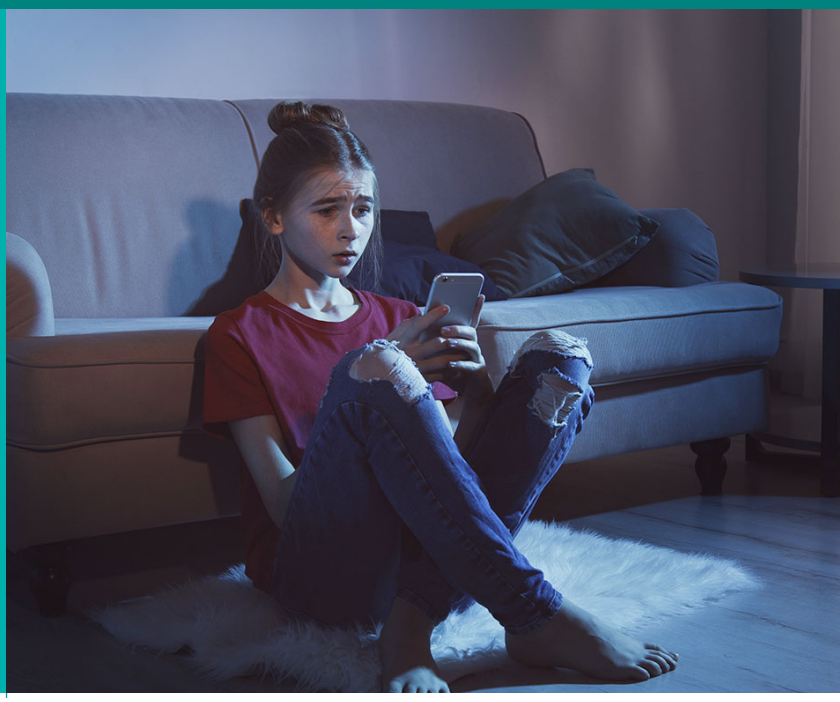
FOURTH EVALUATION ROUND

Measures to prevent and detect vulnerabilities to human trafficking

EVALUATION REPORT

REPUBLIC OF MOLDOVA



GRETA

Group of Experts on Action against Trafficking in Human Beings

Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

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Preamble

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 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, 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 child trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

For the fourth evaluation round of the Convention, GRETA has decided to focus on vulnerabilities to human trafficking and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. An additional focus concerns the use of information and communication technology (ICT) to commit human trafficking offences, which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.

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). 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.[1] Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

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.

GRETA recalls that it has adopted the use of three different verbs - "urge", "consider", and "invite" – which correspond to different levels of urgency for bringing the State Party's legislation and/or practice into compliance with the Convention. Thus, GRETA uses the verb "urge" when it assesses that the national legislation or policies are not in compliance with the Convention or when it finds that, despite the existence of legal provisions and other measures, the implementation of a key obligation of the Convention is lacking. In other situations, GRETA "considers" that it is necessary to make further improvements to fully comply with an obligation of the Convention. By "inviting" a country to pursue its efforts, GRETA acknowledges that the authorities are already on the right track and encourages them to continue existing action.

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

Executive summary

This report, covering the period 2020-2025, evaluates the measures taken by the Republic of Moldova to prevent vulnerabilities to trafficking in human beings (THB), detect and support vulnerable victims, and punish the offenders. In doing so, it pays particular attention to the use of information and communication technology (ICT) to commit human trafficking offences as well as to the use of technological innovations to prevent THB, protect victims, and prosecute traffickers. The report also evaluates progress made in selected areas examined by GRETA during previous evaluation rounds.

Over the years, the Moldovan authorities have taken a series of steps to develop the legislative, institutional and policy framework for action against THB. They have adopted a comprehensive anti-trafficking law and regularly adopt national action plans for combating THB. The National Action Plan for 2024-2028 includes measures to prevent exploitation among vulnerable groups, such as children, Moldovan nationals seeking employment abroad, Ukrainian refugees, and foreign workers.

The number of identified victims of THB in 2020-2024 has significantly decreased compared to the previous four-year period (935 compared to 1,496). Men represented the majority of the identified victims (60%). The share of female and child victims was respectively 38% and 15%. Labour exploitation has remained the predominant form of exploitation, followed by sexual exploitation. Most victims were Moldovan nationals exploited in European Union countries (mainly France, Germany and Italy) and the Russian Federation.

In the Republic of Moldova, Roma children, children whose parents have migrated abroad, children in street situations and children in State residential institutions are particularly vulnerable to THB. A variety of measures have been taken to raise awareness of the risks and manifestations of child trafficking, support social assistance measures, and improve services for children with disabilities. Despite these initiatives, child labour, especially in agriculture, remains widespread. Further, online commercial sexual exploitation of children has increased. Children in institutions and those leaving institutions are at high risk of THB and cases have been reported of institutions' management being involved in exploiting children in domestic work or farm labour. GRETA urges the Moldovan authorities to strengthen efforts to prevent child trafficking by regularly inspecting residential institutions, ensuring that labour inspectors can be actively engaged in the prevention of trafficking and exploitation of children, and providing targeted social and economic support to vulnerable children, including Roma and those in or transitioning from residential care.

Deep-rooted discrimination, stigma and prejudice exacerbate the socio-economic marginalisation of the Roma, making them vulnerable to THB and exploitation. The Moldovan authorities have continued their efforts to improve Roma inclusion, in particular through the National Programme to Support the Roma Population (2022-2025), the recruitment of Roma community mediators and educational initiatives. While welcoming these efforts, GRETA considers that the Moldovan authorities should strengthen the prevention of THB through sustained social, economic and other measures for the Roma community.

Measures are being taken to reduce the vulnerabilities of Moldovans working or seeking employment abroad, including through monitoring the activities of private employment agencies and informing citizens about the risks of THB and safe and legal access to employment abroad. However, their impact remains limited for the most vulnerable to THB, particularly those who are illiterate, lack the necessary skills to take advantage of the available programmes, or face extreme financial hardship. GRETA considers that further steps should be taken to empower groups vulnerable to THB, especially women, young people and Roma, by promoting access to the labour market and vocational education, and to strengthen oversight of private employment agencies and fraudulent online job advertisements.

The Republic of Moldova is increasingly becoming a destination country for THB due to rising numbers of migrant workers filling labour shortages caused by mass emigration. In 2023, the authorities identified 53 foreign victims from Bangladesh and India in the textile sector. GRETA considers that the Moldovan authorities should provide training on THB to officials who supervise the working conditions of foreign workers, establish co-operation with the countries of origin of foreign workers, and raise awareness among both employers and foreign workers about THB risks and victims' rights.

Following Russia's full-scale invasion of Ukraine in February 2022, over 1 million Ukrainians entered the Republic of Moldova, and nearly 119,000 remained in the country as of June 2024. A coordinated humanitarian response, including financial assistance to refugees, played a key role in preventing trafficking. The Moldovan authorities established an inter-agency co-operation mechanism to identify and assist children at risk coming from Ukraine. While welcoming these measures, GRETA considers that the authorities should ensure that Ukrainian refugees have access to appropriate accommodation, support, employment and health care services, to prevent them from becoming vulnerable to exploitation and THB.

While welcoming the measures taken to advance gender equality and combat violence against women, GRETA considers that the Moldovan authorities should take further steps to reduce risks of exploitation of women and girls in prostitution, including by decriminalising persons in prostitution, developing exit programmes for those wishing to leave prostitution, and raising awareness among persons in prostitution about the risks of human trafficking and the support services available to victims.

Persons with disabilities face a significantly higher risk of poverty and there have been several victims of THB identified amongst persons with physical or mental disabilities. GRETA considers that the Moldovan authorities should ensure regular inspections and independent monitoring of residential centres for persons with disabilities to prevent exploitation.

In March 2022, the Government set up a National Referral Mechanism for the Protection and Assistance of Crime Victims, which covers 20 victim categories, including victims of THB and forced labour. While welcoming the efforts made to improve victim identification, GRETA remains concerned by the limited capacity of relevant professionals, especially labour inspectors, to proactively identify victims of THB. GRETA urges the Moldovan authorities to expand the mandate of labour inspectors, reinforce their capacity and training, remove the restrictions on conducting unannounced inspections, and include them in the Territorial Commissions for combating THB. The authorities should also pay increased attention to the proactive identification of victims of THB among asylum seekers and foreign workers.

Progress has been made in the area of the provision of assistance to victims of THB. In February 2021, a shelter for male victims was opened in Chișinău. Further, state funding for the Chișinău Centre for women and child victims of THB increased in 2022. Victims and their children can stay in the shelters for up to six months, which is often insufficient as many victims face significant barriers to reintegration. GRETA urges the Moldovan authorities to improve victims' access to the labour market, health care and social services. The authorities should also adapt the existing legal framework to cover assistance of foreign victims of THB and provide adequate funding for centres assisting victims and presumed victims of trafficking.

The number of investigations and convictions for THB has decreased compared to the previous reporting period. Contributing factors include limited assistance for victims, which affects their willingness to participate in the criminal proceedings, and the reduction of the capacity of the Police Centre for Combating Trafficking in Persons (CCTP) and the anti-trafficking unit of Cybercrime Bureau within the Prosecutor's Office. GRETA urges the Moldovan authorities to ensure that THB cases are investigated promptly and lead to effective, proportionate and dissuasive sanctions, including by strengthening the capacity of the CCTP and specialised prosecution sections and ensuring that the length of court proceedings in THB cases is reasonable.

GRETA welcomes the legislative amendments with regard to the application of special interviewing conditions to victims of THB and the increased number of victim interview rooms equipped for remote interviews, and invites the Moldovan authorities to continue preventing the re-traumatisation and intimidation of victims of trafficking during the investigation, as well as during and after court proceedings.

The Moldovan authorities and NGOs reported a significant rise in the use of ICT to commit human trafficking. The General Prosecutor's Office has issued a guide on child abuse online and in 2022, the Ministry of Education approved and implemented national online safety standards, with guidelines and training for educators and justice professionals. The Cybercrime Investigation Centre proactively investigates online trafficking, including on the darknet, using open-source tools and INTERPOL's ICSE database. However, the Centre is understaffed and has difficulties recruiting IT specialists. GRETA considers that the authorities should invest in capacity building and digital tools for proactive investigations and strengthen co-operation with ICT companies and Internet service providers.

While welcoming the amendment made to the Law on State-guaranteed Legal Aid and the provision of training and a guide on legal assistance for victims of THB to lawyers, GRETA notes that the number of victims who received qualified legal aid remains low compared to the number of identified victims. Many victims are unaware of their right to legal assistance, and the judicial authorities rarely assign lawyers unless explicitly requested by the victim. GRETA considers that the authorities should ensure that victims are systematically appointed a specialised lawyer.

With a view to facilitating victims' access to compensation, the authorities organised two training sessions for judges and prosecutors and issued a guide on victims' right to compensation. However, there is no data on compensation awarded to victims of THB in judicial proceedings and the state compensation scheme remains inactive. Therefore, GRETA once again urges the Moldovan authorities to facilitate and guarantee access to compensation for victims of trafficking, including by reviewing the legal framework for state compensation.

No residence permits have been granted to victims of THB during the reporting period. GRETA urges the Moldovan authorities to ensure that victims of trafficking fully benefit from the right to obtain a residence permit under Section 42-1 of the Law on Aliens and to amend this section to ensure that residence permits issued under it grant the right to work.

General information on trafficking in human beings in the Republic of Moldova (covering the period from 2020 until 28 March 2025)

Entry into force of the Council of Europe Convention on Action against Trafficking in Human Beings	1 February 2008
Evaluations by GRETA	First evaluation report (published on 22 February 2012) Second evaluation report (published on 7 June 2016) Third evaluation report (published on 3 December 2020)
Co-ordination of action against THB	• National Committee for Combating Trafficking in Human Beings, established in 2001. The secretariat is provided by the State Chancellery's Directorate of Human Rights and Co-operation with Civil Society. • Territorial Commissions for combating THB • District Territorial Multidisciplinary Teams and Community Territorial Multidisciplinary Teams
National Rapporteur	There is no National Rapporteur.
Specialised bodies and NGOs	• Police Centre for Combating Trafficking in Persons • Anti-Trafficking Section of the General Prosecutor's Office • Prosecutor's Office for Combating Organised Crime and Special Cases • Co-ordination Council of the Law Enforcement Bodies in the field of combating trafficking in human beings • La Strada Moldova
National Strategy/Action Plan	• National Strategy for Preventing and Combating Trafficking in Human Beings for 2018-2023 and related Action Plans for 2018-2020 and 2021-2022 • Programme for Preventing and Combating Trafficking in Human Beings for 2024-2028
Relevant legislation	• 2005 Law on Preventing and Combating Trafficking in Human Beings • Criminal Code (Articles 165 and 206 criminalise human trafficking) • 2016 Law on the Rehabilitation of Victims of Crime • 2010 Law on the Regime of Foreigners in the Republic of Moldova
National Referral Mechanism (NRM)	Government Decision No. 182/2022 for the approval of the 2022-2026 Programme for the creation and development of the National Referral Mechanism for the Protection and Assistance of Crime Victims and the 2022-2024 Action Plan on its implementation has transformed the National Referral System for THB victims into the National Referral Mechanism for Protection and Assistance for Victims of Crimes (NRMV).
Trafficking profile	The Republic of Moldova is primarily a source country for victims of trafficking. One third of the victims identified in 2020-2024 were female and 15% were children. The great majority of them are Moldovans trafficked abroad for the purpose of labour or sexual exploitation.

I. Introduction

1. The Republic of Moldova was amongst the first countries to ratify[2] the Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") and has been in the first group of Parties to be evaluated by GRETA under each evaluation round.

2. Over the years, the Moldovan authorities have taken a series of steps to develop the legislative, institutional and policy framework for action against trafficking in human beings (THB), as well as to strengthen co-ordination between relevant actors and international co-operation. This includes the adoption of a comprehensive anti-trafficking law, a specific provision on the non-punishment of victims of trafficking, and the criminalisation of the use of services of a victim of THB, with the knowledge that the person has been trafficked. National action plans for combating THB are regularly adopted. Further, a National Referral System (NRS) for victims of THB has been established, with multidisciplinary teams set up in all regions to identify and refer to assistance victims of trafficking. The authorities have also set up a specialised Police Centre for Combating Trafficking in Persons, developed specialisation among prosecutors and adopted guidelines on investigating trafficking cases and financial investigations. However, after three rounds of evaluation, GRETA concluded that there were continuing gaps in certain areas, such as lack of adequate long-term assistance and effective access to public health care, the absence of a functional state compensation scheme, and insufficient protection of victims before, during and after criminal proceedings.

3. On the basis of GRETA's third report, on 4 December 2020 the Committee of the Parties to the Convention adopted a recommendation to the Moldovan authorities, requesting them to inform the Committee within a two-year period of measures taken to comply with the recommendation. The report submitted by the Moldovan authorities was considered at the 32nd meeting of the Committee of the Parties (16 June 2023) and was made public.

4. On 10 October 2023, GRETA launched the fourth round of evaluation of the Convention in respect of the Republic of Moldova by sending the questionnaire for this round to the Moldovan authorities. The authorities submitted their reply to the questionnaire by the set deadline of 12 February 2024.

5. An evaluation visit to the Republic of Moldova took place from 22 to 26 April 2024 in order to hold meetings with relevant governmental and non-governmental actors, collect additional information and examine the practical implementation of adopted measures. The visit was carried out by a delegation composed of:

- Ms Svala Ísfeld Ólafsdóttir, member of GRETA;
- Ms Dorothea Winkler, member of GRETA;
- Mr Mesut Bedirhanoglu, Administrator in the Secretariat of the Convention.

6. During the visit, the GRETA delegation met representatives of the State Chancellery's Directorate of Human Rights and Co-operation with Civil Society, which provides the secretariat to the National Committee for Combating Trafficking in Human Beings, the Ministry of Internal Affairs (including the Centre for Combating Trafficking in Persons, the General Inspectorate of the Border Police, the General Inspectorate for Migration, and the Cybercrime Investigation Centre), the Ministry of Labour and Social Protection (including the State Labour Inspectorate and the National Employment Agency), the Ministry of Justice (including the Interdepartmental Commission for State Financial Compensation and the National

[2] At the time of ratifying the Convention, the Moldovan authorities declared that "until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the Convention shall be applied only on the territory controlled effectively by the authorities of the Republic of Moldova". This declaration concerns the Transnistrian region, currently outside the effective control of the Moldovan authorities.

Administration of Penitentiaries), the Ministry of Foreign Affairs, the Ministry of Health, and the Ministry of Education and Research. Meetings were also held with representatives of the General Prosecutor's Office, the Prosecutor's Office for Combating Organised Crime and Special Cases, the Superior Council of Magistrates, Chișinău District Court, the National Council for State-guaranteed Legal Aid, the National Institute for Justice, the Public Services Agency, the Diaspora Relations Bureau, the Agency for Interethnic Relations, the National Regulatory Agency for Electronic Communications, and the Information Technology and Cyber Security Service. Discussions were also held with the Office of the Ombudsman.

7. At local and regional level, the GRETA delegation met representatives of the territorial anti-trafficking commissions in Cahul and Comrat as well as officials from the Municipality of Chișinău.

8. The GRETA delegation held separate meetings with non-governmental organisations (NGOs). Meetings were also held with representatives of the Organization for Security and Co-operation in Europe (OSCE), the International Organization for Migration (IOM), and the Delegation of the European Union in Chișinău.

9. In the course of the visit, the GRETA delegation visited three state shelters which can accommodate female victims of human trafficking (in Chișinău, Cahul and Hîncești) as well as the new shelter for men who are victims of human trafficking in Chișinău. The delegation also visited the Regional Centre for Rehabilitation of Victims of Domestic Violence in Chirsova, an accommodation centre for children in difficulty in Cahul, a temporary accommodation centre for refugees in Chișinău, as well as the Family Justice Centre for Victims of Domestic Violence and Sexual Offences in Chișinău.

10. The list of the national authorities, NGOs and other organisations with which the delegation held consultations is set out in Appendix 3 to this report. GRETA is grateful for the information provided by them.

11. GRETA wishes to place on record the co-operation provided by the Moldovan authorities and in particular by the contact person appointed to liaise with GRETA, Ms Lilia Pascal, Head of the State Chancellery's Directorate of Human Rights and Co-operation with Civil Society.

12. The draft version of the present report was approved by GRETA at its 52nd meeting (18-22 November 2024) and was submitted to the Moldovan authorities for comments. The authorities' comments were received on 27 February 2025 and were taken into account by GRETA when adopting the final report at its 53rd meeting (24-28 March 2025). The report covers the situation up to 28 March 2025; developments since that date are not taken into account in the following analysis and conclusions. GRETA's conclusions and proposals for action are summarised in Appendix 1.

II. Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

13. The Republic of Moldova continues to be primarily a source country for victims of THB. The number of identified victims in the period 2020-2024 was 935, which indicates a significant decrease compared to the period covered by the previous GRETA report.[3] The proportion of female victims (women and girls) (38%) and child victims (15%) has also decreased. Men represented the majority of identified victims (60%). Labour exploitation has remained the predominant form of exploitation, followed by sexual exploitation (see Appendix 1 for detailed statistics). Most victims were Moldovan nationals exploited in European Union (EU) countries (mainly France, Germany and Italy) and the Russian Federation.[4] Victims originate predominantly from rural areas and have low education levels. Child victims are mostly subjected to sexual exploitation within the Republic of Moldova.

14. As regards emerging trends, the use of information and communication technologies (ICT) has expanded across all stages of the human trafficking process (see paragraph 157). Further, the Republic of Moldova has increasingly become a country of destination of labour migrants (see paragraph 59). Contributing factors include its proximity to the EU, visa liberalisation, and government initiatives aimed at addressing labour shortages caused by mass emigration. Additionally, the war in Ukraine has prompted migrant workers from Asian countries - who previously sought employment in Ukraine - to explore opportunities in other countries of the region, including the Republic of Moldova.

15. The Transnistrian region remains beyond the effective control of the Moldovan authorities,[5] which prevents GRETA from covering the situation concerning THB in there. Nevertheless, during the country visit to the Republic of Moldova, GRETA met representatives of NGOs active in Transnistria who reported that no victims had been identified by the de facto authorities, despite a heightened risk of trafficking, especially for children from dysfunctional families.[6] Many do not report cases to the de facto authorities due to mistrust and the lack of support services. No funding has been allocated to support trafficking victims in Transnistria, and the only existing shelter, established in 2009, primarily serves victims of gender-based violence. Some victims from Transnistria have been assisted by the Centre for Assistance and Protection of Victims of Trafficking in Chișinău.

16. As regards legislative changes, in 2023, the Criminal Procedure Code (CPC) was amended to prevent the re-traumatisation of victims of crime during criminal proceedings (see paragraph 149). Further, in June 2024, amendments were made to Article 165 of the Criminal Code (CC), which criminalises THB: the maximum sanction for the basic offence was reduced from 12 to 10 years (Article 165, paragraph 1, of the CC) and the maximum sanction for the aggravated offence was reduced from 15 to 12 years (Article 165, paragraph 2, of the CC). Further, Article 60 of the CC was amended to specify that, in cases of child trafficking (Article 206 of the CC), the statute of limitations begins to run from the date the child reaches the age of 18. Article 90 of the CC was amended to prohibit the court from issuing a conviction with conditional suspension of the prison sentence in cases involving particularly serious or exceptionally serious offences, such as human trafficking (Article 165) and child trafficking (Article 206). Finally, Article 90[1] of the CC was amended to prevent the court from issuing a conviction with partial suspension of the prison sentence in cases involving particularly serious or exceptionally serious offences, such as child trafficking.

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3 By way of comparison, the number of victims identified in 2015-2019 was 1,496; 47% of them were female and 21% were children.

4 In 2020-2023, 72% of identified trafficking victims (586 victims) were exploited abroad.

5 The constitutional authorities of the Republic of Moldova lost effective control over the Transnistrian region in 1992, following a conflict that is still protracted to this day.

6 See Protection from Sexual Exploitation and Abuse: Inter-Agency Risk Assessment Republic of Moldova, 2023, page 25.

17. In March 2023, the Ministry of Labour and Social Protection launched the "RESTART" reform to enhance the access of vulnerable people, including victims of THB, to quality social services by digitalising the national social assistance system and improving human resources.[7] Law No. 256/2023, which outlines the "RESTART" reform, amended 18 laws, including the Law on Preventing and Combating THB. The reform created new regional social assistance agencies to take over social assistance responsibilities from the local authorities, with the exception of Chișinău municipality and the Autonomous Territorial Unit of Gagauzia. These agencies are now tasked with co-ordinating and monitoring anti-trafficking efforts at regional and district levels. Additionally, the National Referral System for THB victims was expanded into the National Referral Mechanism for the protection and assistance of all victims of crime, listed in Article 9 of the Law on the Rehabilitation of Victims of Crime (see paragraph 97).

18. The institutional framework for combating THB has remained unchanged. The National Committee for Combating Trafficking in Human Beings (NCCTHB), chaired by the Minister of Foreign Affairs, has continued to coordinate the Government's anti-trafficking policy. Since 2019 the NCCTHB has met only once per year, although it is supposed to meet quarterly.[8] However, the Technical Coordination Group, composed of relevant department heads, met more frequently (twice in 2021, four times in 2022, five times in 2023, and four times in 2024) to discuss, among others, the implementation of recommendations from GRETA's third report and the situation of Ukrainian refugees.

19. The State Chancellery's Directorate of Human Rights and Cooperation with Civil Society[9] provides secretariat support to the NCCTHB. However, only one out of its nine staff members is fully dedicated to this task. The Moldovan authorities have acknowledged the need for more human resources to deal with the coordination of anti-trafficking action, but noted the financial constraints and ongoing reforms related to the EU accession.[10] The funding allocated from the Directorate's budget for anti-trafficking activities remains low. By way of example, in 2023, MDL 100,000 (around EUR 5,200) were allocated for the implementation of the information and prevention campaigns on human trafficking and training of staff.

20. GRETA once again urges the Moldovan authorities to strengthen the co-ordination of anti-trafficking action by increasing the frequency of the meetings of the National Committee for Combating Trafficking in Human Beings and the number of staff members of the State Chancellery's Directorate of Human Rights and Cooperation with Civil Society dealing with the development and co-ordination of the implementation of the National Action Plan for Combating THB, as well as to allocate sufficient funding for the implementation of the anti-trafficking activities.

21. At the local level, there are 35 Territorial Commissions for combating THB. However, most of them are inactive due to limited financial resources, with only a small number of commissions holding coordination meetings, organising awareness-raising and training activities, and identifying and referring victims to support services.[11] GRETA considers that the Moldovan authorities should strengthen the capacity of the Territorial Commissions for combating THB by providing them with additional financial resources, training and guidance and enhancing the monitoring of their activities (see also paragraph 108).

22. The Moldovan authorities adopted an Action Plan on Preventing and Combating THB in the Context of the Ukraine Response Plan for July 2022-July 2023. Since actions related to preventing trafficking among Ukrainian refugees were integrated into the new National Programme, no separate plan was developed after 2023. A Task Force on THB as regards refugees from Ukraine, chaired by the Directorate

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7 Ministry of Labour and Social Protection, Reform of Social Assistance System RESTART: for equitable access to quality social services, March 2023, pages 8-9.

8 See paragraph 13 of the Government Decision No.472/2008 on the Approval of the Composition of the National Committee for Combating Trafficking in Human Beings and the Regulation on the National Committee.

9 Until 2020, the name of the Directorate was "Directorate of Permanent Secretariats".

10 In June 2022, the Republic of Moldova received a candidate status for EU accession.

11 Co-ordination meetings were held by 14 commissions in 2021, 14 in 2022, and 8 in 2022.

of Human Rights and Co-operation with Civil Society, was established in June 2022 and met regularly (five times in 2022, four times in 2023 and three times in 2024). The Task Force is led by international organisations present in the Republic of Moldova and includes UN agencies and NGOs with expertise and/or operational capacity on anti-trafficking work.

23. During the reporting period, the Republic of Moldova implemented the National Strategy to Prevent and Combat Trafficking in Human Beings for 2018-2023 and the two National Action Plans on its implementation for 2018-2020 and 2021-2022. A 2023 evaluation of the implementation of the action plans, conducted by an expert commissioned by La Strada Moldova, found that while some progress had been made, including legislative amendments and the establishment of support services for male victims, many challenges remained unresolved.[12] Factors such as the COVID-19 pandemic, the war in Ukraine, ongoing administrative reforms, high staff turnover, and the lack of resources hindered full implementation.

24. The new Programme for Preventing and Combating THB (2024-2028), accompanied by a National Action Plan for 2024-2028,[13] were approved by the government on 26 September 2023. The Moldovan authorities stressed that the findings and recommendations from the abovementioned evaluation report were used in the development of the new anti-trafficking programme, and civil society organisations were consulted during its preparation. Although survivors of human trafficking were not directly consulted, their experiences and voices were represented by NGOs providing direct assistance to victims, such as La Strada Moldova.

25. The new Anti-trafficking Programme includes 12 specific objectives across four pillars - prevention, protection, prosecution and partnership. The National Action Plan for its implementation contains 83 actions. These actions aim to enhance the authorities' ability to address emerging trends, such as trafficking of foreign workers and online exploitation, to improve data collection, victims' access to free legal assistance and state compensation, and ensure the full functionality of the National Referral Mechanism for victims of crime. The estimated cost of implementing the new Anti-trafficking Programme is MDL 17,756,400 (around EUR 920,000). However, there is no dedicated budget. The National Action Plan foresees that around 85% of the funding would come from international organisations and private donors.

26. The implementation of the Programme is monitored by the Directorate of Human Rights and Cooperation with Civil Society, which publishes an annual report.[14] However, a 2020 IOM report highlighted the Directorate's lack of capacity to ensure in-depth monitoring.[15] The measure foreseen by the Action Plan for 2021-2022 to transfer these functions to a specialised National Rapporteur was not implemented. Recalling the need for a structural separation between monitoring and executive functions in order to have an objective evaluation of anti-trafficking law, policy and practice, GRETA reiterates its previous recommendation and considers that the Moldovan authorities should examine the possibility of establishing an independent National Rapporteur or designating an already existing independent mechanism for monitoring the anti-trafficking activities of state institutions.

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12 Hanna Antonova, "Evaluation of the National Strategy to Prevent and Combat Trafficking in Human Beings of the Republic of Moldova", 2022. According to the evaluation report, 20% of the activities of the 2018-2020 Action Plan and 28% of those of the 2021-2022 Action Plan were partially implemented, and 20% of the activities of the 2018-2020 Plan and 31% of those of the 2021-2022 Plan were not implemented at all.

13 https://www.legis.md/cautare/getResults?doc_id=139888&lang=ro (in Romanian and Russian only).

14 The most recent report was published on 30 July 2024 and covers 2023. All the reports are available at the Directorate's website (https://www.antitrafic.gov.md/lib.php?l=en&idc=30).

15 Hanna Antonova, "Assessment of the capacity of the Directorate of Permanent Secretariats of the State Chancellery of the Republic of Moldova to coordinate counter-trafficking policies and of the feasibility of the introduction of a National Rapporteur on Combating Trafficking in Human Beings in Moldova", IOM, May 2020.

III. Addressing vulnerabilities to trafficking in human beings

1. Prevention of trafficking in human beings

a. Introduction

27. Prevention is crucial in combating human trafficking. Article 5 of the Convention therefore requires States Parties to establish and/or strengthen effective policies and programmes to prevent THB in co-ordination between relevant public agencies, non-governmental organisations and other elements of civil society. Such policies and programmes should have a particular focus on persons vulnerable to trafficking and professionals concerned with human trafficking, and shall include research, information, awareness-raising and education campaigns, social and economic initiatives and training programmes. In the development and implementation of prevention measures, States Parties are required to promote a human rights-based approach and to use gender mainstreaming and a child-sensitive approach, taking specific measures to reduce children's vulnerability to trafficking. Furthermore, Article 5 of the Convention requires States parties to take measures to enable migration to take place legally. In addition, Article 6 of the Convention places a positive obligation on Parties to adopt measures to discourage the demand that fosters all forms of exploitation of persons which leads to trafficking.

28. According to the Anti-Trafficking Programme (2024-2028), young people (especially women and girls who have experienced domestic violence), ex-convicts and probationers, refugees and unemployed persons are particularly vulnerable to human trafficking. The arrival of a large number of refugees from Ukraine and the economic and energy crises are presented in the Anti-Trafficking Programme as factors increasing vulnerabilities to THB. The National Action Plan for 2024-2028 outlines measures to prevent exploitation among four key vulnerable groups: children, Moldovan nationals seeking employment abroad, Ukrainian refugees, and foreign workers. These measures focus primarily on raising awareness among these groups about human trafficking risks and prevention strategies. Additionally, the Plan envisages strengthening state oversight of private employment agencies and unlicensed job intermediaries. Other policy frameworks, such as the National Programme to Support the Roma Population for 2022-2025 and the Action Plan for the Implementation of the Crime Prevention and Combating Programme for 2022-2025, also aim to address vulnerabilities to trafficking. For instance, the latter plan includes the objectives of reducing national vulnerabilities in preventing and combating THB and child trafficking, increased capacity to monitor evolving trends and the development of a mechanism for collecting disaggregated data on trafficking.

29. During the reporting period, several public awareness campaigns were launched about the risks of human trafficking. By way of example, the annual national campaign "Week against Trafficking in Human Beings", held in partnership with international and non-governmental organisations, takes place around the European Day against Human Trafficking (October 18). During a week, various awareness-raising activities are conducted, including the distribution of informational materials, media articles, online posts, TV and radio interviews, seminars, public lectures, and visits to enterprises in at-risk sectors, such as agriculture and construction. The campaign also includes outreach to prisoners and probationers.[16] Reference should also be made to two workshops organised in 2022 by the State Chancellery and IOM for airline employees to alert them to indication of THB and how to react. However, most of these activities are funded by international donors. Moreover, the impact of these campaigns is rarely assessed, which limits the ability of the organisers to adapt and improve such initiatives. While welcoming the efforts made to raise awareness of THB risks, GRETA invites the authorities to evaluate the effectiveness of these activities by measuring their impact. Future campaigns should also address new and emerging trends and forms of human trafficking.

16 Information about the results of these campaigns is available on: www.antitrafic.gov.md.

30. The Moldovan authorities have referred to research conducted by La Strada Moldova in 2020 into the vulnerability of migrants to trafficking and exploitation[17] and a report on trafficking trends and external influencing factors issued by La Strada Moldova in the same year.[18] Additionally, several studies have been undertaken to identify the risks of trafficking, exploitation and abuse faced by persons fleeing Ukraine (see paragraph 68).

b. Measures to prevent the vulnerability of specific groups to trafficking in human beings

31. This section examines the preventive measures taken with regard to certain vulnerable groups on the basis of the information provided by the Moldovan authorities as well as non-state actors. GRETA underlines that not every individual belonging to one of these groups is vulnerable to trafficking *per se*, there are usually additional vulnerability factors involved. The different groups selected should be viewed with due regard to the complexity and intersectionality of vulnerabilities to trafficking.

i. Children

32. In its previous reports on the Republic of Moldova, GRETA paid particular attention to the vulnerability of Roma children, children whose parents have migrated abroad, children in street situations, and children in State residential institutions and urged the Moldovan authorities to strengthen their efforts to improve the prevention of child trafficking, in particular by utilising the results of research and paying increased attention to the link between THB in children and the use of ICT, strengthening the capacity and resources of child protection professionals and raising awareness of child trafficking and its different manifestations.[19]

33. As noted in GRETA's third report, Government Decision No. 270 of 8 April 2014, adopted on the basis of Law No. 140 of 2013 on the Special Protection of Children at Risk and Children Separated from Their Parents, established an inter-sectoral co-operation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking. Under these provisions, relevant authorities are required to register reports of suspected violence, neglect, exploitation and trafficking committed against children, investigate them, and immediately inform the territorial guardianship authority. In 2020-2024, 41,692 such reports were registered (74% involving neglect, 25% violence, 0.1% child labour; only 20 cases were of child trafficking).

34. The toll-free helpline for children (116 111), managed by the Ministry of Labour and Social Protection and the NGO CNFACEM, provides psychological support and forwards cases of child abuse, violence and trafficking in accordance with the inter-sectoral co-operation mechanism established Government Decision No. 270/2014. In 2020-2024, 8,691 children were assisted by the helpline, which forwarded 1,957 cases to relevant authorities for further action.

35. To implement Government Decision No. 270/2014, a guide for practical application of the inter-sectoral co-operation mechanism was developed with Council of Europe support and approved in December 2021.[20] On 26 June 2022, Government Decision No. 446 established a centralised Information System on Child Protection,[21] improving data management and case tracking for at-risk children. A guide on case management in child protection, adopted in September 2023 by the Ministry of Labour and Social Protection,[22] was communicated during training sessions for social assistance staff held in July 2023.

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17 https://lastrada.md/pic/uploaded/Raport_migratie_en_2020.pdf
18 https://lastrada.md/pic/uploaded/Tendinte%20TFU%20rom_TFU.pdf (available in Romanian).
19 See paragraphs 87, 94, 95 of GRETA's first report and paragraphs 196-205 of GRETA's third report.
20 https://social.gov.md/wp-content/uploads/2021/12/GHID-de-aplicare-practic%C4%83-a-HG-nr.-270.pdf
21 https://www.legis.md/cautare/getResults?doc_id=132016&lang=ro
22 https://social.gov.md/wp-content/uploads/2023/09/Ordin-nr.-134_Management-de-caz.pdf

36. Further, the National Programme for Child Protection (2022-2026)[23] contains measures addressing, among other issues, child sexual abuse and exploitation, including through online channels.

37. Reference should also be made to the Memorandum of Understanding signed between the Ministry of Labour and Social Protection and UNICEF on 5 August 2022. Through this agreement, over 294 million MDL (around 15 million euros) were allocated in 2022-2024 to fund social assistance measures, including financial aid for families with children, support for children with disabilities, and the recruitment of 250 child protection specialists, with plans to recruit 60 more in 2025 to care for children and families at risk. Various training sessions were held in the field of child protection, including the development of training materials and organisation of workshops on child sexual exploitation and abuse with the support of the Council of Europe, benefiting 240 social assistants and child protection specialists in 2023.

38. The annual Anti-Trafficking Week mentioned in paragraph 29 focuses, inter alia, on raising awareness of child trafficking risks. For instance, in 2021, 112 lectures were delivered by prosecutors specialised on anti-trafficking in educational institutions, and a documentary on child trafficking for sexual exploitation was released. As part of the Anti-Trafficking Weeks in 2022 and 2023, some 400,000 students and 20,000 teachers were informed about THB. Human trafficking is also covered by the regular school curriculum. Additionally, in collaboration with the Council of Europe Office in Chisinau, in 2024 the Ministry of Labour and Social Protection launched a national campaign to prevent and report child abuse and violence, including online threats. As part of this initiative, the national helpline for children was promoted.

39. Despite these efforts, children in the Republic of Moldova remain particularly vulnerable to trafficking and exploitation. Children's work, especially in agriculture, remains widespread.[24] Programmes developed by international organisations[25] and the Moldovan Government[26] have so far been insufficient to address the root causes of child labour.[27] Additionally, enforcement mechanisms for child labour laws are hindered by limited budgets, cultural acceptance of child labour in family farming, and restrictions on unannounced inspections (see paragraph 107). Consequently, only a small number of child labour cases are identified.[28]

40. Online commercial sexual exploitation of children has increased in recent years.[29] Recent research by La Strada Moldova highlights the growing risk of online exploitation, with 12% of children aged 8-17 reporting that they had received messages containing sexual images in the past year, and 1% of children aged 12-17 admitting to sharing explicit images or videos of themselves online.[30] The measures taken to prevent online child exploitation are described in the section on addressing human trafficking facilitated by ICT (paragraphs 158, 159 and 163).

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23 https://www.legis.md/cautare/getResults?doc_id=131899&lang=ro

24 According to available statistics, 24% of children aged 5 to 14 years (102,105 children) work. 97.3% of them work in agriculture and 29% of them combine work and school. See US Department of Labour, 2023 findings on the worst forms of child labour in the Republic of Moldova.

25 ILO Office is implementing the Decent Work Country Program for 2021–2024 which gathers statistics on child labour, builds the labour inspectorate's capacity, and combats labour exploitation in the construction and agriculture sectors.

26 A social aid programme implemented by the district departments of social assistance and family protection has provided aid for low-income families since 2008.

27 Not all work done by children should be classified as child labour. The term "child labour" is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and/or interferes with their schooling. For more details, see https://www.ilo.org/international-programme-elimination-child-labour-ipec/what-child-labour

28 The Labour Inspectorate conducted 5,774 onsite inspections in 2021-2023 and detected 67 cases of child labour. 2023 findings on the worst forms of child labour in the Republic of Moldova.

29 2023 findings on the worst forms of child labour in the Republic of Moldova.

30 Bradeţchi A., Botezatu E., Child Safety Online. "Research on the online experiences of children from the Republic of Moldova and the risks they are exposed to", La Strada, 2021.

41. Children in institutions and those leaving institutions are at high risk of THB. Cases have been reported of institutions' management being involved in exploiting children in domestic work or farm labour.[31] In their comments on GRETA's draft report, the Moldovan authorities stated that no investigations were conducted in 2024 regarding such allegations as possible THB cases. They also highlighted that, on 24 May 2024, the Ministry of Labour and Social Protection issued Order No. 114, introducing Guidelines on the Internal Child Protection Policy for institutions, organisations and social services working with children, which aim to protect children from abuse, neglect and exploitation.

42. As noted in previous GRETA reports, children whose parents migrate for work are vulnerable to trafficking.[32] In 2023, Government Decision No. 81/2023 approved the Framework Regulation on the establishment of custody and the organisation of the Guardianship/Custody Service. This regulation mandates that parents arrange temporary protection for their children during their absence. Specifically, they must designate a caretaker (custody protection) and notify the local guardianship authority, enabling intervention if necessary to safeguard the child's rights. Since the adoption of this regulation, the number of officially established custody arrangements for children with parents abroad has more than doubled. While at the end of 2022, only 44% of such children had custody protection in place, this figure rose to approximately 96% by the end of 2024.

43. While welcoming the steps taken to protect children in at-risk situations, GRETA urges the Moldovan authorities to strengthen their efforts to improve the prevention of child trafficking, in particular by:

- preventing the exploitation of children by the management of child residential institutions, including through their regular inspection;

- amending the legislation to remove restrictions on conducting unannounced inspections so that labour inspectors can be actively engaged in the prevention of trafficking and exploitation of children, including in agriculture;

- implementing social and economic measures and programmes aimed at supporting children in vulnerable situations, including Roma children, and children living in and leaving residential care.

44. Furthermore, GRETA considers that the Moldovan authorities should:

- further strengthen the capacity and resources of child protection professionals and labour inspectors;

- continue providing training on trafficking in human beings to child welfare professionals, teachers and other professionals working with children;

- continue raising public awareness, especially in rural areas, about the risks and different manifestations of child trafficking, including child and forced marriages, forced begging, forced criminality and child labour.

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31 2023 findings on the worst forms of child labour in the Republic of Moldova. See also Protection from Sexual Exploitation and Abuse: Inter-Agency Risk Assessment Republic of Moldova, 2023, page 26.

32 See paragraphs 87 and 94 of GRETA's first report.

ii. Disadvantaged minorities

45. The 2014 census recorded the Republic of Moldova's Roma population at 13,900, though the Council of Europe estimates it could be as high as 107,100.[33] Deep-rooted discrimination, stigma and prejudice exacerbate the socio-economic marginalisation of the Roma, making them vulnerable to human trafficking and exploitation. They face systemic challenges in accessing education, employment, healthcare and legal documentation. Roma children are more likely to drop out of school due to various factors, including discrimination by school officials, child marriages and distrust of public institutions.[34] While there are no official statistics, an estimated 12% of girls in the Republic of Moldova are married before the age of 18, and child marriage is most common within the Roma communities.[35] Additionally, Roma women are disproportionately affected by intimate partner violence, sexual harassment, and human trafficking. They often face discrimination when seeking help from services like healthcare, particularly due to their ethnicity.[36] GRETA was informed that Roma refugee women from Ukraine hesitate to seek medical or police assistance in cases of sexual violence due to past experiences of discrimination and lack of action by law enforcement.[37]

46. The Moldovan authorities have continued their efforts to improve Roma inclusion, notably through campaigns to encourage school enrolment and scholarships for Roma students pursuing higher education. Recently, the Committee of Ministers of the Council of Europe recommended appointing Roma school assistants to help reduce dropout rates. The Committee also urged the government to address the lack of adequate housing for Roma, part of broader efforts to tackle extreme poverty and marginalisation.[38]

47. The current National Programme to Support the Roma Population (2022–2025) includes a chapter on combating THB. The chapter outlines actions related to preventing trafficking among Roma children and women, training community mediators on identifying and referring trafficking victims, and translating informational materials on THB into Romani. However, the UN Committee on the Elimination of Racial Discrimination (CERD) expressed concerns in 2024[39] about insufficient resources and a delay of almost two years in establishing a multi-stakeholder working group for implementing this Programme. According to a 2023 report from the Agency for Interethnic Relations, many of the Programme's actions, including over half of the anti-trafficking measures, remain unimplemented.[40] In their comments on GRETA's draft report, the Moldovan authorities outlined a series of activities carried out in 2024 to implement the Programme. These included seminars, conferences and roundtables to raise awareness of the challenges and risks faced by the Roma community, including THB. Additionally, the authorities highlighted 25 field visits conducted by the Agency for Interethnic Relations to Roma-populated areas to discuss Roma-related issues with local authorities. They also noted that 18 local action plans, incorporating anti-trafficking measures, have been approved by local councils as part of the Programme to Support the Roma Population.

48. An important step for improving the access of Roma to employment, education and social services has been the recruitment of Roma community mediators. Currently, there are 51 mediators working in municipalities with a significant Roma population, while seven positions remain vacant. Mediators act as liaisons between the local authorities and the Roma community and facilitate Roma inclusion in society, provide information about safe migration and trafficking risks, and assist victims of trafficking in accessing

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33 Council of Europe, Estimates on Roma population in European countries, http://www.coe.int/en/web/portal/roma

34 See US Department of Labor, 2023 findings on the worst forms of child labour in the Republic of Moldova. According to a recent report, half of Roma children are not enrolled in school (ACTED, 2023, Republic of Moldova: Roma Community Needs Assessment, available at: https://acted.org/en/publication/republic-of-moldova-roma-community-needs-assessment-2023).

35 GREVIO's Baseline)Evaluation Report on the Republic of Moldova, 2023, paragraph 15.

36 Gender-based violence safety audit report: Ukraine Refugee Response, Republic of Moldova, 2024, pages 21-24.

37 Gender-based violence safety audit report: Ukraine Refugee Response, Republic of Moldova, 2024, page 22.

38 Resolution CM/ResCMN(2024)1 on the implementation of the Framework Convention for the Protection of National Minorities by the Republic of Moldova, a*dopted by the Committee of Ministers on 10 January 2024.*

39 Concluding observations on the combined twelfth to fourteenth periodic reports of the Republic of Moldova (May 2024)

40 Progress report on the implementation in 2023 of the Programme for the support of the Roma population in the Republic of Moldova for the years 2022 - 2025 (in Romanian).

support services. However, the CERD report noted that mediators face challenges due to lack of cooperation from the local authorities and low wages. The Moldovan authorities have made efforts to enhance their professional development through training and information sessions on topics like trafficking, gender-based violence and access to victim services. For example, in September and October 2023, information sessions supported by the IOM were held in several districts (Soroca, Otaci, Nisporeni, and Glodeni) to inform mediators and Roma community members about trafficking prevention, gender-based violence, and available support services. In addition, with the adoption of Law No.305/2024, which amended public sector salary regulations, the pay grades for unqualified Roma community mediators were increased by four levels, effective from January 2025.

49. GRETA welcomes the measures taken to address the vulnerabilities of the Roma community to human trafficking and considers that the Moldovan authorities should continue to strengthen the prevention of THB through sustained social, economic and other measures to empower the Roma community, especially women, children and young people, including by promoting their access to education and the labour market as a means of addressing the root causes of THB.

iii. Moldovan diaspora and Moldovans seeking employment abroad

50. The Republic of Moldova is one of the poorest countries in Europe,[41] resulting in significant immigration, primarily to EU countries (following the visa exemption in 2014) and Russia. According to the Ministry of Foreign Affairs, 1.11 to 1.25 million Moldovan citizens live abroad,[42] which represents a substantial portion of the country's 3.5 million population (including Transnistria). Around 41% of Moldovan households have someone in their extended family working abroad.[43] High rate of labour migration, coupled with the readiness to accept unsafe employment offers abroad, heightens the risks of THB. Around 6% of Moldovan households reported having one family member presumably trafficked or exploited abroad in 2018–2019.[44]

51. The National Anti-trafficking Action Plan includes measures to reduce the vulnerabilities of Moldovans working or seeking employment abroad, including monitoring the activities of private employment agencies, informing citizens about the risks of THB and safe and legal access to employment abroad, and strengthening cooperation with other countries to protect Moldovan migrants. Further, the National Action Plan to stimulate returns and facilitate the (re)integration of Moldovan citizens for 2023-2027[45] contains several actions directly or indirectly contributing to the prevention of THB, such as developing information materials on migration and human trafficking and facilitating the reintegration of returnees through vocational training and development of entrepreneurship.

52. Private employment agencies that facilitate overseas employment are regulated by Law No. 105/2018, which prohibits charging fees to job seekers. Since GRETA's third report, Law No. 137 of 16 July 2020 entered in force, strengthening the regulatory framework by expanding the responsibilities of private agencies during recruitment and post-employment. The law grants the State Labour Inspectorate authority to inspect private employment agencies and unlicensed intermediaries. In the Republic of Moldova there are 81 registered private employment agencies, 63 of which are licensed for overseas employment. During the reporting period, 11 licenses were revoked due to inactivity, and two were cancelled for labour law violations. The National Employment Agency publishes a list of reputable private

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41 In 2021, the absolute poverty rate in the Republic of Moldova was 24.5%, with most of the poor residing in rural areas (32.8%) versus urban areas (11.9%). (United Nations Development Programme (UNDP). (2022). Moldova: Potential impacts of increased food and energy prices on poverty and vulnerability.) The COVID-19 pandemic and the war in Ukraine have aggravated the economic situation.

42 https://www.eurasian-research.org/publication/emigrant-moldova-and-the-changing-concept-of-migration/

43 Human Trafficking Survey: Belarus, Georgia, Moldova, and Ukraine. IOM and Info Sapiens, 2019, page 3.

44 Ibidem.

45 https://gov.md/sites/default/files/document/attachments/subiect-09-nu-250-cs-2023_0.pdf.

employment agencies, maintains records of employment contracts for Moldovan citizens working abroad and examines draft contracts to ensure their compliance with legislation.

53. The Republic of Moldova has signed bilateral agreements with Israel (2012) and Bulgaria (2018), as well as a Memorandum of Cooperation with Germany (2021), to promote safe labour migration. Over half of Moldovans hold Romanian or Bulgarian citizenship, allowing them to work freely within the EU. The Moldovan authorities indicated that the Police Centre for Combating Trafficking in Persons (CCTP) periodically monitors online job ads to identify abusive recruitment, which resulted in 2021 and 2022 in fining six individuals and six legal entities for facilitating overseas employment without a license.

54. The National Employment Agency (NEA) provides information on the conditions of working abroad through its offices, website, and free telephone hotline. In 2021-2024, the hotline received 22,059 calls about employment, with 4,621 about emigration process. La Strada Moldova also operates an anti-trafficking and safe migration hotline and informational portal to promote safe migration. In 2021-2024, the hotline registered 84,791 calls, with 79,863 concerning employment in Israel under the bilateral agreement. While the NEA hotline did not register any THB-related calls during this period, La Strada Moldova's hotline received 240 calls from presumed THB victims, their relatives, friends or persons at high risk of trafficking.

55. The NEA organises thematic events during the annual "Week of Fight against Human Trafficking", "Diaspora Days", and "International Migrants' Day" to raise awareness of the risks of THB and the opportunities for legal employment. In 2023, over 2,000 people participated in these events. Other authorities and NGOs organised similar activities, such as an online event hosted in October 2022 by the State Chancellery to inform diaspora members about human trafficking and illegal employment risks.

56. The Moldovan authorities noted that in response to GRETA's recommendations, the Moldovan National Trade Union Confederation signed a cooperation agreement with three major Italian labour unions in October 2021 to enhance the protection of Moldovan workers in Italy.

57. GRETA welcomes the progress made by the Moldovan authorities in promoting legal employment abroad and regulating employment intermediation. However, their impact remains limited for the most vulnerable to THB, particularly those who are illiterate, lack the necessary skills to take advantage of the available programmes, or face extreme financial hardship. For these persons, stronger social protection systems at the local level are needed.[46]

58. GRETA considers that the Moldovan authorities should take further steps to prevent trafficking and exploitation of Moldovan nationals abroad, in particular by:

- investing in social, economic and other measures to empower groups vulnerable to THB, especially women, young people and Roma, including by promoting access to the labour market and vocational education;
- continuing raising awareness of people who intend to search for jobs abroad on safe and legal employment abroad, the risks of human trafficking and the available support services;
- strengthening oversight of private employment agencies and fraudulent online job advertisements;
- enhancing bilateral and international co-operation to ensure the protection of Moldovan nationals in countries of destination.

[46] See Hanna Antonova, "Evaluation of the National Strategy to Prevent and Combat Trafficking in Human Beings of the Republic of Moldova", 2022, pages 57 and 66.

iv. Migrant workers

59. Traditionally a source country for human trafficking, the Republic of Moldova is increasingly becoming a destination country due to rising numbers of migrant workers arriving in the country to fill labour shortages caused by mass emigration.[47] To attract foreign labour, the Moldovan Parliament simplified the entry and employment procedures for foreign workers, such as reducing the number of countries whose nationals need a visa to enter the Republic of Moldova from 100 to 58 in 2018.[48] Private agencies facilitating the employment of Moldovan citizens abroad expanded their services to include the recruitment of foreign workers for the domestic market from countries such as Türkiye, Bangladesh and India. This change calls for strengthening the capacity of relevant authorities to better prevent and detect THB among foreign workers.

60. A 2020 study by La Strada Moldova revealed that in the Republic of Moldova labour exploitation most commonly occurs in the sectors of construction, agriculture, and manufacturing where labour laws are not always applied.[49] In 2023, the authorities identified a case involving 53 foreign victims of THB (42 from Bangladesh and 11 from India) recruited through private employment agencies and exploited in the textile industry.

61. The Moldovan authorities have taken several initiatives to prevent labour trafficking. On 26 January 2021, the General Prosecutor's Office instructed the territorial prosecutors to raise awareness among employers and employees about labour exploitation and trafficking. Visits to enterprises in agricultural, construction and services sectors were made to warn them of the risks of using undeclared labour and violating workers' rights. In July 2021, the National Confederation of Trade Unions and the State Labor Inspectorate signed a collaboration agreement to promote decent working conditions. The ILO also developed a handbook for employers on preventing forced labour and held a workshop in June 2022 on fair recruitment and trafficking prevention.

62. The Moldovan authorities referred to Article 19 of Law No. 131/2015 on Public Procurement, which excludes from public procurement processes companies convicted of human trafficking by a final judgment within the past five years. To participate, companies must declare whether they or any individuals in administrative, managerial, supervisory or decision-making roles have been subject to such a conviction. The authorities can verify the declarations through the National Portal of Courts. The authorities have no information on whether any companies have been excluded under this provision to date.

63. The current National Anti-trafficking Action Plan includes three measures specifically targeting vulnerabilities of foreign workers to trafficking. These include raising awareness among private companies about trafficking risks and legal employment, and informing foreign workers, including Ukrainian refugees, about access to the labour market. It also includes developing a monitoring mechanism for at-risk sectors, such as construction, agriculture and textile, and training labour inspectors.

64. However, there are a number of remaining gaps. First, labour inspectors have limited ability to conduct unannounced inspections, which seriously affects their capacity to detect trafficking and labour law violations (see paragraph 106). Second, the State Labor Inspectorate lacks sufficient resources and trained inspectors to play a frontline role in preventing human trafficking. Third, there is no separation between labour inspection and immigration control functions, leading to the deportation of irregular foreign workers detected during inspections.

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47 Fomina T. and Revenco A. "New trends in the evolution of the phenomenon of human trafficking in Republic of Moldova in the context of external influence factors", La Strada Moldova, 2020, page 24. Available in Romanian and Russian.

48 Cheianu-Andrei D. "Migrants' vulnerability to human trafficking and exploitation in the Republic of Moldova", La Strada Moldova, 2020, page 18.

49 Ibidem, page 13.

65. While welcoming the increased attention paid to combating labour trafficking in the National Anti-Trafficking Action Plan and the initiatives taken to raise awareness about labour trafficking and exploitation, GRETA considers that the Moldovan authorities should take further steps to prevent trafficking for the purpose of labour exploitation, taking into account the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation,[50] in particular by:

- providing training on THB to all officials who supervise the working conditions of foreign workers, including the Labour Inspectorate, and issuing clear reporting requirements in case of detecting presumed cases of THB;

- establishing co-operation with the countries of origin of foreign workers and taking steps to prevent their nationals from being exploited in the Republic of Moldova;

- separating immigration enforcement functions from labour inspectorate roles, and ensuring that labour inspectors prioritise the detection of persons working in irregular situations who are vulnerable to THB (see also paragraph 108);

- continuing to raise awareness amongst employers and foreign workers about the risks of THB for the purpose of labour exploitation, the rights of victims of trafficking and where to access support, as well as on workers' rights under labour laws;

- strengthening the monitoring of private employment agencies.

v. Asylum seekers and refugees

66. Prior to Russia's full-scale invasion of Ukraine in February 2022, there were only 400 asylum-seekers in the Republic of Moldova.[51] By June 2024, 1,048,266 Ukrainian refugees had entered the Republic of Moldova, and 118,754 remained in the country. Of them, 37% were women and 44% children. The Republic of Moldova has received more Ukrainian refugees per capita than any other country, placing significant pressure on its authorities, as it was not previously a primary destination for refugees.

67. The Moldovan authorities set up a Single Crisis Management Centre, opened several refugee accommodation centres, increased the staff of the General Inspectorate for Migration (from 197 to 247), and declared a state of emergency during which persons fleeing Ukraine were granted access to education, employment and healthcare. The website *dopomoga.gov.md* and a 24/7 hotline were created, providing information in Romanian, Russian, Ukrainian and English. Additionally, "Blue Dots" support centres[52] were established along transit routes to provide families with children essential services.

68. Several security assessments of refugee accommodation centres and border crossings were conducted to identify risks related to THB and other forms of abuse and exploitations and support the adoption of risk mitigation measures.[53] According to the ensuing reports, the identified risks were caused

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50 https://rm.coe.int/booklet-preventing-and-combating-trafficking-in-human-beings-for-the-p/1680aa08ef

51 Report of the fact-finding mission to the Republic of Moldova by the Special Representative of the Secretary General on Migration and Refugees, 13-14 June 2022, para. 17.

52 The Blue Dots protection and support hubs, established jointly by UNICEF, UNHCR and their partners, provide practical support and information to children and families in their onward journeys. At a minimum, each Blue Dot includes social workers, mental health workers, legal aid experts and interpreters, plus a mobile team that can be sent from one Blue Dot location to another where there are high numbers of refugees arriving or being registered. What are the Blue Dots Hubs? | UNICEF Europe and Central Asia.

53 In September 2022, La Strada Moldova carried out research into the existing services for refugees from Ukraine with the aim of identifying risks of exploitation and trafficking in order to ensure a more effective national anti-trafficking response. Moldova Sexual Exploitation and Abuse (SEA) Risk Assessment was conducted in 2023 by the Protection against Sexual Exploitation and

mainly by unsafe displacement conditions, inadequate access controls at some refugee centres, separation from protective networks, and limited access to support services. Further, the unreliable information sources used by refugees to find jobs are another risk factor.

69. A coordinated humanitarian response has been crucial in preventing trafficking of Ukrainian refugees. Key measures included providing safe transportation, enhancing border security, building capacity of frontline workers, and improving information-sharing. IOM developed and distributed trafficking prevention materials at border crossings. Later in 2022, the OSCE and Thomson Reuters launched the "Be Safe" online campaign to inform refugees about recruitment tactics of traffickers and how to avoid them.[54] In 2023, La Strada Moldova conducted a campaign targeting Ukrainian refugees and their host communities, raising awareness about trafficking risks and available support services through outreach events, interviews and media materials. Moreover, to prevent possible risk situations related to THB and other related crimes, the CCTP employees, together with the representatives of La Strada Moldova, regularly visited the Temporary Accommodation Centres.

70. Presently the Moldovan authorities have better control over the refugee situation. However, online recruitment and exploitation risks persist. Labour trafficking risks remain high due to limited capacity of the State Labour Inspectorate (see paragraph 64). GRETA was informed that many employers of Ukrainian refugees have not complied with the legal obligation to notify the National Employment Agency.

71. A key protection measure taken by the Moldovan Government on 18 January 2023 was the introduction of a temporary protection regime for refugees from Ukraine, similar to the EU regime. As of 27 June 2024, 42,266 individuals had benefitted from temporary protection, which grants the right to work without a permit, to access health care, education and social assistance services, and to be accommodated in a refugee accommodation centre.

72. Financial assistance from humanitarian actors has also been crucial in mitigating trafficking risks. A cash assistance programme managed by UNHCR provides emergency cash assistance to displaced persons from Ukraine.[55] Persons hosting Ukrainian refugees are also eligible for cash assistance, managed by the World Food Programme and World Vision International, to compensate for expenses incurred.[56] As most Ukrainian refugees living in the Republic of Moldova are hosted by families,[57] the cash assistance provides the possibility to register them and assess their special needs and vulnerabilities.[58]

73. Although temporary protection has improved living conditions, refugees still face challenges in accessing employment and health care.[59] Concerns were raised during GRETA's visit about the gradual

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Abuse Network and Task Force, with the support of WHO and UNHCR. Additionally, two assessments were conducted by VOICE and HIAS concerning the safety and well-being situation of refugee women living in the Republic of Moldova. The first assessment, undertaken in the summer of 2022, focused on gender-based violence risks, the situation of women in temporary accommodation centres, and funding needs of women's rights organisations supporting displaced Ukrainian women. The second assessment was undertaken in March-April 2023. See also the 2022 Gender-based violence Safety Audit and the 2023 Gender-based Safety Audit.

54 www.helpforukrainians.info.

55 Each temporary protection beneficiary receives MDL 2,200 (around EUR 110) per month. According to UNHCR data, the number of persons who received this financial assistance was 107,500 in 2022, 86,000 in 2023 and 53,000 in 2024.

56 A person who is hosting between one and four refugees receives MDL 3,900 (around EUR 200) per month, while a person who is hosting five refugees or more receives MDL 4,900 per month.

57 As of 8 March 2024, 31% of refugees from Ukraine rented their accommodation, 43% were hosted by relatives, 17% were hosted by others, and 7% lived in group accommodation. Temporary Protection: The Ongoing Struggle of Romani Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, June 2024, page 39.

58 Report of the fact-finding mission to the Republic of Moldova by the Special Representative of the Secretary General on Migration and Refugees, 13-14 June 2022, para. 54.

59 See Temporary Protection: The Ongoing Struggle of Romani Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, June 2024, pages 43 and 44.

reduction of refugee accommodation centres,[60] with a potential decrease in humanitarian assistance. Refugees may be required to find private accommodation, with IOM offering families EUR 300 per month for six months to cover rent, but other costs like water and electricity will be their responsibility.

74. The Moldovan authorities established an inter-agency co-operation mechanism on 14 April 2022 to identify and assist children at risk coming from Ukraine. In 2022, the Moldovan authorities registered 497 unaccompanied children from Ukraine, and 1,175 children accompanied by unrelated persons and issued 475 documents authorising border crossing on the exit way. In 2023, the authorities registered 184 unaccompanied children and 575 children accompanied by unrelated persons and issued 384 documents authorising crossing on the exit way. Unaccompanied children or children accompanied by unrelated persons who cannot be reunited with family are referred to professional parental assistance services, created with support of UNICEF.

75. Among refugees from Ukraine, Roma women and their children are particularly vulnerable to trafficking due to their marginalisation and lack of access to institutional support. Many Roma refugees are either undocumented or have outdated documents from the time of the USSR,[61] which makes it difficult to obtain legal status in the Republic of Moldova, access social services or continue their travel to other countries. A 2022 study by Oxfam highlighted an information deficit among Roma refugees due to language barriers and illiteracy.[62] The closure of refugee accommodation centres is likely to disproportionately affect Roma refugees, as many live in such centres[63] and lack the financial means to secure private housing and face discrimination.

76. While welcoming the measures taken to prevent trafficking among Ukrainian refugees, GRETA highlights the importance of continuous information on labour exploitation risks, workers' rights, and available support services, as well as enhanced monitoring of workplaces employing Ukrainian refugees. In this respect, GRETA refers to its Guidance Note on Addressing the Risks of Trafficking in Human Beings Related to the War in Ukraine.[64]

77. GRETA considers that the Moldovan authorities should take further measures to prevent asylum seekers and refugees from becoming victims of trafficking in human beings, in particular by:

- ensuring that asylum seekers and refugees have access to appropriate accommodation, support, employment and health care services, to prevent them from becoming vulnerable to exploitation and THB;

- continuing to conduct regular and comprehensive assessments of exploitation and THB risks among asylum seekers and refugees;

- continuing to raise the awareness of asylum seekers and refugees (including those living in private accommodation) of their rights and the risks of human trafficking (including recruitment and abuse through Internet/social networks), paying particular attention to Roma communities and unaccompanied children.

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60 After the Russian full-scale invasion of Ukraine in February 2022, the Moldovan Government opened 136 refugee accommodation centres (RACs). As the number of refugees decreased, the centres are being closed down: by the end of 2024 only 26 RACs remained active with a total capacity of about 1,774 places.

61 See Temporary Protection: The Ongoing Struggle of Romani Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, June 2024, page 38.

62 Charlotte Greener & Emly de Andrade Costa, Seeking safety: Roma refugees in Moldova, October 2022.

63 See Temporary Protection: The Ongoing Struggle of Romani Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, June 2024, page 40.

64 https://rm.coe.int/guidance-note-on-addressing-the-risks-of-trafficking-in-human-beings-r/1680a663e2, accessed 10 July 2024.

vi. Vulnerabilities related to the gender dimension of human trafficking and of persons engaged in prostitution

78. In the Republic of Moldova, women from rural areas and marginalised communities are particularly vulnerable to trafficking, exploitation, and domestic violence. All identified victims of THB for the purpose of sexual exploitation were women and girls (except for one boy identified in 2023). On the other hand, the vast majority of labour trafficking victims were men and boys.

79. The Republic of Moldova has taken a number of important steps to promote gender equality and address violence against women. Key milestones include the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in 2021, and the adoption of Law No. 316 in 2022, which aligns the legal framework with international standards on gender-based and sexual violence. In 2024, further legislative progress was made with the revision of Law No. 45/2007 on Preventing and Combating Domestic Violence which introduced new definitions for terms such as "violence against women" and "psychological violence". These amendments clarified the forms of violence perpetrated through information technology and established enhanced data collection mechanisms under the National Agency for Preventing and Combating Violence against Women and Domestic Violence, created in July 2023. The Agency's strategic objectives for 2024 focus on raising public awareness, training, and developing a data system to provide disaggregated data on violence.[65]

80. In addition to legislative advancements, the Republic of Moldova has launched national programmes to empower women, particularly those facing multiple vulnerabilities. The Ministry of Labour and Social Protection developed three national initiatives: the Programme for Promoting and Ensuring Equality between Women and Men for 2023-2027, the National Programme on Preventing and Combating Violence against Women and Domestic Violence for 2023-2027, and the National Employment Programme for 2022-2026. These programmes aim to address social inequalities, enhance employment opportunities for women, and provide support for victims of violence. The Moldovan government, in collaboration with international organisations and civil society, has also made efforts to raise awareness about gender-based violence through initiatives such as the "16 Days of Activism Against Gender-Based Violence" campaign, which runs annually from 25 November to 10 December.[66] However, more sustained efforts are needed, as gender-based violence remains widespread in the Republic of Moldova.[67]

81. According to NGO representatives met by GRETA, many female victims of THB had experienced domestic violence. Despite an increase in the number of domestic violence complaints, access to justice remains limited due to several barriers. These include insufficient training for police officers, especially on domestic violence victims' psychology, lack of appropriate infrastructure in the courts, which do not provide sufficient protection against intimidation, lengthy case processing times, and lenient punishments for perpetrators.[68] Additionally, there are not enough accommodation centres for domestic violence victims, and the existing facilities do not meet European standards, further limiting support for survivors.[69] GREVIO's 2023 evaluation report highlighted several other issues, including lack of long-term psychosocial and medical care for victims of domestic violence and high turnover among social assistants, especially at the local level. These gaps in service provision leave many women, particularly in rural areas, vulnerable to further abuse and exploitation.[70]

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65 Moldova's National Agency for the Prevention and Combating of Violence Against Women and Domestic Violence shares its priorities and commitments | UN Women – Moldova

66 Moldova joins 16 Days of Activism against Gender-Based Violence campaign | UN Women – Moldova

67 A recent survey revealed that 73% of women have experienced some form of partner abuse, with 71% reporting psychological abuse and 21% having been victims of sexual violence. European External Action Service (EEAS), "Country gender profile: Republic of Moldova", August 2021.

68 See European External Action Service (EEAS), "Country gender profile: Republic of Moldova", August 2021, and Diana Cheianu-Andrei, "Evaluation of services available for the rehabilitation of victims of crime through public and private provides", January 2023, page 52.

69 Ibidem, page 50.

70 GREVIO's (Baseline) Evaluation Report on the Republic of Moldova, 2023, para. 136.

82. Engaging in prostitution is an administrative offence in the Republic of Moldova.[71] The United Nations Development Programme (UNDP) estimates that there are around 15,800 persons engaged in prostitution in the country.[72] These persons encounter significant barriers to enjoying their rights and accessing essential services,[73] such as health care and legal support, due to the criminalisation of prostitution, discrimination and stigma. This discourages them from reporting incidents of violence or exploitation, including those potentially related to trafficking.[74] There are no exit programmes for persons engaged in prostitution.

83. According to information provided by the authorities, none of the victims identified during the reporting period was exploited based on their sexual orientation and/or gender identity. GRETA was not informed of any specific measures to address the vulnerability of LGBTI persons to trafficking.

84. While welcoming the measures taken to advance gender equality and combat violence against women, GRETA considers that the Moldovan authorities should take further steps to reduce risks of exploitation of women and girls in prostitution, including by decriminalising persons in prostitution, developing exit programmes for those wishing to leave prostitution, and raising awareness among persons in prostitution about the risks of human trafficking and the support services available to victims.

85. Further, GRETA invites the Moldovan authorities to conduct research on the vulnerabilities of LGBTI persons to human trafficking and take appropriate measures to address any vulnerabilities identified.

vii. Persons with disabilities

86. Persons with disabilities[75] are not expressly mentioned in the Council of Europe Anti-Trafficking Convention, but their vulnerability to human trafficking is documented in reports issued by GRETA and other international bodies. Amongst the factors which render persons with disabilities vulnerable to THB are dependence on caregivers or support systems, limited access to information and resources, difficulty communicating or advocating for themselves, stigma and discrimination, as well as lack of or limited access to the labour market and decent work.[76] Reference can also be made to the Committee on the Elimination of Discrimination against Women' (CEDAW) General recommendation No. 38 (2020), which states that women and girls with disabilities are a group particularly vulnerable to being trafficked, and calls on States to provide them with special economic and social support.[77]

87. The Republic of Moldova ratified the UN Convention on the Rights of Persons with Disabilities in 2010 and its Optional Protocol in 2021, triggering to significant changes in disability and social inclusion policies. Notable advancements include the adoption of the Law on Social Inclusion of Persons with Disabilities in 2012, which led to the 2017-2022 National Programme on Social Inclusion of Persons with

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71 Article 89 of the Contravention Code stipulates that "Practice of prostitution, meaning satisfying a person's sexual desire through any method and/or means, against payment, including through information technologies or electronic communications, shall be sanctioned with a fine of 36 to 48 conventional units or with community service of 40 to 60 hours."

72 United Nations Development Programme (UNDP), HIV legal environment assessment in the Republic of Moldova, 2021.

73 Gender-based violence safety audit report: Ukraine Refugee Response, Republic of Moldova, 2024, pages 22 and 26.

74 See Human Rights Council Working Group on Discrimination against Women and Girls, *Eliminating discrimination against sex workers and securing their human rights. Guidance document of the Working Group on discrimination against women and girls*, 7 December 2023; and Commissioner for Human Rights, *Protecting the human rights of sex workers*, 15/02/2024.

75 According to Article 1 of the UN Convention on the Rights of Persons with Disabilities, persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

76 See OSCE, Invisible Victims: The Nexus between Disabilities and Trafficking in Human Beings, March 2022, p.16.

77 CEDAW, General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, paras. 40 and 55.

Disabilities,[78] the 2018-2026 and 2024-2028 National Programmes on Deinstitutionalisation of Persons with Disabilities, and the Residential Institutions Transformation Plans for 2018-2026. The ratification also prompted reforms in the disability determination system and the development of community-based social care services, such as "Protected House", "Community House", "Mobile Team", "Respiro", "Personal Assistance", "Family Placement for Adults", day care centres for persons with disabilities, and a free telephone assistance service for persons with disabilities.

88. There are currently five residential centres for persons with disabilities under the National Agency for Social Assistance. The government has not yet imposed a moratorium on placing persons with disabilities in residential institutions.[79] The UN Committee on the Rights of Persons with Disabilities[80] has expressed concerns about the slow progress in deinstitutionalising persons with disabilities and in developing community-based social care services for them.

89. Persons with disabilities face a significantly higher risk of poverty compared to the general population. According to data from the National Bureau of Statistics, the poverty rate among persons with disabilities increased from 33.9% in 2019 to 42% in 2023.[81] Despite the availability of subsidised employment and vocational rehabilitation services designed to restore or compensate their work capacity, access to the labour market remains a major challenge for people with disabilities. Even when they secure employment, they often receive lower wages, and their working hours frequently exceed what is stipulated in their contracts. The high cost of medication and lack of access to certain treatments further undermines their independence and safety, making them more reliant on others. Additionally, persons with disabilities are particularly susceptible to online scams and misinformation.[82] A 2023 survey by the MOTIVAȚIE Association revealed that women with disabilities face increased exposure to violence and significant barriers in accessing services such as transportation and health care. The survey also found that 50% of women with disabilities who experienced discrimination or abuse did not report these incidents, and one in four who did report them received no support.[83]

90. There are no statistics on the number of persons with disabilities among identified victims of THB. The Regional Centre for the Rehabilitation of Victims of Domestic Violence in Chirsova, which GRETA visited, has provided accommodation for three persons with physical disabilities since its opening in 2021. The Centre has a capacity of 18 persons and is equipped with a special lift for persons with physical disabilities. Further, in February 2021, a shelter for male victims of human trafficking was opened within the Placement Centre for Elderly and Persons with Disabilities in Chișinău. GRETA visited this shelter, which at the time housed a woman who had been forced into begging in several countries (Romania, Russia, etc.) and who had lost both legs. She was placed in this shelter as the Chișinău Centre for Female Victims of Human Trafficking does not have adequate facilities for persons with disabilities. Additionally, at the moment of the visit, the shelter was accommodating three male victims of THB, all Moldovan nationals. Two of them had mental disabilities and had been exploited as shepherds in the Republic of Moldova. None of them had documents recognising their disabilities and entitling them to receive social allowances for persons with disabilities although one of them had suffered from mental disabilities since

78 The National Program on Social Inclusion of Persons with Disabilities for 2024-2028 is currently being developed.

79 According to available statistics, as of 2020, the total number of persons with disabilities in the Republic of Moldova totalled 176,100, including 10,700 children. Of this number, approximately 62% reside in rural areas and 38% in urban settlements. Around 2,400 persons with intellectual and psychosocial disabilities were reported to live in institutions as of 2021. The United Nations Partnership on the Rights of Persons with Disabilities, "Situational analysis of the rights of persons with disabilities in Moldova", December 2022, pages 8 and 20.

80 Committee on the Rights of Persons with Disabilities. Concluding observations on the initial report of the Republic of Moldova, 18 May 2017. Seven years after the approval of the 2018-2026 National Programmes on Deinstitutionalisation approval, only 10 per cent of residents have been deinstitutionalised into 29 developed community services, and only one residential centre for persons with disabilities was closed in 2024 by merging and transferring residents to another centre of this type. Inhumane and Degrading: Moldova Is Still Failing the 'Beneficiaries' of Disability Centres | Balkan Insight

81 https://data.unhcr.org/en/documents/download/110383

82 Gender-based violence safety audit report: Ukraine Refugee Response, Republic of Moldova, 2024, page 23.

83 GREVIO's (Baseline) Evaluation Report on the Republic of Moldova, 2023, para. 14.

he was a child and had spent some time in boarding schools. This is indicative of gaps in social services for persons with mental disabilities. The third man had been exploited in Transnistria where he lived and had been referred to the shelter by an NGO.

91. In addition to these two specialised shelters, female victims of trafficking can be referred to some of the shelters for victims of domestic violence. However, GRETA learned that most shelters for victims of domestic violence lack experience in assisting victims with sensory disabilities. While some shelters have provided assistance to persons with mental health issues, victims with mental health problems are generally referred to Mental Health Centres.[84] In their comments on GRETA's draft report, the Moldovan authorities stated that the Ministry of Labour and Social Protection has initiated a process to strengthen and expand specialised services for victims of THB. This initiative includes adapting services to meet the needs of persons with disabilities. GRETA would like to be kept informed of developments in this respect.

92. GRETA refers to the judgment in the case of *I.C. v. the Republic of Moldova*, delivered on 27 February 2025,[85] in which the European Court of Human Rights found that the Moldovan authorities' failure to protect an intellectually disabled woman from labour exploitation and sexual abuse, and to effectively investigate her allegations, amounted to breaches of Articles 3 (prohibition of inhuman or degrading treatment), 4 (prohibition of slavery and forced labour), 8 (right to respect for private and family life), and 14 (prohibition of discrimination) of the European Convention on Human Rights. The case concerned a Moldovan woman with an intellectual disability who had lived in State care until 2013 when she was taken by a couple to live on their farm and be the housewife of an employee on the farm. She alleged that the couple had forced her to work on the farm without pay and that the owner of the farm had repeatedly sexually abused her. After escaping in 2018, she contacted an NGO who helped her lodge a complaint with the police. Criminal cases were opened in relation to charges of rape, sexual abuse and human trafficking, but the ensuing criminal proceedings led to the acquittal of the couple who owned the farm. The Court found that the legal and administrative framework concerning the removal from State care of people with intellectual disabilities who had been deprived of their legal capacity and its implementation in practice had failed to provide effective protection from human trafficking. It also held that there had been a further violation of Article 4 as concerned the failure to conduct an effective investigation into the applicant's allegations. Further, the Court found that the authorities had had a discriminatory attitude towards the applicant as a woman with an intellectual disability. They had thus failed to properly assess her vulnerability and provide procedural adjustments which might have given her the possibility of obtaining justice.

93. The facts of the above-mentioned cases took place more than a decade ago. However, persons in residential care continue to face serious risks of human trafficking, as highlighted by the findings of a journalistic investigation into Moldovan residential centres for persons with disabilities, published on 6 March 2025.[86] Among various allegations of mistreatment, violence and sexual abuse, the article reports that some residents are coerced into working for staff members in exchange for little or no pay or in return for items such as food, cigarettes or alcohol. On 14 January 2025, the Soroca District Prosecutor's Office launched a criminal investigation for THB into a case involving two staff members from the Badiceni centre accused of exploiting residents for their labour. This appears to be the same centre where the applicant I.C. had lived before being taken by the couple to live on their farm. The article also highlights that similar forced labour practices have been reported in other institutions, including community and protected houses established as part of the deinstitutionalisation process.

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84 Diana Cheianu-Andrei, "Evaluation of services available for the rehabilitation of victims of crime through public and private provides", January 2023, page 29.

85 *I.C. v. the Republic of Moldova*, application no. 36436/22.

86 Inhumane and Degrading: Moldova Is Still Failing the 'Beneficiaries' of Disability Centres | Balkan Insight

94. GRETA considers that the Moldovan authorities should strengthen their efforts to improve the protection of persons with disabilities from human trafficking, in particular by:

- ensuring regular inspections and independent monitoring of residential centres for persons with disabilities to prevent exploitation of residents;

- ensuring that professionals assisting persons with disabilities, including caregivers and legal guardians, are provided with training on human trafficking with a focus on vulnerabilities that lead to THB;

- developing programmes and/or policies for better inclusion of persons with disabilities into society as a way of reducing their vulnerabilities to human trafficking.

2. Measures to protect and promote the rights of victims of trafficking

95. Chapter III of the Convention provides for a series of measures to protect and promote the rights of victims. In the first place, it is of paramount importance to identify victims of trafficking correctly as identification enables them to benefit from the other measures and rights contained in the Convention. Pursuant to Article 10 of the Convention, States Parties shall ensure that the authorities competent to identify victims of trafficking have persons trained and qualified to perform the identification, and that these authorities collaborate with relevant support organisations in the identification process. Further, Article 12 of the Convention sets out the assistance measures which States Parties must provide to trafficking victims. Paragraph 7 of this article requires Parties to ensure that services are provided taking due account of the special needs of persons in a vulnerable position as well as the rights of children. Given the relevance of victim identification and assistance to the thematic focus of the fourth evaluation round of the Convention, this part of the report examines the application of these two provisions. Other provisions of Chapter III of the Convention, which have been examined in detail by GRETA during the previous evaluation rounds, are discussed in the chapter of the report entitled “Follow-up issues”.

a. Identification of victims of THB

96. As explained in GRETA’s third report, Article 16, paragraph 1, of the Anti-Trafficking Law stipulates that the identification of victims and presumed victims of THB shall be conducted by competent public authorities when there are reasonable grounds to believe a person is a victim or presumed victim. Since 2012, Guidelines on the Identification of Victims and Potential Victims of THB have been in place, detailing the procedures for identifying victims. According to the Guidelines, the identification is carried out by the specialists designated by the organisations participating in the National Referral System (NRS), which can be central specialised bodies of public administration and other central administrative authorities, local public administration, non-governmental and intergovernmental organisations, and service providers. After having interviewed the victim, the designated specialist completes the victim identification questionnaire attached to the Guidelines, with a written conclusion whether the person is a victim of THB or not. The questionnaire serves as the basis for providing assistance and protection to the THB victim in the NRS. In their comments on the draft report, the authorities clarified that while law enforcement or judicial authorities are responsible for identifying victims involved in criminal proceedings, the identification of victims outside such proceedings falls under the responsibility of social assistance authorities. According to the Regulation on the Operation of Multidisciplinary Territorial Teams, approved by Government Decision No. 228/2014, when a potential victim is identified by a member of the Multidisciplinary Team, victim status is determined by a majority vote of the attending team members. Additionally, the authorities noted that the centres for the assistance and protection of THB victims (see paragraph 111) can issue a document confirming that a beneficiary is receiving support as a victim or presumed victim of THB. However, since the abovementioned Guidelines were approved by an Order of

the Ministry of Labour and Social Protection, they are not binding on institutions outside the social protection system[87] and have not always been applied effectively (see paragraph 101).

97. In March 2022, the Government adopted the 2022-2026 Programme for the Creation and Development of a National Referral Mechanism for the Protection and Assistance of Crime Victims (NRMV). The NRMV includes 20 victim profiles outlined in Article 9 of Law No. 137/2016 on the Rehabilitation of Crime Victims, covering victims of THB, organ trafficking, forced labour, domestic violence and sexual violence, among others. This reform is linked to the RESTART social assistance reform launched in March 2023. As part of this reform, 10 territorial social assistance agencies were created at the regional level at the end of 2023, each covering four districts, to take over social assistance responsibilities from local authorities (except in Chișinău and Gagauzia) and coordinate anti-trafficking efforts. In addition, the salaries of social workers have been increased to make the profession more attractive.

98. The Ministry of Labour and Social Protection holds primary responsibility for coordinating actions in the NRMV. On 4 October 2023, the Ministry established a Co-ordinating Council within the NRMV to effectively coordinate policies related to victim protection, assistance, and support as well as to monitor the implementation of the NRMV. This Council, composed of representatives from public authorities, civil society organisations, and academia, held its first meeting on 1 December 2023, followed by five meetings in 2024.

99. A 2023 IOM-funded study[88] found the NRMV aligns with international standards but identified several shortcomings to be addressed. These include a shortage of trained specialists in social assistance agencies, lack of local social services, including psychological counselling services, and inadequate support during criminal proceedings.

100. In early 2024, the authorities recruited in each territorial and district social assistance agency/structure a specialist to deal with rehabilitation of victims of crime, including THB victims. The government intends to develop Standard Operating Procedures (SOPs) for each victim profile. There are currently SOPs for THB, domestic violence, and sexual violence victims only. Further, in 2024, the Ministry of Labour and Social Protection initiated the creation of an electronic registry for recording and monitoring cases managed by the Service for the Prevention of Domestic Violence and Rehabilitation of Crime Victims within territorial social assistance agencies.

101. As noted in GRETA's previous reports, Multidisciplinary Teams were set up across the Republic of Moldova at local level to identify and refer to assistance victims of trafficking. There are also Territorial Commissions for combating THB, set up in each region to co-ordinate the State's anti-trafficking action.[89] While some training sessions have been conducted,[90] GRETA emphasises the need to further strengthen both the Multidisciplinary Teams and Territorial Commissions for combating THB, as many of them were inactive during the reporting period (see paragraph 21). In 2021, these commissions identified and referred 34 victims or presumed victims, representing 9.5% of all identified victims, and in 2022, 27 victims or presumed victims, or 18% of all victims. The majority of the victims were identified by the CCTP and the Border Police. The Multidisciplinary Teams identified and assisted 38 victims or presumed victims of THB in 2020, 57 in 2021, 37 in 2022, and 55 in 2023. There are plans to amend Government Decision No. 228/2014 to restructure the Multidisciplinary Teams once the abovementioned electronic registry is established.

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87 IOM, "The Functioning of the National Referral System for the protection and assistance of victims and potential victims of trafficking in human beings in the Republic of Moldova. Lessons learnt and perspectives", page 18.

88 Diana Cheianu-Andrei, "Evaluation of services available for the rehabilitation of victims of crime through public and private provides", January 2023.

89 Paragraphs 24 and 27 of GRETA's first report and paragraph 203 of GRETA's second report.

90 For example, five workshops were organised between July and October 2022 for 125 representatives of the Territorial Commissions on identifying THB cases among persons fleeing the war in Ukraine.

102. Several training initiatives took place during the reporting period to improve the detection and referral capabilities of frontline professionals, including Multidisciplinary Team members, consular officials, prosecutors, judges, lawyers providing state-guaranteed legal assistance, and police officers and labour inspectors. However, due to high turnover among professionals working in anti-trafficking roles, sporadic training through external funding has been insufficient to equip all frontline actors with the necessary skills to detect signs of human trafficking.

103. Information Guidelines were developed in 2021 for employees of international passenger transport industry on identifying and referring THB victims. Further, two workshops on THB for airline representatives held in April 2022, which were attended by 56 airline representatives.

104. Regarding victims among asylum seekers and refugees, in October 2022, the Ministry of the Interior approved a Guide on the Identification of Victims and Presumed Victims of THB within mixed migration flows. The guide outlines procedures for interviewing potential victims and referring them to specialised services. Furthermore, regular information sessions are held at accommodation centres to inform asylum seekers and refugees about THB risks.

105. Despite the heightened risk due to the war in Ukraine, only one THB victim has been identified among Ukrainian refugees: a woman deceived into giving birth in the Republic of Moldova as part of an illegal adoption scheme. The alleged perpetrators were arrested in 2023, and the woman with her two children were placed in a shelter where they continue to receive support services, including psychological counselling and health care. The case is pending in court and the victim is represented by a lawyer contracted by the IOM.

106. Labour inspectors have not detected any potential cases of THB during the reporting period. Several systemic issues undermine their effectiveness. Out of 84 positions of labour inspectors, 58 are filled. Low salaries make it difficult to retain qualified staff, leading to high turnover and a loss of institutional expertise. Human trafficking is not part of their standard training, and ongoing training opportunities are both rare and irregular.[91] The State Labour Inspectorate (SLI) also faces significant operational challenges, including inadequate funding for modern equipment or interpreters, essential for inspections involving foreign victims. Furthermore, the SLI lacks a clear mandate to detect THB cases and operates under constraints requiring advance notification to employers before inspections, which decreases the likelihood of uncovering trafficking or exploitation. The SLI's exclusion from territorial anti-trafficking commissions further limits its collaboration with key actors in THB prevention and victim support.

107. The Moldovan government has introduced reforms to strengthen the role of labour inspectors in combating THB. In December 2022, Parliament passed legislation, effective from March 2023, granting the SLI the authority to conduct unannounced workplace inspections when credible evidence of labour law violations, including trafficking or exploitation, exists. However, a significant limitation remains: inspectors can only conduct such inspections if no other means of obtaining the necessary information is available, which may still allow some trafficking cases to go undetected.

108. While welcoming the efforts made since the third evaluation to improve the identification of victims of trafficking, GRETA remains concerned by the limited capacity of the relevant professionals, especially labour inspectors, to proactively identify victims of human trafficking. Therefore, GRETA urges the Moldovan authorities to take additional steps to improve the identification of victims of THB, including by:

[91] By way of example, in 2022, the State Labour Inspectorate organised for labour inspectors several training sessions on safe working conditions, the prevention and disruption of informal work, forced labour, and human trafficking.

- increasing efforts to proactively identify victims of trafficking for the purpose of labour exploitation by expanding the mandate of labour inspectors, reinforcing their capacity and training, removing restrictions on conducting unannounced inspections, and including them in the composition of the Territorial Commissions for combating THB;

- paying increased attention to the proactive identification of victims of THB among asylum seekers and foreign workers.

109. Furthermore, GRETA considers that the Moldovan authorities should:

- review the Guidelines on the Identification of Victims and Potential Victims of Human Trafficking to clearly define bodies competent to grant the status of a victim of THB and ensure their effective implementation by all state authorities;

- strengthen the capacity of the Multidisciplinary Teams and the Territorial Commissions for combating THB for them to play a more active role in identifying and assisting victims and presumed victims of THB (see also paragraph 21).

b. Assistance to victims

110. Assistance to victims and presumed victims of trafficking in the Republic of Moldova is regulated by Article 20 of the Anti-Trafficking Law. On 21 July 2021, the General Prosecutor's Office issued the general instruction no. 6/2-12d/21-821 on the improvement of practices in the field of the provision of support services to THB victims and child victims of sexual exploitation. This Directive outlines the services to be offered at various stages and includes a list of institutions and NGOs providing these services. Criminal investigators are instructed by the Directive to inform victims of available support centres, and prosecutors to ensure that this information is delivered.

111. Following the recommendation of GRETA's third report, in February 2021, the National Social Assistance Agency, in partnership with IOM, opened a shelter for male victims and presumed victims of THB in Chișinău. Located within a centre for the elderly and people with disabilities, it can accommodate up to 10 people. GRETA visited this shelter (see paragraph 90). It also visited the Chișinău Centre for Assistance and Protection of Victims and Presumed Victims of THB,[92] which offers 24 places for women (with or without children) and 10 places for children who are victims of violence, neglect and exploitation or at-risk situation. The centre received increased state funding from EUR 180,000 annually in 2020-2021 to EUR 230,000 for 2022-2023. At the time of GRETA's visit, a Ukrainian woman, victim of attempted trafficking for illegal adoption (see paragraph 105), was residing at the centre.

112. Between 2020 and September 2023, 230 victims of THB (97 women, 80 men, 50 girls, and 3 boys) received assistance from the two shelters. Of these, 198 were Moldovan nationals, while 30 were from other countries (15 Bangladeshi, 10 Ukrainians, 5 Uzbeks), and 2 were stateless. Nearly half of them (104) were exploited abroad, mostly in EU countries.[93] The shelters also provide daycare services for victims who do not require residential assistance.

113. Women victims of THB may also be referred to the state shelters for domestic violence victims in Causeni, Cahul and Hincesti. GRETA visited the Cahul and Hincesti centres. The Hincesti centre also provides care for children at risk. Although the Hincesti centre did not accommodate any THB victims during the reporting period, its staff received training on handling such cases. The Cahul centre did not

92 This centre was also visited by GRETA during the third evaluation visit.

93 Of these 230 victims 96 were victims of sexual exploitation (55 adults and 41 children), 116 were victims of labour exploitation (109 adults and 7 children), 14 were victims of forced begging (12 adults and 2 children) and 4 were victims of other forms of exploitation (2 adults and 2 children). 53 victims of THB were accommodated in the shelter for man victims (all men except for one lady) since its opening in 2021 (17 in 2021, 9 in 2022, 21 in 2023 and 5 in 2024).

record any THB victims during the current director's one-year tenure, and due to the absence of an electronic register, it was difficult to obtain past data on the number of victims assisted.

114. According to the Regulation on the organisation and functioning of protection and assistance service for victims of THB, approved by the Government Decision No. 898/2015, adult victims and their children can stay in shelters for up to six months, unless their life and health are threatened by a real danger in which case the period of accommodation may be prolonged for the period necessary to ensure protection. Several interlocutors informed GRETA that this period is often insufficient, as many victims face significant barriers to reintegration, such as multiple vulnerabilities, or intellectual disabilities.[94] Consequently, some extremely vulnerable victims stayed in shelters beyond the legal limit,[95] while others, due to a lack of social housing[96] and post-shelter support services, returned to their exploiters. Social assistance provided to THB victims and other vulnerable groups is often fragmented, short-term, and insufficient to meet their needs.[97] As a result, external funding has been necessary to maintain the quality of residential assistance programmes.

115. Victims of THB are still excluded from the list of those eligible for free government-provided health insurance,[98] complicating their access to medical care. Additionally, gaps in psychological services persist. Long-term psychological support after leaving shelters is scarce, and access to services outside of Chișinău is limited.[99]

116. Since 2020, only 12 THB victims were registered as unemployed, with just 5 securing employment through the National Employment Agency's support measures.

117. The current assistance system is not adequately equipped to meet the needs of foreign victims of THB, as evidenced by the case of Bangladeshi and Indian victims identified in 2023. Of the 42 Bangladeshi and 11 Indian victims, 30 were placed in a centre for refugees, 15 in the shelter for male victims of THB, while others were housed through IOM assistance. They could only access emergency and primary health care, with IOM covering the additional costs of care and interpretation services. Temporary residence permits for THB victims (see paragraph 181) do not grant them the right to work, creating further obstacles. At the time of the visit, most of the victims had found private accommodation and work with the support of IOM. Some were working unofficially. 10 Bangladeshi were in a refugee placement centre because they tried to cross Romanian border illegally the week before GRETA's evaluation visit. In April 2024, a workshop was organised with IOM support for agencies involved in this case to discuss challenges and potential solutions for future similar cases. The authorities plan to amend the Anti-Trafficking Law to address these issues. GRETA would like to be kept informed of developments in this area.

118. In 2020-2023, the authorities identified 114 child victims of THB, accounting for 14% of all identified victims. The vast majority of them were girls (103 victims), mostly exploited for sexual purposes (86 victims), primarily within the Republic of Moldova (61 victims). Child victims without parental care are usually placed at the Centre for Victims and Presumed Victims of THB, while others are housed in regional centres for children, with extended family members, or with foster families. GRETA visited a children's centre in Cahul, which accommodates children at-risk. Although no trafficking victims were present during

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94 See Diana Cheianu-Andrei, "Evaluation of services available for the rehabilitation of victims of crime through public and private provides", January 2023, pages 49-50; Hanna Antonova, "Evaluation of the National Strategy to Prevent and Combat Trafficking in Human Beings of the Republic of Moldova", 2022, page 55.

95 For example, a man with intellectual disabilities, exploited many years in a village to look after cows, stayed in the shelter for male victims for three years (2021-2023) until his uncle decided to look after him.

96 See Hanna Antonova, "Evaluation of the National Strategy to Prevent and Combat Trafficking in Human Beings of the Republic of Moldova", 2022, page 55.

97 See Ibidem, and Diana Cheianu-Andrei, "Evaluation of services available for the rehabilitation of victims of crime through public and private provides", January 2023, pages 49-50.

98 See GRETA's third report, paragraphs 192 and 193.

99 See GRETA's third report, paragraphs 56-58 as well as Diana Cheianu-Andrei, "Evaluation of services available for the rehabilitation of victims of crime through public and private provides", January 2023, pages 16, 36 and 45.

the visit, the centre had previously housed such victims. The centre employs a full-time psychologist and educator and provides extracurricular activities. Children typically stay up to six months, based on decisions by the local multidisciplinary team. If family conditions do not improve, the court may revoke parental rights, extending the child's stay. Some children remain in the centre for over two years due to the lack of alternatives.

119. In February 2022, the North Regional Centre for Integrated Assistance to Child Victims/Witnesses of Crimes was opened in Bălți. This Barnahus-type institution provides psychological, legal, medical, and social assistance under one roof. In 2022, the centre assisted 78 children, including one victim of THB, and 60 adults. The Action Plan for the Implementation of the National Programme for Child Protection (2022–2026) envisions the opening of two additional centres, one in the central region (Chișinău) and one in the south. A site has already been identified in Cahul for the southern centre, and funding has been secured with UNICEF's support.

120. While GRETA welcomes the opening of the shelter for male victims of THB, as well as the progress made through the RESTART social assistance reform, it remains concerned that many issues raised in previous GRETA reports regarding victims' access to assistance have not yet been resolved. GRETA therefore urges the Moldovan authorities to intensify their efforts to comply with their obligations under Article 12 of the Convention by:

- providing long-term assistance to victims of THB and facilitating their reintegration into society, particularly by improving access to the labour market and social services;

- ensuring that all victims of THB are guaranteed effective access to public health care by including them in the categories of vulnerable persons to be covered by health insurance.

121. Furthermore, GRETA considers that the Moldovan authorities should:

- adapt the existing legal framework for combating trafficking in human beings to cover assistance of foreign victims of THB, such as interpretation and health care;

- provide for centres that assist and protect victims and presumed victims of trafficking, adequate funding including through the use of confiscated proceeds from THB-related crimes;
- ensure free psychological counselling and assistance for all victims of THB, including foreign victims, regardless of whether they are accommodated in assistance centres.

3. Substantive criminal law and procedural law

122. The Convention places on States Parties a series of obligations aimed at enabling the effective prosecution of traffickers and ensuring that they are punished in a proportionate and dissuasive manner. As the implementation of these provisions of the Convention was examined in detail by GRETA during the preceding evaluation rounds, given the focus of the fourth round, particular attention is paid to the notion of "abuse of a position of vulnerability" and its application in case-law. Further, GRETA has decided to examine as part of the fourth evaluation round the application of Article 19 of the Convention on the criminalisation of the use of services of victims of trafficking.

a. Notion of "abuse of a position of vulnerability" in the law and case-law

123. Abuse of a position of vulnerability is an integral part of the international legal definition of trafficking in human beings and is central to any understanding of trafficking.[100] It is one of the means by which trafficking acts are committed and is relevant to all forms of trafficking and all exploitative purposes. Abuse of a position of vulnerability occurs when "an individual's personal, situational or circumstantial vulnerability is intentionally used or otherwise taken advantage of, to recruit, transport, transfer, harbour or receive that person for the purpose of exploiting him or her, such that the person believes that submitting to the will of the abuser is the only real or acceptable option available to him or her, and that belief is reasonable in light of the victim's situation."[101]

124. In the Republic of Moldova, the abuse of a position of vulnerability is one of the means of the THB offence under Article 165 of the CC (trafficking in adults) and an aggravating circumstance under Article 206 (child trafficking). As explained in GRETA's second report,[102] this concept is interpreted by the Supreme Court of Justice Plenum[103] in a similar way as the legal definition of this term in Section 2, paragraph 10, of the Anti-Trafficking Law, according to which abuse of a position of vulnerability is a "special status of a person, inclining him/her to be abused or exploited, especially for reasons of: a precarious situation in terms of social survival; a situation conditioned by age, pregnancy, illness, infirmity, physical or mental disability; a precarious situation caused by the illegal entry or stay in the country of transit or destination." Since it is embedded in legal provisions, the concept is addressed during the training of police officers, prosecutors, and judges.

125. GRETA was provided with the judgments of the Supreme Court of Justice (SCJ) issued in THB cases in the period from October 2020 to June 2024, i.e. 79 judgments (10 in 2020, 30 in 2021, 32 in 2022, 1 in 2023 and 6 in 2024).[104] In 75 of the 79 judgments, abuse of the victim's position of vulnerability was cited, either as a means used by the traffickers or as an aggravating circumstance. Some of the judgments explained the reasons for the victim's vulnerable situation, e.g. the victim had debts that he/she could not repay,[105] was unemployed,[106] was homeless, was a single mother, had children to support.[107] In practice, the concept of "abuse of vulnerability" is applied on a case-by-case basis, considering all relevant factors, including poverty, social instability, domestic violence, and other socio-economic issues.

126. The Moldovan authorities clarified that proving a victim's vulnerability alone is not enough; it must also be shown that the defendant was aware of the vulnerability and intentionally exploited it. However, the reviewed SCJ judgments indicate that judges primarily focus on confirming the victim's social vulnerability through certification by the local public authority, often treating this as automatic proof of the trafficker's abuse of that vulnerability. Only a few judgments emphasised the need to separately establish that the trafficker knowingly exploited the victim's vulnerable position.[108]

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100 See UNODC Issue Paper *Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons*, United Nations, April 2013, page 3.

101 UNODC Guidance Note on "abuse of a position of vulnerability" as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized.

102 GRETA's second report on the Republic of Moldova, paragraph 152.

103 The Supreme Court of Justice Plenum's decision no. 37 of 22 November 2004.

104 49 judgments (62%) were final, while 30 reversed the Appellate Court's decisions and sent the case back for reconsideration. All victims were Moldovan nationals, with 63% of the judgments relating to sexual exploitation. Other judgments concerned labour exploitation in agriculture or construction (23%), forced begging (10%), and organ removal (1%). All judgements of the Criminal College of the Supreme Court of Justice are published on the web page: https://jurisprudenta.csj.md/db_col_penal.php

105 SCJ judgment on the criminal case No. 1ra-1850/2021 dtd. 28.03.2022.

106 SCJ judgment on the criminal case No. 1ra-107/2023 dtd. 17.04.2024

107 SCJ judgment on the criminal case No. 1ra-1806/2020 dtd. 20.10.2020.

108 For example, in a case involving the sexual exploitation of a Moldovan woman in Italy, the first-instance court convicted the defendant of pimping. The prosecutor appealed, seeking to overturn this verdict and classify the defendant's actions as human

127. The analysis of SCJ judgments reveals that judges take into account whether the victim's social vulnerability at the time of the crime was confirmed by a certificate issued by the local public authority. This certificate is based on a standard social questionnaire for assessing family vulnerability. The questionnaire is completed by a special commission from the local authority, following a home visit that assesses the family's financial situation and living conditions. It serves as the basis for registering the family as socially vulnerable and for granting social benefits. In some cases, vulnerability is established due to the child's young age, while in others, the criminal investigation authorities highlight the child's living and familial conditions as proof of vulnerability.

b. Investigation, prosecution and sanctions

128. The Centre for Combating Trafficking in Persons (CCTP), a specialised investigation department within the National Inspectorate of Investigation of the General Police Inspectorate, was restructured in July 2023 by Ministry of Internal Affairs Order No. 342. Staff numbers were reduced from 40 to 21, and two sections - the criminal investigation and analytical sections - were dissolved. All 11 criminal investigation officers[109] were transferred to a general department of criminal investigation officers within the National Inspectorate of Investigation, potentially undermining specialisation in human trafficking investigations. The CCTP now has two sections: Section 1 investigates the cases of sexual exploitation, pimping, labour exploitation, and begging, while Section 2 investigates child trafficking and organ harvesting cases. Both sections also handle related offences such as migrant smuggling and illegal child removal. Civil society actors have raised concerns that these changes signal a decline in Government' commitment to combating human trafficking. Following the downsizing, the CCTP reportedly shifted its focus to sexual exploitation, neglecting labour exploitation. In their comments on GRETA's draft report, the Moldovan authorities stated that the restructuring of the CCTP was part of a larger reform which aimed to optimise human resources within the Inspectorate and ensure a more balanced distribution of cases among investigation officers nationwide. The authorities further explained that this restructuring was based on an analysis indicating a downward trend in human trafficking, influenced by factors such as the liberalised visa regime, public awareness campaigns and enhanced international cooperation in the fight against trafficking. However, they also acknowledged the General Prosecutor Office's opposition to the reform, citing concerns that it would weaken the specialisation in human trafficking investigations. Additionally, the General Prosecutor's Office warned of an increased risk of confidentiality breaches for trafficking victims due to the relocation of the CCTP from its own headquarters to the premises of the National Inspectorate of Investigation, where it now operates alongside various other police units.

129. The Prosecutor's Office for Combating Organised Crime and Special Cases (POCOCSC) oversees criminal investigations and prosecutes human trafficking cases linked to organised crime. Other human trafficking cases are managed by territorial prosecutor's offices, which lack specialised expertise on THB. The Anti-Trafficking Section of the General Prosecutor's Office continued to monitor and support prosecutors in anti-trafficking and related activities. This section has been reduced to four prosecutors from five since GRETA's last evaluation. The Anti-Trafficking and Investigation of Cybercrime Bureau within POCOCSC is severely understaffed, with only six out of 10 prosecutor positions filled.

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trafficking. However, on 31 January 2019, the appellate court rejected the appeal, affirming that the first-instance court had correctly determined that proving the victim's vulnerable position was insufficient and that it was essential to demonstrate that the perpetrator had abused this vulnerability. The appellate court noted that the presumed victim had not been registered as a vulnerable person in her city, and the prosecutor's conclusions about her vulnerability were based solely on her accounts. These did not indicate a dangerous situation from the perspective of her social survival. Judgment of SCJ No. 1ra-1806/2020, delivered on 20 October 2020.

109 Investigative officers are responsible for gathering evidence and criminal investigation officers are in charge of building the legal case on the basis of the evidence.

130. The Co-ordination Council of Law Enforcement Bodies in the field of combating THB, created in 2007 under the Prosecutor General, has continued to meet at least once a year.[110] GRETA notes that the Supreme Council of Magistrates is not included in this Council, which prosecutors met by GRETA have identified as a significant gap.

131. In its third report, GRETA[111] had welcomed the introduction of specialisation of judges to deal with THB and related crimes as part of a pilot project. However, in 2022, the Superior Council of Magistrates cancelled this specialisation, along with all other specialisations, except for cases related to children. The Moldovan authorities attributed this decision to the heavy workload of judges assigned to specialised panels, which could not be alleviated by the integrated case management programme. Additionally, concerns were raised that the creation of specialised panels by court presidents might undermine trust in these panels. According to the Anti-Trafficking Programme, by the end of 2025, the Superior Council of Magistracy, the General Prosecutor's Office and the Supreme Court of Justice are required to assess the need for judicial specialisation in THB cases. The implementation of this measure has been delayed due to the ongoing judicial vetting process. GRETA would like to be kept informed of developments in this respect.

132. The National Anti-Trafficking Reports and the Government's reply to the Committee of the Parties recommendation submitted in December 2022[112] provide information on training on THB provided to judges, prosecutors, CCTP investigators, and lawyers. By way of example, CCTP employees participated in 20 training courses in 2021 and 19 in 2022. In 2020-2023, 55 judges and prosecutors attended training organised by the National Institute of Justice. A weeklong simulation-based training in September 2023 by the OSCE involved 80 practitioners (law enforcement, judges, prosecutors, NGOs and social protection services).

133. The Moldovan authorities reported initiating 292 investigations for THB offences in 2020-2023 (66 in 2020, 63 in 2021, 67 in 2022, 40 in 2023 and 56 in 2024), with 32% (95 cases) involving child trafficking. Prior to 2023, the data was not disaggregated into form of exploitation. In 2023-2024, out of 96 investigations into THB cases, 40 concerned sexual exploitation, 33 labour exploitation, 10 forced begging, 10 forced criminality, 1 illegal adoption and 2 use of a woman as a surrogate mother.

134. As for convictions, in 2020-2024, 80 persons were convicted of trafficking in adults (Article 165 of the CC), while 64 were convicted of child trafficking (Article 206 of the CC) (see the table in Appendix 1 for detailed statistics). All but eight of the convicted individuals were Moldovan nationals (2 Turks and 6 Romanians). No legal entities were convicted for THB. Out of 144 convicted individuals, 142 received actual prison sentences, and 2 received suspended sentences. Sentences for adult trafficking ranged from 4 years and 8 months to 16 years; for child trafficking, they ranged from 5 to 17 years.

135. These figures indicate a notable decrease in investigations and convictions for human trafficking compared to the previous reporting period.[113] The National Anti-Trafficking Report for 2023 attributed this decline to various factors, including limited assistance for victims, which affects their willingness to participate in the criminal proceedings.[114] The recent reduction of the capacity of the CCTP further jeopardises the criminal justice response to human trafficking.

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110 For more information on this Council, see paragraph 22 of GRETA's first report and paragraph 20 of GRETA's third report.

111 See GRETA's third report, paragraphs 131 and 132.

112 See the Government's reply to the recommendation of the Committee of the Parties, pages 26-28.

113 In the period 2015-2018, investigations were initiated in 694 cases of THB: 550 for trafficking in adults and 144 for child trafficking. 127 offenders were convicted for trafficking in adults and 63 offenders for trafficking in children. The sentences ranged from 4 years and 10 months, to 25 years.

114 2023 National Anti-trafficking Report, page 17.

136. A contributing factor to the low conviction rate is the reclassification of THB cases to less severe offences. The authorities did not provide comprehensive statistical data, but the reply to the Committee of the Parties recommendation indicates that of 16 sentences concerning 20 individuals delivered in THB cases in 2022, five sentences involving eight individuals resulted in a reclassification.[115] In 2023, 44 sentences were issued against 59 persons in THB cases. Of 59 persons, 18 were acquitted and 7 persons' actions were reclassified to a less serious crime. In 2024, 39 sentences were issued against 56 persons, of whom 16 persons were acquitted and 5 persons' actions were reclassified to a less serious crime. In a case examined by GRETA, the reclassification of the defendant's actions from THB to the offence of organisation of begging led to his release from criminal liability due to the expiration of the statute of limitations.[116] GRETA was informed by the authorities that to identify the causes behind the reclassification of THB offences to other offences, the Anti-Trafficking Section of the General Prosecutor's Office conducted an analysis, which concluded that courts often give unwarranted priority to the defence's evidence over that of the prosecution. To prevent unjustified reclassifications, the analysis emphasises the need for more thorough investigations of THB cases, ensuring that all statements are corroborated with additional evidence. It also highlights the importance of conducting special investigative measures in strict compliance with legal standards and the guidelines of the European Court of Human Rights, improving victim protection and assistance, and making greater use of procedures for hearing victims under special conditions (see paragraph 149). Furthermore, the analysis calls for investigating whether witnesses or injured parties were coerced into making false statements in each case of testimony changes, ensuring continuous training for prosecutors handling THB and related cases, and promoting the specialisation of judges dealing with THB cases. Finally, it underlines the necessity of ongoing monitoring of investigations and court rulings in THB cases.

137. As noted above, GRETA has analysed 79 Supreme Court judgments issued in THB cases from October 2020 to June 2024. By way of illustration, the following judgment is described below because it relates to the abuse of a position of vulnerability and the use of information and communication technology (ICT) to commit human trafficking offences.

Judgment of the Supreme Court of Justice: 24 May 2022 (not final)
Case No: 1ra-1610/2021
Offence: child trafficking for the purpose of online commercial sexual exploitation (Article 206, part (2) letter c)
Time and duration of the trial: 6 May 2016 – 17 July 2020 (First instance court), 25 November 2020 – 20 April 2021 (Appellate Court), 5 July 2021 – 24 May 2022 (Supreme Court of Justice), i.e. six years in total.
Summary: In January-April 2015, the accused (a couple of Moldovan citizens) posted on a website a fictitious offer of employment in the modelling business with attractive earnings. This way they recruited three underage girls and, by abusing their position of vulnerability, convinced them to provide paid online sexual services. The accused placed the girls in an apartment equipped for providing sexual services online. They registered them on websites for adults by changing the year of birth in their ID card. The girls provided paid sexual services to users of the websites until they were detected by the police, which classified the actions of the perpetrators as pimping. On 17 July 2020, the first instance court reclassified the actions of the accused under Article 206, part (3), letter b) and b1) of the CC (child trafficking with aggravating circumstance - committed by two or more persons against two or more children) and sentenced them to imprisonment for a term of 15 years. The Appellate Court, by its judgment of 20 April 2022, reclassified the actions of the accused under Article 208[1] of the CC (child pornography) and released the accused from criminal liability due to the expiration of the statute of limitations. The prosecutor appealed the decision of the Appellate Court to the Supreme Court of Justice. The latter found contradictions and other shortcomings in the wording of the decision of the Appellate Court, overturned this decision and sent the case back to be reconsidered by another composition of the same Appellate Court. On 31 January 2024, the Appellate Court upheld the decision of 17 July 2020 of the first instance court.
Compensation: The first instance court stated that the compensation claim for material damage filed by one of the injured parties was admitted in principle but the amount of reparation will be determined by a civil court.

115 See the Government's reply to the recommendation of the Committee of the Parties, pages 18-19.
116 See SCJ judgment (not final) on the criminal case No. 1ra-1027/2021 dtd. 24.05.2021.

138. Another case of online sexual exploitation involving an adult was pending before the Chișinău Court as of February 2025, with the defendant allegedly using manipulation and threats (such as breaking up the couple relationship and disclosing confidential information to the victim's family) to coerce the victim into providing sexual services online.

139. The 2021 National Anti-Trafficking Report refers to several cases of THB involving public officials. In June 2021, the Prosecutor's Office of Edineț started a criminal investigation against the Head of the Dondușeni Police Inspectorate, suspected of having trafficked a person for the purpose of labour exploitation. In May 2021, the Prosecutor's Office of Cantemir indicted an employee of the General Inspectorate of the Border Police for trafficking several persons for the purpose of labour exploitation. Further, the court of Căușeni continued the examination of a case in which a labour inspector is accused of committing THB for the purpose of forced labour on a farm by abuse of the victim's position of vulnerability due to his precarious situation (the man was recently released from prison and lacked a place to live and financial resources). In 2022, five new cases of THB committed by officials were identified.[117]

140. Several measures taken under the previous reporting period, such as the establishment of the Crime Assets Recovery Agency and General Prosecutor Office's guideline on conducting parallel financial investigations,[118] led to positive outcomes in asset seizures.[119] In 2020-2023, courts ordered confiscations of various items, but the overall value remained low.[120]

141. No specific measures have been taken to reduce the length of criminal proceedings. Among the cases examined by GRETA there were several cases in which the criminal proceedings from the first instance judgment to the Supreme Court judgment lasted between 5 years and 10 months, to 8 years.[121] Some of these cases are still pending after many years.[122] One case was considered three times[123] by the Appellate Court and the SCJ before becoming final. Reasons cited by the authorities for the delays include the complexity of cross-border THB cases, the high turnover of judicial actors, and victims' reluctance to participate further in the process.[124] The judicial proceedings risk being further prolonged due to the ongoing vetting process of judges.

142. Given the cross-border nature of most THB cases investigated by Moldovan authorities, international cooperation is critical. The Republic of Moldova has police cooperation agreements with 16 countries[125] and has participated in several Joint Investigation Teams (JITs) related to THB offences since the previous report of GRETA. A JIT was set up on 5 March 2021 with the Italian Anti-Mafia Directorate in relation to a case of THB for the purpose of labour exploitation. On 4 September 2021, a simultaneous

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117 All three previous GRETA reports on the Republic of Moldova also referred to THB cases involving public officials. See paragraph 155 of the first GRETA report, paragraph 175 of the second GRETA report, and paragraph 103 of the third GRETA report.

118 GRETA's third report, paragraphs 100-102.

119 21 million lei (around 1 million euro) were seized in THB cases in 2020, 68,000 lei (around 3,500 euros), and some euros in 2021, 59,000 euros and 4 million lei (around 200,000 euros) in 2022 and 2 million lei (around 100,000 euros) in 2023.

120 During 2020 – 2023, courts ordered the confiscation of 1 car, 9 mobile phones, jewellery, and personal items, 21,391 lei (around 1,100 euros), and 100 euros in 5 cases terminated with convictions of traffickers for human trafficking and/or child trafficking.

121 Among the final cases, one lasted 8 years (SCJ judgment on the criminal case No. 1ra-60/2021 dtd. 21.04.2021 - sexual exploitation of a woman), one lasted 6 years and 6 months (SCJ judgment on the criminal case No. 1ra-1559/2022 dtd. 20.12.2022 - child sexual exploitation) and one lasted 5 years and 10 months (SCJ judgment on the criminal case No. 1ra-107/2023 dtd. 17.04.2024 - sexual exploitation of a woman).

122 As for non-final cases, one lasted 6 years and 4 months (SCJ judgment on the criminal case No. 1ra-1850/2021 dtd. 28.03.2022 - THB for organ removal), one lasted 6 years and 1 month (SCJ judgment on the criminal case No. 1ra-116/2022 dtd. 12.12.2022 - sexual exploitation of a woman), and one lasted 6 years (SCJ judgment on the criminal case No. 1ra-1610/2021 dtd. 24.05.2022 - child online trafficking).

123 SCJ Judgment on the criminal case No. 1ra-116/2022 dtd. 12.12.2022.

124 See the Government's reply to the recommendation of the Committee of the Parties, pages 16-17.

125 On 16 November 2023, the Moldovan Government signed an agreement with Albania regarding police cooperation, which is not yet in force.

police operation resulted in arresting 9 persons in both countries and identifying 48 victims. Another JIT was set up on 28 April 2021 with the French authorities on investigating an organised group involved in THB for sexual exploitation. The investigation led to the conviction of a person for pimping and the prosecution of another person for pimping and THB, which is ongoing. In 2022, a coordination meeting was held between the representatives of the law enforcement agencies from the Republic of Moldova, Italy and Hungary on the investigation of THB actions of an organised crime group. As a result, it was decided to establish a JIT between the Moldovan and Italian authorities and to have spontaneous exchange of information with Hungary. The investigation resulted in the identification of 10 victims and three suspects, of whom one was arrested in Italy. Two JITS were set up in 2024 with Romania on human trafficking. Additionally, the cooperation continued within three JITs established in previous periods with the French, Romanian and Italian authorities.

143. While welcoming the active participation of the Moldovan authorities in international co-operation to combat THB, especially through the setting-up of JITs, GRETA is concerned by the reduction in the number of the CCTP police investigators and prosecutors for human trafficking, the discontinuation of specialisation among judges, the decline in investigations and convictions, and the excessive length of proceedings in THB cases. Therefore, GRETA urges Moldovan authorities to take additional measures to ensure that THB cases are investigated promptly, prosecuted effectively, and lead to proportionate and dissuasive sanctions, including by:

- strengthening the capacity of the CCTP and specialised prosecution sections to effectively investigate and prosecute cases of trafficking in human beings, including those involving public officials;

- ensuring that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (related to Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ).[126]

144. Further, GRETA considers that Moldovan authorities should continue providing training and developing the specialisation of investigators, prosecutors and judges to deal with human trafficking cases and to ensure that they are not re-qualified as other offences which carry lighter penalties and deprive victims of THB of access to protection, support and compensation. Training on THB should be integrated into the regular training curricula of law enforcement officials, prosecutors, and judges.

c. Protection of victims from intimidation

145. In its third report, GRETA urged the Moldovan authorities to better protect vulnerable THB victims and witnesses, ensuring that victims do not face direct confrontation with offenders and that all child victims, including those over 14, are granted special protection measures.

146. According to the General Prosecutor's Office's 2021 instruction No. 6/2-12d/21-821 (see paragraph 110) and Article 215 of the CPC, criminal investigation investigators and prosecutors are responsible for assessing the imminent risks for victims and their needs and taking measures to protect their life, integrity and property. Law No. 105 provides for a range of protection measures, such as identity change, relocation, installation of alarm systems, and personal protection for witnesses and victims of serious crimes, including THB.

126 https://rm.coe.int/cepej-2018-26-en-rapport-calvez-regis-en-length-of-court-proceedings-e/16808ffc7b

147. Incitement to give false testimony is criminalised by Article 314 of the CC. Between 2021 and 2023, 10 investigations were launched for inciting false testimony in THB cases.

148. Pursuant to Article 58, paragraph 8, of the CPC, victims of crime are obligated to appear upon summons from the criminal investigation body or the court and to provide explanations at their request, with an exception for victims of THB. However, this exception is not included in the new Article 313 of the CC, introduced in June 2024, which criminalises the refusal by a witness, victim or injured party to give evidence in criminal proceedings. The offence is punishable by a fine of up to 850 conventional units[127] or imprisonment of up to three years.

149. Article 115 of CPC allows using the audio or video recordings for interviewing a victim and Article 110 of the CPC enables the investigative judge or the court to interview witnesses by means of technical devices if there are good reasons to believe that they or their close relatives will be in danger due to the testimony. As for child victims, following GRETA's recommendation, and by Law No. 316/2022, Parliament amended Article 110-1 of the CPC in November 2022 to make the application of special interviewing conditions mandatory for all children in criminal cases related to sexual crimes, trafficking and domestic violence (previously it was mandatory for children up to 14 years of age). This consists of interviewing the child in a specially equipped room with a trained psychologist putting the questions to the child. The same Law introduced a paragraph 7 to Article 113 of the CPC to ensures that victim-offender confrontations in THB and related crimes require the victim's consent, though prosecutors can override this in specific circumstances. The decision of the prosecutor can be challenged. 8 victims of THB were heard under special interviewing conditions (Article 110-1 of the CPC) in 2020, 7 in 2021, 9 in 2022, 13 in 2023 and 12 in 2024. In 2022, 27 child and 6 adult victims (three women and three men) and one adult witness and in 2024 24 victims were heard by CCTP investigators under Article 115. In their comments on GRETA's draft report, the Moldovan authorities acknowledged the difficulties faced by criminal investigation authorities in implementing these provisions due to a lack of audio-video equipment and information storage media.

150. Another positive development is the expansion of victim interview rooms equipped for remote interviews, now available in all Moldovan courts. The number of child-friendly rooms in district Prosecutors' Offices has also slightly grown (from eight to nine). In addition, a Barnahus-type center in Bălți, opened in 2022 (paragraph 119), provides a child-friendly environment for interviewing child victims and preventing re-traumatisation.

151. The GRETA delegation visited the Police Family Justice Centre in Chișinău, opened in October 2023 with support from the US Embassy, Te Doy Foundation and IOM. The centre, administered by the Ministry of Internal Affairs, offers a multidisciplinary support for victims of domestic violence and sexual offences. It provides emergency medical assistance, psychological and legal counselling, and temporary accommodation for up to 72 hours. The Centre has so far accommodated 27 persons. Most of them were victims of domestic violence referred by the police. No presumed victims of THB have been detected among the beneficiaries of the centre. The centre employs 22 staff, including a forensic doctor, psychologist, social assistants, and 11 police officers. Victims can receive immediate support, including the collection of medical evidence necessary for obtaining police-issued protection orders. If victims are unable to return home after 72 hours, or if a protection order has not yet been issued, they are transferred to other shelters for extended stays. Interviews with victims can be conducted on-site by police officers, with the involvement of a psychologist and social assistant, while other relevant parties, such as lawyers, prosecutors, or judges, can observe from a separate room.

127 A conventional unit is equal to 50 lei.

152. GRETA welcomes the legislative amendments with regard to the application of special interviewing conditions to victims of THB and the increased number of interviewing rooms, and invites the Moldovan authorities to continue preventing the re-traumatisation and intimidation of victims of trafficking during the investigation, as well as during and after court proceedings. This includes ensuring that law enforcement and judicial authorities are equipped with the necessary technical resources to fully implement the legal provisions related to victim interviews.

d. Criminalisation of the use of services of a victim

153. Articles 165[1] and 206[1] of CC criminalises the use of products and/or services resulting from the exploitation of victims of THB or child trafficking, when the beneficiary is aware that the person providing these services or goods is a victim of such crimes. The offence is punishable by imprisonment of two to five years and a fine of 2,000 to 4,000 conventional units in cases of trafficking in adults, and three to five years, along with a fine of 3,000 to 5,000 conventional units in cases of child trafficking. Persons who commit this crime can be exempt from criminal liability if they report the trafficking or assist authorities in uncovering or investigating these crimes.

154. According to data from the Ministry of Internal Affairs, five cases were registered by the police under these provisions between 2020 and 2023 (one in 2020, two in 2022, and two in 2023). During the same period, three court rulings were made on such cases. In the first case, the defendant admitted to knowingly using the sexual services of a trafficked woman and was convicted by the Drochia District Court on 12 November 2020, receiving a suspended two-year prison sentence. In the second case, a person was charged with using the services of a woman allegedly subjected to THB for labour exploitation on a farm. However, the Causeni District Court acquitted the defendant on 14 April 2022, as the victim's trafficking status was not proven. In the third case, the Edinet District Court sentenced a defendant to three years' imprisonment on 18 August 2023.

155. GRETA considers that Moldovan authorities should carry out targeted information campaigns to raise awareness of the criminalisation of the use of products and/or services of trafficked persons and increase efforts to sensitise police officers and prosecutors to the importance of identifying and prosecuting persons who commit offences under Article 165-1 of CC, as an important measure for combating human trafficking.

IV. Addressing human trafficking facilitated by information and communication technology (ICT)

156. Countries monitored by GRETA have reported an increased use of information communication technologies (ICT) for recruiting and controlling victims of trafficking. In 2022, GRETA conducted a study to assess the extent to which technology impacts trafficking and explore the operational and legal challenges that states face in detecting, investigating and prosecuting online and ICT-facilitated trafficking.[128] As highlighted by the study, the impact of technology is particularly acute in relation to the recruitment and exploitation of victims, including their control throughout the different stages of the trafficking process. This study highlighted a number of challenges to the identification, investigation and prosecution of THB cases due to the high volume of online activities and the associated high volume of digital evidence, the use of encrypted communications, nicknames and aliases, and the time-consuming process of acquiring evidence from private companies and/or other jurisdictions. At the same time, anti-trafficking stakeholders are using technological innovations to prevent human trafficking, protect victims, and prosecute traffickers. It is therefore essential to invest in human capital and technological tools to harness the potential of ICT for effectively combating human trafficking.

157. The Moldovan authorities and NGOs reported a significant rise in the use of ICT to commit human trafficking, particularly in victim recruitment. Data from the anti-trafficking and safe migration hotline shows that 84% of Moldovans seek work abroad online.[129] Often they communicate with intermediaries and employers via mobile apps like Viber and WhatsApp, which complicates investigations. Additionally, research by La Strada Moldova highlights the high vulnerability of Moldovan children to online risks, including sexual abuse, due to insufficient digital skills (see paragraph 40).

158. From September 2021 to May 2022, La Strada Moldova and the Ministry of Education and Research piloted online safety standards in six schools. During the piloting process, over 1,300 students received Internet safety training, 125 school psychologists participated in workshops on addressing online violence, and 105 parents received training on how to discuss about online sexual abuse in a child-friendly manner. These standards were approved in October 2022 and implemented nationwide during the 2022-2023 academic year. Guidelines were developed for their implementation. In 2023, 86 teachers were trained by La Strada Moldova to educate students on safe Internet use. The Ministry of Education launched the "Internet Heroes" programme in 2024 to support teachers in implementing an educational programme about online safety, which includes a guide for families about Internet safety. Since 2012, the Republic of Moldova has observed Internet Safety Day on the second Tuesday in February with activities for students, parents and teachers. Furthermore, media education[130] has been offered as an optional subject in schools at the primary level since 2017, at the secondary level since 2018, and at the high school level since 2019. To date, a total of 23,239 pupils have taken this course.

159. On 15 October 2020, the General Prosecutor's Office introduced a Guide on combating child abuse and sexual exploitation with the use of ICT. Since its implementation, the authorities have registered increasing cases of child trafficking (21 cases in 2020, 13 in 2021, 22 in 2022, 18 in 2023 and 21 in 2024). Some of these cases involve online recruitment or exploitation. However, there is no specific data on this, except for 2024 when 7 out of 14 cases of child trafficking involved online sexual exploitation of children.

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128 Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe: https://rm.coe.int/online-and-technology-facilitated-trafficking-in-human-beings-full-rep/1680a73e49, published in April 2022.

129 Fomina T. and Revenco A. "New trends in the evolution of the phenomenon of human trafficking in Republic of Moldova in the context of external influence factors", La Strada Moldova, 2020, page 25. Available in Romanian and Russian.

130 The media education textbooks, updated in the years 2023-2024, are available at https://educatia.mediacritica.md/ro/category/recente/de-invatat/manual/

160. From 2020 to 2023, several training activities were organised for police officers, prosecutors and judges covering online sexual exploitation and ICT-facilitated trafficking. These included workshops by CEPOL (EU Agency for Law Enforcement Training), the National Institute of Justice, La Strada Moldova, and the Council of Europe, focusing on investigation and prosecution techniques for online exploitation.

161. The Cybercrime Investigation Centre conducts proactive online investigations, including on the darknet. Its investigators, trained by Europol and Interpol, use open-source intelligence tools and have access to the International Child Sexual Exploitation (ICSE) image and video database of INTERPOL. However, the Centre is understaffed and has difficulties recruiting persons specialised in information technology, as they prefer to work in the private sector where working conditions and salaries are much more attractive. At the time of GRETA's visit, the Centre was investigating two cases involving online sexual exploitation, one concerning a Moldovan man exploiting his child - reported by the Austrian police - and another involving the online recruitment of a woman and a girl by a Turkish man for livestream sexual acts. In their comments on GRETA's draft report, the authorities stated that the first case has been pending before the court since 2014. In the second case, the perpetrator was sentenced to 16 years' imprisonment for THB committed against a child under the age of 14.

162. As for co-operation with ICT companies and Internet service providers, the Moldovan authorities noted that the law enforcement authorities send requests to companies, such as Meta, TikTok, Google, Facebook, Instagram, regarding user accounts and other relevant information, have a good cooperation with some of these companies and receive also assistance from Interpol and Europol when needed.

163. The Republic of Moldova ranks in the top 10 for hosting child sexual abuse materials, according to a report by the Internet Watch Foundation.[131] In February 2023, a reporting mechanism was created through the webpage siguronline.md, thanks to the joint efforts of the General Police Inspectorate (GPI) and La Strada Moldova. Meetings were held with representatives of several content hosting service providers, and cooperation agreements were signed to implement the mechanism. In 2023, 4,000 reports of child sexual abuse materials were received, leading to the removal of 9,000 materials. A partnership between the National Inspectorate for Investigations and the Canadian Centre for Child Protection made a software available free of charge to Moldovan content hosting service providers to detect abuse materials. In July 2024, amendments to the cybercrime law expanded the authority of the relevant public authorities to block access to web content related to child abuse and child pornography. According to civil society actors met by GRETA, there is a need to further develop cooperation between law enforcement authorities and content hosting service providers.

164. In 2023, the General Prosecutor's Office and La Strada Moldova prepared a proposal for amending the CC to align national legislation with EU Directive 2011/92/EU on child sexual exploitation. The draft was submitted to the Ministry of Justice in May 2023, leading to the development of a draft law aimed at introducing stricter penalties to deter and reduce the demand that fosters all forms of child sexual abuse and exploitation. The draft law was adopted by Parliament in first reading on 11 July 2024.

165. The current National Action Plan for combating THB focuses on ICT-facilitated human trafficking and child sexual abuse, with 11 actions targeting these issues. These include raising awareness about online child protection, analysing online recruitment and exploitation methods, amending regulations, and strengthening authorities' capacities for detecting, reporting, investigating, and removing online child sexual abuse materials and identifying online criminal activities related to human trafficking.

166. The Republic of Moldova is a party to the Council of Europe Convention on Cybercrime (Budapest Convention) since September 2009 and has signed, but not yet ratified, its Second Additional Protocol on enhanced co-operation and disclosure of electronic evidence.

131 Eliminating Child Sexual Abuse Online – Internet Watch Foundation IWF

167. While welcoming the steps taken by the Moldovan authorities to enhance their capacity to detect and investigate cybercrime and promote children's online safety, GRETA considers that the authorities should develop further measures to prevent ICT-facilitated human trafficking, including by investing in capacity building and digital tools for proactive investigations, providing high-quality media and digital education, and strengthening co-operation with ICT companies and Internet service providers.

168. Furthermore, GRETA invites the Moldovan authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence.

V. Follow-up topics specific to the Republic of Moldova

1. Legal assistance and free legal aid

169. In its third report on the Republic of Moldova,[132] GRETA noted that victims of THB are largely dependent on NGOs for legal aid, while NGOs depend on donor funding. GRETA urged the Moldovan authorities to facilitate and guarantee access to justice for all victims of THB by ensuring that they receive specialised legal assistance and free legal aid at an early stage.

170. According to Article 20, paragraph g, of Law no. 198/2007 on State-guaranteed Legal Aid, as amended in February 2020, victims of THB are entitled to free legal aid, regardless of income, starting from the moment they are assigned the status of "injured party" by criminal investigation officers.

171. There is a list of lawyers specialised in free legal assistance for crime victims, which is periodically updated by the National Council for State-Guaranteed Legal Assistance. In January 2024, the Council approved quality standards for the work of these lawyers. The lawyers receive regular training and their 2023 training plan included sessions on legal assistance for THB victims. Furthermore, a detailed guide for lawyers assisting THB victims[133] was developed in 2020, and training courses were organised based on this guide. The most recent course, held in 2023, was attended by around 70 lawyers. The National Action Plan foresees the specialisation of lawyers assisting THB victims by employing them on the basis of contracts restricting them from providing legal assistance to suspects or defendants in THB or related cases.

172. According to statistics provided by the Moldovan authorities, in 2020-2023, 277 victims of THB received qualified legal assistance[134] (5 in 2020, 11 in 2021, 8 in 2022, 114 in 2023 and 139 in 2024). This indicates a significant increase from 2015-2018 when only five victims received such assistance. Despite the increase, the number of victims who received qualified legal assistance remains low compared to the 816 victims identified during the same period. Some of GRETA's interlocutors attribute this to a lack of awareness, as judicial authorities often fail to inform victims of their rights. Even when a complaint is filed, prosecutors and judges rarely request a lawyer for the victim, assuming they can manage without one, which means that if the victim is not aware of this right, they will not be assigned a lawyer.

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132 GRETA's third evaluation report, paragraph 51.

133 https://cnajgs.md/uploads/asset/file/ro/1584/ghid_avocati__2_.pdf

134 Law No. 198 of 2007 on State-guaranteed Legal Aid distinguishes between primary legal assistance (which consists in providing information on the legislation, advice on the exercise of rights, and assistance in the preparation of legal documents) and qualified legal assistance (which covers legal representation in criminal, civil and administrative proceedings).

173. While welcoming the amendment made in February 2020 to the Law on State-guaranteed Legal Aid as well as the provision of training and a guide on legal assistance for THB victims to lawyers, GRETA considers that the Moldovan authorities should take further steps to ensure trafficking victims' access to legal assistance and free legal aid at an early stage, including by:

- putting in place a system through the Bar Association or the National Council for State-guaranteed Legal Assistance to certify lawyers who are qualified to provide legal aid to victims of trafficking and ensuring that trafficking victims are systematically appointed a specialised lawyer;

- ensuring adequate funding for legal assistance and free legal aid for victims of THB, including when it is provided by specialised lawyers from NGOs.

2. Compensation

174. In its third evaluation report,[135] GRETA highlighted several obstacles trafficking victims face in obtaining compensation from perpetrators. These include insufficient evidence collection during investigations, lengthy judicial proceedings, unclear criteria for assessing moral damage, the inability to claim unpaid wages in criminal proceedings, judges' lack of sensitivity to victims' trauma, difficulties in enforcing compensation orders, and the absence of a functional state compensation mechanism. GRETA urged the Moldovan authorities to improve access to compensation by ensuring that the collection of evidence about the harm the victim has suffered is part of the criminal investigations and reviewing the state compensation framework.

175. The legal framework for compensation, as detailed in GRETA's third report, remains unchanged.[136]

176. The Moldovan authorities have not provided data on compensation claimed or granted to victims of THB in judicial proceedings during the reporting period. Most Supreme Court judgments reviewed by GRETA either indicate that no claims were made[137] or are silent on this point. In three cases compensation was awarded in criminal proceedings. In one case, three Moldovan women were recruited under false promises of well-paid jobs and trafficked to Türkiye for sexual exploitation. The Appellate Court ordered one defendant to pay MDL 20,000 (about EUR 1,000) to each victim for moral damages, while another defendant was ordered to pay MDL 20,000 to one of the victims for moral damages.[138] In another case, a Moldovan woman was recruited by an Azerbaijani national with a promise of a well-paid job in Dubai, and exploited in prostitution during two years in Dubai. The Supreme Court ordered the defendant to pay MDL 10,000 (around EUR 500) in moral damages.[139] In a third case, involving the trafficking of a Moldovan man for a kidney transplant to the son of the defendants (a Moldovan couple) performed in Iran, the first-instance court ordered MDL 30,000 (about EUR 1,500) to be recovered from the defendants' accounts for moral damages. The court also accepted the victim's civil action for material damages but referred the case to the civil court to determine the amount of material damage.[140] The authorities do not have information on whether the compensation awarded in these cases was actually paid.

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135 See GRETA's third evaluation report, paragraphs 77, 81 and 83.

136 See GRETA's third evaluation report, paragraphs 71-91.

137 See, for example, SCJ judgment on the criminal case No. 1ra-1806/2020 dtd. 20.10.2020; SCJ judgment on the criminal case No. 1ra-60/2021 dtd. 21.04.2021; SCJ judgment on the criminal case No. 1ra-107/2023 dtd. 17.04.2024; SCJ judgment on the criminal case No. 1ra-584/2020 dtd. 20.10.2020; SCJ judgment on the criminal case No. 1ra-1311/2022 dtd. 19.10.2022; SCJ judgment on the criminal case No. 1ra-871/2022 dtd. 29.11.2022; SCJ judgment on the criminal case No. 1ra-423/2023 dtd. 28.06.2023; SCJ judgment on the criminal case No. 1ra-101/2022 dtd. 18.04.2022.

138 SCJ judgment on the criminal case No. 1ra-314/2021 dtd. 22.06.2021.

139 SCJ judgment on the criminal case No. 1ra-2011/2021 dtd. 01.12.2021.

140 SCJ judgment on the criminal case No. 1ra-1850/2021 dtd. 28.03.2022.

177. The National Institute of Justice included training on victim compensation in the 2021-2023 continuous training plans for judges and prosecutors. Two training sessions organised on this topic by the Institute in 2021 and 2022 were attended by 44 judges and 25 prosecutors. Further, with OSCE support, a Practical Guide for Justice Professionals on Crime Victims' Rights to Rehabilitation and Compensation was developed in 2022.[141]

178. Law No. 137/2016 on the Rehabilitation of Victims of Crime, in force since January 2018, established a state compensation scheme for crime victims. However, the mechanism remains inactive, with no compensation paid since its creation. A few applications were declared inadmissible. As noted in GRETA's third report, the mechanism is ineffective due to restrictive access conditions which exclude foreign victims irregularly present in the country at the time of the offence as well as adult victims of forced labour (Article 168 of the CC). Further, Article 12, paragraph 3, of the law states that "The victim does not have the right to financial compensation granted by the State if: a) the crime was committed with the voluntary participation of the victim, except for persons who have not reached the age of 18". It is not clear what will happen in cases where a victim consented to his/her exploitation because of being in a position of vulnerability.

179. The National Action Plan sets as an objective the information and guidance of victims on how to claim state compensation. GRETA was informed that, to enhance the state compensation mechanism, the Ministry of Justice has drafted amendments to Law No. 137/2016, which are set to undergo public consultation. GRETA would like to be kept informed on the outcome of this process.

180. While welcoming the Practical Guide on victims' access to compensation and the training provided, GRETA remains concerned that victims still do not have access to state compensation, and there is no data on compensation awarded in judicial proceedings. GRETA once again urges the Moldovan authorities to take steps to facilitate and guarantee access to compensation for victims of trafficking, including by:

- ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;

- ensuring victims' right to claim compensation through civil proceedings regardless of the outcome of the criminal proceedings;

- reviewing the Execution Code in order to remove the administrative costs for victims of THB to enforce compensation decisions made by the courts;

- reviewing the legislative framework for state compensation by removing the limitations on covering the actual damage for the victim and revising the eligibility criteria with a view to making state compensation available to adult victims of forced labour and foreign victims who were present irregularly in the country at the time of the offence, ensuring that it is not conditional on failure to obtain compensation from the perpetrator through criminal and civil proceedings, and clarifying the meaning of Article 12, paragraph 3, of Law No. 137/2016.

141 https://www.osce.org/files/f/documents/4/c/525762.pdf

3. Residence permit

181. Detailed instructions for granting and extending temporary residence rights for foreign victims of THB are outlined in the Law on Aliens. Section 42-1 allows a renewable six-month residence permit to be granted to a victim of THB if the following conditions are cumulatively met: the victim must demonstrate a clear willingness to cooperate with authorities in prosecuting perpetrators, have no contact with them, and be needed for criminal proceedings, and pose no threat to national security or public order. A prosecutorial order recognising the victim as an injured party must accompany the application for granting or extending the temporary residence permit. This permit can be extended for six-month periods, up to a total of five years (Section 32 of the Law on Aliens). However, this permit does not confer the right to work, which is at variance with Article 12, paragraph 4, of the Convention, according to which "victims lawfully resident (...) shall be authorised to have access to the labour market". Victims who cannot participate in criminal proceedings may apply for other residence permits under the Law on Aliens, but their special circumstances are reportedly not taken into account.[142]

182. To date, no residence permits have been issued to foreign victims of THB under Section 42-1 of the Law on Aliens. In their comments on GRETA's draft report, the authorities noted that of the 42 Bangladeshi victims mentioned in paragraph 60, 36 applied for asylum. Among them, four had their applications rejected, and seven withdrew their applications, of whom three left the country, and four remained in an irregular situation. The remaining applicants are awaiting a final decision. As for the other six persons, they received temporary residence permits due to employment (Article 43-1 of the Law on Aliens); however, one of these permits was later revoked. As for the 11 Indian victims mentioned in paragraph 60, five received temporary residence permits due to employment, two held asylum seeker status, and the rest left the country.

183. GRETA urges the Moldovan authorities to take measures to ensure that victims of trafficking fully benefit from the right to obtain a residence permit under Section 42-1 of the Law on Aliens and amend this section to ensure that residence permits issued under it grant the right to work.

184. Furthermore, GRETA considers that the authorities should introduce in the law the right for foreign victims of THB to receive a renewable residence permit when their stay in the country is necessary owing to their personal situation.

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142 Johanna Schlintl and Liliana Sorrentino, "Residence Permits, International Protection and Victims of Human Trafficking: DurableSolutions Grounded in International Law", 2021, page 21.

VI. Conclusions

185. Since the publication of GRETA's third report on the Republic of Moldova on 3 December 2020, progress has been made in a number of areas covered by that report.

186. The new Programme for Preventing and Combating THB (2024-2028), was developed with input from civil society organisations, taking into account the findings and recommendations from an independent evaluation of the previous action plans. In February 2021, a state-shelter for male victims of trafficking was opened in Chișinău. In November 2022, amendments to the Criminal Procedure Code strengthened the protection afforded to victims. Further, a Barnahus-type centre was opened in Bălți in 2022 to provide a child-friendly environment for interviewing child victims.

187. GRETA welcomes these positive developments in the Republic of Moldova. However, despite the progress achieved, some issues continue to give rise to concern. A certain number of recommendations made repeatedly by GRETA in its preceding reports have not been implemented or have been only partially implemented. In this report, GRETA once again urges the Moldovan authorities to take action in the following areas:

- Assistance to victims (Article 12 of the Convention). The Moldovan authorities should provide long-term assistance to victims of THB and facilitate their reintegration into society. They should also ensure that all victims of THB are guaranteed effective access to public health care by including them in the categories of vulnerable persons to be covered by health insurance.

- Compensation (Article 15 of the Convention). The Moldovan authorities should facilitate and guarantee access to compensation for victims of trafficking, by ensuring that the collection of evidence regarding the harm, including the financial gain obtained through their exploitation, is part of the criminal investigation, ensuring victims' right to claim compensation through civil proceedings regardless of the outcome of the criminal proceedings, and reviewing the Execution Code in order to remove the administrative costs for victims of THB to enforce compensation decisions made by the courts. Further, the authorities should review the legislative framework for state compensation by removing the limitations on covering the actual damage for the victim and revising the eligibility criteria.

- Co-ordination of anti-trafficking action (Article 29 of the Convention). The authorities should increase the number of staff members of the State Chancellery's Directorate of Human Rights and Cooperation with Civil Society, as well as allocate sufficient funding for the implementation of anti-trafficking activities.

188. Given that these recommendations have been made repeatedly, their priority implementation is requested and will be followed up as part of the monitoring of the implementation of the Convention.

189. As regards the thematic focus of the fourth evaluation round, which is on vulnerabilities to trafficking in human beings, the authorities have acknowledged the vulnerabilities of children, Moldovan nationals seeking employment abroad, Ukrainian refugees, foreign workers, women and girls who have experienced domestic violence, ex-convicts and probationers, and unemployed persons and have included relevant measures to address them in the Anti-Trafficking Programme for 2024-2028, as well as in other programmes aimed at facilitating access of vulnerable persons to education, employment and support services.

190. While welcoming the measures taken by the Moldovan authorities to prevent trafficking through measures addressed at vulnerable groups, GRETA has identified a number of areas of concern which require further action. The following issues should be addressed as a matter of priority:

- improve the prevention of child trafficking, in particular by preventing the exploitation of children by the management of child residential institutions, amending the legislation to remove restrictions on conducting unannounced labour inspections, and implementing social and economic measures and programmes aimed at supporting children in vulnerable situations;

- strengthen efforts to improve the protection of persons with disabilities from human trafficking, including by developing programmes and policies for their better inclusion into society as a way of reducing their vulnerabilities to human trafficking;

- improve the identification of victims of THB, including by expanding the mandate of labour inspectors, reinforcing their capacity and training, removing restrictions on conducting unannounced inspections, and including them in the composition of the Territorial Commissions for combating THB as well as by paying increased attention to the proactive identification of victims of THB among asylum seekers and foreign workers;

- ensure that THB cases are investigated promptly, prosecuted successfully, and lead to effective, proportionate and dissuasive sanctions, including by strengthening the capacity of the Centre for Combating Trafficking in Persons and specialised prosecution sections to effectively investigate and prosecute THB cases and ensuring that the length of court proceedings in THB cases is reasonable;

- ensure that victims of trafficking fully benefit from the right to obtain a residence permit under Section 42-1 of the Law on Aliens and amend this section to ensure that residence permits issued under it grant the right to work.

191. GRETA welcomes the steps taken by the Moldovan authorities to enhance their capacity to detect and investigate cybercrime offences and promote children's online safety. In order to address the routine use of ICT to recruit and exploit victims of trafficking, the authorities should promote further capacity building and digital tools to conduct proactive investigations. They should also provide high-quality media and digital education and strengthen co-operation with ICT companies and Internet service providers.

192. GRETA invites the Moldovan authorities to keep it regularly informed of developments as regards the implementation of the Convention. GRETA trusts that there will continue to be a political commitment in the Republic of Moldova to sustain the efforts to combat all forms of human trafficking by following the human-rights based approach of the Convention and looks forward to continuing the dialogue with the Moldovan authorities and civil society.

Appendix 1

Statistics on victims and cases of THB in the Republic of Moldova in 2020-2024

The data presented in the table is not directly comparable across States Parties to the Convention due to variations in the methodologies used for data collection

Indicator		Years				
		2020	2021	2022	2023	2024
Number of identified victims		139	357	151	169	119
By:						
Sex and age group	Women	29	130	32	16	21
	Men	87	205	75	128	68
	Girls	20	21	43	19	26
	Boys	3	1	1	6	4
Type of exploitation	Sexual	44 (24 women and 20 girls)	35 (24 women, 11 girls)	53 (11 women, 42 girls)	23 (9 women, 13 girls, 1 boy)	33 (11 women, 22 girls)
	Labour	90 (84 men, 4 women, 2 boys)	272 (84 women, 180 men, 8 girls)[143]	84 (16 women, 66 men, 1 girl, 1 boy)	92 (6 women, 78 men – including 42 Bangladeshi and 11 Indian-, 3 girls, 5 boys)	58 (4 women, 49 men, 1 girl; 4 boys)
	Forced begging	4 (2 men, 1 woman, 1 boy)	5 (1 woman, 2 men, 1 girl, 1 boy)	2 (1 woman, 1 man)	2 (both girls)	8 (4 women, 1 man, 3 girls)
	Organ removal	1 (man)	1 (man)	1 (man)	0	0
	Social benefits	0	43 (21 women, 22 men)	11 (1 woman, 10 men)	0	0
	Forced criminality	0	0	0	50 (all men)	18 (all men)
	Surrogate mother	0	0	0	1	2
	Illegal adoption	0	0	0	1 (newborn girl)	0
Country of exploitation	External trafficking	101 (99 adults, 2 girls)	320 (317 adults, 3 children)	87 (all adults)	78 (10 women, 66 men, 2 children)	50 (11 women, 33 men, 6 children)
	Internal trafficking	38 (17 adults, 18 girls, 3 boys)	37 (3 women, 15 men, 19 children)	64 (20 adults, 43 girls, 1 boy)	37 (5 women, 9 men, 23 children)	69 (10 women, 35 men, 24 children)

143 There was also 1 child victim of mixed exploitation (sexual and labour).

Number of investigations/prosecutions[144]			66 cases 45 (Article 165) 21 (Article 206)	63 cases 50 (Article 165) 13 (Article 206)	67 cases 45 (Article 165) 22 (Article 206)	40 cases 22 (Article 165) 18 (Article 206) Sexual: 19 Labour: 16 Others: 5	56 cases 35 (Article 165) 21 (Article 206) Sexual: 21 Labour: 17 Others: 18
Number of convictions (persons)	Trafficking in adults	Total	22	19	4	23	12
		women	12	9	1	14	6
		men	10	10	3	9	6
	Child trafficking	Total	16	25	2	10	21
		women	8	15	1	4	6
		men	8	10	1	6	15
By forms of exploitation							
Trafficking in adults		Sexual	11	10	3	15	8
		Labour	7	4	1	5	2
		Forced begging	3	5	0	3	2
		Organ	1	0	0	0	0
Child trafficking		Sexual	13	24	2	5	14
		Labour	3	1	0	3	7
		Forced begging	0	0	0	2	0

144 In the Republic of Moldova, investigation means the initiation of criminal prosecution, thus the number of investigations is the same as the number of prosecutions.

Appendix 2
List of GRETA's conclusions and proposals for action

The position of the proposals for action in the text of the report is shown in parentheses.

Topics related to the fourth evaluation round of the Convention

Prevention of trafficking in human beings

- GRETA invites the authorities to evaluate the effectiveness of these activities by measuring their impact. Future campaigns should also address new and emerging trends and forms of human trafficking (paragraph 29).

Measures to prevent the vulnerability of specific groups to trafficking in human beings

Children

- GRETA urges the Moldovan authorities to strengthen their efforts to improve the prevention of child trafficking, in particular by:
  - preventing the exploitation of children by the management of child residential institutions, including through their regular inspection;
  - amending the legislation to remove restrictions on conducting unannounced inspections so that labour inspectors can be actively engaged in the prevention of trafficking and exploitation of children, including in agriculture;
  - implementing social and economic measures and programmes aimed at supporting children in vulnerable situations, including Roma children, and children living in and leaving residential care (paragraph 43);
- GRETA considers that the Moldovan authorities should:
  - further strengthen the capacity and resources of child protection professionals and labour inspectors;
  - continue providing training on trafficking in human beings to child welfare professionals, teachers and other professionals working with children;
  - continue raising public awareness, especially in rural areas, about the risks and different manifestations of child trafficking, including child and forced marriages, forced begging, forced criminality and child labour (paragraph 44).

Disadvantaged minorities

- GRETA welcomes the measures taken to address the vulnerabilities of the Roma community to human trafficking and considers that the Moldovan authorities should continue to strengthen the prevention of THB through sustained social, economic and other measures to empower the Roma community, especially women, children and young people, including by promoting their access to education and the labour market as a means of addressing the root causes of THB (paragraph 49).

Moldovan diaspora and Moldovans seeking employment abroad

- GRETA considers that the Moldovan authorities should take further steps to prevent trafficking and exploitation of Moldovan nationals abroad, in particular by:
  - investing in social, economic and other measures to empower groups vulnerable to THB, especially women, young people and Roma, including by promoting access to the labour market and vocational education;
  - continuing raising awareness of people who intend to search for jobs abroad on safe and legal employment abroad, the risks of human trafficking and the available support services;
  - strengthening oversight of private employment agencies and fraudulent online job advertisements;
  - enhancing bilateral and international co-operation to ensure the protection of Moldovan nationals in countries of destination (paragraph 58).

Migrant workers

- GRETA considers that the Moldovan authorities should take further steps to prevent trafficking for the purpose of labour exploitation, taking into account the Council of Europe Committee of Ministers Recommendation to Member States CM/Rec(2022)21 on preventing and combating trafficking in human beings for the purpose of labour exploitation, in particular by:
  - providing training on THB to all officials who supervise the working conditions of foreign workers, including the Labour Inspectorate, and issuing clear reporting requirements in case of detecting presumed cases of THB;
  - establishing co-operation with the countries of origin of foreign workers and taking steps to prevent their nationals from being exploited in the Republic of Moldova;
  - separating immigration enforcement functions from labour inspectorate roles, and ensuring that labour inspectors prioritise the detection of persons working in irregular situations who are vulnerable to THB (see also paragraph 108);
  - continuing to raise awareness amongst employers and foreign workers about the risks of THB for the purpose of labour exploitation, the rights of victims of trafficking and where to access support, as well as on workers' rights under labour laws;
  - strengthening the monitoring of private employment agencies (paragraph 65).

Asylum seekers and refugees

- GRETA considers that the Moldovan authorities should take further measures to prevent asylum seekers and refugees from becoming victims of trafficking in human beings, in particular by:
  - ensuring that asylum seekers and refugees have access to appropriate accommodation, support, employment and health care services, to prevent them from becoming vulnerable to exploitation and THB;
  - continuing to conduct regular and comprehensive assessments of exploitation and THB risks among asylum seekers and refugees;
  - continuing to raise the awareness of asylum seekers and refugees (including those living in private accommodation) of their rights and the risks of human trafficking (including recruitment and abuse through Internet/social networks), paying particular attention to Roma communities and unaccompanied children (paragraph 77).

Vulnerabilities related to the gender dimension of human trafficking and of persons engaged in prostitution

- GRETA considers that the Moldovan authorities should take further steps to reduce risks of exploitation of women and girls in prostitution, including by decriminalising persons in prostitution, developing exit programmes for those wishing to leave prostitution, and raising awareness among persons in prostitution about the risks of human trafficking and the support services available to victims (paragraph 84);

- Further, GRETA invites the Moldovan authorities to conduct research on the vulnerabilities of LGBTI persons to human trafficking and take appropriate measures to address any vulnerabilities identified (paragraph 85).

Persons with disabilities

- GRETA considers that the Moldovan authorities should strengthen their efforts to improve the protection of persons with disabilities from human trafficking, in particular by:
  - ensuring regular inspections and independent monitoring of residential centres for persons with disabilities to prevent exploitation of residents;
  - ensuring that professionals assisting persons with disabilities, including caregivers and legal guardians, are provided with training on human trafficking with a focus on vulnerabilities that lead to THB;
  - developing programmes and/or policies for better inclusion of persons with disabilities into society as a way of reducing their vulnerabilities to human trafficking (paragraph 94).

Identification of victims of THB

- GRETA urges the Moldovan authorities to take additional steps to improve the identification of victims of THB, including by:
  - increasing efforts to proactively identify victims of trafficking for the purpose of labour exploitation by expanding the mandate of labour inspectors, reinforcing their capacity and training, removing restrictions on conducting unannounced inspections, and including them in the composition of the Territorial Commissions for combating THB;
  - paying increased attention to the proactive identification of victims of THB among asylum seekers and foreign workers (paragraph 108);
- GRETA considers that the Moldovan authorities should:
  - review the Guidelines on the Identification of Victims and Potential Victims of Human Trafficking to clearly define bodies competent to grant the status of a victim of THB and ensure their effective implementation by all state authorities;
  - strengthen the capacity of the Multidisciplinary Teams and the Territorial Commissions for combating THB for them to play a more active role in identifying and assisting victims and presumed victims of THB (paragraph 109).

Assistance to victims

- GRETA urges the Moldovan authorities to intensify their efforts to comply with their obligations under Article 12 of the Convention by:
  - providing long-term assistance to victims of THB and facilitating their reintegration into society, particularly by improving access to the labour market and social services;
  - ensuring that all victims of THB are guaranteed effective access to public health care by including them in the categories of vulnerable persons to be covered by health insurance (paragraph 120);
- GRETA considers that the Moldovan authorities should:
  - adapt the existing legal framework for combating trafficking in human beings to cover assistance of foreign victims of THB, such as interpretation and health care;
  - provide for centres that assist and protect victims and presumed victims of trafficking, adequate funding including through the use of confiscated proceeds from THB-related crimes;
  - ensure free psychological counselling and assistance for all victims of THB, including foreign victims, regardless of whether they are accommodated in assistance centres (paragraph 121).

Investigation, prosecution and sanctions

- GRETA urges Moldovan authorities to take additional measures to ensure that THB cases are investigated promptly, prosecuted effectively, and lead to proportionate and dissuasive sanctions, including by:
  - strengthening the capacity of the CCTP and specialised prosecution sections to effectively investigate and prosecute cases of trafficking in human beings, including those involving public officials;
  - ensuring that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (related to Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ) (paragraph 143);
- GRETA considers that Moldovan authorities should continue providing training and developing the specialisation of investigators, prosecutors and judges to deal with human trafficking cases and to ensure that they are not re-qualified as other offences which carry lighter penalties and deprive victims of THB of access to protection, support and compensation. Training on THB should be integrated into the regular training curricula of law enforcement officials, prosecutors, and judges (paragraph 144).

Protection of victims from intimidation

- GRETA welcomes the legislative amendments with regard to the application of special interviewing conditions to victims of THB and the increased number of interviewing rooms, and invites the Moldovan authorities to continue preventing the re-traumatisation and intimidation of victims of trafficking during the investigation, as well as during and after court proceedings. This includes ensuring that law enforcement and judicial authorities are equipped with the necessary technical resources to fully implement the legal provisions related to victim interviews (paragraph 152).

Criminalisation of the use of services of a victim

- GRETA considers that Moldovan authorities should carry out targeted information campaigns to raise awareness of the criminalisation of the use of products and/or services of trafficked persons and increase efforts to sensitise police officers and prosecutors to the importance of identifying and prosecuting persons who commit offences under Article 165-1 of CC, as an important measure for combating human trafficking (paragraph 155).

Addressing human trafficking facilitated by information and communication technology (ICT)

- GRETA considers that the authorities should develop further measures to prevent ICT-facilitated human trafficking, including by investing in capacity building and digital tools for proactive investigations, providing high-quality media and digital education, and strengthening co-operation with ICT companies and Internet service providers (paragraph 167);

- GRETA invites the Moldovan authorities to ratify the Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (paragraph 168).

Follow-up topics specific to the Republic of Moldova

Overview of trends and changes in the legislative, institutional and policy framework for action against human trafficking

- GRETA once again urges the Moldovan authorities to strengthen the co-ordination of anti-trafficking action by increasing the frequency of the meetings of the National Committee for Combating Trafficking in Human Beings and the number of staff members of the State Chancellery's Directorate of Human Rights and Cooperation with Civil Society dealing with the development and co-ordination of the implementation of the National Action Plan for Combating THB, as well as to allocate sufficient funding for the implementation of the anti-trafficking activities (paragraph 20);

- GRETA considers that the Moldovan authorities should strengthen the capacity of the Territorial Commissions for combating THB by providing them with additional financial resources, training and guidance and enhancing the monitoring of their activities (paragraph 21);

- GRETA considers that the Moldovan authorities should examine the possibility of establishing an independent National Rapporteur or designating an already existing independent mechanism for monitoring the anti-trafficking activities of state institutions (paragraph 26).

Legal assistance and free legal aid

- GRETA considers that the Moldovan authorities should take further steps to ensure trafficking victims' access to legal assistance and free legal aid at an early stage, including by:
  - putting in place a system through the Bar Association or the National Council for State-guaranteed Legal Assistance to certify lawyers who are qualified to provide legal aid to victims of trafficking and ensuring that trafficking victims are systematically appointed a specialised lawyer;
  - ensuring adequate funding for legal assistance and free legal aid for victims of THB, including when it is provided by specialised lawyers from NGOs (paragraph 173).

Compensation

- GRETA once again urges the Moldovan authorities to take steps to facilitate and guarantee access to compensation for victims of trafficking, including by:
  - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim, is part of the criminal investigations with a view to supporting compensation claims in court;
  - ensuring victims' right to claim compensation through civil proceedings regardless of the outcome of the criminal proceedings;
  - reviewing the Execution Code in order to remove the administrative costs for victims of THB to enforce compensation decisions made by the courts;
  - reviewing the legislative framework for state compensation by removing the limitations on covering the actual damage for the victim and revising the eligibility criteria with a view to making state compensation available to adult victims of forced labour and foreign victims who were present irregularly in the country at the time of the offence, ensuring that it is not conditional on failure to obtain compensation from the perpetrator through criminal and civil proceedings, and clarifying the meaning of Article 12, paragraph 3, of Law No. 137/2016 (paragraph 180).

Residence permit

- GRETA urges the Moldovan authorities to take measures to ensure that victims of trafficking fully benefit from the right to obtain a residence permit under Section 42-1 of the Law on Aliens and amend this section to ensure that residence permits issued under it grant the right to work (paragraph 183);

- Furthermore, GRETA considers that the authorities should introduce in the law the right for foreign victims of THB to receive a renewable residence permit when their stay in the country is necessary owing to their personal situation (paragraph 184).

Appendix 3 - List of public bodies and civil society actors with which GRETA held consultations

- Directorate of Human Rights and Co-operation with Civil Society of the State Chancellery
- Ministry of Internal Affairs
  - Centre for Combating Trafficking in Persons
  - General Inspectorate of the Border Police
  - General Inspectorate for Migration
  - Cybercrime Investigation Center
- Ministry of Labour and Social Protection
  - National Labour Inspectorate
  - National Employment Agency
- Ministry of Justice
  - Interdepartmental Commission for State Financial Compensation
  - National Administration of Penitentiaries
- Ministry of Foreign Affairs
- Ministry of Health
- Ministry of Education and Research
- General Prosecutor's Office
- Prosecutor's Office for Combating Organised Crime and Special Cases
- Superior Council of Magistrates
- Chișinău District Court
- National Institute for Justice
- National Council for State-guaranteed Legal Aid
- Public Services Agency
- Diaspora Relations Bureau
- Agency for Interethnic Relations
- National Regulatory Agency for Electronic Communications
- Information Technology and Cyber Security Service
- Municipality of Chișinău
- Territorial commission for combating human trafficking in Cahul and Comrat
- Ombudsman's Office

Intergovernmental organisations

- International Organization for Migration (IOM)
- Organization for Security and Co-operation in Europe (OSCE), mission in Moldova
- Delegation of the European Union

Civil society organisations

- Interaction
- La Strada Moldova
- National Centre for Information, Assistance, Consulting and Education (CNFACEM)
- Resonance