education, vocational training and job placement programmes.

In 2023, activities were carried out with reference to:

- Education programs. Continuing the implementation of the curriculum for the mandatory subject Personal Development in 1st-12th grades, which in its structure includes 5 modules, and one is Personal Identity and Harmonious Relationships. All students in general education study the given subject, which contains topics related to gender roles, stereotypes, family as a value, responsibilities, assertive, non-conflictual and non-violent communication;

- Vocational training. The professional development of specialists within the Psychopedagogical Assistance Services and the Republican Center for Psychopedagogical Assistance, which operate at the level of each district and municipality, to remedy the psycho-emotional state in various situations/suspicious cases, identified in education;

- Pursuant to the Memorandum of Understanding between the MER and the Alliance of NGOs operating in the field of Child and Family Social Protection, based on para. 7 of the Roadmap Let's ensure a protective environment for children, for the period 2021-2023 (approved by Order no. 27 of 15.01.2021), during the first semester of 2023, 6 training workshops were held with the training of 40 local trainers in the field of bullying, who in turn continued the training of teaching staff and specialists from the LASFE in 35 districts and municipalities at the country level. The aim of the training program is to develop the skills of designing, facilitating and evaluating activities for teaching and management staff. In this sense, the participants benefit from a systemic approach to the phenomenon of bullying in which prevention and/or intervention actions are implemented both at the level of the educational institution and at the level of the students directly involved, peer group, parents and other community members. The training workshops offer a wide and safe space for sharing personal and professional experiences and identifying solutions for various situations in the field.

For the category of unemployed who require additional support in the labor market, defined in Law no. 105/2018 on the promotion of employment and unemployment insurance, in art. 23 para. (3): young persons between the ages of 16 and 18 left without parental care; persons who do not have a profession/trade; persons with disabilities; the long-term unemployed; persons aged 50 and over; persons released from places of

detention; victims of trafficking in human beings, after psychological and social rehabilitation; persons struggling with the consumption of narcotic or psychotropic substances, after social and psychological rehabilitation; victims of domestic violence, the NEA through 35 territorial subdivisions of the agency, offers qualification, requalification, improvement and specialization courses in order to increase and diversify the professional skills of the beneficiaries; for the unemployed who do not have a profession or trade, on-the-job training takes place within the unit in order to obtain the knowledge, skills, competences and qualification necessary to increase the chances of employment. The professional internship measure is organized for unemployed persons with no seniority in their profession. Subsidized employment, including in the case of adapting the workplace to the needs of persons with disabilities, provides for the offering of subsidies to employers who hire persons with unemployed status. If the unemployed want to start an entrepreneurial activity through which they create a job, the NEA offers consultancy, assistance and support for starting a business. In order to stimulate the creation of new jobs and to reduce unemployment, subsidies are granted to support local initiative projects that create jobs in rural localities. At the same time, for the unemployed who take up a job in another locality selected by the NEA, they benefit from a single placement allowance equal to an average monthly salary in the economy for the previous year.

In order to strengthen capacities in September 2023 – October 2023, with the support of the International Organization for Migration (IOM), information and awareness sessions were held for community mediators in the segment of preventing and combating trafficking in human beings, gender-based violence, sexual abuse and other forms of exploitation, as well as information about access to assistance and protection services offered by the state. These events aimed to achieve an exchange of experience between community mediators with tradition, newly recruited ones and specialists from various fields. The sessions were held in several districts of the Republic of Moldova – Soroca, Otaci, Nisporeni (Vulcanesti) and Glodeni. Within them, 51 persons were informed/sensitized:

- 8 community mediators (6 men and 2 women);
- 18 representatives of local authorities and schools (7 women and 11 men);
- 25 representatives of the Roma community (15 women and 10 men).

At the same time, the IOM, based on the partnerships established with the MLSP in order to implement policies in the field of preventing and combating THB, organizes awareness sessions for representatives of local communities (teachers, church representatives) in order to improve the capacities for preventing and combating the phenomenon of THB and gender-based violence in vulnerable communities.

5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:

- a. deinstitutionalisation, including community and family-based services for children and support for independent living;**
- b. monitoring institutions and foster families accommodating persons with disabilities;**
- c. procedure for the selection and appointment of legal guardians and monitoring of their work;**
- d. access to adequate accommodation, education and work;**
- e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.**

The UN Convention on the Rights of Persons with Disabilities, ratified by the Republic of Moldova, by Law no. 166/2010, represents a fundamental document that promotes and ensures the full exercise, on an equal basis, of all fundamental human rights and freedoms by all persons with disabilities and promotes respect for their dignity. Following the ratification of the UN Convention on the Rights of Persons with Disabilities, Law no. 60/2012 on the social inclusion of persons with disabilities, which regulates the rights of persons with disabilities with a view to their social inclusion, guaranteeing the possibility of their participation in all areas of life without discrimination, at the same level as other members of society, based on the respect of rights and fundamental human freedoms. In this context, the deinstitutionalization of persons with intellectual and psychosocial disabilities is a priority of the Government, especially of the MLSP, which is also established in the National Action Plan for the implementation of the Republic of Moldova – EU Association Agreement (Title II, art. 3, (2),

subpara. (e), Implementation measure no. 6 "Reform of the residential care system for persons with mental disabilities". Following the Intermediate Evaluation Report of the National Program on Deinstitutionalization of Persons with Intellectual and Psychosocial Disabilities for 2018-2026, the MLSP finalized the new National Program on Deinstitutionalization of Persons with Disabilities and Action Plan for 2024-2028, and its content will focus primarily on expanding the group of beneficiaries, with the integration of the principle of "leaving no one behind". In order to ensure the rights of persons with disabilities to an independent living and in the context of their integration into society, regulations and minimum quality standards were developed and approved regarding the organization and operation of several types of social services, respectively: Social Service "Protected house", "Community house", "Mobile team", social service "Respiro", "Personal assistance", "Family placement for adults", "Day care centers for persons with disabilities", Sign language interpretation service for persons with disabilities with hearing impairments and free telephone assistance service for persons with disabilities. According to Order of the MLSP no. 807A/2020, Territorial structure of social assistance prepares the file and refers the case to highly specialized social services, with the presentation of the package of documents to be examined within the inter-agency Working Group regarding the examination of requests for placement of adults in temporary placement centers for persons with disabilities, only if there are good reasons to consider that the actions undertaken at the local level cannot satisfy the identified needs of the beneficiary, and the non-granting of highly specialized social services constitutes a risk to the life of the beneficiary.

The MLSP is developing now the new National Program on Social Inclusion of Persons with Disabilities for 2024-2028, with the aim of addressing the strategic directions of actions at the national level in order to ensure the rights of persons with disabilities and their effective and full participation in society.

6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:

The actions of the employee of the General Inspectorate for Migration (hereinafter GIM) will be in accordance with the provisions of Law no. 270/2008 on asylum in the Republic of Moldova, which regulates the rights of asylum seekers, procedural guarantees, describes acts of persecution and serious injuries as well as the procedure for conducting the interview.

Thus, the GIM employee will conduct an interview with the alleged victim during which he/she will evaluate the situation and decide the course of the case. In the event that there is a reasonable suspicion that the person is or has been subjected to trafficking in human beings, the GIM employee provides counseling and assistance according to the respective competence.

According to the relevant law, acts of physical and mental violence, including sexual violence, are implicitly included in acts of persecution that allow the recognition of refugee status.

At the same time, with the aim of providing information for the employees of the competent authority for foreigners, regarding the principles, rights, legal framework, communication aspects and procedures to be followed when assessing the needs of asylum seekers in a vulnerable situation and referring them to the competent authorities, "Practical Guide on the assessment of the needs of asylum seekers in a vulnerable situation and their referral to the competent authorities" was developed and approved by Order of the BMA no. 33/2020. The aforementioned Guide is applicable to asylum seekers whose asylum application has not been resolved by an irrevocable decision and is addressed to the employees of the competent authorities who, within the limits of their functional duties, interact with asylum seekers.

Likewise, action will be taken in accordance with the provisions of the Guide regarding the identification of victims and alleged victims of trafficking in human beings in the context of mixed migratory flows, approved by Order of the MIA no. 485/2022, namely:

- 1) will inquire whether the person concerned needs the services of an interpreter/translator and, if necessary, will take steps to provide such services;
- 2) will find out if the participation of a legal representative is necessary for this person and will ensure, if necessary, the presence of the legal representative;
- 3) will interview this person using a Questionnaire/Form for the identification of victims of THB (Appendix no. 2 to the THB Guide approved by Order of the MIA no. 485/2022);
- 4) will analyze the information received and, in case of a conclusion that the person is an alleged victim of THB, will inform the person about the right to file a complaint in order to initiate criminal prosecution against the perpetrators, about the judicial and administrative procedures applied in the Republic of Moldova and in the country of residence and, if necessary, will refer the person to the criminal prosecution body.

a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;

The asylum seeker's rights are provided by art. 28 of Law no. 270/2008 on asylum in the Republic of Moldova.

During the asylum procedure, all rights and guarantees of the seeker are made known in a language that he/she understands.

At the same time, informative sessions are regularly organized in the GIM Accommodation Center, with the support of development partners the Lawyers' Law Center, the Charity Center for Refugees, the International Center "La Strada", the International Organization for Migration, UNHCR, etc. During the informative assemblies, meetings and sessions, the rights and guarantees provided by the legislation are explained to the beneficiaries of the Center. Likewise, these persons are familiar with the phenomenon of THB, the elements that characterize the act of THB, the rights of victims of THB and the contacts of organizations with competences in the field of THB.

b. access to legal assistance and representation;

According to art. 28 subpara. f) of Law no. 270/2008 on asylum in the Republic of Moldova, the asylum seeker has the right to benefit from legal assistance at any stage of the asylum procedure.

At the same time, the General Inspectorate for Migration, based on the agreements concluded with the competent authorities in counseling and providing legal assistance, such as the Lawyers' Law Center, collaborates to provide the necessary support to asylum seekers, as well as in cases of alleged victims of THB.

According to art. 20 of Law no. 198/2007 on state-guaranteed legal aid, victims of trafficking in human beings and asylum seekers, in the asylum procedure, benefit from qualified legal assistance regardless of income level.

It should be noted that, during the reporting period, no cases of asylum seekers who were victims of THB were registered in the Asylum System of the Republic of Moldova.

c. access to decent accommodation, health (including psychological) care, work and education.

In the sense of GD no. 1023/2012 on the approval of the Regulation of the Accommodation Center, asylum seekers and their family members who are asylum seekers, who have the right to stay in the Center during the asylum application settlement procedure within the Foreign Integration Directorate, can be accommodated in the Center of asylum, asylum seekers who do not fall under para. 1), but who can be accommodated in the Center pursuant to art. 28 subpara. m), o), i) of Law no. 270-XVI of 18 December 2008 on asylum in the Republic of Moldova.

According to art. 39 of GD no. 1023/2012 on the approval of the Regulation of the Accommodation Center, persons benefit from the following rights during the stay in the Center:

- 1) to respect their own opinion and specificity, in religious, philosophical and cultural matters;
- 2) to be provided with minimum accommodation in the Center within the limits of available funds;
- 3) to use the common use spaces in strict compliance with the schedule approved by the administration;
- 4) to benefit from access to telephone services on their own account;
- 5) to benefit from meetings with visitors according to the schedule approved by the administration, in the specially arranged space;
- 6) to request the granting of social and psychological assistance by specialized specialists, if necessary;
- 7) to benefit, in the case of persons with special needs, from the adaptation of accommodation and assistance conditions in the Center;
- 8) to benefit from medical assistance in accordance with the legislation in force;
- 9) to leave and return to the territory of the Center between 6:00 and 23:00;
- 10) to hand over the goods and valuables to the responsible person for safekeeping;
- 11) to benefit from free access to information;
- 12) to organize free time in strict compliance with the provisions of this Regulation;
- 13) to participate in cultural and sports activities;

14) to benefit from the activities carried out by the representatives of the United Nations High Commissioner for Refugees in the Republic of Moldova and other institutions and non-governmental organizations, with which collaboration protocols in the field are concluded;

15) to submit requests and complaints (claims, proposals, notifications) to the Center's administration, hierarchically superior bodies.

With reference to the identification of vulnerability to THB, according to para. 28 of the Internal Order Instructions of the Temporary Placement Center for Foreigners approved by Order of the MIA No. 354/2015 (hereinafter TPCF), if, following the examination, the doctor finds that the foreigner shows traces of violence, this will be recorded, compulsorily, in the trauma record register and in the medical examination file of the foreigner who is placed in the Center.

The Head of TPCF or his/her deputy will be informed about this fact immediately and will act in accordance with the provisions of the Guide regarding the identification of victims and alleged victims of trafficking in human beings in the context of mixed migratory flows, approved by order of the MIA no. 485/2022, namely:

1) will inquire whether the person concerned needs the services of an interpreter/translator and, if necessary, will take steps to provide such services;

2) will find out if the participation of a legal representative is necessary for this person and will ensure, if necessary, the presence of the legal representative;

3) will interview this person using a Questionnaire/Form for the identification of victims of THB (Appendix no. 2 to the THB Guide approved by Order of the MIA no. 485/2022);

4) will analyze the information received and, in case of a conclusion that the person is an alleged victim of THB, will inform the person about the right to file a complaint in order to initiate criminal prosecution against the perpetrators, about the judicial and administrative procedures applied in the Republic of Moldova and in the country of residence and, if necessary, will refer the person to the criminal prosecution body.

The integration of foreigners into the system of mandatory health insurance is carried out in accordance with Law no. 1585/1998 on mandatory health insurance.

In accordance with the legislation, victims of THB have the same rights, but also the same obligations in the field of mandatory health insurance as all citizens of the Republic of Moldova.

In the framework of the mandatory health insurance, the population benefits from medical assistance in the volume established by the Unique program of the mandatory health insurance, developed within the limits of the means of the mandatory health insurance funds. In accordance with the provisions of the Unique program of compulsory health insurance, the insured persons benefit from the following types of health care: emergency health care at the pre-hospital stage; primary health care; hospital nursing; specialized outpatient health care, including dental; hospital health care; high performance medical services, health care at home.

For uninsured persons, emergency pre-hospital medical assistance and primary medical assistance are granted in the volume established by the Unique program, including the prescription of compensated medicines in accordance with the normative acts, without conditioning health insurance or payment for the provision of these services.

At the same time, specialized outpatient and hospital health care, in the case of socially conditioned illnesses with a major impact on public health, including mental health assistance within Community Mental Health Centers and Youth Friendly Health Centers, is offered regardless of insured/uninsured status and are covered from the means of the compulsory health insurance funds according to the law.

Medicines provided by the National Programs, centrally procured by the Ministry of Health for tuberculosis, serious (severe) mental and behavioral disorders, diabetes mellitus, diabetes insipidus are issued free of charge, regardless of insured/uninsured status. At the same time, according to GD no. 898/2015 for the approval of the Framework Regulation on the organization and operation of the Service for assistance and protection of victims of trafficking in human beings and the minimum quality standards, the Service provider ensures the provision of health services: medical supervision, emergency medical assistance and the promotion of a healthy lifestyle (sport, diet, personal hygiene), education and child care.

With reference to the field of education:

1) the Instruction regarding the integration of children from refugee families from Ukraine and other countries in a state of war in the general education institutions of the Republic of Moldova was approved by Order of the Minister of Education and Research no. 1109 of 04.09.2023 and placed on the MER website (https://mec.gov.md/sites/default/files/ordin_mec_1109_din_04.09.2023_instruatiune_refugiati.pdf)

2) Order of the MER no. 177 of 15.03.2022 on enrollment in study mobility of refugee students from Ukraine.

7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;**
- b. provision of clear employment contracts;**
- c. access to decent work and housing, health care, social services and education;**
- d. possibility to change employers;**
- e. access to confidential complaints mechanisms;**
- f. right to join trade unions and to engage in collective bargaining;**
- g. legal avenues for regularising their stay in the country.**

The NEA offers consultations and information on legal employment, based on individual employment contracts, through online forms sent by citizens to the institution, by phone and at the office. Also, private agencies, according to the provisions of art. 62 of Law no. 105/2018 on the promotion of employment and unemployment insurance, with the signing of the employment mediation contract, are obliged to provide the migrant worker with an informative note regarding the rights and obligations of the migrant worker, according to the requirements established by the Government. At the same time, consultations are offered to economic agents, who are interested in obtaining a license for activity related to the employment of Moldovan citizens abroad. Both citizens and economic agents can receive information on legal employment abroad by accessing the NEA official page www.anofm.md (Labor Migration section) where they can view detailed information about the process of legal emigration for work purposes.

8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

The State Labor Inspectorate has a workforce of 84 units (of which auxiliary staff – 1 unit), including 26 units of the central apparatus and 58 units of the territorial labor inspections, with an annual labor remuneration fund according to the provisions of the legislation in force.

The activity of preventing cases of trafficking in human beings is carried out within the limits of the own budget.

The State Labor Inspectorate, in the sense of carrying out inspections with the aim of preventing cases of labor exploitation, carries out planned and unannounced controls. At the same time, starting from 07.02.2021, the State Labor Inspectorate exercises state control over the activity of private agencies and unlicensed intermediaries that carry out the activity related to the employment of citizens of the Republic of Moldova abroad under the conditions provided by Law no. 105/2018 on the promotion of employment and unemployment insurance and other normative acts.

In the part related to the State Labor Inspectorate's relations with other authorities in the segment of preventing cases of labor exploitation, we list the following:

- on 22.07.2013, the State Labor Inspectorate signed a collaboration agreement with the Center for Combating Trafficking in Human Beings;

- on 24.04.2018, the State Labor Inspectorate signed a collaboration agreement with the Bureau of Migration and Asylum (currently the General Inspectorate for Migration);

- on 6.07.2021, the National Confederation of Trade Unions from Moldova and the State Labor Inspectorate signed a collaboration agreement to contribute to ensuring the rights of employees trained to work in decent conditions;

There is no separation between the functions of labor inspection and immigration control.

9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

The process of hiring citizens by private employment agencies licensed to carry out the activity of recruitment and employment of work force abroad is regulated by Law no. 105 of 14.06.2018 on the promotion of employment and unemployment insurance, the mechanism for implementing Law 105/2018 – GD no. 1276/2018 on the approval of the procedures for access to employment measures (annex 112) as well as the Private Employment Agencies Convention of the International Labor Organization no. 181, ratified by the Republic of Moldova by Law no. 482-XV of 28.09.2001.

According to the provisions of GD no. 1276/2018, in order to carry out the employment abroad activity, it is forbidden to collect any kind of fees or other payments from persons looking for a job, directly or indirectly, in whole or in part. The private agency may charge for additional services only if it has obtained such authorization under the law and if these services are not employment mediation services.

According to the duties, the NEA monitors the activity of private employment agencies by:

- coordinating draft individual employment contracts and draft mediation contracts in accordance with the provisions of the legislation in force, the content of which must also include the minimum clauses provided for in GD no. 1276/2018.

- registering individual employment contracts of citizens of the Republic of Moldova employed abroad through private employment agencies. During January-September 2023, 5121 individual employment contracts were registered with the NEA.

- receiving the statistical reports (quarterly), summarizing them and informing the Public Services Agency regarding detected deviations. During January-September 2023, the NEA received statistical reports submitted by 43 private employment agencies.

The NEA has a good collaboration with private employment agencies which is manifested through mutual consultation, informative notes, sessions and trainings based on the new legal regulations, as support for their activity.

10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?

The following contraventions are provided for in the Criminal Code: art. 54/1 "Unlawful practice of a profession or an activity", art. 54/2 "Breach of equality in the field of labor", art. 55 "Breach of labor legislation", art. 55/1 "Use of undeclared labor", art. 55/2 "Payment of salary or other payments without their record in the accounting records", art. 55/3 "Breach by the employer of the legislation on occupational safety and health", art. 55/4 "Breach of the rules for carrying out unqualified activities of an occasional nature carried out by day laborers", art. 58 "Admitting the minors to jobs that pose a danger to their life and health or attracting the minors to work that poses a danger to their life and health".

If one of the activities mentioned above falls under the contraventions in issue, the competent authorities initiate the detection and examination of the contravention and the sanctioning of the perpetrator.

11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

According to art. 19 of Law no. 200/2010 on the regime of foreigners in the Republic of Moldova, the employment of foreigners who are going to enter the Republic of Moldova for employment, foreigners temporarily seconded by foreign companies, trainee or seasonal workers is ensured. For this purpose, visas are also issued to athletes who are going to perform within some clubs or teams from the Republic of Moldova, based on an individual employment contract.

Citizens are informed about the 3 legal ways of employment abroad: based on Law 105/2018 on the promotion of employment and unemployment insurance; in accordance with the provisions of the international treaties to which the Republic of Moldova is a party and through private employment agencies that have a license and individually on the basis of an individual employment contract concluded with the employer before leaving the country.

12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

On 28 December 2022, the Crime Prevention and Combating Program for 2022-2025 was approved by GD no. 948.

According to General Objective 5 "Reducing national vulnerabilities in the field of preventing and combating trafficking in human beings and child trafficking" from the Action Plan for the implementation of the Crime Prevention and Combating Program for 2022-2025, the following actions were provided for: 5.1. "Increasing the capacity to react to the latest trends in the phenomenon of trafficking in human beings and child trafficking based on the continuous monitoring and analysis of relevant indicators until 2024" and 5.2. "Creating the mechanism for storing disaggregated information on trafficking in human beings and children until 2024".

Also, within the new National Program on preventing and combating violence against women and domestic violence for 2023-2027 approved by Government Decision no. 332/2023, actions aimed at the economic empowerment of women victims of domestic violence, including those from vulnerable groups, were included.

At the same time, the social policies in the field of employment provide for a series of services and active measures aimed at facilitating the employment of persons at increased risk of THB, stated in the answer from para. 4.d).

13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

According to art. 31 paragraph (2) subpara. e1) of Law no. 200/2010 on the regime of foreigners in the Republic of Moldova, for the protection of victims of trafficking in human beings, the right of temporary residence on the territory of the country is granted.

According to art. 42/1 of the same law, the right of temporary residence for victims of trafficking in human beings can be granted and/or extended to a foreigner who is or has been a victim of trafficking in human beings, including in the event that he/she entered illegally the territory of the country, if the following conditions are cumulatively met: a) the foreigner shows a clear will to cooperate with the competent authorities in identifying and bringing to criminal responsibility the participants in the commission of the crime of which he/she is the victim; b) the foreigner has broken any relations with the persons suspected of committing the crime of which he/she is the victim; c) the foreigner's stay on the territory of the country is necessary for the proper conduct of the criminal proceedings; d) the foreigner does not pose a danger to national security and/or public order.

14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?

In the Republic of Moldova, in the reference years, no cases of THB in the field of sports were reported. The MER is keeping an eye on the issue in question and is monitoring the sports institutions in this regard. The information actions take place within the National Campaign "THB Action Week", as well as other events aimed at preventing the phenomenon of THB.

15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?

In 2020, the General Prosecutor's Office developed and approved *the Guide on international and national legal norms/instruments in the field of combating the abuse and sexual exploitation of children with the use of information and communication technologies*. The Guide was approved on 15.10.2020 by Order of the General Prosecutor no. 80/15 and develops aspects related to:

- description of the phenomenon, challenges and trends;
- international and national legal norms;
- ECHR practice;
- national practice;
- procedural and case investigation aspects;
- aspects related to judging cases.

The Guide is applied by criminal investigation officers and prosecutors when investigating cases of sexual exploitation of children with the use of information and communication technologies.

One of the practical effects of implementing the Guide was the increase in the number of registered cases of child trafficking, art.206 of Criminal Code, some of which were carried out with the use of technologies or the act of exploitation was committed through communication applications.

In 2020, 21 cases were registered based on art. 206 of Criminal Code (Trafficking in children); in 2021 – 13 cases and in 2022 – 22 cases.

16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, child care professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?

In the 2022-2023 academic year, the Standards for the online protection and safety of children/students (Order No. 985 of 07.10.2022 of the Minister of Education and Research on the approval and implementation of the Standards for the online protection and safety of children/students) are implemented at the national level.

In order to raise awareness of specialists from the educational institutions regarding situations of online violence and offering functional models of intervention in various situations of online violence, but also about the risks of intervention, especially in situations of online sexual abuse, during the period January-April 2022, 5 workshops on the topic "Intervention of specialists from the educational institution in situations of online violence" were held. The workshops were conducted by the I.C. "La Strada", the MER's partner, in the context of implementing the Standards for the online protection and safety of children/students approved by the MER in 2022 and the Collaboration Agreement signed in 2020. The 125 school psychologists, participants in the workshops, learned to identify immediate and long-term actions in online violence situations, based on the outline of the intervention plan proposed by the moderators. They also mastered what are the elements that make the difference between a hazardous situation for the child and situations of online sexual abuse in order to be able to act depending on the situation (risk behavior – prevention; online sexual abuse – intervention).

During 10-26 May 2022, 6 activities were carried out on the topic "Discussion with the child about online sexual abuse". The aim of the activities was to raise awareness of the need to discuss with children about online sexual abuse and to train parents in the skills required to discuss thereabout in a child-friendly manner.

105 parents of 8th grade students participated in the activities. The activities were carried out by specialists of the I.C. "La Strada", according to the activity plan regarding the piloting of the Standards for the online protection and safety of children/students, approved by Order no. 985 of 07.10.2022 of the Minister of Education and Research and the Collaboration Agreement signed in 2020.

In recent years and in the context of the Covid-19 pandemic, along with the priority regarding the development of digital skills among students and teaching staff, the MER has emphasized equipping educational institutions of all levels with information and communication technologies. Thus, the MER implemented the National Digital Literacy Program in three stages to cover the digital needs of teaching staff. With the support of development partners, the provision of educational institutions with computer technology and electronic equipment for students continued.

The employees of the Center for Combating Trafficking in Persons (CCTP) are also involved in the information and awareness process, and they organize and carry out public lectures, trainings, awareness-raising activities in schools, high schools, universities, vocational schools as well as other educational institutions in which useful information on updated THB risks is presented.

Thus, in 2023, 14 public lectures were presented.

Another measure to raise awareness of the risks of technology-enabled THB, including among children, parents, teachers, childcare professionals and social workers, is media coverage of cases of THB crimes successfully investigated by CCTP employees, as well as the imprisonments to which traffickers are sentenced (in the case of traffickers convicted under art. 165 of Criminal Code, these vary from 6 to 20 years in prison, and in the case of child trafficking, art. 206 of Criminal Code, these range from 10-20 years in prison or even life imprisonment in certain cases);

Addressing the topics of preventing and combating THB in TV/radio broadcasts, and placing thematic releases on the pages of public authorities is also an effective measure to raise awareness of the risks of technology-enabled THB.

17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?

If necessary, in criminal cases, the criminal investigation body sends requests/inquiries to Meta, Facebook, Instagram, etc. regarding user accounts and relevant information on a case-by-case basis. The requests of the criminal investigation body are examined, and information is presented.

18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

In 2023, Investigation and Consultancy Center Sociopolis financed by the IOM conducted a study to assess the services available for the rehabilitation of crime victims through public and private service providers. The purpose of this study was to evaluate the services for victims of offence (trafficking in human beings, domestic violence, sexual violence, etc.) and to develop recommendations for their improvement within the national referral mechanism for protection and assistance for victims of offence (NRMV). As a result, specialists in the field of social assistance appreciated the NRMV as a complex coordination mechanism, developed in accordance with international requirements but complex as it involves multiple changes in the transition process from the National Referral System with the profile of victims and alleged victims of THB to the new mechanism with 20 crime victim profiles. Accordingly, the system of assistance and protection of victims of THB is to be revised by improving the minimum quality standards and developing new services.

II. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)

19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?

During the reporting period, such cases were not registered.

20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with

specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?

The inter-agency cooperation mechanism is accomplished according to GD no. 182/2022 on the approval of the Program for the creation and development of the National Referral Mechanism for protection and assistance of victims of offence for 2022-2026 and the Action Plan for 2022-2024 regarding its implementation, by reorganizing the National Referral System for protection and assistance of victims and potential victims of THB and expanding the scope to other categories of victims that are provided for in Law no. 137/2016 on the rehabilitation of victims of crime.

In order to protect the victims of THB, upon confirmation of the status of a victim of THB, the right of temporary residence is granted to or extended for them. In art. 42/1 of Law no. 200/2010 on the regime of foreigners in the Republic of Moldova, the conditions for granting and extending the right of temporary residence for victims of trafficking in human beings are stipulated. Thus, the right of residence is granted for a period of 6 months, with the possibility of extension for new periods of up to 6 months, if the foreigner shows a clear will to cooperate with the competent authorities in identifying and prosecuting the participants when committing the crime of which he/she is the victim. The right of temporary residence for victims of THB and the related residence permit are issued free of charge.

Likewise, at the stage of criminal investigation, regardless of the citizenship of the persons, once they received the status of a victim of the THB, they, having the legal capacity of a victim, benefit from all the rights and guarantees provided by the criminal procedural legislation, including these persons are referred to the Special Centers with or without placement, in order to benefit from the specialized assistance provided for victims of THB.

The General Inspectorate for Migration (GIM) and CCTP cooperate effectively with specialized NGOs in order to identify the most optimal solutions for the protection of victims. Thus, information sessions are periodically organized for foreigners to whom the risks of trafficking are explained, as well as the competent bodies in the Republic of Moldova that they can apply to, which have competences in preventing and combating THB.

21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

In order to encourage victims to report situations of risk and exploitation, national campaigns are initiated and carried out to inform persons about the phenomenon of THB, existing rights and guarantees. Information is distributed through mass media, TV broadcasts, radio, video reports, including the mediatization of resonant cases.

22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?

In accordance with the provisions of Law no. 270/2008 on asylum in the Republic of Moldova and Oder of the MIA no. 782/2016 by which *the Instruction on the procedure for receiving asylum applications*, submitted by foreigners at the state border of Republic of Moldova was approved. The Border Police is the competent authority to receive asylum applications, ensuring access to the territory of the Republic of Moldova of asylum seekers only after informing the GIM and with its permission. The GIM will pick up and escort the applicant from the state border, within 24 hours to review the submitted applications. At the same time, when detecting potential asylum seekers, the Border Police employees exclude any abuse, as well as taking arbitrary decisions applied to asylum seekers. In this sense, the asylum seeker will be informed, in a language he/she knows, of his/her rights and obligations during the asylum procedure with the right to be assisted by a lawyer, an UNHCR or an NGO representative.

Preliminary identification is carried out by the GIM employees when they come into contact with a foreigner based on the following aspects:

- manifestations of indirect signs of THB (fear, signs of physical and psychological violence, violation of the established border crossing procedure, irregular legal status of a migrant in the Republic of Moldova, signs of control by accompanying persons, etc.);

- other information received from the migrant or other persons, which contain certain direct signs of THB.

Following the primary identification, the assistance needs of the alleged victim of THB are found and, with his/her consent, referred to one of the specialized organizations that provide appropriate assistance, issuing a note/cover letter. If necessary, the alleged victim is accompanied to the organization providing assistance. Likewise, the THB Victim Identification Questionnaire is immediately completed and submitted to the CCTP.

23. What measures are taken in your country to identify victims of THB in immigration detection centres and prisons?

The GIM employees adopt a benevolent attitude to establish a psychological contact with the foreigner alleged to be a victim of THB. In this sense, favorable conditions are created for the first contact, which includes: identifying the interviewee by name and surname, asking general questions, establishing a dialogue with the foreigner through regular visual contact, isolating the companion or the persons who can control the victim of THB and in relation to which the alleged victim of THB may feel fear, which may influence this person's behavior and answers to the questions asked. The authorized specialist is obliged to assess the individual needs of the person who declares to be trafficked with his consent, so that he/she can be later referred to the competent authority to provide the appropriate assistance.

Likewise, the GIM cooperates effectively with specialized NGOs in order to identify the most optimal solutions for the protection of victims. Thus, information sessions are periodically organized for foreigners to whom the risks of trafficking are explained, as well as the competent bodies in the Republic of Moldova that they can apply to, which have competences in preventing and combating THB.

In the part related to the measures taken to identify victims of THB in penitentiary institutions, at the stage of placement in penitentiary institutions, all prisoners are initially evaluated and their needs and risks, which later form the basis of developing the individual resocialization plan are identified. The planned actions are binding and must be executed until the end of the detention period. In certain situations, all necessary measures are taken to ensure personal security. Practices are also established where non-commercial organizations provide support to prisoners from certain vulnerable/risk groups.

24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:

- a. persons with disabilities;**
- b. LGBTI+ persons;**
- c. victims with children;**
- d. victims with severe mental and physical trauma;**
- e. homeless persons;**
- f. other.**

The protection and assistance of victims and alleged victims of THB is carried out in accordance with the provisions of Chapter III of Law no. 241/2005 on preventing and combating THB. As a result, the protection and assistance of victims and alleged victims is carried out within the National Referral System, through multidisciplinary teams and centers providing specialized services for victims of THB. We reiterate the fact that the victim referral system is currently in a transition process as it is reviewed in terms of inter-agency cooperation in the context of the implementation of the new NRMV mechanism.

In the Republic of Moldova, there are 2 specialized services for victims of THB: Center for Assistance and Protection of Victims and Potential Victims of Trafficking in Human Beings – women and children (CAP) and Service for Assistance and Protection of Victims of Trafficking in Human Beings – men (SAP). Also, victims of THB can be referred for assistance to 4 other maternal centers in the country (Maternal Center "ProFamilia" from Causeni, Maternal Center from Cahul, Center "Ariadna" from Drochia, Maternal Center "Pro-Femina" from Hincesti). Within the centers, victims benefit from the following specialized services: placement, informational counseling, medical, psychological counseling, state-guaranteed legal assistance, orientation towards employment measures.

CAP is a highly specialized public institution that offers intervention in crisis cases both for persons identified as victims of trafficking in human beings and for those in risk situations. Thus, over the years, the

Center has become one of the most important and sought-after service providers for victims of THB in the Republic of Moldova.

CAP capacity is 34 persons, of which: 24 for women and mother-child couples and 10 places for children separated from their parents.

SAP was established in 2021 by the MLSP, the National Social Assistance Agency in partnership with IOM, with the aim of assisting and protecting adult persons (men), victims and/or alleged victims of THB and/or other related crimes with a view to recovery, social rehabilitation, adaptation to an active life, re/integration into the family, as well as the resumption of an independent living. The service has a maximum capacity of providing the necessary placement and assistance for 10 beneficiaries.

During 2023, within the CAP and SAP centers, 37 victims of THB were assisted with shelter: 21 men, 8 women and 8 children (girls).

Another eloquent element in the intervention regarding the reference field within the NRMV, is the repatriation of children and adults – victims of THB, of persons in difficulty, as well as of unaccompanied children carried out in accordance with Government Decision no. 948/2008.

In order to ensure the best interests of all children, who need immediate and accessible protection, care and attention, several social services have been developed in this regard:

- Free telephone assistance service for children (Telefonul Copilului) 116 111.

This Service was launched on 4 June 2014, is managed by the MLSP and implemented by AO "CNFACEM". The services are offered free of charge through the unique national number 116 111 assigned by the National Regulatory Agency for Electronic Communications and Information Technology of the Republic of Moldova, through the chat available on the web page <https://telefonulcopilului.md/>, via Skype TelefonulcopiluluiMoldova116111, as well as via e-mail telefonul.copilului@social.gov.md. The specialists at the free telephone assistance service for children have complete higher education in the field of psychology, specializing in clinical psychology and psychopedagogy. The organization and operation of the free telephone assistance service for children is regulated by GD no. 519/2022. The activity of the free telephone assistance service for children is based on the provisions of the UN Convention on the Rights of the Child, contributes to ensuring that all children can be heard and promotes the four basic principles of the Convention: non-discrimination; the best interest of the child; the right to life, survival and development and respect for the child's opinion.

The purpose of the Service is to increase the level of protection of children by providing direct and free access to psychological counseling, psycho-emotional support and informing them about their rights and the ways in which these rights can be defended.

The objectives of the Service are:

- 1) providing psychological counseling services, which meet the needs of the beneficiaries of the Service;
- 2) increasing children's access to the protection system by applying the inter-agency cooperation mechanism, approved by the Government;
- 3) strengthening the child protection system based on the analysis of data on the Service's activity.

Within the Service, councilors carry out the following activities:

- 1) assessment of the immediate needs and the potential risk of exposure of the child to violence, neglect, exploitation and/or violation of the child's rights;
- 2) counseling and telephone support for overcoming children's psycho-emotional problems, as well as relationship problems between parents/persons in whose care the children are, as well as with other children and/or adults;
- 3) information and consultation regarding the rights of the child and the child's protection system;
- 4) taking actions in accordance with the provisions of GD no. 270/2014.

Since the launch of the free telephone assistance service for children (June 2014) until 31 December 2022, 47,462 calls have been received and recorded.

In 2021, the psychologists of the free telephone assistance service for children received and recorded 3,929 calls, of which 3,324 were single calls and 605 repeated calls.

In 2022, the psychologists of the free telephone assistance service for children received and recorded 2,927 calls, of which 2,271 were single calls and 656 repeated calls.

Table no. 2 Number of calls received by the free telephone assistance service for children

Year	2021	2022
Number of calls received	3,929	2,927
Number of single calls	3,324	2,271
Number of repeated calls	605	656

Throughout 2022, 2851 children were assisted by the specialists of this service, 353 notification forms regarding suspected cases of violence, neglect, exploitation and trafficking were drawn up and sent to the competent structures. During 2021, 1,526 children were assisted in the 386 calls in which psychologists were notified about situations of violation of children's rights. According to Law no. 140/2013 on special protection of children at risk and of children separated from their parents, 448 notification forms regarding suspected cases of violence, neglect, exploitation and trafficking were drawn up and sent to the competent structures.

Table no. 3 Number of children assisted and number of notifications made

Year	2021	2022
Number of assisted children	1,526	2,851
Number of notification forms regarding suspected cases of violence, neglect, exploitation and trafficking	448	353

From the moment the specialists of the free telephone assistance service for children received a case of violation of the child's rights, they began an intensive process of analyzing the information, drawing up the notification form or collaboration efforts. In order to avoid situations when information is lost due to technical errors, the specialists in the territory are contacted by phone. During the discussion with the specialists, it is determined whether they have had repeated situations in which relevant children were involved and whether any previous measures were taken, in order to find other effective solutions together.

- Assistance and placement service for child victims of trafficking in human beings, as well as children at risk within CAP

By Order of the Minister of Labour, Social Protection and Family no. 201 of 25.10.2016, the Regulation on the organization and operation of the Center for assistance and protection of victims and potential victims of trafficking in human beings was amended, which allowed the inclusion of child victims and potential victims of violence, neglect and exploitation in the assistance and protection program of the Center.

The purpose of the service is the temporary protection of the child separated from the parents and family (re)integration and/or community and social inclusion and offers specialized services for the protection and assistance of victims and potential victims of trafficking in human beings, representing a consolidated system through the interaction of state structures, governmental institutions, non-governmental organizations, specialists at different levels in order to provide the most effective assistance and protection to victims of trafficking in human beings, as well as to persons at risk as potential victims of trafficking.

It is important to mention that, within the center, children who are victims of trafficking in human beings benefit from care, education, recovery, (re)integration, medical, social and psychological assistance with the aim of ensuring optimal conditions for harmonious development.

During 2021, in total, 19 children benefited from assistance and protection at the center.

According to the Activity Report of the Center for assistance and protection of victims and potential victims of trafficking in human beings in the Chisinau municipality for 2022, 25 children beneficiaries (17 girls and 8 boys) were registered in the center, of which:

- Victims of trafficking in human beings – 6 girls;
- Victims of domestic violence – 16 (12 girls and 4 boys);

- Repatriated/unaccompanied children – 3 boys.

Table no. 4 Number of children referred to the Center, 2021-2022

Categories of referred children	2021	2022
Child victims of THB	19	16

Table no. 5 Disaggregation by category and gender of assisted beneficiaries in the wing intended for 2021-2022

Beneficiary categories - children assisted with placement	Number of children				Total children	
	girls		boys			
	2021	2022	2021	2022	2021	2022
Victims of THB	11	6			11	6
Victims of domestic violence	21	12	2	4	23	16
Repatriated children			2	3	2	3

Categories of children beneficiaries assisted in the day services	Total children	
	2021	2022
Victims of THB	8	10
Victims of domestic violence	12	13

During 2023, 8 children (girls) were assisted in CAP.

- Regional integrated assistance center for child victims/witnesses of crimes (Barnahus type).

It is important to note that, at the national level, several specialized services are gradually developed for children in difficulty, which come to prevent risky situations.

In order to ensure increased protection for child victims of violence in the Republic of Moldova, the necessary normative framework was developed.

Thus, the Framework Regulation on the organization and operation of the Regional Center for integrated assistance to child victims/witnesses of crimes and the Minimum Quality Standards was approved by GD no. 708/2019, and in February 2022 the North Regional Center for integrated assistance to child victims/witnesses of crimes was opened, with the location in the Balti municipality, which is a highly specialized social institution without a residential component, which offers beneficiaries specialized assistance services at the regional level.

The Center provides the Integrated Assistance Service for child victims/witnesses of crimes – Barnahus type – a highly specialized service created to provide psychological, legal, medical and social assistance to child victims/witnesses of crimes under the same roof through immediate, coordinated interventions and professionals.

Beneficiaries of the Center are children who are victims/witnesses of crimes of a sexual nature, child trafficking or domestic violence, crimes against life and/or health, as well as in other cases where the interests of justice or the child require it, which have or may have serious impact on their physical and/or mental integrity. Beneficiaries of the Center can also be children who are victims/witnesses of the contravention of domestic violence or that which endangers the life and health of the child, when the children's interests demand it.

The purpose of the Center is to offer the child specialized assistance, which ensures the prevention of revictimization and/or retraumatization in the process of collecting evidence in criminal cases.

Within the Center, the following types of specialized assistance services are provided – interviews under special conditions; medical-forensic examination; psychological evaluation and, when appropriate,

complementary specialized assistance services – assistance to ensure the protection of the child in a situation of risk; psychological assistance in crisis; prior information of the child about the interview under special conditions; medical examination; legal assistance.

Given that providing integrated assistance to child victims/witnesses of crimes is a complex process and involves specialists from various fields, clear procedures are needed for providing each type of assistance within the Center, delimiting the roles and responsibilities of all actors involved, the type of interaction, as well as the ways of documenting all processes.

Thus, for the proper functioning of the Service in question, on 18 February 2022, by Order of the Minister of Labor and Social Protection, the Operational Manual was approved¹¹ that regulates the functioning of the above Service.

The Operational Manual describes the minimum actions to be taken to comply with international standards and the Minimum Quality Standards on the organization and operation of the Regional integrated assistance center for child victims/witnesses of crime and to ensure an approach centered on the interests of child victims of violence and exploitation.

This document also responds to the need of actors involved for standardizing response actions to ensure consistency of actions and eliminating duplication, conflicts and non-complementarity. These procedures also aim to ensure the continuity of service provision that takes into account respect for children's rights and views at every stage and to ensure that the process of providing services allows them to maintain their dignity.

Therefore, at the beginning of 2022, the Ministry of Labor and Social Protection signed Contract no. 12-LD on the purchase of services to ensure the functionality of the Regional Integrated Assistance Center for child victims/witnesses of crimes, Balti municipality, thus starting from March 2022, the first center aimed at ensuring the prevention of revictimization and/or retraumatization in the process of collecting evidence in criminal cases began its activity in the Balti municipality.

In the process of providing specialized assistance within the Center, the child is accompanied by the legal representative or trusted person. According to the minimum quality standards, the legal representative or trusted person of the child can benefit from certain types of assistance, such as: psychological assistance in crisis and primary legal assistance.

Thus, during 2022, 78 children and 60 adults were assisted in the North Regional Center.

According to the Report on the activity of the North Integrated assistance center for child victims/witnesses of crimes in 2022, the correlation of the type of abuse with the age of the children shows that most crimes of a sexual nature were committed against children aged 11-14, the most affected by domestic violence are children aged 0-6 years.

Table no. 6 Number of children assisted in the North Regional Center (2022)

Type of abuse	Age							
	0-6		7-10		11-14		15-18	
	Number	%	Number	%	Number	%	Number	%
Sexual offence	5	9.8%	9	17.6%	26	51%	11	21.6%
Domestic violence offence	9	39%	7	30%	5	21%	2	10%
Child trafficking offence							1	

The Action Plan for the implementation of the National Program for Child Protection for 2022 – 2026 includes action 42: Developing and ensuring the functionality of regional integrated assistance centers for child victims/witnesses of crimes (North, Center, South).

¹¹ https://social.gov.md/wp-content/uploads/2022/02/Ordin-nr.-18_15.02.2022_Manual-operational-Bamahus.pdf

Noting that the approved deadline for this action is 2026, the MLSP has taken the necessary actions to expedite the implementation of this action, which is one of the Ministry's priorities.

Thus, the first North regional center for integrated assistance of child victims/witnesses of crimes has already become functional.

Currently, the Ministry is undertaking the necessary measures in collaboration with its partners for the development of the integrated assistance service for child victims/witnesses of crimes in the South area.

Thus, the land was identified for the South Regional Center, which was assigned to the MLSP by Government Decision no. 512/2023. At the same time, the necessary financial sources were identified, representing UNICEF's contribution, in the amount of approximately 500 thousand dollars, for the construction of the Barnahus-type Center in the South region.

It is expected that this action will be carried out in 2024.

25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?

For these persons, active measures in the labor market are ensured, focused on individual needs, as well as on the needs of employers, such as: vocational training, subsidized employment of categories of vulnerable persons in the labor market; support of the creation and adaptation of jobs for persons with disabilities; professional internship, on-the-job training; self-employment support.

26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

Art. 11 of Law no. 270/2008 on asylum in the Republic of Moldova enshrines the principle of non-refoulement which states that "no beneficiary of a form of protection can be returned or expelled to a country or territory where there could be a threat to his/her life or freedom or where he/she could be subjected to torture, inhuman or degrading treatment".

As for the right of temporary residence for victims of THB, it can be granted and/or extended to the foreigner who is or has been a victim of THB, including in the case when he/she entered the country illegally, if the following conditions are cumulatively met:

- a) the foreigner shows a clear will to cooperate with the competent authorities in identifying and bringing to justice the participants in the commission of the crime of which he/she is the victim;
- b) the foreigner has ceased any relations with the persons suspected of committing the crime of which he/she is the victim;
- c) the foreigner's stay on the territory of the country is necessary for the properly conducting the criminal proceedings;
- d) the foreigner does not pose a danger to national security and/or public order.

At the same time, the right of temporary residence for victims of THB can be granted, at the request of the victim, for a period of 6 months, with the possibility of extension for new periods of up to 6 months, under the conditions stipulated above. When the right of temporary residence expires, the general provisions regarding the regime of foreigners in the Republic of Moldova apply to the victims of THB. The right of temporary residence for victims of THB and the related residence permit are issued free of charge.

27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

In the Republic of Moldova, there are several laws and mechanisms created to ensure that the identity of a child victim of trafficking is not made public.

Thus, the Constitution of the Republic of Moldova in art. 28 provides that the state respects and protects intimate, family and private life.

In accordance with the provisions of art. 4 para. (1) of Law on the protection of children against the negative impact of information no. 30 of 07.03.2013, publishing in the mass media information containing

personal data in cases where the personal data of a child who is the victim of a crime or contravention are made public, which allows his/her identification is prohibited.

In accordance with the provisions of art. 21 of Law No. 241 of 20.10.2005 on preventing and combating trafficking in human beings, the disclosure of information about the private life and identity of the victim of trafficking in human beings and conditions under which he/she was trafficked is prohibited.

The information obtained in the criminal proceedings is managed in terms of art. 212 of Criminal Procedure Code, which provides for the confidentiality of the criminal investigation. Thus, the materials of the criminal investigation can only be made public with the authorization of the person conducting the criminal investigation and only to the extent that he/she considers it possible, respecting the presumption of innocence, and so that the interests of other persons and the conduct of the investigation are not affected under the terms of Law no. 133 of 8 July 2011 on the protection of personal data.

Respecting the confidentiality of the mentioned information is an obligation of all persons, including those involved in activities for prevention and combating of trafficking in human beings, protection and assistance to victims, from law enforcement bodies, courts, from assistance centers, as well as social workers.

At the same time, within the judicial system, a mechanism was created to keep the identity of some participants in the criminal proceedings, including minor victims of THB, undisclosed.

Thus, in accordance with para. 18 of the Regulation on the manner of publication of court decisions on the national portal of the courts and on the website of the Supreme Court of Justice approved by the Decision of the Superior Council of Magistracy no. 658/30 of 10.10.2017, the judgments given in the cases examined in the council chamber ("closed" session) or in secret session are published on the national court portal or on the web page of the Supreme Court of Justice in the following manner: ...

- if it is a question of criminal, contravention, civil or other type of cases judged in this way in order to protect the interests of morality, minors or the private life of the parties to the trial, the names of those affected in the light of these values and interests will always be anonymized. ...

Apart from this, the non-disclosure of information about the identity of the victims of crimes is an ethical requirement of the journalist.

Thus, para. 3.13 of the Journalist's Code of Ethics of the Republic of Moldova stipulates that the journalist does not reveal the identity of the victims of accidents, calamities, crimes, especially sexual assaults.

At the same time, during 2023, several actions were taken to train journalists on best practices, interview techniques and practical exercises on how to interview survivors of trafficking in human beings, including children, and give them the chance to speak without retraumatizing them.

Thus, on 05.05.2023 and 12.05.2023, the OSCE Mission in Moldova organized training for local journalists and press officers from government institutions regarding the ethical reporting of THB.

28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?

In order to avoid the stigmatization of the victims in society and to ensure their confidentiality, the releases or information that is offered for the media within online platforms, newsletters, etc. are offered without giving details about the name, surname, as well as other information that could allow the identification of the victim in the community.

Likewise, media representatives are trained in this regard. In 2023, the OSCE Mission in Moldova, in collaboration with the State Chancellery, organized training for journalists and press officers from government institutions regarding the ethical reporting of THB cases. About 20 specialists had the opportunity to learn best practices, interview techniques and practical exercises on how to interview victims of THB and give them a chance to speak without retraumatizing them.

29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?

No such cases have been identified or recorded.

30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?

The mechanism used in this sense represents the exchange of information with countries where there are armed conflicts, in order to identify whether there are citizens of the Republic of Moldova among the captured prisoners of war or deceased soldiers identified.

31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

Such mechanisms exist for the sexual exploitation of children, which can also be used in cases where children are victims of THB.

Therefore, during 2023, two new mechanisms have been implemented aimed at removing child sexual abuse content from the Internet, namely: the mechanism for reporting child sexual abuse materials and the mechanism for automatic detection of those materials within the provision of content hosting services.

Thus, the mechanism for reporting child sexual abuse materials in the Republic of Moldova was created in cooperation between the General Police Inspectorate (GPI) and the I.C. "La Strada". On 23.02.2023, the Cooperation Agreement between GPI and I.C. "La Strada" regarding the implementation of the respective mechanism was signed. Later, the method of reporting the respective materials was created on the web page <https://siguronline.md/>. Starting from February, meetings were held with the representatives of several content hosting service providers, and cooperation agreements were signed to implement the mechanism. On 24 April 2023, the I.C. "La Strada" was accepted as a member of the global hotline service network INHOPE.

With reference to the automatic detection of child sexual abuse materials, the National Investigations Inspectorate (NII) has established cooperative relations with the NGO "Canadian Center for the Protection of Children" which manages the "Arachnid" project. As part of the project, starting in April 2023, a software solution was implemented in the Republic of Moldova, made available free of charge to content hosting service providers, which allows identification of the respective materials based on hash values.

III. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)

32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.

In accordance with the provisions of Criminal Code, the abuse of a position of vulnerability constitutes a means of committing the offence of THB. Thus, art. 165 of Criminal Code incriminates the actions of trafficking in human beings that are committed by abuse of a position of vulnerability or abuse of power, giving or receiving payments or benefits in order to obtain the consent of a person who has control over another person.

At the same time, the abuse of a position of vulnerability is provided as an aggravating factor in the crime of child trafficking.

Law No. 241 of 20.10.2005 on preventing and combating trafficking in human beings defines the state of vulnerability as:

"... special state in which the person is such that he/she is willing to submit to abuse or exploitation, in particular because of:

- a) the precarious situation in terms of social survival;
- b) the situation conditioned by age, pregnancy, illness, infirmity, physical or mental deficiency;
- c) the precarious and illegal circumstances of entry or stay in the country of transit or destination;"

Apart from that, the definition of abuse of a position of vulnerability is also included in the Decision of the Plenum of the Supreme Court of Justice of the Republic of Moldova on the practice of applying the legislation in the cases of trafficking in human beings and child trafficking no. 37 of 22.11.2004 which is analogous to the definition formulated in law no. 241/2005 with the following additions – "... The state of vulnerability can be

conditioned by different factors such as: the victim's isolation, his/her difficult economic and mental situation, family situation or lack of social resources and others. Abuse of victim's vulnerability position constitutes an element of trafficking. The victim vulnerability situation is to be understood as any type of vulnerability, either mental, emotional, family, social or economic. It is to be understood as a set of desperate situations that can make a person accept his/her exploitation."

33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

The abuse of a position of vulnerability is provided as an aggravating circumstance for the crime of child trafficking (art. 206 of Criminal Code), while for the crime of trafficking in human beings (art. 165 of Criminal Code), the abuse of a position of vulnerability is provided as means of committing the crime.

34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of "abuse of a position of vulnerability" is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should have known of the victim's vulnerability, and intentionally manipulated the victim on this basis?

According to national jurisprudence, the most widespread form of vulnerability is economic vulnerability – "due to its precarious situation from the point of view of social survival".

Another form of vulnerability frequently established in cases of trafficking in human beings, especially those of a cross-border nature, is the vulnerability determined by the situation of stay on the territory of a foreign state, which includes illegal stay on the territory of the destination state, related to entering or staying in the country of transit or destination, as well as/or lack of identity documents, lack of knowledge of the language, impossibility of returning to the country.

In order for the actions of the perpetrator to meet the constitutive signs of the offence of trafficking in human beings, it is necessary for him/her to know about the state of vulnerability and to abuse this position.

35. Is the concept of "abuse of a position of vulnerability" addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

Resulting from the fact that the objective side of the offence of THB provides for the action of "abuse of a position of vulnerability or abuse of power, giving or receiving payments or benefits in order to obtain the consent of a person who has control over another person", this mandatory concept is addressed in the training of specialists in the legal-criminal analysis of the crime.

In the training seminars on the THB segment organized for prosecutors, police officers and judges, in 2023, topics, including on the means of committing the crime – the abuse of the state of vulnerability of the victim – were included on the composition of the crime of trafficking in human beings.

At the same time, during the seminars, practical cases were discussed regarding the cases of vulnerability of the victims abused by the perpetrators, as well as the method of proving that condition.

36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

In the framework of the criminal procedure, the victim of THB, pursuant to art. 58 para. (4) subpara. 5) and art. 60 para. (12) subpara. 1) of Criminal Procedure Code, is informed about the support services he/she can benefit from (medical assistance, psychological counseling, shelter services, legal assistance) and the general conditions for granting them.

At the same time, according to para. 67-71 of the Guide regarding the identification of victims and alleged victims of trafficking in human beings in the context of migration flows, approved by Order of the MIA no. 485/2022, the specialist who identified the victim of THB is obliged to assess the existing risks/dangers for

the life, health, freedom and/or property of the victim and his/her family members or close relatives, and, if necessary, take measures provided by Law no. 105/2008 on the protection of witnesses and other participants in the criminal proceedings. Likewise, the specialist is obliged to assess the individual needs of the victim and, with his consent, to ensure that the person is referred and, if necessary, accompanied to service providers within the National Victim Referral Mechanism to ensure access to the necessary assistance.

The prosecutors of the Republic of Moldova as well as the criminal investigation bodies in the framework of the criminal investigation actions are guided by the general instruction no. 15-10d/17-601 approved by the Prosecutor General on 12.10.2017 regarding the manner of informing the victims/injured parties of offences of their rights within the framework of inclusive criminal proceedings and assistance and support measures provided for in Law no. 137/2016 on the rehabilitation of victims of crime.

Moreover, for an approach focused on the needs of the victim, the General Prosecutor's Office drafted the general instruction no. 6/2-12d/21-821 of 21.07.2021 on the improvement of practices in the field of facilitating the provision of support services to victims of trafficking in human beings and child victims of sexual exploitation.

These documents guide the responsible persons on which services, at which stages and in which situations are to be offered to the victims of crimes discussed. The instruction also has attached a list and contact numbers of the institutions and NGOs that provide the necessary services.

37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.

The national criminal legislation criminalizes in art. 165¹ of Criminal Code the act regarding "the use of the results of the work or services of a person who is a victim of trafficking in human beings", namely:

(1) The use of products and/or services that constitute the result of exploitation in the crimes of trafficking in human beings or child trafficking, provided by a person about whom the beneficiary knows he/she is the victim of these crimes, if this act does not meet the elements of trafficking in human beings or of child trafficking, is punishable by imprisonment from 2 to 5 years, with a fine, applied to the legal entity, in the amount of 2000 to 4000 conventional units with the deprivation of the right to exercise a certain activity.

(2) The person who committed the act provided for in para. (1) is released from criminal liability if he/she voluntarily declared the commission of crimes of trafficking in human beings or child trafficking by other persons, helped to discover those crimes or actively contributed to the investigation of those cases.

According to the data from the Central Database of the Information Technology Service of the Ministry of Internal Affairs, 5 crimes were registered in the period 2020-2023, namely: 1 criminal case in 2020, 2 criminal cases in 2022 and 2 criminal cases in 2023. In the same period of time, the courts ruled in 3 cases in which the persons were sent to court as accused of committing the crime provided by art. 165/1 of Criminal Code.

38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?

During the working session "Common needs of Software and Hardware based on the grant form to INL the US embassy on the Cyber security/Cyber crime project", the procurement of specialized software aimed at improving investigations into cases of THB was approved.

At the same time, the CCTP employees, during 2023, benefited from training therein, such as: training courses on the fundamental principles of investigations based on open sources "Fundamentals of Open Source Investigations Course" and the "Introduction to OSINT" course, THB Hackathon, Regional Workshop to Address Technology Facilitated Trafficking in Human Beings, etc.

In 2023, the General Prosecutor's Office, in partnership with the I.C. "La Strada", drafted the law amending the Criminal Code, which aims to harmonize national legislation with Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography which was submitted on 19.05.2023 under no. 4-2d/23-240 to the Ministry of Justice as the authority to promote the projects to amend the law. This project aims to improve the response of national authorities to cases of child exploitation with the use of online technologies.

In order to ensure the correct and uniform application of material and procedural criminal legislation, to streamline the process of preventing and combating the abuse and sexual exploitation of children with the

use of online technologies, the General Prosecutor's Office developed the Guide on international and national legal norms/instruments in the field of combating the abuse and sexual exploitation of children with the use of information and communication technologies in 2020. This guide develops aspects related to:

- Description of the phenomenon, challenges and trends;
- International and national legal norms;
- ECHR practice;
- national practice;
- procedural and case investigation aspects;
- aspects related to judging cases.

In order to implement and correctly apply the aforementioned Guide in the period 2020 - 2023 for prosecutors, police officers and judges, training seminars were organized in the THB segment, which included topics on good practices in the field of combating trafficking in human beings for the purpose of exploitation including children through information technologies.

It is necessary to mention the training of prosecutors and judges in the seminars organized by the I.C. "La Strada" on the topic "Methods and tactics of investigation and examination of cases regarding offences of a sexual nature committed by means of information technologies. Aspects of online abuse of minors".

Apart from this, prosecutors and police officers participated annually in international seminars and conferences, including the Dallas International Conference, the proceedings of the Regional Expert Group Meeting (REGM) on the topic Approaching trafficking in human beings for the purpose of sexual exploitation, including children from South Eastern Europe, facilitated by technology and cybernetic, organized by the United Nations Office on Drugs and Crime (UNODC), study visits, etc. All those strengthen knowledge in the field and the exchange of best practices

39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?

The Council of Europe Cybercrime Convention adopted in Budapest on 23 November 2001, was ratified based on Law no. 6/2009 on ratification of the Council of Europe Cybercrime Convention.

In order to adjust the national legislative framework to the provisions of the Law no. 6/2009 for the ratification of the Council of Europe Cybercrime Convention, Law no. 20/2009 for preventing and countering cybercrime, was adopted on 02.03.2009 and which provides for the following:

- a) preventing and combating computer crimes;
- b) the framework for mutual assistance in preventing and combating computer crime, in protecting and providing assistance to service providers and users of computer systems;
- c) collaboration of public administration authorities with non-governmental organizations and other representatives of civil society in the activity of preventing and combating computer crime;
- d) cooperation with other states, with international and regional organizations having competences in the field.

At the same time, the Criminal Procedure Code was supplemented with certain provisions related to the regulation of evidence and evidentiary procedures in the field of computer crime.

Thus, in the investigation of cases of trafficking in human beings with the use of information technologies, the criminal investigation body:

- a) carries out on-site investigation of computer systems or computer data, information storage units for the purpose of discovering and removing traces of the crime, material evidence to establish the circumstances of the crime or other circumstances that are important for the case;
- b) uses the special investigative measure: identification of the subscriber, owner or user of an electronic communications system or of an access point to a computer system;
- c) in the framework of international cooperation, orders the immediate conservation of computer data or data on computer traffic, existing in a computer system on the territory of the Republic of Moldova, in relation to which the competent foreign authority is to formulate a reasoned request for international legal assistance in criminal matters.

Part II – Country-specific follow-up questions

40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's previous reports:

- **ensure that all victims of THB receive specialised legal assistance and free legal aid as soon as there are reasonable grounds for believing that they are victims of human trafficking;**

According to art. 20, subpara. g) of Law no. 198/2007 on state-guaranteed legal aid, victims of trafficking in human beings benefit from state-guaranteed legal assistance regardless of income, which exempts them from the financial test and allows them to benefit from the assistance of a lawyer from the moment the procedural status of victim is assigned to them.

Also, the National Council for State-Guaranteed Legal Assistance has established a list of lawyers specialized in providing state-guaranteed legal assistance to victims of crime, which is periodically renewed. The lawyers included in this list, as they are regularly trained, provide with priority legal assistance to victims of crimes, including victims of THB.

In order to improve the regulatory framework regarding the granting of state-guaranteed legal assistance and the protection of victims and alleged victims of THB, Law no. 1 of 06.02.2020 amended Law no. 198/2007 on state-guaranteed legal aid. Following the amendment of the normative framework and its connection to the provisions of art. 15 of the Council of Europe Convention on Action against Trafficking in Human Beings, victims and alleged victims of THB benefit from unconditional qualified state-guaranteed legal assistance, i.e. regardless of the level of income obtained. At the same time, asylum seekers were also included as beneficiaries of legal assistance.

Within the territorial Offices of the National Council for State-Guaranteed Legal Assistance, there are four categories of specialized lawyers, among whom there are also lawyers specialized in providing qualified state-guaranteed legal assistance to victims of crimes.

In order to ensure quality standards of legal services provided by lawyers, the National Council for State-Guaranteed Legal Assistance has developed the "Guide for lawyers who provide state-guaranteed legal assistance to victims of trafficking in human beings". Also, the "Quality standards of the work of lawyers on asylum cases" are in the finalization process.

According to the Activity Report of the National Council for State-Guaranteed Legal Assistance for 2022, of the total number of 50,360 cases of providing qualified legal assistance, the applicants had the status of victim/injured party of a crime in 1324 cases (about 2.6% of the total volume). Of this number, 1085 were victims of domestic violence and 8 victims of THB. Also, under the conditions of art. 15 and 18 of Law no. 198/2007, victims of crimes can also benefit from primary legal assistance provided by paralegals and public associations specialized in providing legal assistance. Primary legal assistance is granted immediately, at the time of appeal. In the case of the impossibility of immediate assistance, the applicant will be notified of the date and time of the hearing that will take place within at most 3 days from the date of the written or oral appeal.

- **take steps to facilitate and guarantee access to compensation for victims of trafficking;**

Criminal procedural legislation includes a separate chapter on "Civil action in the criminal proceedings" (art. 219-226 of Criminal Procedure Code). Therefore, according to the provisions of art. 219 para. (1) of CPC, the civil action in the criminal proceedings is initiated by submitting a request addressed to the prosecutor or the court, by individuals or legal entities to whom material or moral damages were caused directly by the deed (action or inaction) prohibited by criminal law or in connection with its commission. The criminal investigation body and the court are obliged to inform the person of the right to file a civil action.

When evaluating the amount of material compensation for moral damage, the court takes into account the victim's physical suffering, the severity and persistence of mental suffering, including related to the inability to defend oneself or other persons, recreational or aesthetic damage, loss of hope in life, loss of honor through defamation, mental suffering caused by the death of close relatives, etc.

At the same time, if the damage cannot be compensated from the perpetrator's account, under the terms of Law no. 137/2016 on the rehabilitation of victims of crime, financial compensation can be granted by the state. In order to improve the compensatory mechanism established in Law no. 137/2016, at this stage, with the support of partners, the Ministry of Justice is at the stage of evaluating the mechanism and identifying the needs for its improvement.

- **ensure that all child victims of THB, including children older than 14, are in practice afforded special protection measures.**

Protection measures are granted to victims regardless of their age. At the same time, child victims of THB benefit from an additional measure, namely the interviewing under special conditions, according to art. 110/1 of Criminal Procedure Code. Thus, the interview is carried out by the investigative judge, through an interviewer, in specially arranged spaces, equipped with audio/video recording equipment and without the participation of the perpetrator.

41. Please provide information on developments in your country since GRETA's third evaluation report concerning:

- **emerging trends of trafficking in human beings;**

Statistical data show that the phenomenon of THB remains active. In the period of 2020's – 2023, the following number of victims of THB was recorded:

- in 2020, 139 victims were identified, of which 116 adult victims (29 women and 87 men) and 23 child victims (20 girls and 3 boys) – compared to 2019, a decrease by 50% in identified adult victims was recorded and by 79% in child victims, as a result of the measures and restrictions imposed in order to prevent and reduce the risk of infection with COVID-19, which generated a series of difficulties and impediments in action against THB.

- in 2021, 357 victims (335 adults: 130 women/204 men) and 22 child victims (21 girls/1 boy) were identified, which attested an increase in the number of victims, which was determined by several investigations of large proportions within the joint investigation teams carried out by the specialized Section of the General Prosecutor's Office (hereinafter GPO) jointly with the Center for Combating Trafficking in Persons (hereinafter CCTP): one created with the Republic of Italy (more than 70 female victims) and another with the French Republic (over 200 male victims).

- in 2022, 151 victims were identified (107 adult victims: 32 women/75 men) and 44 child victims (43 girls/1 boy).

- in 2023, 169 victims were identified (144 adult victims: 16 women/128 men) and 25 child victims (19 girls/6 boys).

It should be emphasized that the COVID-19 pandemic and the multiple crises arising from the invasion launched by the Russian Federation in Ukraine are factors influencing the phenomenon of THB.

The significant unforeseen trends and risks, especially those associated with the massive influx of refugees, in the context of the aggression in Ukraine, the economic and energy crises increase the vulnerability of the population, as well as the fact that Moldova has become a destination country for THB with increased international attention to THB issue. New forms of THB are constantly emerging and require continuous analysis and adjustment of the response by anti-trafficking actors.

The analysis of THB cases shows that the main form of exploitation of adult victims remains the same as in previous years – labor exploitation, and the destination countries where citizens of the Republic of Moldova are exploited are the countries of the European Union, starting from 2019. The main form of exploitation of victims of child trafficking remains sexual exploitation, and the place of exploitation is the territory of the Republic of Moldova. Traffickers are adapting their business models to the "new normality" created by the COVID-19 pandemic, especially by abusing modern communication technologies, which is also particularly relevant in the context of refugees from Ukraine.

- **the legislation and regulations relevant to action against THB;**

The national legal framework for the prevention of THB, the assistance and protection of victims and the prosecution of traffickers is established by *the Law on Preventing and Combating Trafficking in Human Beings, adopted on 20.10.2005*. The mentioned normative act provides for measures to prevent, assist and protect victims (with special attention given to child victims), the responsibility of individuals and legal entities for committing crimes related to trafficking and the cooperation between public authorities, NGOs and other representatives of society civil as well as cooperation with other states and international organizations.

- *The Criminal Code* provides for criminal liability for the crimes of trafficking in human beings and child trafficking.

- *Law on transplantation of organs, tissues and cells of human origin no. 42 of 03.06.2008* constitutes the legal framework for the regulation of the transplantation of all organs, tissues and cells of human origin, except for reproductive organs, embryonic or fetal tissues, cells and organs, blood and blood derivatives.

- *Law on the rehabilitation of victims of crime no. 137/2016* aims to create the legal framework for ensuring minimum conditions for the rehabilitation of victims of crime, as well as for the protection and ensuring of respect for their rights and legitimate interests. The aforementioned law regulates the categories of victims of crimes to which its provisions apply, the organization and operation of the mechanism for the protection and rehabilitation of victims of crimes, the manner and conditions of financial compensation by the state for the damage caused by the crime.

- *Law no. 105 of 16.05.2008 on the protection of witnesses and other participants in criminal proceedings*, provides for ensuring the security of the participants in criminal proceedings whose life, bodily integrity, freedom or property is threatened as a result of the fact that they hold data that they have accepted to provide to the judicial bodies and which constitute conclusive evidence regarding the commission of serious, particularly serious or exceptionally serious crimes.

- *Law no. 270/2008 on asylum in the Republic of Moldova*, which establishes the legal status of asylum seekers, beneficiaries of international protection, temporary protection and political asylum, as well as the procedure for granting, terminating and canceling protection.

- *Law no. 200/2010 on the regime of foreigners in the Republic of Moldova*, regulates the entry, stay and exit of foreigners on/from the territory of the Republic of Moldova, granting and extending the right of residence, repatriation, their documentation, stipulates coercive measures in case of non-compliance with the residence regime and specific immigration record measures.

- *Law no. 198/2007 on state-guaranteed legal aid* regulates the conditions, volume and manner of granting state-guaranteed legal aid in defense of the fundamental human rights and freedoms, legitimate interests, including victims of THB.

- *Regulation on the activity of the multidisciplinary territorial teams within the National Referral System*, approved by Government Decision no. 228/2014;

- *Regulation on the procedure of repatriation of children and adults – victims of trafficking in human beings, of persons in difficulty, as well as of unaccompanied children*, approved by Government Decision no. 948/2008;

- *The Framework Regulation on the organization and operation of the Service for assistance and protection of victims of trafficking in human beings and the minimum quality standards for this Service*, approved by Government Decision no. 898/2015.

- Government Decision no. 472/2008 on the approval of the composition of *the National Committee for Combating Trafficking in Human Beings and the Regulations of the National Committee*.

- Government Decision no. 270/2014 on the approval of *the Instructions on the inter-agency cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking*.

- Government Decision no. 234/2008 on the approval of *the framework Regulation of the territorial commissions for combating trafficking in human beings*.

- *Program for Preventing and Combating Trafficking in Human Beings for 2024-2028*, approved by Government Decision no. 715 on 26.09.2023

- Order of the MIA no. 485/2022 on the approval of the Guide regarding the identification of victims and alleged victims of trafficking in human beings in the context of mixed migratory flows.

➤ **the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);**

- **The National Committee for Combating Trafficking in Human Beings** was established in 2001, it is a permanent advisory body of the Government, created for the purpose of coordinating the activity of preventing and combating trafficking in human beings. The Committee is formed from leaders of: the Ministry of Foreign Affairs and European Integration; Ministry of Internal Affairs; Ministry of Labor and Social Protection; Ministry of Justice;

Ministry of Finance; Ministry of Education and Research; Ministry of Health; Ministry of Culture; General Prosecutor's Office; the Intelligence and Security Service; Gagauzia Autonomous Territorial Unit (Gagauz-Yeri); Center for Combating Trafficking in Persons; General Inspectorate of the Border Police; Bureau of Migration and Asylum (current General Inspectorate for Migration); Public Services Agency; State Labor Inspectorate;

Diaspora Relations Bureau within the State Chancellery; secretary of the National Committee for combating trafficking in human beings and secretary of the Supreme Security Council.

- At the territorial level, in order to coordinate the activity of preventing and combating THB, in districts, Chisinau and Balti municipalities and in the autonomous territorial unit of Gagauzia, in addition to the executive authority of the local public administration, **Territorial Commissions for combating THB were created.**

- In accordance with Article 11 para. (7) of the Anti-Trafficking Law, **the Coordinating Council of law bodies with duties in the field of combating trafficking in human beings was created under the Prosecutor General**, which is established for the purpose of coordinating the activity of law enforcement bodies and other bodies competent in combating THB.

- **Within the General Prosecutor's Office**, a specialized unit is established – **the Anti-Trafficking in Human Beings Section**, which has the following main duties:

- contributes to the unitary implementation by the Prosecutor's Office of the state policy in the field of combating trafficking in human beings, child trafficking, organ trafficking, as well as combating the organization of illegal migration;

- monitors and verifies, within the limits established by the Prosecutor General, the activity of prosecutors within the territorial and specialized prosecutor's offices in the areas under the competence of the Section;

- provides practical and methodological help to prosecutors and criminal prosecution officers in the field of investigating cases of trafficking in human beings.

- At the same time, at the level of specialized prosecutor's offices, **the Prosecutor's Office for Combating Organized Crime and Special Cases (POCOCSC)**, in the anti-trafficking field, has the following duties:

- leads and controls the criminal investigation carried out by the criminal investigation officers of the Center for Combating Trafficking in Persons (art. 270² para. (2) of Criminal Procedure Code of the Republic of Moldova), and the anti-trafficking office is established;

- performs directly criminal prosecution of cases of trafficking in human beings or child trafficking in cases where they are committed by organized criminal groups or criminal organizations (art. 270² para. (1) subpara. 5), 6) of Criminal Procedure Code of the Republic of Moldova);

- represents the state accusation of the cases sent to court.

- At the level of **territorial prosecutor's offices**, **the specialized prosecutors** from the territorial prosecutor's offices carry out or lead the prosecution of trafficking in human beings cases investigated by the Territorial Police Inspectorates.

- **The Center for Combating Trafficking in Persons** was founded on 6 September 2005, based on Amendment III to the Letter of Agreement on Drug Control and Law Enforcement of 28 August 2001 (international act published in the official edition "International Treaties". 2006, volume 34, page 142) signed between the Government of the United States of America and the Government of the Republic of Moldova.

The Center for Combating Trafficking in Persons represents the primary unit for combating trafficking in human beings of the Police, subordinate to the National Investigations Inspectorate of the General Police Inspectorate, which, under the law, has the mission of investigating and prosecuting trafficking in human beings crimes. The center has jurisdiction over the entire territory of the Republic of Moldova.

The main responsibility for coordinating the actions of organizations participating in the National Referral System rests with the **Ministry of Labor and Social Protection**.

The specialists of the organizations participating in the NRS are brought together in teams trained in the field:

a) **District Territorial multidisciplinary teams (TMTs)**, created in addition to the local public administration bodies of the second level – in towns of residence of all districts, in Chisinau and Balti municipalities, as well as in ATU Gagauzia;

The composition of the district TMTs includes the representatives of:

- the Section/Directorate of social assistance and family protection;

- Education Directorate;

- district medical-sanitary institutions;

- the regional section of the Center for Combating Trafficking in Persons within the Ministry of Internal Affairs;

- the territorial employment agency;

- the competent subdivisions of the Public Services Agency responsible for registering civil status documents, issuing identity documents and population records;

- public associations, as well as from other social actors with duties in the field.

b) **Community TMTs**, created at the local public administration bodies of the first level – in towns, villages and communes.

Community TMTs include:

- the mayor or deputy mayor;
- the social worker;
- the policeman;
- the family doctor;
- other representatives of public authorities or civil society (pedagogues, priests, community mediators, relatives of beneficiaries, etc.), of public associations with duties in the field.

The coordination of the NRS activity at the local level is ensured by the TMT coordinator, as a rule – the representative of the Directorate/Section of social assistance and family protection or the community social worker.

In March 2023, the MLSP launched the social assistance reform "RESTART". The aim of the reform is to promote respect for the right to protection and social assistance of the vulnerable population in the Republic of Moldova and to ensure uniform and fair access of the population to quality social services. In this context, a series of amendments were made to the normative framework in the field of social protection regarding the reorganization of social assistance and social protection entities and the establishment of territorial social assistance agencies (Law no. 256/2023 for the amendment of some normative acts (reform of the social assistance system "RESTART").

As part of the launch of the reform, amendments were made to Law no. 45/2007 regarding the prevention and combating of domestic violence, according to which specialist positions in the field of preventing and combating domestic violence and rehabilitating crime victims are to be established within the newly created territorial social assistance structures.

Starting from 01.01.2024, specialists were established within the territorial social assistance agencies (territorial - district and regional level) specialists in the field of rehabilitation of victims of crimes and domestic violence. In the context of ensuring the interconnection of the national system with the local one, including in the field of trafficking in human beings, in the process of ensuring the reform of the social assistance system, the special normative framework was also adjusted. Thus, amendments were made to law no. 241/2005 on preventing and combating trafficking in human beings, in particular, it is worth mentioning the provision of art. 10, which provides duties and responsibilities of the territorial social assistance agencies and structures responsible for social assistance and protection of children's rights in the Chisinau municipality and, respectively, in the autonomous territorial unit of Gagauzia. As a mechanism for the assistance and protection of victims of THB, we remind that the Program for the creation and development of the National Referral Mechanism for protection and assistance of victims of crime for 2022-2026 and the Action Plan for 2022-2024 regarding its implementation through Law no. 137/2016 on the rehabilitation of victims of crime was adopted in 2022.

Another functional referral tool in the field is the referral mechanism of beneficiaries to territorial subdivisions for employment in order to provide additional support in the labor market for victims of THB and victims of domestic violence. Thus, based on the above-mentioned mechanism, victims of THB can benefit from additional support in the labor market, in order to facilitate their integration into the labor field. According to the provisions of art. 36 of Law 105/2018 on the promotion of employment and unemployment insurance, the employer who hires for an indefinite period the unemployed from the category including victims of THB (directed by the territorial employment subdivision), receives monthly subsidies in an amount equal to 80% of the amount of the basic salary, according to the individual employment contract, of the employee, but not more than 50% of the average monthly salary in the economy for the previous year, for a period of 6 months, for each employed unemployed person. The subsidy is granted for the purpose of partial compensation of the employed unemployed person's salary.

On 4 October 2023 by Order of the Minister of Labor and Social Protection no. 146, the Coordinating Council was established within the NRMV in order to effectively coordinate policies in the field of rehabilitation of victims of crime, protection and ensuring of respect for the rights and legitimate interests of victims of crime in accordance with Law no. 137/2016 on the rehabilitation of victims of crime. The composition of the Council includes representatives of the specialized central public administration authorities and organizational structures within their sphere of competence, public institutions as well as civil society organizations and the academic environment that have competences and/or are active in the field of providing protection, assistance and support to victims of offences.

On 1 December 2023, the first meeting of the Coordinating Council of the National Referral Mechanism for Protection and Assistance of victims of crime was held, in which the Regulation on the organization and

operation of the Council, the achievements and challenges in the implementation of the NRMV during 2023 were presented and priorities for the next year were set.

In December of this year, the review of the e-learning module "Preventing and combating trafficking in human beings" was initiated with the inclusion of a specific topic on the multidisciplinary approach in order to provide assistance and protection to victims of trafficking in human beings, including displaced persons from Ukraine, as well as the employment of foreigners. The training module will be accessible in Romanian and Russian. The activity will be completed in 2024.

➤ **the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results);**

The Program for Preventing and Combating Trafficking in Human Beings for 2024-2028 was approved by Government Decision no. 715 on 26.09.2023 and entered into force on 01.01.2024.

The Program has 5 General Objectives, each with specific objectives:

- **General Objective 1.** By 2028, the conditions are created for the country's prompt response to the challenges of the phenomenon of THB in accordance with international standards.

Specific Objective 1.1. The anti-trafficking policy coordination mechanism effectively works at the central and local level.

Specific Objective 1.2. The national regulatory framework is harmonized, until 2028, according to international acts, European Union acts in the field of THB, recommendations of international evaluators and trends in the field.

Specific Objective 1.3. The system of initial and continuous professional training ensures the development of the necessary knowledge and skills of anti-trafficking specialists.

Specific Objective 1.4. The mechanism of data collection and research, including within the monitoring and evaluation of policies in the field of preventing and combating THB, ensures the availability and accessibility of data on the state of the phenomenon of THB and the national anti-trafficking response at the central and local level, until 2028.

- **General Objective 2** ("Prevention" pillar). Population and economic agents demonstrate zero tolerance for all forms of THB.

Specific Objective 2.1. Until 2028, vulnerable groups and the general public are informed annually about the risks, consequences of THB, methods of prevention and action.

Specific Objective 2.2. Economic agents are informed annually about the phenomenon of THB, until 2028, and are discouraged from creating conditions that generate THB and exploitation.

Specific Objective 2.3. Potential emigrant and immigrant workers, including refugees from Ukraine, are informed about protected access to the national and foreign labor market.

- **General Objective 3** ("Protection" pillar). Victims and alleged victims of THB have access to the necessary assistance and protection within the NRMV.

Specific Objective 3.1. Until 2028, the full functionality of the referral mechanism for crime victims is established and ensured.

Specific Objective 3.2. Until 2028, victims and alleged victims of THB benefit from primary and qualified state-guaranteed legal assistance in proportion of 100%.

- **General Objective 4** ("Punishment" pillar). The criminal justice system ensures the investigation, collection of information, the complete, objective prosecution, in all aspects, the trial of all cases of THB and the restoration the rights of victims of THB

Specific Objective 4.1. The process of identification (detection), prosecution and the judicial process on cases of THB are consolidated according to international standards of criminal justice

Specific Objective 4.2. Victims of THB are informed and guided about how to request financial compensation based on Law no. 137/2016 on the rehabilitation of victims of crime

- **General Objective 5** ("Partnership" pillar). National public authorities with competences in the field of anti-trafficking ensures the implementation of policies on preventing and combating THB in a coordinated manner with counterparts in other countries.

Specific Objective 5.1. Until 2028, partnerships are created and/or developed between national public authorities with competences in the field of anti-trafficking with counterparts from other countries for the investigation of transnational cases of THB, the identification and referral of victims and alleged victims of trafficking in human beings

The Program implementation **action plan** contains actions for each specific objective. The actions will be carried out by public authorities and institutions with competences in the field of anti-trafficking.

The **financial resources** necessary for the implementation of this Program were estimated at a total value of 17,056.4 thousand MDL. The source of funding for this Program is the allocations from the state budget approved to the public administration authorities and institutions responsible for the implementation of the Program in the annual budget laws. Additionally, external sources of funding granted by donors will be identified, including donations and sponsorships provided under the law, for the full implementation of the planned activities.

Monitoring the implementation of the Program is a systematic process of collecting information and statistical data about the progress achieved, carried out by the State Chancellery. During the implementation of this Program, the following monitoring and evaluation procedures will be carried out:

- 1) Semester monitoring
- 2) Annual monitoring
- 3) Intermediate assessment
- 4) Final assessment

➤ **recent case-law concerning THB for different forms of exploitation.**

In 2023, 33 sentences were issued by the courts regarding 42 persons accused of committing the crime provided for by art. 165 of Criminal Code (trafficking in human beings). Of these, 23 persons were convicted in 18 cases, 12 persons were acquitted in 9 criminal cases, a sentence of termination of the criminal proceedings was adopted in 1 criminal case against 1 person, and criminal actions were reclassified from trafficking in human beings to other less dangerous crimes in 5 sentences regarding 6 persons.

During the same period of time, the courts issued 11 sentences regarding 17 persons accused of committing the crime provided for by art. 206 of Criminal Code (trafficking in children). Of these, 10 persons were convicted in 7 cases and 6 persons were acquitted in 4 criminal cases and 1 criminal actions were reclassified from trafficking in human beings to other less dangerous crimes.

All the acquittal, termination and requalification sentences were appealed by the prosecutors.

One of the cases that is currently pending in the court, as it is specific to the exploitation of victims with the use of information technologies, is regarding the defendant T.V. accused of committing the crime provided for by art. 165 para. (1) subpara. a), e) and f) of the Criminal Code which was sent to court on 29.06.2022.

According to the indictment,

"... in the period of time starting from the end of July 2017 and until 29.08.2019, T.V., acted with direct intent, pursued the purpose of commercial sexual exploitation, by deception, under the pretext of employment as an online photo-model and the possibility of obtaining an impressive profit, taken advantage of T.G.'s emotional attachment, resulting from a couple relationship between them, which gave him the opportunity to more easily manipulate and control the victim by threatening the termination of their relationship, obtained his/her consent, recruited the victim to provide sexual services through information technologies to various persons previously identified by T.V.

Therefore, in the period of time starting from the end of July 2017 and until 29.08.2019, T.V., having acted with direct intent, pursued the purpose of commercial sexual exploitation, housed T.G. in different apartments in the B. municipality and F. town, as well as other apartments not identified at the moment by the criminal investigation body, in order to achieve the criminal purpose.

Further, during the mentioned period, T.V., having acted with direct intent, pursued the purpose of commercial sexual exploitation, been in the apartments mentioned above, taken advantage of TG's emotional attachment, resulting from a couple relationship between them, which gave him the opportunity to more easily manipulate and control the victim by threatening to break up the couple relationship, by threatening to disclose

confidential information to the victim's family regarding the maintenance of sexual relations and applying of violence non-dangerous for the life and health of the person manifested by blows with fists and feet over different parts of the body, including applying psychological violence, as confirmed by the judicial expert report of 26.05.2022, imposed TG to provide sexual services against payment, through information technologies, (webchat), on several sites, which consisted of discussions with sexual connotation, manipulations of the body, imitation of sexual acts with various objects, to clients identified online by T.V., for which T.V. obtained financial means in the amount of approximately 50,000 EUR.

Thus, through his intentional actions, T.V. is accused of having committed the crime provided for by art. 165 para. (1) subpara. a), e) and f) of Criminal Code – trafficking in human beings, i.e. the recruitment and housing with victim's consent, for the purpose of commercial sexual exploitation, committed by deception with the application of violence non-dangerous for the person's life or health and threatening to disclose confidential information to the victim's family."

Currently, the case is pending in the Chisinau Court, sequestrators for the recovery of the damage and the special confiscation are applied to the perpetrator's assets.

Part III - Statistics on THB

42. **Please provide the following statistics, per year starting with 2020, where available disaggregated as indicated below:**

- **Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).**

- in **2020**, 139 victims were identified, of which 116 adult victims (29 women and 87 men) and 23 child victims (20 girls and 3 boys). In 2020, THB for the purpose of labor exploitation prevails. Thus, 88 victims were identified (4 women and 84 men)

. 24 victims (women) of THB for the purpose of sexual exploitation were identified. THB for the purpose of exploitation for the practice of begging – 3 victims (2 men and 1 woman). 1 victim (man) of THB for the purpose of organ procurement was identified. External trafficking prevails, with 99 victims exploited abroad identified, compared to 17 victims exploited within the country. Regarding child victims, the following were identified: - for the purpose of sexual exploitation – 20 child victims (all girls, of which 18 girls on the territory of the Republic of Moldova and 2 girls abroad (1 girl in Russian Federation and 1 girl in the EU area); - for the purpose of labor exploitation – 2 victims (both boys) on the territory of the Republic of Moldova); - for the purpose of begging – 1 victim (boy) on the territory of the Republic of Moldova.

- in **2021**, 357 victims (335 adults: 130 women/204 men) and 22 child victims (21 girls/1 boy) were identified. Regarding adult victims, according to the form of exploitation – 264 adult victims (180 men and 84 women) were subjected to labor exploitation, 24 victims (all women) were subjected to sexual exploitation, 3 victims (2 men and one woman) were subjected to exploitation by begging, 43 victims (21 women and 22 men) exploited for the purpose of obtaining benefits or social benefits were identified, 1 victim (man) of trafficking in organs, tissues and cells was identified. According to the country of destination, 18 adult victims (3 women and 15 men) were exploited in the Republic of Moldova and 317 abroad.

Regarding child victims, according to the form of exploitation, the following were identified:

- for the purpose of sexual exploitation – 11 child victims, all girls;
- for the purpose of labor exploitation – 8 child victims, all girls;
- for the purpose of begging – 2 child victims – 1 girl/1 boy;
- mixed exploitation (sexual/labor) – 1 victim-child.

Most of the victims (19 victims) were exploited on the territory of the Republic of Moldova and 3 victims in the Russian Federation.

- in **2022**, 151 victims were identified (107 adult victims: 32 women/75 men) and 44 child victims (43 girls/1 boy). According to the type of exploitation: ·82 adult victims (66 men/16 women) were subjected to labor exploitation, ·11 victims (all women) were subjected to sexual exploitation, ·2 victims (1 man/1 woman) were subjected to exploitation by begging, · 11 victims (1 woman/10 men) exploited for the purpose of obtaining allowances or social benefits, · 1 (one) victim (man) of organ, tissue and cell trafficking. Most of the adult victims (87 victims) were exploited abroad, and 20 victims were exploited on the territory of the Republic of Moldova.

Regarding child victims, according to the form of exploitation, the following were identified: - for the purpose of sexual exploitation – 42 child victims, all girls; - for the purpose of labor exploitation – 2 child victims (1 girl/1 boy).

All child victims were exploited on the territory of the Republic of Moldova.

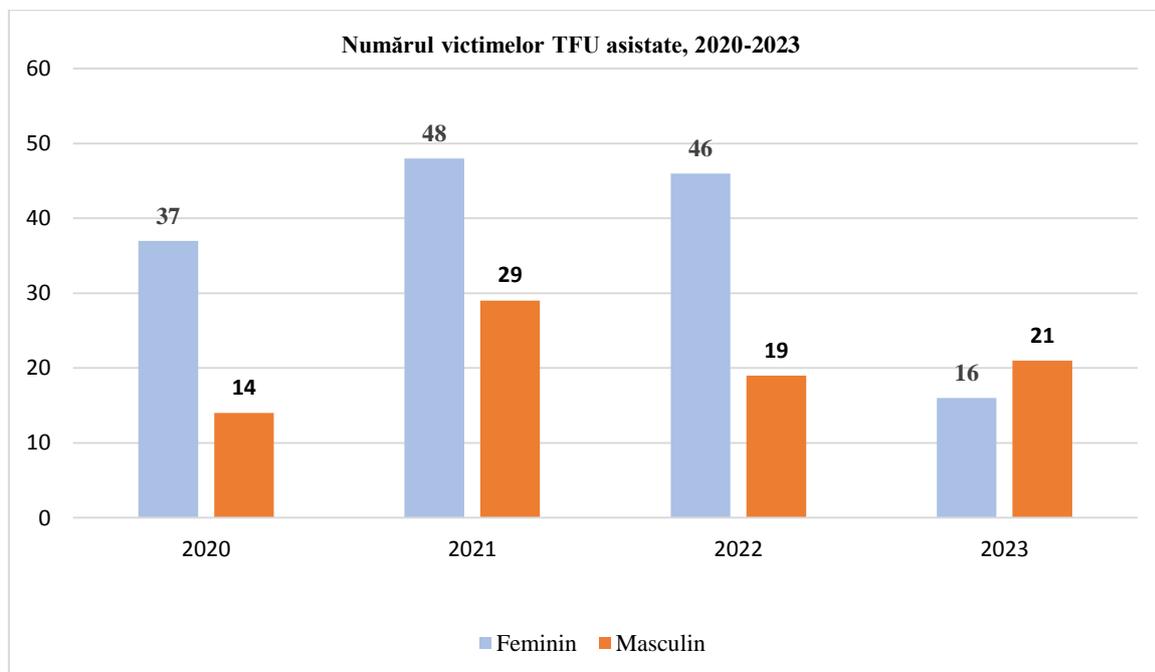
- **in 2023**, 169 victims (144 adult victims: 16 women/128 men) and 25 child victims (19 girls/6 boys) were identified.

➤ **Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).**

According to the information provided by the subdivisions responsible for receiving asylum applications, as well as within the Points of Single Contact for the documentation of foreigners of the Regional Directorates of the GIM located in the Center, South, North areas, during the reporting period, no cases of alleged victims of THB were identified.

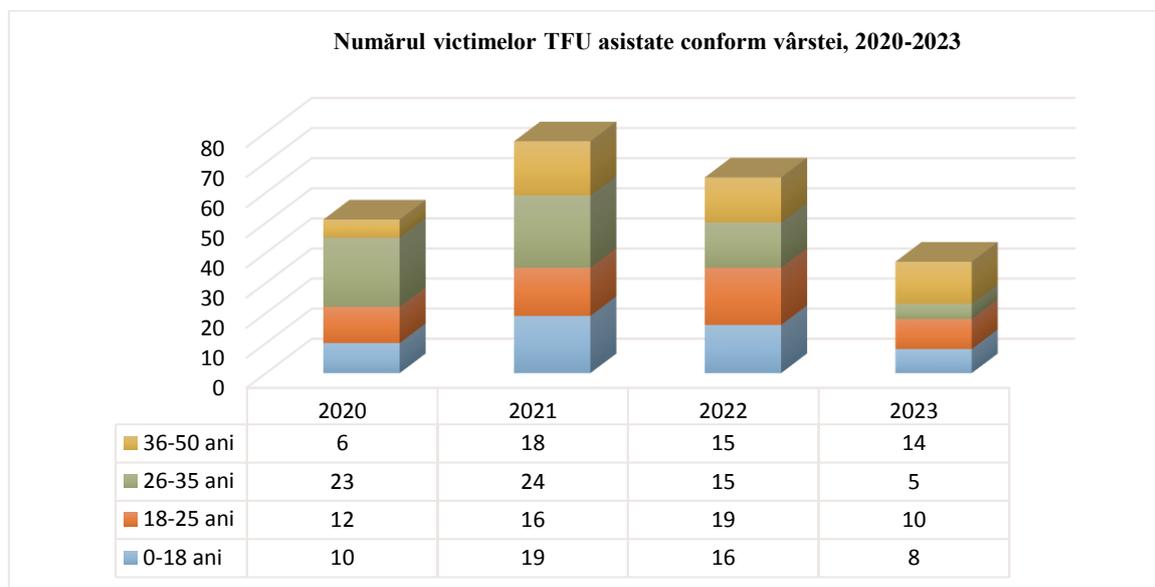
➤ **Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).**

The MLSP collects statistical data on the victims of THB assisted on the platform of centers providing specialized services, financed from the state budget (based on art. 165 and 206 of Criminal Code) – CAP, SAP. Thus, the total number of assisted victims was: in 2020 – 51 victims; in 2021 – 77 victims; in 2022 – 65 victims and in 2023 (January-September) – 35 victims.



According to age, on the platform of centers providing specialized services in 2020, 10 minor victims (8 girls and 2 boys) and 41 adult victims (29 women and 12 men) of THB were assisted, 19 minor victims (18 girls and 1 boy) and 58 adult victims (30 women and 28 men) were assisted in 2021, 16 minor victims (girls) and

49 adult victims (30 women and 19 men) were assisted in 2022, and 8 minor victims (girls) and 29 adult victims (8 women and 21 men) were assisted in 2023.



According to the nationality of the victims of THB, of the total number of victims assisted in the centers during 2020-2023, 198 persons were identified as Moldovans, 2 persons as stateless and 30 persons as of other nationalities.

According to the form of exploitation during the reporting period, the following benefited from assistance:

- 96 sexually exploited victims (55 adults and 41 minor children).
- 116 persons exploited by labor (109 adults and 7 minor children)
- 14 persons exploited by begging (12 adults and 2 minor children)
- 4 adults subjected to other forms of exploitation (2 adults and 2 minor children)

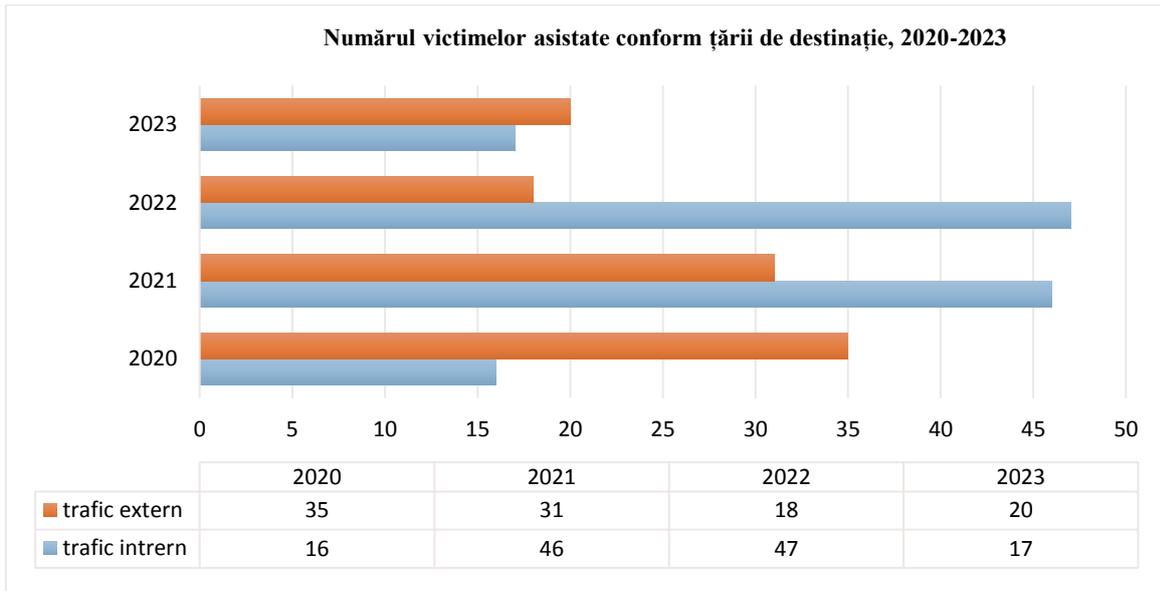
Table no. 7 Form of exploitation of assisted victims of THB, 2020-2023

		2020		2021		2022		2023	
		adults	children	adults	children	adults	children	adults	children
Sexual exploitation	Women/girls	18	6	17	16	13	14	5	4
	Men/boys	-	1	1	-	1	-	-	-
Labor exploitation	Women/girls	6	1	9	2	16	2	3	2
	Men/boys	12	-	24	-	18	-	21	-
Exploitation by begging	Women/girls	5	-	3	-	1	-	-	-
	Men/boys	-	1	3	1	-	-	-	-
Other forms	Women/girls	1	-	1	-	-	-	-	2
	Men/boys	-	-	-	-	-	-	-	-

Regarding the *country of destination*, we note that domestic trafficking prevails in recent years, thus of the total number of victims assisted:

- In 2020, 35 persons were exploited abroad (Romania – 1 girl, Germany – 1 girl, Ukraine – 1 man, Portugal – 4 women and 3 men, Russia – 5 women and 1 man, Turkey – 5 women, Italy – 4 women, other countries – 6 women and 4 men) and 16 persons were exploited on the territory of the Republic of Moldova (7 girls and 5 women; 1 boy and 3 men).

- In 2021, 31 persons were exploited abroad (Germany – 1 boy, Ukraine – 1 woman and 2 men, Portugal – 1 woman, France – 1 woman, Greece – 4 women, Italy – 4 women, other countries – 9 women and 8 men) and 46 persons were exploited on the territory of the country (18 girls; 8 women and 20 men).
- In 2022, 18 persons were exploited abroad (Russia – 3 women, Italy – 1 woman, Turkey – 1 woman, Czech Republic – 1 woman, other countries – 12 women) and 47 persons were exploited on the territory of the country (16 girls and 12 women; 19 men).
- In 2023, 20 persons were exploited abroad (Czech Republic – 1 femeii, Romania – 1 woman, Russia – 2 women, Turkey – 1 woman, other countries – 15 men) and 17 persons were exploited on the territory of the country (8 girls, 3 women, 5 men).



Victims of THB benefit from assistance and protection including on the platform of regional territorial multidisciplinary teams (TMTs). According to the data held in 2021 by the TMTs, the following were identified and assisted: 3 minor victims of THB (2 girls and 1 boy) and 54 alleged victims of THB, of which: 21 adults (15 women and 6 men) and 33 minors (15 girls and 18 boys).

In 2022, the TMTs assisted 1 victim of THB and 36 alleged victims of THB, of which: 8 adults (8 women) and 28 minors (17 girls and 11 boys). We specify that the TMTs' activity for 2023 is to be reported at the beginning of 2024.

➤ **Number of child victims of THB who were appointed legal guardians.**

No data are available.

➤ **Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).**

According to art. 20, para. 4 of Law no. 241/2005 on preventing and combating THB, victims of THB are provided with a reflection period of 30 days. During this period, the execution of any order to deport these persons is prohibited. We specify that the provision of protection and assistance services is not conditioned neither by the victims' desire to make statements and participate in the process of tracking the traffickers, nor by the victim's domicile or temporary residence. Moreover, the competent public administration authorities are obliged to inform victims and alleged victims of THB about their rights, about the authorities, organizations and institutions with the functions of preventing and combating THB, protecting and assisting victims of trafficking.

No data are currently available on the number of victims who have been provided with a reflection period.

➤ **Number of victims of THB granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the**

investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation).

During the reporting period, no cases of victims of THB were registered in the information system of the GIM, therefore no residence permits were granted for this purpose.

- **Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).**

In the Asylum System of the Republic of Moldova, no victims of THB are registered.

- **Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).**

No data are available.

- **Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.**

No data are available.

- **Number of victims of THB who received free legal aid.**

For the period 2020-2023, the following benefited from state-guaranteed legal assistance:

2020 – 5 victims of THB;
2021 – 11 victims of THB;
2022 – 8 victims of THB;
2023 – 114 victims of THB.

- **Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).**

In accordance with the provisions of GD no. 948/2008 on the approval of the Regulation on the procedure of repatriation of children and adults – victims of trafficking in human beings, of persons in difficulty, as well as of unaccompanied children, the MLSP is responsible for carrying out all actions related to the preparation and start of the procedures of repatriation.

In 2020, the MLSP, in partnership with the IOM mission in Moldova, repatriated 10 adults: 2 men exploited by labor from Italy, 3 women and 3 men similarly exploited by labor from Portugal and 2 women victims of THB from France exploited for the sexual purpose.

In 2021, the MLSP did not carry out missions of repatriation of adults.

In 2022, the MLSP carried out 2 missions of repatriation of adults in difficulty. Thus, from the financial means allocated in the state budget, the repatriation of a mother-child couple from Romania was carried out, and with the support of the IOM, 1 man was repatriated from Egypt.

In 2023, with the financial support of the IOM mission in Moldova, 13 persons in difficulty were repatriated: 1 man from Latvia and 2 families (12 Moldovan and Sudanese citizens from the Russian Federation).

- **Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).**

In terms of national legislation, investigations mean the initiation of criminal prosecution, thus, as many criminal cases are initiated as many investigations have been initiated. In this context, the number of investigations is the same as the number of prosecutions.

➤ **Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).**

In **2020**, 66 criminal cases were initiated:

- 45 criminal cases on the offence of trafficking in human beings (art. 165 of Criminal Code)
- 21 criminal cases on the offence of child trafficking (art. 206 of Criminal Code).

In **2021**, 63 criminal cases were initiated:

- 50 criminal cases on the offence of trafficking in human beings (art. 165 of Criminal Code)
- 13 criminal cases on the offence of child trafficking (art. 206 of Criminal Code).

In **2022**, 67 criminal cases were initiated:

- 45 criminal cases on the offence of trafficking in human beings (art. 165 of Criminal Code)
- 22 criminal cases on the offence of child trafficking (art. 206 of Criminal Code).

In **2023**, 40 criminal cases were initiated at the national level, of which:

a) 18 criminal cases regarding child trafficking (art. 206 of CC), namely:

- sexual exploitation – 11 cases;
- labor exploitation – 4 cases;
- exploitation in the practice of begging – 2 cases;
- sale/purchase and illegal adoption of a child – 1 case;

b) 22 criminal cases regarding trafficking in human beings (art. 165 of CC), namely:

- sexual exploitation – 8 cases;
- labor exploitation – 12 cases;
- use in criminal activities – 1 case;
- use of a woman as a surrogate mother – 1 case

➤ **Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).**

Table no. 8 Information on the number of persons convicted in cases of trafficking in human beings (art. 165 of Criminal Code)

Year	Convicted persons art. 165 of CC		Nationality	Form of exploitation				Total criminal cases/convicted persons
	Men	Women		Sexual	Labor	Begging	Organ procurement	
2020	10	12	22 RM	11	7	3	1	15/22
2021	10	9	15 RM, 3 RO,	10	4	5		14/19

			1 Turkey					
2022	3	1	4 RM	3	1	-	-	4/4
2023	9	14	23 RM	15	5	3	-	18/23
Total	32	36	64 RM 3 RO 1 Turkey	39	17	11	1	49/68

Table no. 9 Information on the number of persons convicted in cases of child trafficking (art. 206 of CC)

Year	Convicted persons Art. 206 of CC		Nationality	Form of exploitation				Total criminal cases/ convicted persons
	Men	Women		Sexual	Labor	Begging	Organ procurement	
2020	8	8	16 RM	13	3	-	-	9/16
2021	10	15	25 RM	24	1	-	-	12/25
2022	1	1	2 RM	2	-	-	-	2/2
2023	6	4	10 RM	5	3	2	-	7/10
Total	25	28	53 RM	44	7	2	-	30/53

- **Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.**

Regarding the punishment applied for committing the crimes of trafficking in human beings and child trafficking in the period 2020-2023, of the total number of 121 persons convicted by the court of first instance, 109 persons were sentenced to prison with the actual execution of the sentence, and the execution of the sentence was ordered to be suspended with the establishment of a probation period in 2 cases.

The punishment applied for committing the crime of trafficking in human beings ranges from 4 years and 8 months to 16 years in prison, and the punishment applied for committing the crime of child trafficking ranges from 5 years to 17 years in prison.

- **Number of judgments in THB cases resulting in the confiscation of assets.**

During 2020 – 2023, special confiscation was ordered in 5 criminal cases where convictions were carried out regarding THB and/or child trafficking.

- **Number of convictions of legal entities for THB.**

No legal entities have been convicted for committing the crimes of trafficking in human beings and trafficking in children.

List of Abbreviations

NEA – National Employment Agency
PSA – Public Services Agency
I.C. "La Strada" – International Center "La Strada"
CCTP – Center for Combating Trafficking in Persons
CAP – Center for Assistance and Protection of Victims and Potential Victims of Trafficking in Human Beings
TMTs – Territorial Multidisciplinary Teams
GD – Government Decision
GPI – General Police Inspectorate
NII – National Investigation Inspectorate
MIA – Ministry of Internal Affairs
MER – Ministry of Education and Research
MLSP – Ministry of Labor and Social Protection
NRMV – National Referral Mechanism for Protection and Assistance for Victims of Crime
LASFE - Local Agencies Specialized in the Field of Education
OSCE – Organization for Security and Cooperation in Europe
IOM – International Organization for Migration
NGO – Non-Governmental Organization
POCOCSC – Prosecutor's Office for Combating Organized Crime and Special Cases
SAP – Service for Assistance and Protection of Victims of Trafficking in Human Beings – men
THB – Trafficking in human beings
EU – European Union
UNICEF – United Nations Children's Fund
ATU – Administrative-Territorial Unit
UNODC – UN Office on Drugs and Crime