COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Replies to the thematic questionnaire

"Screening of professionals, volunteers and other persons in contact with children"

REPUBLIC OF MOLDOVA

Replies received by the Secretariat on 31 July 2026

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term "screening" is used in this questionnaire, this should be understood as "verification of criminal convictions for sexual offences against children".

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate:

a. State Party in respect of which the questionnaire is submitted: **Republic of Moldova**

b. Entities and bodies involved in preparing the replies to this questionnaire: **Ministry of Labour and Social Protection; Ministry of Education and Research, Ministry of Health, Ministry of Culture (Orheiul Vechi Cultural-Natural Reserve and Ion Creangă National Children's Library), Prosecutor General's Office, Ministry of Internal Affairs (General Police Inspectorate, General Inspectorate for Migration and Information Technology Service), National Administration of Penitentiaries and National Probation Inspectorate.**

Persons concerned by screening requirements

1. Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	Yes	Yes*	-	No	Teaching and management posts
Education – Primary	Yes	Yes*	-	No	Applicable to teaching positions under Article 296(2) of the Labour Code, irrespective of whether the institution is public or private.

Education – Secondary	Yes	Yes*	-	No	Teaching and management posts
Education – Tertiary	No general child-contact rule	Yes*	-	No	Teaching and management posts Article 296 of Labour Code covers pedagogical activity in higher education. However, there is no general child-contact-specific screening requirement for every employee of a private university.
Education – Extracurricular (e.g. language schools)	Sector-specific	Yes*	No	No	Depends on whether the activity is formally pedagogical or otherwise regulated.
Childcare (e.g. kindergartens, crèches, childminders	Yes	Yes*	Yes	No	A qualified childcare provider who delivers one of the following types of alternative childcare services: a) alternative childcare services organised by the employer at the workplace; b) individualised alternative childcare services; c) family-based alternative childcare services. (Law No. 367/2022 on Alternative Childcare Services)
Institutional or residential care (e.g. foster homes,	Yes	Yes*	Yes	No	It applies to all personnel employed within social services

orphanages, closed residential facilities)					intended for children, including: • the Community Home for Children at Risk (Government Decision No. 52/2013 approving the Framework Regulation on the organisation and operation of the Social Service "Community Home for Children at Risk" and the Minimum Quality Standards); the Social Service "Residential Centre for Children Separated from Their Parents" (Government Decision No. 591/2017 approving the Framework Regulation on the organisation and operation of the Social Service "Residential Centre for Children Separated from Their Parents" and the Minimum Quality Standards).
Detention	Yes. Pursuant to Article 22(1)(f) of Law No. 300/2017 on the Penitentiary Administration System, candidates for public official	-	Not applicable	No	The requirement applies to all public officials with special status within the penitentiary administration system, including security, guarding and escort, social reintegration and healthcare personnel, as well

	positions with special status must not have a final criminal conviction, be subject to criminal investigation, or have been exempted from criminal liability on the grounds provided for in Article 53 of the Criminal Code. This requirement applies to all public officials with special status within the penitentiary administration system, including staff working with juveniles or in sectors where juveniles are detained				as other staff working with juveniles or in facilities where juveniles are detained.
Migration facilities (e.g. reception centres)	Yes	-	-	No	Special-status Ministry of Internal Affairs posts; not a child-contact-specific rule.
Sport	No	Yes*		No	Sector-wide employment prohibition not identified.
Culture and leisure activities	Yes-sectorial No general rule	Yes*		No	Some institutions apply safeguarding checks as recruitment practice.

Entertainment sector	No	-	-	No	No sector-wide employment prohibition identified.
Faith and religion	No	-	-	No	Not assessed. Religious denominations are autonomous and separate from the State under Article 31(4) of the Constitution and Article 15 of Law No. 125/2007 regarding freedom of conscience, thought and religion. Law No. 125/2007 does not establish a general criminal-record screening requirement for clergy, ministers of religion, catechists, Sunday-school personnel or religious youth workers. If a religious organisation operates an authorised school, childcare facility or social service, the applicable education, childcare or social-services screening rules apply. For formal pedagogical activity, Article 296(2) of the Labour Code is also relevant.
Healthcare (including psychological and psychiatric services)	Yes	-	-	No	Public healthcare recruitment rules are not framed as a child-sexual-offence-specific list.

Social protection services	Yes	Yes*	Yes	No	It applies to all personnel employed within social services intended for children, including: • the Professional Foster Care Service (Government Decision No. 760/2014 approving the Framework Regulation on the organisation and operation of the Professional Foster Care Service and the Minimum Quality Standards); • the Social Service "Family-Type Children's Home" (Government Decision No. 51/2018 approving the Framework Regulation on the organisation and operation of the Social Service "Family-Type Children's Home" and the Minimum Quality Standards); • the Social Service for the Rehabilitation of Victims of Domestic Violence (Government Decision No. 129/2010 approving the Framework Regulation on the organisation and operation of the Social Service for

					the Rehabilitation of Victims of Domestic Violence and the Minimum Quality Standards); • the Residential Centre for Children Separated from Their Parents (Government Decision No. 591/2017 approving the Framework Regulation on the organisation and operation of the Social Service "Residential Centre for Children Separated from Their Parents" and the Minimum Quality Standards); • the Day Centre for Children (Government Decision No. 441/2015 approving the Framework Regulation on the organisation and operation of the Social Service "Day Centre for Children" and the Minimum Quality Standards); • the Day-Care Centre for Children Aged Four Months to Three Years (Government Decision No. 730/2018 approving the Framework Regulation on the organisation and operation of the Social Service

					“Day-Care Centre for Children Aged Four Months to Three Years” and the Minimum Quality Standards); • the Free Child Helpline Service (Government Decision No. 519/2022 approving the Regulation on the organisation and operation of the Free Child Helpline Service and the Minimum Quality Standards); • the Maternal Service (Government Decision No. 796/2025 approving the Framework Regulation on the organisation and operation of the Maternal Service and the Minimum Quality Standards).
Law enforcement	Yes	Yes*	Yes*	Yes*	Civil servants, civil servants with special status, and technical staff within the prosecution service
Judicial	Yes	Yes*	Not applicable	No general rule	Candidates for judicial office; article 6 of Law No. 544/1995 on the Status of Judges.
Civil society organisations	No	Yes*	No	No	No general employment requirement applies solely by reason of an

					organisation's civil-society status. Sector-specific requirements apply where the organisation is an authorised education or social-service provider.
Victim services (including Barnahus, domestic violence services)	Yes	Yes*	Yes	No	It applies to all personnel employed within the following social services: • the Regional Centre for Integrated Assistance to Child Victims/Witnesses of Crime (Government Decision No. 708/2019 approving the Framework Regulation on the organisation and operation of the Regional Centre for Integrated Assistance to Child Victims/Witnesses of Crime and the Minimum Quality Standards); • the Assistance and Protection Service for Victims of Trafficking in Human Beings (Government Decision No. 898/2015 approving the Framework Regulation on

					the organisation and operation of the Assistance and Protection Service for Victims and Presumed Victims of Trafficking in Human Beings and the Minimum Quality Standards).
Any other sectors (please specify)					

Here you can insert additional details or specify any exceptions.

***** Under Article 14(4)(j) of Law No. 326/2025 on Volunteering, a host entity must request a criminal record certificate from volunteers involved in activities entailing contact with children as a socially vulnerable group. This obligation is activity-based and applies irrespective of the sector in which the host entity operates.

Legislation in force. The Moldovan framework is fragmented. Labour Code Article 296(2) restricts access to pedagogical activity for persons deprived by a court of the right to teach, persons medically unfit and persons with a criminal record for the offences specified by law. Education management competitions, public healthcare recruitment, the penitentiary system, the Ministry of Internal Affairs, the prosecution and judicial services apply general or special-status eligibility rules. Regulated child social services, adoption, professional foster care, family-type care and guardianship/curatorship contain more specific suitability and criminal-record safeguards.

Institutional practice. Certain public cultural institutions report requesting criminal-record certificates for personnel or volunteers conducting activities with children. Such safeguarding practice may be maintained, but it is not evidence of a general statutory prohibition for all cultural, leisure or entertainment workers. A certificate of integrity issued under the anti-corruption framework is not a substitute for a criminal-record certificate.

Legislative development. The Government approved the reform under unique number 337/MMPS/2026 on 24 June 2026. It was registered in Parliament as Draft Law No. 218 of 24 June 2026 and adopted by Parliament in second reading on 30 July 2026. It would insert Chapter XVI^{2}, Articles 326^{10}–326^{14}, into the Labour Code and amend Article 16 of Law No. 326/2025, establishing a cross-sector regime for public and private, paid, unpaid and voluntary activities involving regular contact with children.

As of 31 July 2026, the law had not yet been promulgated and published in the Official Gazette and was therefore not in force. Article X of the Government-approved text provides for entry into force three months after publication.

Additionally, I have included the comments submitted by the authorities.

Ministry of Culture

In the cultural sector, the Ion Creangă National Children's Library and the Orheiul Vechi Cultural-Natural Reserve request criminal record certificates for relevant public-facing roles as an institutional safeguarding and recruitment practice. This practice should not be presented as a nationwide statutory prohibition applicable to all cultural or entertainment workers and volunteers.

Ministry of Education and Research

The recruitment of directors, deputy directors, teaching staff, auxiliary teaching staff and non-teaching staff in general education institutions is governed by the Education Code No. 152/2014, the Labour Code No. 154/2003 and the Regulation on the Organization and Conduct of Competitions for Filling the Positions of Director and Deputy Director of General Education Institutions, approved by Order of the Minister of Education and Research No. 163/2015, as subsequently amended. Candidates for *management positions* must satisfy a set of cumulative eligibility requirements, including educational qualifications, professional experience, medical fitness, the absence of a criminal record, the absence of legal prohibitions on holding managerial positions, and an impeccable professional reputation. Individuals convicted of serious, particularly serious, or exceptionally serious intentional offences, persons with outstanding criminal records for other offences, those found to have engaged in conduct incompatible with the Code of Ethics for Teaching Staff, or those found by national or international courts to have committed human rights violations are not eligible to hold such positions.

Furthermore, pursuant to Articles 54 (2) (Employment of Teaching Staff) and 57 (Employment of Auxiliary Teaching and Non-Teaching Staff) of Education Code No. 152/2014, the employment of teaching, auxiliary teaching and non-teaching staff in general education institutions is effected by concluding an individual employment contract, in accordance with Labour Code No. 154/2003 and the applicable implementing legislation.

National Administration of Penitentiaries

Under Article 22(1)(f)–(h) of Law No. 300/2017 on the Penitentiary Administration System, a person may acquire the status of a public official with special status only if, inter alia, he or she has not been finally convicted of a criminal offence, is not subject to criminal investigation and has not been exempted from criminal liability on the grounds provided for in Article 53 of the Criminal Code. These general eligibility requirements also encompass sexual offences committed against children.

All candidates for public official positions with special status within the penitentiary administration system, including positions involving direct interaction with juveniles in detention, are subject to the special background screening provided for in Article 22(2) of Law No. 300/2017 and regulated by Order of the Minister of Justice No. 32/2019. The screening includes verification against the Automated Information System 'Criminalistic and Criminological Information Register', administered by the Information Technology Service of the Ministry of Internal Affairs.

Ministry of Health

Categories of professionals to whom this requirement applies:

Medical personnel and specialist staff employed by public healthcare institutions, including psychological and psychiatric services involving regular contact with children.

In the Republic of Moldova, for appointment to vacant or temporarily vacant positions in public healthcare institutions, candidates must not have a final criminal conviction for offences incompatible with the duties of the position. The competition file must obligatorily include either a criminal record certificate or a declaration on one's own responsibility confirming the absence of criminal convictions incompatible with the position.

Accordingly, in the public healthcare sector, including psychological and psychiatric services, the absence of criminal convictions constitutes a condition for employment. However, the applicable legal framework formulates this requirement in general terms, namely the absence of a final conviction for an offence incompatible with the position, rather than providing for a separate verification explicitly limited to sexual offences committed against children.

Furthermore, in certain specialized child mental health services, sector-specific regulations expressly require the absence of a criminal record, at least for managerial positions. For example, in Specialized Centres for Intervention in Autism Spectrum Disorders, the administrator must have no criminal record, while specialist staff are recruited through a competitive selection process in accordance with the applicable legislation.

Under proposed Article 326[11] of the Labour Code, the restrictions would apply to positions involving regular contact with children in both the public and private sectors. Employment would be prohibited for persons subject to judicial protection measures; persons medically certified as mentally unfit to perform social and professional activities entailing heightened responsibility; and persons previously convicted by a final judgment, or having the procedural status of suspect, accused or defendant, in criminal proceedings concerning the categories of intentional offences specified in that article.

Proposed Article 326[12] of the Labour Code would require the candidate to submit: (i) a detailed criminal record certificate; (ii) a declaration on their own responsibility confirming the absence of the procedural status of suspect, accused or defendant in the relevant criminal proceedings; and (iii) a certificate of mental fitness issued by a psychiatrist-narcologist or psychiatrist. For sexual offences against children, the detailed certificate would cover final convictions irrespective of whether the corresponding criminal record has been expunged or cancelled. The Government-approved version does not require an administrative-offence record certificate.

General Inspectorate for Migration of Ministry of Internal Affairs

Under Article 13(f) and (g) of Law No. 288/2016 on Civil Servants with Special Status within the Ministry of Internal Affairs, the absence of a criminal record and of the procedural status of suspect, accused or defendant in criminal proceedings are mandatory eligibility requirements for appointment to a public position with special status, including positions within the General Inspectorate for Migration.

Ministry of Labour and Social Protection

At present, Article 296(2) of the Labour Code provides that persons who have been deprived of the right to engage in pedagogical (teaching) activities by a court judgment, persons who are medically unfit based on the relevant medical certificate, and persons with criminal records for certain offences may not engage in such activities. The lists of medical contraindications and offences precluding the exercise of pedagogical (teaching) activities are established by law.

2. In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:

    a. define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification

Legislation in force on 27 March 2026. The national framework does not contain a uniform cross-sector definition of the level of contact that triggers criminal-record screening. In regulated child social services, the requirement normally attaches to the post or service itself. Special-status public-service checks attach to appointment and not to a separately measured frequency of contact.

Ministry of Labour and Social Protection

In social services specifically intended for children, the applicable eligibility and screening requirements attach to employment within the service and do not depend on a separately defined frequency threshold. Proposed Article 326^{10} of the Labour Code would introduce the general statutory concept of ‘regular contact with children’.

Ministry of Culture

At the "Ion Creangă" National Children's Library, checks are conducted on staff members who have regular contact with children in public-facing areas and those who organize cultural and educational activities.

At the "Orheiul Vechi" Cultural-Natural Reserve, this requirement applies to staff involved in educational activities, guided tours for school groups, and pedagogical workshops held on the museum premises or at the site.

    b. distinguish between direct, indirect or online contact with children?

Form of contact. No general rule in force at the reference date distinguishes direct, indirect and online contact for screening purposes. Particular institutions may use risk-based internal safeguarding practices, but those practices must not be presented as statutory thresholds unless incorporated into the applicable legal instrument.

Ministry of Labour and Social Protection

Under the sector-specific rules currently applicable to social services intended for children, no express distinction has been identified between direct, indirect and online contact for criminal-record screening purposes. Proposed Article 326^{10} would expressly cover direct, repeated or continuous interaction taking place either in person or remotely through information technologies and means of communication.

If yes, please provide details.

National Administration of Penitentiaries

Within the penitentiary administration system, Law No. 300/2017 and Order of the Minister of Justice No. 32/2019 regulate eligibility for appointment and special background screening. Neither instrument expressly classifies the level or form of contact with children.

Ministry of Health

No healthcare-specific provision has been identified that establishes a threshold based on one-off, occasional or regular contact with children, or distinguishes between direct, indirect and online contact for criminal-record screening purposes. The recruitment framework instead applies the general requirement that a candidate must not have a final conviction incompatible with the duties of the position.

Proposed Article 326^{10} of the Labour Code would define ‘regular contact with children’ as direct, repeated or continuous interaction, in person or remotely through information technologies and means of communication, arising from the duties of the position or activity concerned.

Prosecutor General’s Office

The legal framework applicable within the prosecution service does not establish separate screening criteria according to the frequency or form of contact with children. Screening is conducted uniformly as part of the recruitment procedure.

General Inspectorate for Migration

The legislation currently in force does not classify contact with children by frequency or distinguish between direct, indirect and online contact for appointment to public positions with special status. The general eligibility and special background-screening requirements under Law No. 288/2016 apply irrespective of the level or form of contact attached to the position.

Ministry of Culture

At the "Orheiul Vechi" Cultural-Natural Reserve, verification is carried out by mandatorily requiring a criminal record check (or a certificate of integrity for public officials) at the time of hiring, regardless of whether the position involves direct physical contact in the field or the coordination of volunteer activities involving minor beneficiaries.

3. Is the absence of criminal convictions for sexual offences against children required to become:

    a. an adoptive parent

Ministry of Labour and Social Protection

Pursuant to Article 12(4)(g) of Law No. 99/2010 on the Legal Status of Adoption, persons convicted of intentionally committed offences against the life and health of a person; personal liberty, honour and dignity; sexual life; or the family and children are not eligible to adopt.

Furthermore, under Article 15(1)(f) and (f^1) of the same Law, the prospective adopter must attach to the adoption application:

- a criminal record certificate; and
- a certificate confirming that, during the preceding five years, the applicant has not committed any of the administrative offences provided for in Articles 63 (Failure to fulfil obligations concerning the maintenance, upbringing and education of a child), 78^1 (Domestic violence), 85 (Unlawful acquisition or possession of small quantities of drugs, precursors, ethnobotanical substances or their substitutes, or consumption of drugs without a medical prescription), 87 (Illegal cultivation of plants containing drugs, precursors or their substitutes, and the manufacture of ethnobotanical substances), and 89–91 (Engaging in prostitution; production, sale, distribution or possession of pornographic materials; public activities having a harmful impact on minors) of Contravention Code No. 218/2008.

The latter certificate is issued by the territorial police subdivision at the applicant’s place of residence.

b. a foster parent

Pursuant to paragraph 12¹ of the Framework Regulation on the organisation and operation of the Professional Foster Care Service, approved by Government Decision No. 760/2014, only persons who are not subject to judicial protection measures, have not previously been convicted, are of irreproachable reputation, are not registered with a narcologist or psychiatrist, and have not committed any of the following administrative offences may be employed as professional foster carers:

- domestic violence (subparagraph 6);
- engaging in prostitution (subparagraph 8);
- public activities having a harmful impact on children (subparagraph 9);
- production, sale, distribution or possession of pornographic materials (subparagraph 10);
- consumption of alcoholic beverages in places where this is prohibited, or sale of alcoholic beverages to children (subparagraph 11);
- unlawful acquisition or possession of small quantities of drugs, precursors, ethnobotanical substances or their analogues, or consumption of drugs without a medical prescription (subparagraph 12);
- unlawful cultivation of plants containing drugs, precursors or their analogues, or manufacture of ethnobotanical substances (subparagraph 13).

Furthermore, under Minimum Quality Standard No. 20, concerning the assessment of applicants for the position of professional foster carer, a person seeking to become a professional foster carer must submit their own criminal record certificate and the criminal record certificates of all other adult family members residing in the same household in which the child will be placed.

Similarly, pursuant to paragraph 12¹ of the Framework Regulation on the organisation and operation of the Social Service “Family-Type Children’s Home”, approved by Government Decision No. 51/2018, only persons who are not subject to judicial protection measures, have not previously been convicted, are of irreproachable reputation, are not registered with a narcologist or psychiatrist, and have not committed any of the administrative offences listed above may be employed as parent-educators.

In addition, under Minimum Quality Standard No. 20, concerning the assessment of applicants for the position of parent-educator within the Social Service “Family-Type Children’s Home”, a person seeking to become a parent-educator must submit their own criminal record certificate and the criminal record certificates of all other adult family members residing in the same household in which the child will be placed.

c. a child’s legal guardian (including for unaccompanied children)?

Yes.

Pursuant to paragraph 80(7) of the Framework Regulation on the establishment of guardianship and the organisation and operation of the Guardianship/Curatorship Service, approved by Government Decision No. 81/2023, a person convicted of an intentional offence against the life and health of a person; personal liberty, honour and dignity; sexual life; or the family and children may not be appointed as a guardian or curator.

Furthermore, under paragraph 25 of the same Regulation, an application submitted by a person seeking appointment as a guardian or curator must be accompanied, inter alia, by:

- a criminal record certificate, pursuant to subparagraph 6; and

- a certificate issued by the competent institutions or authorities confirming that, during the preceding five years, the applicant has not committed any administrative or criminal offences relating to the following matters, pursuant to subparagraph 7:
    - domestic violence, under point (f);
    - engaging in prostitution, under point (h);
    - production, sale, distribution or possession of pornographic materials, under point (j);
    - consumption of alcoholic beverages in places where this is prohibited, or sale of alcoholic beverages to children, under point (k);
    - unlawful acquisition or possession of small quantities of drugs, precursors, ethnobotanical substances or their analogues, or consumption of drugs without a medical prescription, under point (l);
    - unlawful cultivation of plants containing drugs, precursors or their analogues, or manufacture of ethnobotanical substances, under point (m).

Please provide details.

4. Is the absence of criminal convictions for sexual offences against children required for the household members of:
    a. persons carrying out professional activity in their home who are in contact with children
    b. persons carrying out volunteering activity in their home who are in contact with children

Ministry of Health

No general rule has been identified under the legislation currently in force requiring criminal-record screening of household members merely because a professional or volunteer performs an activity from home in contact with children. However, sector-specific requirements apply to family-based child-placement services. In addition, proposed Article 326^{11}(2) of the Labour Code would prohibit employment involving the care and education of a child for a fixed period in the employee's family or at the employee's domicile or temporary residence where another member of that household does not satisfy the eligibility conditions laid down in proposed Article 326^{11}(1).

    c. persons wishing to become an adoptive parent, a foster parent, or a child's legal guardian?

Please provide details.

Ministry of Labour and Social Protection

Yes, with regard to family-based residential social services for children.

In adoption cases, both spouses applying to adopt a child are required to submit criminal record certificates. For other household members residing with the adoption applicants, the submission of a criminal record certificate is not a requirement prescribed by law.

Adopted reform. Proposed Article 326^{11}(2) would prohibit employment involving care and education of a child in the employee's family or home where another household member fails to satisfy the conditions in Article 326^{11}(1). The corresponding suspension rule in proposed

Article 326[13] also addresses relevant procedural status acquired by such a family member. These provisions are not yet in force.

5. Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to:

   a. children applying for professional or volunteer positions

No specific general requirement has been identified. Minors may perform work subject to the age and protective conditions laid down in Article 46 of Labour Code No. 154/2003 and may participate in volunteering subject to Law No. 326/2025. Where a formal volunteer activity entails contact with children as a socially vulnerable group, Article 14(4)(j) of Law No. 326/2025 requires the host entity to request a criminal record certificate from the volunteer; the law does not establish a separate screening regime based solely on the volunteer’s minority.

Ministry of Culture

This does not apply at the "Ion Creangă" National Children's Library.

At the "Orheiul Vechi" Cultural-Natural Reserve, the screening also applies to minors wishing to take on volunteer or professional roles that involve contact with other children.

   b. adults in respect of criminal convictions received before the age of 18?

National Administration of Penitentiaries

Under Article 22(2) of Law No. 300/2017 and Order of the Minister of Justice No. 32/2019, candidates for public official positions with special status are screened upon recruitment and when applying for promotion. The screening may identify information concerning offences committed before the candidate reached the age of 18. The legal consequences are determined under the rules governing the existence, expungement or cancellation of the criminal record and the eligibility requirements applicable at the time of recruitment; the legislation currently in force does not establish a separate lifetime disqualification solely because the offence was committed while the person was a minor.

Ministry of Health

For recruitment to public healthcare institutions, child applicants are generally outside the practical scope of the competition rules because candidates must possess the legal capacity, health status, education and professional qualifications required for the position. No healthcare-specific rule has been identified concerning convictions imposed before the age of 18. Their legal effect is determined under the general criminal-record framework, including the rules on expungement and rehabilitation.

Please provide details.

Pursuant to Article 14(4)(j) of Law No. 326/2025 on Volunteering, a host entity must request a criminal record certificate from volunteers involved in activities entailing contact with the socially vulnerable groups listed in Article 14(4)(i), expressly including children. In the case of a foreign volunteer, the certificate issued by the competent authorities of the volunteer’s country of residence must also be requested. Draft Law No. 337/MMPS/2026 would supplement Article 16 of that Law with specific prohibitions and documentary requirements for voluntary activities involving regular contact with children.

Prosecutor General’s Office

Criminal record checks are carried out in accordance with the legal framework governing criminal records and the Regulation on appointment to public office within the prosecution service, which requires applicants to have no unspent convictions for intentional offences and to be of good repute.

General Police Inspectorate of Ministry of Internal Affairs

Background screening may cover information concerning offences committed before the candidate reached the age of 18. Under Article 13(f) and (g) of Law No. 288/2016, a candidate for a public position with special status within the Ministry of Internal Affairs must have no criminal record and must not have the status of suspect, accused or defendant in criminal proceedings. The information retained in the State Register must be distinguished from the existence of an active criminal record for eligibility purposes.

Ministry of Labour and Social Protection

The eligibility requirements applicable to personnel employed within social services intended for children apply to all candidates for the relevant positions. Only adults may apply for those positions.

Ministry of Culture

It does not apply at the Ion Creangă National Children’s Library.

The "Orheiul Vechi" Cultural-Natural Reserve noted that criminal background checks also cover convictions incurred prior to the age of 18, provided the offenses fall under the category of sexual crimes defined by the Lanzarote Convention. Such information remains relevant for risk assessment during the recruitment process for positions involving work with minors.

6. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

Please provide details.

Criminal-record information is linked to the individual through the State Identification Number (IDNP), date of birth and other identity data, not solely through the person's current name. A legal name change is recorded in the State Population Register and civil-status records administered by the Public Services Agency. The unchanged IDNP and the history of civil-status data enable the competent authority to match current and former names to the same record.

National Administration of Penitentiaries

Under Section 7 of the Regulation approved by Order of the Minister of Justice No. 32/2019, special background screening is carried out after the candidate gives written consent to the processing of personal data contained in the Automated Information System ‘Criminalistic and Criminological Information Register’.

The screening is conducted using the candidate’s identification data, including full name, patronymic where applicable, date/year of birth and State Identification Number (IDNP). Because the IDNP is a unique identifier that remains linked to the person notwithstanding a change of name, records can be cross-referenced with current and previous civil-status data.

Ministry of Health

For healthcare recruitment, identity is verified against official identity and civil-status documents. A legal change of name does not create a new identity record: the State Identification Number (IDNP) remains the principal unique identifier, while name changes are reflected in the State Population Register and the relevant civil-status records administered by the Public Services Agency. Criminal-record checks can therefore be matched using the IDNP together with current and former names.

Prosecutor General's Office

Cross-referencing is ensured by updating the records contained in the state registers of the competent authorities, administered by the Public Services Agency, on the basis of civil-status documents concerning changes to the person's name and State Identification Number (IDNP).

7. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

Please provide details.

No horizontal rule has been identified under which access to every public grant or public-funded project involving contact with children is conditional on proof that all employees and volunteers have no convictions for sexual offences against children. A funding programme or contract may impose sector-specific safeguarding conditions, but such a condition must be verified in the legal and contractual framework governing that programme.
Independent compliance duty. Where employment, volunteering or service legislation already requires screening, compliance remains mandatory irrespective of the source of project funding. Draft Law No. 218/2026 does not introduce a separate public-funding eligibility condition.

Information included in screening

8. Does the criminal record check include criminal convictions for:
    a. sexual abuse of a child (Article 18 of the Lanzarote Convention)
    b. sexual exploitation of a child ("child prostitution" Article 19 of the Lanzarote Convention)
    c. acts involving child sexual abuse material ("child pornography" Article 20 of the Lanzarote Convention)
    d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention)
    e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention)
    f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention)
    g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention)
    h. any other convictions (please specify)?

Please provide details.

Where a criminal-record certificate is lawfully required, the document is not limited to a Lanzarote-specific checklist. Its informational content follows Law No. 216/2003 and the Ministry of Internal Affairs Instructions. The legal consequence of the information, however, depends on the offence categories and criminal-record status specified by the sectoral law governing the position.

National Administration of Penitentiaries

Pursuant to Article 22(1)(f) of Law No. 300/2017 on the Penitentiary Administration System, a person may acquire the status of a public official with special status only if he or she has not been finally convicted of a criminal offence, is not subject to criminal investigation, and has not been exempted from criminal liability on the grounds provided for in Article 53 of the Criminal Code.

The Criminal Code of Republic of Moldova covers the conduct required by Articles 18–23 of the Lanzarote Convention through, inter alia, Articles 171–175 and 175^{1} (sexual offences and solicitation of a child), Article 206 (trafficking in children where applicable), Articles 208^{1} and 208^{2} (child sexual abuse material and use of child prostitution), and Articles 208^{3}–208^{5} (causing a child to witness sexual acts, participation of a child in pornographic performances, and inducing or coercing a child into prostitution).

Aiding, abetting, organising, instigating and attempt are covered by the general provisions of the Criminal Code on criminal participation and incomplete offences, read together with the substantive offence concerned. Other intentional offences against children may also be relevant under child-placement or special-status eligibility rules.

Ministry of Health

In the public healthcare sector, the screening requirement is not framed as a separate sector-specific list of offences, but rather as a verification of whether the person has any criminal convictions that are incompatible with the position concerned. Accordingly, it also covers convictions for sexual offences against children provided for in the Criminal Code, insofar as such convictions remain unspent. These offences include, inter alia, the solicitation of a minor for sexual purposes (Article 175^{1}), the circulation of material depicting the sexual abuse of a child (Article 208^{1}), the use of prostitution involving a child (Article 208^{2}), causing a child to witness sexual activities or pornographic material (Article 208^{3}), the participation of a child in pornographic performances (Article 208^{4}), and inducing or coercing a child to engage in prostitution (Article 208^{5}).

Adopted reform. Proposed Articles 326^{11} and 326^{12} would harmonise screening for positions involving regular contact with children. The detailed criminal record certificate would have to confirm the absence of an active criminal record for the specified categories of intentional offences and the absence of any final conviction for a sexual offence against a child, irrespective of expungement or cancellation.

Prosecutor General's Office

Pursuant to Article 27 of Law No. 158/2008 on the Public Function and the Status of Civil Servants, criminal record screening is conducted by applying the general requirement that the person must have no unspent convictions for intentionally committed offences, without any express distinction being made according to the categories of offences concerned.

General Police Inspectorate of Ministry of Internal Affairs

Criminal record screening covers convictions for all categories of criminal offences, without exception.

Ministry of Culture

In the Republic of Moldova, criminal background checks conducted via criminal record extracts and integrity certificates are comprehensive and cover all the aforementioned categories. The check automatically includes all these offenses (a–g), as they are incorporated into the Criminal Code of the Republic of Moldova.

Background checks for positions within the "Orheiul Vechi" Cultural-Natural Reserve that involve working with children also extend to other violent crimes (h – homicide, bodily injury, unlawful deprivation of liberty) or offenses related to human trafficking. The record-keeping system of the Ministry of Internal Affairs of the Republic of Moldova issues criminal record extracts that list all active criminal records. For the "Orheiul Vechi" Cultural-Natural Reserve, any record of the offenses listed in points a–g constitutes an absolute legal bar to employment or volunteering, in accordance with the principle of the best interests of the child upheld by the institution.

9. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:

   a. <u>relevant administrative or disciplinary sanctions</u>

Ministry of Labour and Social Protection

Yes.

Where abuse is found to have been committed by the guardian/curator, substitute guardian/curator, special guardian/curator, or by a member of their family residing with the child, or where serious negligence or any other conduct renders them unfit to represent the child, or where they have failed to discharge their duties properly, the territorial guardianship authority shall remove the guardian/curator, substitute guardian/curator or special guardian/curator by means of a reasoned decision (paragraph 65 of the Framework Regulation on the establishment of custody and on ensuring the organisation and operation of the Guardianship/Curatorship Service, approved by Government Decision No. 81/2023).

Ministry of Culture

This does not apply to the "Ion Creangă" National Children's Library.

For the "Orheiul Vechi" Cultural-Natural Reserve, regarding civil servants or contractual staff, the State Register of Persons Banned from Holding Certain Positions—which records serious disciplinary sanctions—is consulted. Additionally, the record of contraventions may reflect administrative sanctions relevant to the candidate's moral conduct.

b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?

Please provide details.

Ministry of Health

No general obligation has been identified, in relation to the recruitment of medical personnel in public medical and sanitary institutions, to verify administrative or disciplinary sanctions or civil judgments. The application file required under the sector-specific regulations includes educational qualifications, proof of length of service, a criminal record certificate or a declaration on the applicant’s own responsibility, a medical certificate, a CV, documents relating to any change of name, and references from previous places of employment.

For positions involving regular contact with children, Draft Law No. 337/MMPS/2026 would supplement the detailed criminal record certificate with a declaration confirming the absence of the procedural status of suspect, accused or defendant in the relevant criminal proceedings and a certificate of mental fitness. The Government-approved version does not require an administrative-offence record certificate.

Prosecutor General’s Office

Pre-employment screening is carried out in accordance with the applicable national legal framework governing public service.

Ministry of Labour and Social Protection

Regarding prospective adopters, please also refer to the response to Question 3. In addition, pursuant to Article 12(4)(c), (d) and (e) of Law No. 99/2010 on the Legal Status of Adoption, the following persons are not eligible to adopt:

“(c) persons who evade the fulfilment of their parental obligations, including the payment of maintenance for their biological children;

(d) persons who are subject to ongoing judicial proceedings concerning deprivation of parental rights, or whose children have been removed from their care without deprivation of parental rights;

(e) persons who have been released from their duties as guardian or curator due to the improper performance of those duties.”

Ministry of Culture

During the selection process at the "Orheiul Vechi" Cultural-Natural Reserve, in addition to a criminal record check, candidates for management or pedagogical roles undergo a professional integrity assessment. This enables the identification of past behaviours that, while not resulting in a criminal conviction, are incompatible with the child protection standards applied within the institution.

10. If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:
    a. are they life-long?
    b. if they are not life-long, please specify the time-limits applicable
    c. are they applied only to activities in the public sector?

Please provide details.

Ministry of Health

Under Article 65 of the Criminal Code, a court may impose deprivation of the right to hold certain positions or to engage in a particular activity for a term of one to five years. It may also be imposed as a supplementary penalty where the court finds that, having regard to the nature of the offence committed by the person in the exercise of their duties or activity, the person cannot be allowed to continue exercising that right. The sanctions prescribed for individual offences in the Special Part of the Criminal Code must also be taken into account.

For law enforcement bodies, where a candidate has a criminal record, they are not eligible for appointment. There are no separate provisions applicable exclusively to offences committed against children.

General Police Inspectorate of Ministry of Internal Affairs

Employment is not permitted where the candidate fails to satisfy the cumulative eligibility requirements laid down in Article 13 of Law No. 288/2016, including the absence of a criminal record and of the procedural status of suspect, accused or defendant. If circumstances warranting suspension arise during service, suspension from the public position with special status is effected under Article 35 of Law No. 288/2016 in conjunction with the applicable general legal framework; Article 35 itself expressly covers detention, pre-trial detention and house arrest, as well as disappearance of the official.

11. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

Please provide details.

Under the legal framework currently in force, an expunged or cancelled criminal record does not generally produce the same legal disqualifications as an active criminal record: under the Criminal Code, a person whose criminal record has been expunged or who has been rehabilitated is deemed not to have a criminal record, and the resulting incapacities and disqualifications cease, unless a special legal rule provides otherwise.

Draft Law No. 337/MMPS/2026 would introduce a special rule for sexual offences against children. Proposed Article 326^{12}(1)(1)(b) of the Labour Code would require verification of any final conviction for such an offence irrespective of whether the criminal record has been expunged or cancelled. The same rule is proposed for voluntary activities involving regular contact with children through the amendment of Article 16 of Law No. 326/2025 on Volunteering.

Prosecutor General's Office

Under the law, the criminal record contains information on final convictions, security measures and other measures of a criminal-law nature, information concerning criminal investigations and criminal proceedings in the cases expressly provided for by law, as well as information on the enforcement, suspension or extinction of sentences, until the record is expunged or the person is rehabilitated.

For law enforcement bodies. The general legal framework governing criminal records applies, in accordance with national legislation.

General Police Inspectorate of Ministry of Internal Affairs

Criminal-record information, including information on active, expunged or cancelled records, is retained in the State Register of Criminalistic and Criminological Information administered by the Information Technology Service of the Ministry of Internal Affairs. Retention in the Register must be distinguished from the legal effects that the Criminal Code and special legislation attach to the current status of a criminal record.

<u>Screening procedure</u>

12. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)? <u>sector-specific legislation</u>

Please provide details.

National Administration of Penitentiaries
The verification procedure is governed by the Regulation on the Special Background Screening of Candidates for Public Official Positions with Special Status within the Penitentiary Administration System, approved by Order of the Minister of Justice No. 32 of 29 January 2019, and the Regulation on the Organization and Conduct of Competitions for Filling Public Official Positions with Special Status within the Penitentiary Administration System, approved by Order of the Minister of Justice No. 144 of 11 August 2020.

Ministry of Health

The procedure is not regulated by a single legal instrument. For this category of personnel, the applicable legal framework is fragmented and derives primarily from:

(1) Ministry of Health Order No. 139/2015 on the competitive recruitment of medical personnel within the healthcare system;

(2) the Ministry of Internal Affairs Instructions on the issuance of criminal record certificates; and

(3) the Criminal Code, insofar as it regulates the concept, expungement and legal effects of criminal convictions, as well as disqualification from holding certain positions or carrying out certain activities.

Screening is currently governed by sector-specific instruments and the general rules on criminal records. Draft Law No. 337/MMPS/2026 would introduce a cross-sectoral regime into the Labour Code for work involving regular contact with children, while the proposed amendment to Law No. 326/2025 would regulate voluntary activities.

Prosecutor General's Office

The screening procedure applicable to civil servants is regulated by a complex legal framework comprising Law No. 3/2016 on the Prosecution Service; Law No. 158/2008 on the Public Function and the Status of Civil Servants; and the Regulation on appointment to public office within the prosecution service, approved by a normative act of the Prosecutor General.

For bodies within the Ministry of Internal Affairs, screening is governed by Law No. 288/2016 on Civil Servants with Special Status within the Ministry of Internal Affairs, Law No. 158/2008 on the public function and the status of civil servants where applicable, and the relevant implementing and internal regulations.

Ministry of Culture

Within the "Orheiul Vechi" Cultural-Natural Reserve, there is no single internal regulation; instead, general and specific legal provisions apply, requiring the institution to screen any person (employee or volunteer) who comes into contact with children against the Ministry of Internal Affairs' central database. This multi-layered regulatory approach ensures that no category of personnel is excluded from criminal background checks.

13. If screening is required, who is required to act?
    a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities
    b. <u>the candidate must provide proof of the absence of convictions – **Yes**</u>
    c. another scenario – see the institutional replies below

Please provide details.

The predominant model is that the candidate or applicant obtains and submits the criminal-record certificate required by the applicable recruitment, adoption, foster-care or guardianship procedure. The employer, host entity, competition commission or child-protection authority verifies that the document is present, valid and relevant to the statutory eligibility conditions.

National Administration of Penitentiaries

For candidates applying for public official positions with special status within the penitentiary administration system, criminal background screening is carried out institutionally by authorized personnel of the National Administration of Penitentiaries (NAP) and the human resources units of its subordinate institutions. The screening is conducted through the special background screening procedure by processing data from the Automated Information System "Criminalistic and Criminological Information Register", with the candidate's written consent. Pursuant to Order of the Minister of Justice No. 144/2020, following the submission of the application file, the Secretary of the Competition Commission, either directly or through the human resources unit, conducts the special background screening provided for in Article 22(2) of Law No. 300/2017.

Ministry of Health

For recruitment in public healthcare institutions, the primary mechanism is that the candidate provides documentary evidence in the form of either a criminal record certificate or a declaration on their own responsibility confirming the absence of criminal convictions incompatible with the position. The candidate's application and supporting documents are reviewed and assessed by the institution's Competition Commission. Separately, the Ministry of Internal Affairs' Instruction provides that a criminal record certificate may also be requested by a legal entity, through an authorized representative, in respect of a specific individual. However, the sector-specific recruitment framework for the healthcare sector is primarily based on the candidate's submission of the required documentation.

Prosecutor General’s Office

Criminal record screening in connection with the recruitment of civil servants is carried out in accordance with the applicable national and institutional legal framework. The screening is conducted by the employer, while the candidate is required to submit a criminal record certificate in accordance with the legal requirements applicable to the recruitment procedure.

Ministry of Culture

The verification obligation is fulfilled through a combined mechanism. The candidate must provide proof of the absence of criminal convictions.

At the "Ion Creangă" National Children's Library, candidates are required to submit a criminal record certificate upon hiring.

When submitting an application for employment or volunteering at the "Orheiul Vechi" Cultural-Natural Reserve, the candidate is required to personally present a criminal record certificate or an integrity certificate issued by the competent authorities (Ministry of Internal Affairs). Although the candidate provides the document, the employer is legally obliged to verify its authenticity. For high-risk positions within the "Orheiul Vechi" Cultural-Natural Reserve, this process is mandatory. The institution cannot finalize the recruitment procedure without having physical or electronic proof in the file confirming the absence of convictions for sexual offenses or other acts incompatible with working with children.

14. If screening is required, who bears the costs of screening procedures?

Please provide details.

Where the legislation requires the candidate to submit a criminal record certificate, the cost is generally borne by the candidate, subject to any statutory exemption or institutional procedure under which the competent authority obtains the information directly.

In the healthcare sector, the applicant normally bears the cost of obtaining a criminal record certificate when its submission is required. Where the applicable rules permit a declaration on the applicant’s own responsibility instead, no certificate fee arises at that stage.

Prosecutor General's Office

The candidate submits the criminal record certificate in accordance with the legal requirements applicable to the recruitment procedure. The costs associated with obtaining the certificate are borne by the candidate, since the candidate is the applicant requesting the issuance of the document and the direct beneficiary of the service provided by the issuing authority.

Under the conditions prescribed by law, the employer may request verification of the integrity record and/or other relevant information directly from the competent authorities, within the applicable institutional procedures, without involving the candidate in the process of obtaining such data and subject to compliance with the legal provisions governing data protection and access to information.

General Police Inspectorate of Ministry of Internal Affairs

For appointment within the Ministry of Internal Affairs, the special background check is conducted institutionally. Any costs connected with documents that the candidate is expressly required to obtain and submit are borne by the candidate unless the applicable legislation provides otherwise.

Ministry of Labour and Social Protection

As a general rule, applicants bear the costs of obtaining documents that they are legally required to submit, unless a statutory exemption or a different institutional procedure applies. In adoption proceedings, prospective adopters bear the costs of obtaining the criminal record certificate and the certificate confirming the absence of the administrative offences specified by law.

Ministry of Culture

The cost of issuing the criminal record or the certificate of integrity is borne by the candidate requesting the document from the competent authorities.

15. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

Please provide details.

At the reference date there is no single national authority monitoring compliance with all screening requirements across every public and private sector. Compliance is verified through the recruitment or approval procedure and through the supervisory arrangements of the sector concerned.

The Information Technology Service of the Ministry of Internal Affairs administers the State Register of Criminalistic and Criminological Information. Access, queries and use of the data are subject to statutory competence, user accountability and personal-data-protection requirements.

Ministry of Education and Research

Employers must verify that candidates' recruitment files contain all documents required by the applicable legal framework. The competition committee examines eligibility, while representatives of trade unions and, where applicable, parents' or pupils' associations may participate as external observers. Employment-related information concerning managerial and teaching staff is recorded in the Education Management Information System (SIME).

Vacancy announcements and final competition results are published on the official websites of the Ministry of Education and Research and the local education authorities. Recruitment procedures may be challenged in accordance with the applicable legislation.

Under Article 10(2) of Labour Code No. 154/2003, employers must comply with labour legislation and the applicable individual and collective employment instruments, ensure occupational safety and health, and fulfil the other statutory obligations. Sector-specific education authorities and competition bodies supervise compliance with the recruitment requirements established by Education Code No. 152/2014 and its implementing regulations.

National Administration of Penitentiaries

With regard to the special background screening of candidates for public official positions with special status within the penitentiary administration system, compliance with the screening procedure is ensured through the responsibilities assigned to the officials involved in the recruitment process and the control mechanisms established by the Regulation on the Special Background Screening of Candidates for Public Official Positions with Special Status within the Penitentiary Administration System. The Secretary of the Competition Commission is responsible for overseeing compliance with the recruitment procedure, while the human resources unit is responsible for organizing the competition, maintaining the relevant documentation and requesting the documents required under the Regulation. In addition, oversight of users' activities within the screening process is exercised by the National Administration of Penitentiaries, through its Human Resources Directorate.

Ministry of Health

Compliance with the applicable requirements is monitored primarily through the recruitment procedure. The Competition Commission verifies candidates' application files against the eligibility criteria, and non-compliant applications may be rejected. In addition, Order of the Ministry of Health No. 139/2015 provides that the Medical Personnel Management Directorate is responsible for monitoring compliance with the recruitment regulations applicable to public healthcare institutions, while the heads of those institutions bear personal responsibility for ensuring compliance with those regulations.

Ministry of Labour and Social Protection

Human-resources personnel responsible for recruitment must comply with the applicable screening rules, in accordance with their job descriptions, under the supervision of the relevant management. In adoption proceedings, the criminal record certificate is also submitted to the court examining the application for approval of the adoption.

Ministry of Culture

Compliance with regulations regarding candidate screening is monitored through various internal and external control mechanisms. Periodic checks are conducted to ensure that employee personnel files contain all legally required documents, including evidence of integrity and the absence of a criminal record for roles involving work with children.

At the "Ion Creangă" National Children's Library, managerial procedures are used to monitor the Human Resources Department, which is responsible for candidate screening.

As a public institution, the "Orheiul Vechi" Cultural-Natural Reserve is subject to periodic audits by higher-level authorities (the Ministry of Culture) or the Court of Auditors, which verify the compliance of hiring procedures with applicable legislation. Child protection agencies and social welfare bodies may monitor activities involving minors (such as camps or workshops) and request proof that the staff involved have undergone appropriate screening. Within the

"Orheiul Vechi" Cultural-Natural Reserve, primary responsibility lies with the Human Resources Department, which ensures the proper archiving of criminal record certificates. Non-compliance identified during inspections may result in administrative liability for the head of the institution and sanctions for failing to observe safety and child protection standards.

16. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

Please provide details.

The framework in force does not establish one uniform offence or sanction exclusively for failure to screen all persons in contact with children.

National Administration of Penitentiaries

Pursuant to Section 16 of the Regulation on the Special Background Screening of Candidates for Public Official Positions with Special Status within the Penitentiary Administration System, approved by Order of the Minister of Justice No. 32/2019, users are liable under the applicable legislation for the damage, destruction, falsification or any other unlawful manipulation of information extracted from the Criminalistic and Criminological Information Register.

Furthermore, Articles 86 and 88 of Law No. 300/2017 on the Penitentiary Administration System provide for the legal and disciplinary liability of public officials with special status. Disciplinary sanctions include a reprimand, postponement of promotion in special rank or to a higher position for up to one year, demotion to a lower position, demotion in special rank, and dismissal.

Ministry of Health

No separate list of sanctions specifically for failure to conduct criminal-record screening has been identified in Ministry of Health Order No. 139/2015. Nevertheless, non-compliant applications may be rejected during the recruitment procedure, and the heads of public healthcare institutions bear responsibility for compliance with the applicable recruitment rules. Depending on the circumstances, breaches may also engage disciplinary, administrative or other legal liability under the general legislation.

17. Is regular screening, beyond the initial recruitment process, required, for:
    a. professionals in contact with children
    b. volunteers in contact with children
    c. foster parents and legal guardians?

If regular screening is required, please specify its frequency and provide other details.

National Administration of Penitentiaries

Pursuant to Article 22(2) of Law No. 300/2017 on the Penitentiary Administration System, candidates are subject to special background screening upon recruitment and subsequently when applying for promotion to higher positions, in accordance with the procedure established by Order of the Minister of Justice No. 32/2019. The legislation does not provide for periodic screening at fixed intervals after appointment.

Ministry of Labour and Social Protection

Personnel within social services intended for children are subject to professional supervision, although the applicable regulations do not establish a uniform frequency. The territorial guardianship authority also monitors the placement of children in residential social services in accordance with child-protection case-management procedures.

Documents confirming compliance with criminal-record and other eligibility requirements are generally required at recruitment. No uniform statutory interval for periodic criminal-record re-screening has been identified. Information may be re-verified following a notification, complaint or ex officio referral. Draft Law No. 337/MMPS/2026 would regulate suspension and termination where relevant criminal proceedings or convictions arise after recruitment, but would not establish a fixed re-screening interval.

Ministry of Culture

In the Republic of Moldova, although the most rigorous vetting takes place at the time of hiring, mechanisms for continuous monitoring exist, and periodic checks are encouraged.

At the "Ion Creangă" National Children's Library, periodic checks are not conducted on existing staff.

At the "Orheiul Vechi" Cultural-Natural Reserve, staff may be required to present an updated criminal record upon contract renewal or at the start of each peak tourist or educational season. Periodic vetting of volunteers is recommended to ensure a safe environment in the long term. For foster parents, monitoring is managed by child protection authorities to assess the continued maintenance of integrity standards. Formal checks may be repeated every 1–3 years or whenever changes to a job description result in increased interaction with children. Employees are required to inform their employer if they become involved in criminal proceedings. Furthermore, state information systems allow for rapid data cross-referencing should new convictions arise against an active employee. This practice of periodic vetting aligns with the Lanzarote Committee’s call for constant monitoring of all individuals working with minors, extending beyond the initial recruitment phase.

18. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

Please provide details.

No horizontal provision in force on 27 March 2026 authorises automatic disclosure of every ongoing investigation to an employer or volunteer organisation. Information from criminal proceedings may be transmitted only by a competent authority, on a specific legal basis, with due regard to the confidentiality of criminal proceedings, personal-data protection and the presumption of innocence. Where the employer lawfully receives official information, it may take only the measures permitted by the Labour Code or the special service legislation governing the post. Article 76(1)(g) of the Labour Code provides a ground for suspension where a criminal case concerning an offence incompatible with the work performed has been sent to court, until the judicial decision becomes final. Special-status laws may establish additional grounds. An institutional safeguarding practice cannot create a power of suspension or termination contrary to mandatory employment law.

Ministry of Education and Research

No general provision has been identified that authorises the automatic disclosure of information concerning every ongoing criminal investigation directly to an employer. Any transmission must have a specific legal basis and comply with criminal-procedure and personal-data-protection requirements. Once lawfully informed, the employer may take only the measures authorised by the Labour Code or applicable special legislation.

Proposed Article 326^{13} of the Labour Code would create an express mechanism for positions involving regular contact with children. The individual employment contract would be suspended when the employee acquires the status of suspect, accused or defendant in the relevant criminal proceedings, from the date on which the employer receives the corresponding information confirmed by a procedural act issued and transmitted by the competent authority.

National Administration of Penitentiaries

Where the National Administration of Penitentiaries is lawfully notified that a public official with special status is subject to a measure or procedural situation requiring suspension, the service relationship may be suspended under Law No. 300/2017 and the applicable criminal-procedure and service legislation. The precise consequence depends on the employee’s procedural status and the legal act received; the mere existence of unverified information does not by itself replace the statutory conditions for suspension.

Ministry of Health

No healthcare-specific rule requires law-enforcement authorities automatically to notify a public healthcare institution of every ongoing criminal investigation involving an employee. Proposed Article 326^{13} would establish the general mechanism described above and would provide for termination of the contract upon the employer’s receipt of a final judgment establishing the commission of a relevant intentional offence.

General Inspectorate for Migration of Ministry of Internal Affairs

There are no institutional mechanisms whereby the General Inspectorate for Migration is automatically notified of ongoing criminal investigations concerning its employees. However, an employee is required to inform the institution if criminal proceedings are initiated against them. Failure to comply with this obligation may result in disciplinary sanctions.

General Police Inspectorate of Ministry of Internal Affairs

The criminal-investigation authority does not systematically notify the employer whenever an employee is involved in criminal proceedings. Any disclosure depends on the applicable legal basis, the employee’s procedural status and the requirements governing confidentiality of criminal proceedings and personal data. Where the employer lawfully receives such information, it may seek clarification from the competent authority and apply only the measures permitted by the relevant employment or service legislation.

Ministry of Culture

At the "Ion Creangă" National Children's Library, the individual employment contract is suspended for the duration of the proceedings.

Upon receipt of such information by the "Orheiul Vechi" Cultural-Natural Reserve, the primary consequence is the suspension of the individual employment contract or volunteer agreement for the duration of the investigation, in order to ensure the safety of minor beneficiaries. The institution may reassign tasks that do not involve public contact or restrict the individual's access to areas where educational workshops or activities with children take place, pending a final court ruling. Should the investigation result in a conviction, the employment contract is automatically terminated by operation of law, in accordance with restrictions regarding activities involving contact with children.

<u>Cross-border screening</u>

19. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:

    a. Professionals

Under the legislation currently in force, no general obligation has been identified requiring candidates for positions within social services intended for children to provide criminal-record certificates from every country in which they previously resided or worked. Specific rules may apply to foreign nationals under migration law and to particular categories of activity.

Ministry of Culture

For positions within the "Orheiul Vechi" Cultural-Natural Reserve that involve regular contact with children, candidates who reside or have recently worked in another state are required to submit a criminal record certificate issued by the authorities of that state.

Note: Once in force, the amendments adopted on 30 July 2026 will require certain foreign nationals and stateless persons who have resided in Moldova for less than 12 months to provide a detailed criminal record document from the country or countries of habitual residence during the previous five years. If obtaining it is objectively impossible, the amended framework provides for a request through the Ministry of Internal Affairs, subject to the final published text.

    b. Volunteers

Ministry of Culture

Within the "Orheiul Vechi" Cultural-Natural Reserve, cross-border screening also applies to volunteers, particularly in the case of ongoing international projects.

c. persons wishing to become an adoptive parent, a foster parent or a child's legal guardian?

Ministry of Labour and Social Protection

National legislation does not impose a general requirement to verify criminal records in every country in which a prospective adopter previously resided or worked. In intercountry adoption, however, a foreign prospective adopter must submit the criminal record certificate required under Law No. 99/2010 and the applicable adoption procedure, issued by the competent authority of the State of residence.

Please provide details.

Prosecutor General's Office

International screening is carried out through judicial and police cooperation mechanisms, pursuant to international treaties and national legislation. Information may be transmitted to foreign authorities only under the conditions prescribed by law.

General Police Inspectorate of Ministry of Internal Affairs

There is no universal mechanism under which every employer can directly verify convictions recorded in all foreign jurisdictions. Cross-border information may nevertheless be obtained through the specific mechanisms provided by international treaties, police or judicial cooperation instruments, migration legislation, or by requiring a certificate from the competent foreign authority where the law so provides.

20. Is there a mechanism to:

    a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings[1] (please specify)

    b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

Please provide details.

There is no universal mechanism enabling an employer or volunteer recruiter to request criminal-record information directly from every foreign State or to supply Moldovan criminal-record information directly to a foreign employer. Requests outside criminal proceedings may be made only through a mechanism established by national law, an applicable treaty or recognised police, judicial or administrative cooperation, or by requiring the person to provide a certificate issued by the competent foreign authority.

Ministry of Health

The mechanisms currently available depend on the applicable legal basis. Foreign nationals may be required under migration or sector-specific rules to submit a criminal record certificate issued by the competent foreign authority.

Proposed Article 326^{12}(2) would require foreign nationals and stateless persons who have resided in the Republic of Moldova for less than 12 months to provide a detailed certificate from the country of habitual residence during the preceding five years. If the person cannot

[1] For purposes of recruitment, volunteering, adoption, foster care or guardianship.

provide it, proposed Article 326[12](3) would allow the competent authority of the Ministry of Internal Affairs to request the relevant information from the foreign authority.

21. Is there an obligation to provide data about a person’s criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

Please provide details.

No general rule has been identified that obliges a Moldovan authority to disclose criminal-record data to a foreign authority, outside criminal proceedings and solely upon request for recruitment screening. Any transmission requires a basis in national law or an applicable international instrument, must be made by a competent authority and must comply with the applicable data-protection and confidentiality rules.

Ministry of Health

No general obligation has been identified requiring the competent Moldovan authority to provide another State, outside criminal proceedings, with criminal-record data for recruitment purposes merely upon request. Any such disclosure must be based on national law, an applicable international instrument or a recognised police, judicial or administrative cooperation mechanism, and comply must with personal-data-protection requirements.

Additional details and reflections

22. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

Please provide details.

Moldovan law distinguishes between an ordinary criminal-record certificate and a detailed criminal-record certificate. Under Law No. 216/2003 and the Instructions approved by Ministry of Internal Affairs Order No. 306/2023, as amended, the detailed certificate may contain records concerning criminal proceedings and their outcome, spent and unspent convictions, and wanted-person status. The ordinary certificate is issued by reference to the current legal status of the criminal record and the applicable rules on criminal proceedings.

A certificate of integrity issued within the anti-corruption integrity framework is legally distinct from a criminal-record certificate and must not be presented as proof of the absence of convictions for sexual offences against children. Employers and other competent entities may request and process only the document and information for which they have a legal basis, in accordance with personal-data-protection requirements.

Criminal-record information is matched through the State Identification Number (IDNP) and other identity data. Certificates may be requested electronically, and the authenticity of an electronic document may be verified through the relevant governmental systems.

Ministry of Health

No uniform requirement for periodic criminal-record re-screening after recruitment has been identified in the healthcare sector. Screening is generally conducted at recruitment, while subsequent verification depends on a specific legal basis or triggering information.

Draft Law No. 337/MMPS/2026 would establish general rules for positions and activities involving regular contact with children in the public and private sectors and would amend Law No. 326/2025 on Volunteering accordingly.

Proposed Article 326^{14} of the Labour Code would require employers to train the relevant employees on child protection against violence, neglect and/or exploitation; identification and reporting of warning signs; management of challenging behaviour; and non-violent disciplinary measures.

General Police Inspectorate of the Ministry of Internal Affairs

- Verification at the person's place of residence;
- A character reference concerning the person.

Ministry of Culture

It is necessary to train employers and employees in institutions that interact with children regarding the procedures for vetting professionals, volunteers, and other individuals who come into contact with children. A guide for employers—incorporating all relevant legislative and regulatory information on this subject—would be highly beneficial.

23. What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child's legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?

Please provide details.

At the reference date, the principal structural challenge is the absence of a single cross-sector rule. Eligibility requirements differ by sector, by public or private status, by the legal form of the activity and by the type of criminal-record document required.

Practical difficulties arise where a candidate has recently resided abroad: foreign certificates may take time to obtain and may require legalisation or an apostille and a certified translation; the content and expungement rules differ between jurisdictions; and there is no universal employer-facing mechanism for direct access to foreign criminal-record databases.

Ministry of Health

A principal challenge is the fragmented nature of the legal framework currently in force. Mandatory screening is regulated unevenly across sectors, although regular contact with children may occur in education, healthcare, social protection, justice, law enforcement, sport, culture, recreational activities and other fields. Draft Law No. 337/MMPS/2026 seeks to address this gap through a cross-sectoral regime based on the concept of regular contact with children and applicable to public, private, paid, unpaid and voluntary activities; however, the draft has so far been adopted only at first reading and is not yet in force.

General Police Inspectorate of Ministry of Internal Affairs

One of the principal practical challenges is incomplete information in certain databases administered within the Ministry of Internal Affairs, particularly in relation to historical or cross-border records.

Ministry of Labour and Social Protection

Cross-border verification remains challenging where a foreign national or stateless person has resided in the Republic of Moldova for only a short period. The mechanism proposed in Article 326^{12}(2) and (3) of the draft law would partly address this issue by requiring a certificate from the country of habitual residence during the preceding five years or permitting the competent authority of the Ministry of Internal Affairs to obtain the relevant information.

Ministry of Culture

"Orheiul Vechi" Cultural-Natural Reserve:

- Obtaining official information from states that are not members of automated data exchange systems can take a long time, causing delays in the recruitment process for foreign specialists or volunteers.
- There is sometimes a time lag between the pronouncement of a sentence and the updating of the database accessible to the employer, which can create temporary vulnerabilities.
- Variations between states regarding the definition of offenses or the periods for the expungement of criminal records make it difficult to conduct a standardized risk assessment for individuals who have worked in multiple jurisdictions.
- Procedures for the apostille and certified translation of foreign criminal record certificates entail additional costs and increased administrative effort for both the candidate and the institution.
- The difficulty of ensuring rigorous vetting for individuals involved in occasional or very short-term volunteer activities, where the bureaucratic process may seem disproportionate to the duration of the activity.
- For the "Orheiul Vechi" Cultural-Natural Reserve, these challenges are particularly felt during international archaeological or cultural projects, where the influx of experts and volunteers from various countries requires rigorous management of integrity-related documentation to avoid compromising the safety of children visiting the site.

24. What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?

Please provide details.

The Republic of Moldova highlights the combination of: (i) sector-specific suitability safeguards for adoption, professional foster care, family-type care and guardianship/curatorship; (ii) the special background-screening procedures applicable to certain public and special-status posts; and (iii) the activity-based protection introduced for formal volunteering involving children.

Criminal-record certificates, including detailed certificates, may be requested electronically. Electronic delivery and authenticity-verification features reduce delay and the risk of altered documents, while access to the underlying State Register remains restricted to legally authorised users.

Ministry of Labour and Social Protection

Promising developments include the sector-specific safeguards applicable in child social services; the obligation under Article 14(4)(j) of Law No. 326/2025 for host entities to request criminal record certificates from volunteers working with children; and the cross-sectoral model proposed by Draft Law No. 337/MMPS/2026. The draft would define regular contact with children, harmonise screening across public, private, paid, unpaid and voluntary activities, and establish rules on suspension, termination and safeguarding training.