

Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings



CP(2023)06

**Report submitted by the authorities
of the Republic of Moldova
on measures taken to comply with
Committee of the Parties Recommendation
CP/Rec(2020)08 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

Third evaluation round

Received on 2 December 2022

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GOVERNMENT OF THE REPUBLIC OF MOLDOVA

REPORT OF THE REPUBLIC OF MOLDOVA

**on the implementation of the Recommendations of the Report of the Group of Experts
on Action against Trafficking in Human Beings within the Council of Europe
(GRETA) published on December 3, 2020**

Chisinau, 2022

ABBREVIATIONS

ANOFM	National Employment Agency of Moldova
CPA	Central Public Authority
LPA	Local Public Authority
BMA	Bureau of Migration and Asylum
CAP	Center for Assistance and Protection of Victims and Potential Victims of Human Trafficking
CCTiP	Center for Combating Trafficking in Persons
CCCC	Center for Combating Cyber Crimes
CC	Criminal Code
CPC	Criminal Procedure Code
IC "La Strada"	Public Association International Center for Women Rights Protection and Promotion "La Strada"
NAC	National Anticorruption Center
NC CTHB	National Committee for Combating Trafficking in Human Beings
NCCAP	National Center for Child Abuse Prevention
TC	Territorial Commission for Combating Trafficking in Human Beings
CIS	Commonwealth of Independent States
OCG	Organized Crime Group
GRETA	Group of Experts on Action against Trafficking in Human Beings within the Council of Europe
GIBP	General Inspectorate of Border Police
MDT	Territorial multidisciplinary team of the National Referral System
EUBAM	European Union Border Assistance Mission to Moldova and Ukraine
EUROPOL	European Police Office
ICMPD	International Center for Migration Policy Development
NIJ	National Institute of Justice
INTERPOL	International Criminal Police Organization
GPI	General Police Inspectorate
SMEs	Small and Medium Enterprises
GD	Government Decision
MFAEI	Ministry of Foreign Affairs and European Integration
MoI	Ministry of Interior
MoE	Ministry of Economy
MoER	Ministry of Education and Research
MoF	Ministry of Finance
MoH	Ministry of Health
MoJ	Ministry of Justice
NRMV	

	National Referral Mechanism for Protection and Assistance to Victims of Crime
MLSP	Ministry of Labor and Social Protection
ODA	Organization for Entrepreneurship Development
IOM	International Organization for Migration Mission to Moldova
NGO	Non-governmental Organization
IO	International Organization
OSCE	Organization for Security and Cooperation in Europe
National plan	National Plan to Prevent and Combat Human Trafficking
GPO	General Prosecutor's Office
EU	European Union
RM	Republic of Moldova
APS	Assistance and Protection Service for Male Victims of Human trafficking
SELEC	South-East European Law Enforcement Centre
PS	Permanent Secretariat of NC CTHB
NRS	National Referral System for Protection and Assistance to Victims and Potential Victims of Trafficking in Human Beings
PS	Professional Schools
THB	Trafficking in Human Beings
CT	Child Trafficking
UNICEF	United Nations Children's Fund

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INTRODUCTION

The Council of Europe Convention on Action against Trafficking in Human Beings ("the Convention") was signed in Warsaw on May 16, 2005 and has been in force since February 1, 2008.

The Report with recommendations for the Republic of Moldova was published on December 3, 2020 as a result of the 3rd evaluation round of the Group of Experts on Action against Trafficking in Human Beings ("GRETA"). By December 4, 2022, the Government of the Republic of Moldova will inform the Committee of the Parties about the measures taken to implement the recommendations.

During the period of implementation of the recommendations (2021-2022), the Government has made sustained and consistent efforts, jointly with civil society and its partners, to implement each recommendation and respect the commitments assumed by ratifying the Convention.

As a first and important measure in order to respond to the GRETA Report, was aligning the national policy document with its recommendations. Thus, by the Government Decision ("GD") no. 319/2021 the Action Plan for the years 2021-2022 regarding the implementation of the National Strategy to prevent and combat trafficking in human beings for the years 2018-2023 was approved. The Action Plan is monitored by the Permanent Secretariat of the National Committee for Combating Trafficking in Human Beings ("NC CTHB"), a Report¹ in this regard has been developed for 2021, and one will be developed for 2022 as well.

It is also worth mentioning the meetings held to discuss the recommendations of the GRETA Report:

- On April 6, 2021, the meeting of the NC CTHB took place, where the draft of the new Action Plan for 2021-2022 regarding the implementation of the National Strategy, aligned with the recommendations of international evaluators, including GRETA, was discussed.

- On April 6, 2022, the meeting of the Coordinating Technical Group of the Permanent Secretariat of the NC CTHB took place, where the measures taken to implement the recommendations and the necessities for their implementation were discussed.

- In September 2022, the State Chancellery, in partnership and with the financial support of the Council of Europe Convention Secretariat, organized a round table with the participation of the anti-trafficking community from the Republic of Moldova. The purpose of the event was to analyze the situation regarding the implementation of the recommendations by the Republic of Moldova ("RM"), as a result of the 3rd evaluation round of GRETA.

- On November 28, 2022, the meeting of the Coordinating Technical Group of the Permanent Secretariat of the NC CTFU took place. Within this, the consultation took place with the representatives of public institutions, civil society and development partners of the Government's draft Report regarding the implementation of the recommendations from GRETA Report.

However, it has to be mentioned the difficulties encountered in implementing the recommendations during these years, as a result of the measures and restrictions imposed during the COVID-19 pandemic, which generated a series of organizational and procedural difficulties in the activity of public authorities. Furthermore, Moldova has found itself on the front line of an unprecedented crisis, due to the ongoing Russian aggression against Ukraine, since 24 February 2022. Compared to other countries of the region, the Republic of Moldova faced the highest influx of people in proportion to its total population. Therefore, the Government of Moldova had to manage the refugee crisis, mobilizing all available resources.

¹ <http://www.antitrafic.gov.md/libview.php?l=en&id=1381&idc=30&t=/Reports/National-Reports/National-Report-on-the-Implementation-of-the-Policy-on-Prevention-and-Combating-Trafficking-in-Human-Beings-for-2021/>

This report refers to the progress of the development of policy, legal and institutional framework in preventing and combating THB and represents an analysis of data and trends in this field, as well as of the actions implemented and the results obtained by the anti-trafficking community from RM related to the implementation of the recommendations from GRETA Report.

The report consists of chapters and provides a description of the most important achievements, the progress of the legal, institutional and policy framework in the field of anti-trafficking obtained by the Republic of Moldova in the period of 2021-(January - September) 2022 in line with the 4Ps policy paradigm - recommended by the international standards in this field (Prevention, Protection, Prosecution, Partnership) as well, it refers to the national response with regard to the implementation of GRETA Report Recommendations.

ACHIEVEMENTS, PROGRESS OF THE LEGAL, INSTITUTIONAL AND POLICY FRAMEWORK OVER THE 2021-2022 PERIOD

The second *Action Plan for 2021-2022 on the implementation of the 2018-2023 National Strategy for preventing and combating trafficking in human beings* was approved by the GD no. 319/2021. The actions have been jointly identified by the public authorities and the civil society, consulted with the development partners, and ensure the continuity of the implementation of the National Strategy, as well as contributes to the implementation of the recommendations put forward by the international evaluation mechanisms in the field.

On 15.12.2021, by a Joint Order no. 17/1173/528/1652 of the Minister of Labor and Social Protection, the Minister of Health, the Minister of Internal Affairs and the Minister of Education and Research, the *Guidelines on the practical application of the intersectoral cooperation mechanism* were approved to facilitate the implementation of the provisions of the GD no. 270/2014 on approving the *Instructions on the intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking*.

In 2021, with the support of IOM, the *Information Guidelines in the field of human trafficking were developed for the employees of the international passenger transport industry on the identification and referral of victims/presumed victims of human trafficking.*² Its purpose is to familiarize the employees with the provisions of the legal and institutional framework in the field of preventing and combating trafficking in human beings, with the procedure for identifying and referring the victims/presumed victims of trafficking in human beings, with the assistance and protection of victims/presumed victims, with the professional ethical conduct while interacting with the THB victims.

The *2022-2026 National Child Protection Program* and the *Action Plan for its implementation* have been approved by the GD no. 347/2022. The objectives and actions of the document aim at strengthening the child social protection system in the Republic of Moldova, so as to respond promptly and effectively to the needs of each child.

In March 2022, the first Barnahus-type regional integrated assistance center for child victims/witnesses of crime began its activity in Balti municipality, aiming to ensure the prevention of re-victimization and/or re-traumatization in the process of collecting evidence in criminal cases.

The *2022-2025 Program for supporting the Roma population in the Republic of Moldova*, was approved by the GD no. 576/2022. The objectives and actions included in the Program are to

²<http://www.antitrafic.gov.md/libview.php?l=ro&idc=101&id=1361&t=/Transparenta/Ghid-de-informare-in-domeniul-traficului-de-fiinte-umane-pentru-angajatii-industriei-transportului-international-de-pasageri-privind-identificarea-i-referirea-victimelor-prezumatele-victime-ale-traficului-de-fiinte-umane>

be carried out in 9 priority areas, among which: the rights of the migrant Roma persons and combating trafficking in human beings; the activity of community mediators.

The Concept of the 2022-2026 Employment Program was developed and represents the vision of the Ministry of Labor and Social Protection in drafting the new public policy document for this sector. Thus, the general objective of the draft Program is to improve the situation on the labor market in the Republic of Moldova by decreasing the inactivity rate and by increasing the level of employment and of work quality, by increasing the productivity, competitiveness and employability of the workforce and by ensuring a higher degree of integration of vulnerable groups (people with disabilities, former and current inmates, migrants, ethnic minorities, etc.) in the labor market.

The National Development Strategy "European Moldova 2030", the document that sets the country's development directions for the next seven years, was approved by the Parliament in the first reading on October 13, 2022. The draft represents a long-term strategic vision, which tailors to the national context the priorities of the international commitments assumed by our country in line with the EU Association Agreement and those deriving from the status of a candidate country for EU accession, which also include the component of THB prevention and combating. The development objectives set forth in the strategy reflect the aspirations to increase the well-being of the people of the Republic of Moldova, to improve the lives of citizens, to Europeanize the state institutions, to strengthen democracy, the rule of law and the respect of human rights.

Regarding the statistical data recorded by law enforcement bodies for 9 months 2022 (January-September), should be mentioned the following:

a. 49 criminal cases were initiated, of which:

- 32 criminal cases under art. 165 *Trafficking in human beings* of Criminal Code ("CC") – refers to adult victims (in the similar period of 2021, 29 were initiated)

- 17 criminal cases under art. 206 *Child trafficking* of CC (in the similar period of 2021, 7 criminal cases were initiated)

Thus, in 2022 there is registered an increase in identified and investigated cases compared to the same period of the previous year, a fact that is mainly due to the intensification of pro-active actions by investigative officers, after removing the COVID-19 restrictions.

b. The criminal investigation was completed on 44 criminal cases:

- under art. 165 CC – 29 cases (17 sent to court, 5 terminated, 7 dismissed);

- under art. 206 CC – 15 cases (13 sent to court, 1 terminated, 1 dismissed)

c. Courts issued 16 sentences:

- 14 sentences under art. 165 CC - in respect of 18 defendants (in the first 9 months of 2021 – 33 sentences in respect of 47 defendants), of which 3 sentences of conviction in respect of 3 defendants, the rest of the sentences being of termination, acquittal or requalification.

- 2 sentences under art. 206 CC regarding 2 defendants (in the first 9 months of 2021 – 12 sentences in respect of 21 defendants), of which 1 sentence of conviction and 1 sentence of requalification.

NATIONAL RESPONSE TO THE IMPLEMENTATION OF GRETA REPORT RECOMMENDATIONS

1. Right to information

GRETA considers that the Moldovan authorities should strengthen the provision of information in different languages (including online) to presumed victims and formally identified victims of trafficking regarding their rights, the services available and how to access them, and the implications of being recognized as a victim of trafficking. This concerns in particular information on the right to compensation (see also paragraph 93). Law enforcement officers should continue being trained and instructed on how to properly explain to victims their rights (paragraph 43).

In 2020, changes were made to paragraph 4) art. 58 of the Criminal Procedure Code ("CPC"), as follows: *"The victim of a particularly serious or exceptionally serious crime against the person, the victim of torture, inhuman or degrading treatment, the victim of human trafficking and the victim of child trafficking, regardless of whether he/she is recognized as an aggrieved party or a civil party, has also the following rights:*

- 1) to be consulted by a lawyer throughout the criminal process like the other parties to the proceedings;*
- 2) to be assisted, in line with the law, by a lawyer who provides state guaranteed legal aid if he/she has no financial means to pay for a lawyer;*
- 3) to be accompanied by a reliable person, along with his/her lawyer, during all the investigations, including at closed court hearings;*
- 4) to receive a court decision on material compensation for the damage arising from a crime."*

Thus, the provision of information to the victim as well as to the presumed victims of THB about the rights they benefit from is implemented in line with the national legislation and the relevant international treaties, as a special assistance measure. The prosecutors and the criminal investigation officers have been warned about the need to inform the victim and to provide clarification on the victims' right to benefit from protection³. The access to information on relevant legal proceedings in a language understood by the victim is ensured by the fact that the victim can benefit from an interpreter during criminal proceedings. If the victim requests to be recognized as a civil party, the criminal prosecution body recognizes him/her in this legal standing, filing a civil lawsuit that may include requests to recover both material and moral damage from the trafficker.

In 2021, as many as 60 adult victims and 27 minor victims, and in 2022 (January-September) 80 adult victims and 40 minor victims were informed in an accessible language about their rights in the criminal proceedings.

Another measure refers to the migrants, because the events, that have taken place since 24.02.2022 on the territory of Ukraine, have generated an exodus of the population from this country, and the movement route of the displaced persons from Ukraine includes also the territory of the Republic of Moldova as a destination or transit country. On the website of the General Prosecutor's Office⁴("GPO") advertising spots have been published on the rights of the persons displaced from Ukraine, both in the Ukrainian and in the English languages.

In the context of the refugee crisis in Ukraine, within the partnership set up between the Ministry of Labor and Social Protection ("MLSP") and the International Organization for Migration to Moldova ("IOM"), the partners have developed informational materials on mitigating the THB

³art. 58 paragraph (5) of the CPC

⁴www.procuratura.md

and exploitation risk at the state border. The informational materials are also placed on the website of the MLSP⁵, www.antitrafic.gov.md and on the web page created to provide the necessary information to the refugees⁶, however the materials have also been distributed at the border crossing points of the country.

At the same time, as a result of the situation in Ukraine and of the conditions under which any crisis of this kind increases the THB risks, the Organization for Security and Cooperation in Europe ("OSCE") and the Thomson Reuters company launched the "Be safe" online campaign. On the official page of the www.helpforukrainians.info campaign, useful information can be found which aims at raising awareness about the THB risks, so that Ukrainian citizens can learn about the direct signs of THB and request help from the authorities of the countries where they have sought refuge.

In order to train and instruct the law enforcement officers on how to properly explain to the victims their rights, GPO developed the Instruction no. 6/2-12d/21-812 of 21.07.2021 on improving the practice in the field of facilitating the provision of support services to the victims of THB crimes and the child victims of sexual exploitation, whereby the prosecutors carrying out criminal prosecutions or as the case may be, lead the criminal investigation, were obliged to ensure that the criminal investigation officers undertook the following actions:

- informed the victim/aggrieved party about his/her rights in a way that he/she could understand them,
- assessed the imminent risks for the victim and his/her needs,
- informed the victim about the existing Centers that provide support services in various fields at the local and regional level,
- ordered/requested the drafting of psychological evaluation reports or of the psychiatric-psychological opinions, in order to ascertain the psycho-behavioral consequences of the exploitation,
- legal assistance guaranteed by the state.

During the seminars organized by the National Institute of Justice ("NIJ") and by the development partners IOM, OSCE, UNODC, I.C. "La Strada", the criminal investigation officers, prosecutors and judges were instructed that during the victim's contact with the criminal justice system, they should be made aware of and explained their procedural rights.

2. Specialized legal assistance and free legal aid

GRETA urges the Moldovan authorities to strengthen their efforts to facilitate and guarantee access to justice for all victims of THB regardless of their income by ensuring that they receive specialized legal assistance and free legal aid at an early stage, including by:

- ***providing training to lawyers of the State legal aid centers on the rights of victims of trafficking***
In 2021 within the "*Enhancing the Government's counter trafficking response and improving the protection of victims of trafficking and witnesses in the Republic of Moldova*" project, the implementation partner and the beneficiary of which is the National Legal Aid Council ("NLAC"), one of the planned activities was the development of a *Guidelines for the lawyers providing state-guaranteed legal aid to the THB victims*⁷. The Guidelines were developed by lawyers and psychologists specialized in assisting the THB victims.
- ***putting in place a system through the Bar Association or the National Council for State-guaranteed Legal Assistance to certify lawyers who are qualified to provide legal aid to victims***

⁵ <https://www.social.gov.md/>

⁶ <https://dopomoga.gov.md/>

⁷ https://cnajgs.md/uploads/asset/file/ro/1584/ghid_avocati__2_.pdf

of trafficking and to ensure that victims of trafficking and defendants in THB cases are not represented by the same lawyers

The list of lawyers and the areas of their specialization is published on the official web page of NLAC⁸, one of the areas being the provision of state-guaranteed qualified legal aid to victims of crimes, including THB victims. Also, in *the Action Plan of the 2022-2025 Strategy for ensuring the independence and integrity of the justice sector* (the Law no. 211/2021), the action "Extending the specialization of lawyers who provide state-guaranteed legal aid to the categories of vulnerable groups (victims of domestic violence, victims of human trafficking, victims of torture and inhumane treatment, minors, etc.), including the permanent updating of the list of specialized lawyers" has been added to objective "2.1. Improving the access to justice and the system of human rights protection in the justice sector".

- ***ensuring adequate funding for legal assistance and free legal aid for victims of THB, including when it is provided by specialized lawyers from NGOs (paragraph 53)***

State-guaranteed legal aid services, including for victims of THB, are financed from the state budget. On February 6, 2020, amendments were made to the *Law no. 197/2007 on the state-guaranteed legal aid* and the result expressly provides the right of THB victims to benefit from qualified state-guaranteed legal aid, regardless of their income. This exempts them from the financial test and allows them to benefit from the assistance of a lawyer since the moment they are assigned the procedural status of a victim.

Besides the lawyers who provide state-guaranteed legal aid within the Territorial Offices of the NLAC, the victims and the alleged victims of THB are assisted by the specialized lawyers of the Centers for assistance and protection of THB victims, which in line with art. 17 of the Law no. 241/2005 on preventing and combating trafficking in human beings: "are institutions that provide social services, offering civilized conditions of accommodation and personal hygiene, food, legal, social, psychological and emergency medical assistance, security and protection".

As well, the prosecutors, the criminal prosecution and the investigation officers explain in detail to the victims that they have the right to a lawyer to protect their rights, to inform the victims about their role in the proceedings, to defend their interests including in the civil or other types of proceedings, to request compensation from the traffickers for the incurred material and moral damages. As a result of explaining the procedural rights to the THB victims, in 2021 - 17 victims benefited from legal aid, and in (January-September) 2022 - 44 victims (22 adults/22 minors) benefited from legal aid.

3. Psychological assistance

GRETA considers that the Moldovan authorities should ensure the provision of free psychological counseling and assistance to all victims of THB, including men and foreign victims, regardless of whether they are accommodated in the Center of Assistance and Protection. The Moldovan authorities should also further develop the capacity of psychologists in the field of THB, including in the regional sub-divisions of assistance to victims of THB (paragraph 63).

⁸https://cnaajgs.md/ro/lawyers/avocat_specializat

In line with article 20, paragraph (1) of the Law no. 241 of 20/2005 on preventing and combating trafficking in human beings, THB victims are provided assistance for physical, psychological and social recovery, through special medical, psychological, legal and social actions.

The assistance has been provided to the THB victims on the platform of the 8 Centers providing specialized services, financed from the state budget funds. The nominated services have been provided to female as well as male victims of THB, including from the category of persons with disabilities (in terms of physical access for wheelchair users).

The THB victims, as well as the victims of domestic violence and sexual violence, are assisted within the Centers providing specialized services, funded by the state budget. The specialized social services, within the Centers providing social services, which assist the victims of THB, are granted in line with the GD no. 898/2015 *on approving the framework Regulation on the organization and operation of the Assistance and Protection Service for victims of trafficking in human beings and the minimum quality standards*. In line with Standard 17, psychosocial counseling services for psychological rehabilitation, for overcoming crisis situations and emotional difficulties, for restoring and developing communication skills, as well as for resuming the social contacts in the family and community, are provided within the placement centers.

The psychological counseling has been provided in line with the following performance indicators:

1) Specialists within the Service provide psychosocial counseling services based on clear objectives, set jointly with the beneficiaries following the evaluation of their psychosocial condition;

2) If mental health problems are detected, following the assessment of the psychosocial condition of the beneficiaries, the beneficiary will be referred to appropriate specialized treatment services;

3) Individual psychosocial counseling services are organized in a comfortably arranged room, to encourage discussions between the beneficiaries and specialists;

4) Counseling is carried out respecting the privacy of the beneficiary, in order to ensure comfort and confidence. If necessary, group psychosocial counseling services are recommended;

5) The group psychological counseling service is organized in a secure space, comfortably arranged, with a special purpose to encourage discussions between the beneficiaries and the psychologist;

6) A psychological counseling report shall be drawn up for each beneficiary, and shall be attached to the beneficiary's file.

With the support of IOM in the period of January-June 2022, 4 offline trainings were organized on the topic related to "Psychological First Aid ("PFA")", in which per 30 participants took part in each training from the following categories of professionals: psychologists, doctors, paramedics, rescuers and frontline persons from GIBP, GIES, GPI, BMA, CS. The aim of the training was to familiarize the frontline persons with the correct provision of PFA in emergency and crisis situations, such as the refugee crisis in Ukraine. By the end of 2022, similar trainings are planned to be held on the topic "Stress management for frontline persons".

In line with the *Framework regulation on the organization and operation of the Assistance and Protection Service for victims of trafficking in human beings and the minimum quality standards*, approved by the GD no. 898/2015, the Service provider ensures the provision of health services: medical supervision, emergency medical assistance and the promotion of a healthy lifestyle (sports, diet, personal hygiene), child education and care. Primary and specialized medical assistance services, if necessary, are offered to the beneficiaries in the territorial medical and sanitary institutions, in line with the provisions of the legal acts. Psychological counseling services are provided in the Community Mental Health Centers and psychiatric hospitals. At the same time,

Youth Friendly Health Centers are organized aiming to improve the health of teenagers and youth, to create beneficial prerequisites for their development and social integration in the community by increasing the access to youth-friendly health services. In line with the quality standards of youth-friendly health services, the Centers provide a range of services, including individual and group psychological counseling services for youth.

4. Access to work, vocational training and education

GRETA welcomes the steps taken by the Moldovan authorities to facilitate employment for victims of THB and considers that the Moldovan authorities should continue taking steps to provide access to the labor market for victims of THB and their economic and social inclusion (paragraph 67).

The Law no. 105/2018 on promoting employment of labor force and unemployment insurance, aims to prevent and reduce unemployment and its social effects including for THB victims. In line with art. 25 of this Law, the THB victims can benefit from information and/or specialized support related to the demand and supply of labor force, active employment services and measures, conditions to access them, methods of finding a job. Information is also provided through activities aimed at familiarizing people with employment opportunities through the National Employment Agency ("ANOFM"), with legal employment methods in the country and abroad, etc.

The THB victims with unemployed status registered in line with art. 23 of the aforementioned Law, represent one of the categories of unemployed that require additional support on the labor market. In 2021, ANOFM, through its territorial subdivisions for employment (STOFM), registered 2 victims of THB.

In 2021, ANOFM jointly with STOFM, organized an informative webinar for the general public on legal employment methods in the country and abroad as part of the National Campaign "The Week of Combating Human Trafficking" (October 18-25, 2021). The webinar was organized online and aimed to inform and raise awareness of the society on the phenomenon of migration, the employment opportunities in the Republic of Moldova, the employment services and the measures implemented on the labor market by ANOFM, the possibilities of legal employment abroad, as well as the risks of illegal migration.

ANOFM participated in the Awareness Raising Campaign (December 9-17, 2021) devoted to the "International Migrants Day", where STOFM organized 39 activities with the participation of 11 partners. The activities included career guidance seminars, informative seminars, posting information on social networks, interviews. As many as 346 people participated in the event, of which 132 people that had returned from abroad (38%).

With reference to the labor market information services, people benefit from information and/or specialized support related to labor supply and demand, active employment services and measures, conditions to access them, job searching methods. The career guidance involves making use of the opportunities on the labor market, evaluating one's own capabilities, testing skills and identifying the right profession through electronic platforms. At the same time, people can benefit from employment mediation services, which facilitate employment. The persons scheduled for layoff can register as unemployed to benefit from pre-layoff services.

In order to prevent unemployment and increase the chances of employment, they benefit from active employment measures, in line with the Law. ANOFM through STOFM provides qualification, requalification, training and specialization courses in order to increase and diversify the professional skills of the beneficiaries. For the unemployed who do not have a profession or trade, on-the-job training is provided within the unit in order for the trainee to get knowledge, skills, competences.

If the unemployed wants to start an entrepreneurial activity via which he/she is creating a job for himself/herself, STOFM provides consultancy, assistance and support for starting a business. In order to stimulate job creation and reduce unemployment, ANOFM grants subsidies to support local initiative projects through which jobs are created in rural localities. At the same time, the unemployed who takes up a job in another locality selected by STOFM, benefits from a single placement allowance equal to an average monthly salary for the previous year.

5. Compensations

GRETA once again urges the Moldovan authorities to take steps to facilitate and guarantee access to compensation for victims of trafficking, including by:

- building the capacity of legal practitioners to support victims in claiming compensation

Both within the ongoing training courses held for prosecutors and judges by the National Institute of Justice ("NIJ"), as well as within the workshops with prosecutors from the territorial prosecutor's offices responsible for preventing and combating THB, organized by the GPO with the support of IOM and the US Embassy, a process of enhancing the skills and knowledge tailored to the new legislative provisions, trends is ensured.

NLAC in cooperation with the Council of Europe organized a 3-day training (December 1-3, 2021) for legal aid subjects on the access to justice for women, victims of violence.

- ***including compensation in the training programs of law enforcement officials, prosecutors and judges***

The NIJ included in the modular calendar plans for ongoing training for judges and prosecutors for 2021 and 2022, trainings on the topic: "*The victims' rights in the context of the Law no. 137 on the rehabilitation and compensation of victims of crime*". Based on them, 2 seminars were organized, during which 69 specialists (44 judges and 25 prosecutors) were trained.

- ***enabling victims of trafficking to exercise their right to compensation, by ensuring access to psycho-social support and legal aid and legal assistance throughout the proceedings;- introducing a procedure through which victims are entitled to obtain a decision on compensation from the offender as part of the criminal trial and requiring courts to state, where applicable, why compensation is not considered***

The procedural-criminal legislation includes a separate chapter on the "*Civil proceedings in the criminal process*" (art. 219-226 CPC. Therefore, according to the provisions of art. 219 paragraph (1) of CPC, the civil proceedings in the criminal process is initiated by submitting a request to the prosecutor or the court, by the natural or legal persons to whom material or moral damages were caused directly by an action (or inaction) prohibited by the criminal law or related to carrying out the action. At the same time, where the prosecution or the court refuses to recognize the person as a civil party, this does not deprive the person of the right to file a civil lawsuit in the civil procedure (art. 222 para. (3) CPC).

- ***enabling victims to file a claim for compensation through civil proceedings even when there was no criminal conviction***

According to the provisions of the Civil Code, any person, including victims of THB, if they believe that they have been harmed in a right of theirs or in an interest recognized by law, can request full compensation for the patrimonial and non-patrimonial damage caused in this way.

The expenses that the injured person has borne or will bear to restore the right or interest recognized by law that has been violated, the destruction or damage to his/her assets (real damage), as well as the lost income as a result of the violation of the right or recognized interest are considered patrimonial damage by law.

Non-patrimonial damage (moral damage) is considered physical and mental suffering, as well as the reduction of the quality of life. In the case of health damage, non-patrimonial damage also includes the loss or diminution of a capacity of the human body (biological damage).

The loss of opportunity is remedied only if it consists in the actual and certain disappearance of a favorable eventuality. The amount of this damage corresponds to the lost chance and cannot be equal to the advantage that would have resulted from the chance if it materialized.

Reparation of the damage involves restoring the injured person to the situation in which he/she would have been if the damage had not occurred.

Instead of repairing the patrimonial damage, the injured person can request from the one responsible for the damage the recovery of all the income that he/she obtained in connection with causing the damage. This rule applies only if the law or the contract provides for such a form of determining the patrimonial damage or if the application of such a form of determining the patrimonial damage is reasonable in the circumstances of the case.

In order to ensure the effective implementation of the national and international standards, aimed at the segment of assistance and protection of victims of crime and the creation of a comprehensive framework to assist them, the GPO has developed the *Instruction of 21.07.2021 on improving the practice in the field of facilitating the provision of support services to the victims of THB crimes and the child victims of sexual exploitation*, whereby the prosecutors carrying out criminal prosecutions or as the case may be, lead the criminal investigation, were obliged to ensure that the criminal investigation officers undertook the following actions:

- informed the victim/aggrieved party about his/her rights in a way that he/she could understand them,
- assessed the imminent risks for the victim and his/her needs,
- informed the victim about the existing Centers that provide support services in various fields at the local and regional level,
- ordered/requested the drafting of psychological evaluation reports or of the psychiatric-psychological opinions, in order to ascertain the psycho-behavioral consequences of the exploitation,
- state guaranteed legal aid.

Apart from this, in order to strengthen the institutional capacities in this segment, on 07.10.2022, the NIJ in partnership with OSCE organized the seminar on the topic "*Victims' right in the context of the Law no. 137 on the rehabilitation and compensation of victims of crime*", within which 15 judges and 15 prosecutors were trained.

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

The assessment and recovery of the damage arising from crimes is one of the basic objectives of the activity carried out by the prosecutors and the criminal investigation bodies. As the non-recovery of damages arising from crimes, seriously affects the rights of the participants in the proceeding, especially the rights of the victim, in order to ensure an even application of the legal

provisions related to this, the GPO, by the Order no. 11-3d/17-947 of 28.02.2017, instructed the body of prosecutors to:

- Ensure a permanent assessment, within the criminal cases, at the criminal investigation phase, of the real amount of the damage caused and record the measures taken to ensure the damage recovery;
- Undertake, within the criminal investigation, measures to provide the participants in the proceeding, the possibility to recover the caused damages on a voluntary basis;
- Provide concrete specification on the immediate consequences of the crimes, including the damages caused when the persons are charged under art. 282 of the CPC;
- Ensure also, as set, the specification of the complete information regarding the damages arising from the crime and the precautionary measures taken during the criminal investigation, at the stage of ordering the solutions to be sent to court, by including this information as an attachment to the indictment, in line with art. 296 paragraph (4) of the CPC, as well as ensure at the request of the court that hears the case of the order to recover the damage.

The Methodological Instructions "*Guidelines on conducting parallel financial investigations*" were approved by the Order of the Prosecutor General no. 18/11 of April 9, 2019, representing a support for practitioners in ensuring the effectiveness of the application of the legal acts. A section of the Guidelines is devoted to the damage recovery institution, the prosecutors being instructed to ensure the repair/recovery of the damage, including, by carrying out parallel financial investigations depending on the nature of the action, the prospects for damage recovery and other important circumstances, based on the specifics of the investigated crime.

- ***making full use of the legislation on the freezing and forfeiture of assets and international cooperation to secure compensation to victims of THB, and using criminal assets to fund State compensation***

The seizure of the goods and assets obtained from committing the crimes contributes to the recovery of the damages caused to the victims, but also to the replenishment of the victim compensation fund, based on Section 4 Chapter III of the *Law No. 137/2016 on the rehabilitation of victims of crime*, which entered into force on 01.01.2018.

Ensuring the compliance with the legal provisions on the assessment and recovery of the damage arising from crime is one of the criteria used for the periodic assessment of the activity carried out in the criminal proceeding. The GPO, monitors and analyzes periodically every semester, the state of affairs in the criminal investigation activity related to the recovery of the damage arising from crimes and the results are made public.

The criminal investigation body, the prosecutors, the court are constantly required to apply the precautionary measures, especially if there is evidence that traffickers possess certain material goods.

Investigating the financial aspects of THB cases, of similar and related crimes, in 2021, in 8 criminal cases the prosecutors ordered financial investigations to be carried out, with the seizure of assets worth over MDL 28,891,720. In January and September 2022, seizures were applied to assets worth MDL 1,889,930.33, EUR 59,320, USD 31 and Lb 30.

In order to ensure the continuity of the parallel financial investigations, concurrently with the application of the sentences to the defendants, during the reporting period, the courts also ordered the seizure of the assets used in committing the offenses of the THB category under the terms of art. 106 (Special confiscation) and art. 106 (1) (Extended confiscation) of the Criminal Code. Thus, in 2021, as a result of the parallel financial investigations, the courts ordered in 18 cases the confiscation to the benefit of the state of the assets and goods used for committing or

arising from crimes in the approximate amount of MDL 692,853, concurrently with the conviction of the person for committing the THB offenses and the related crimes. In January and September 2022, in 6 cases the seizure was ordered to the benefit of the state of the assets and goods used to commit or arising from crimes amounting on average⁹ to MDL 610.000.

- *reviewing the Execution Code in order to remove the administrative costs for victims of THB to enforce compensation decisions made by the courts; - reviewing the legislative framework for state compensation by removing the limitations on covering the actual damage for the victim and revising the eligibility criteria with a view to making state compensation available to adult victims of forced labor and foreign victims who were present irregularly in the country at the time of the offense, ensuring that it is not conditional on failure to obtain compensation from the perpetrator through criminal and civil proceedings, and clarifying the meaning of Article 12, paragraph 3, of Law No. 137/2016 (paragraph 93).*

In order to review the legislation and improve the compensatory mechanism, in line with the Action Plan for the implementation of the 2018-2023 Strategy for preventing and combating trafficking in human beings, the Ministry of Justice has set for 2022 the implementation of the action to amend the Law no. 137/2016 on the rehabilitation of victims of crime and the Enforcement Code no. 443/2004, the part related to the procedure and the institution responsible for transferring the financial compensation to the victim and assigned an enforceable character to the document by which the financial compensation of the victims of crime was ordered. In addition, in the Action Plan for the 2022-2025 Strategy on ensuring the independence and integrity of the justice sector, action 2.1.1 was included „e) Assessment of the mechanism on the financial compensation granted by the state to the victims of certain offenses to identify proposals for its improvement”.

6. Investigations, Prosecutions, Sanctions and Measures

GRETA urges the Moldovan authorities to ensure that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (related to Article 6, paragraph 1 of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ) (paragraph 106)

Art. 20 of the CPC, clearly sets that the prosecution and trial of criminal cases shall be carried out within reasonable timeframes. The criteria for assessing the reasonable timeframe for settling a criminal case are: the complexity of the case; the behavior of the participants in the proceedings; the conduct of the criminal investigation body and the court; the importance of the proceedings for the interested party; the victim is under 18 years old.

Criminal investigation and judicial examination of THB cases face difficulties due to the specific status of the victim in criminal proceedings. Often, the victim, after submitting statements incriminating the traffickers, not wanting to further participate in the criminal process, goes abroad again, hides from the criminal investigation body or the court, changes his/her statements, undertakes other actions, which creates deficiencies in the criminal investigation and the trial of criminal cases in restricted terms.

The permanent flow of specialists involved in the activity of investigating and examining THB cases, police officers, prosecutors and judges, constitutes another cause of delay.

Another difficulty lies in the cross-border nature of most cases of THB. Having a predominantly cross-border nature, trafficking in persons (human trafficking, child trafficking, migrant

⁹ The approximate value is indicated due to the fact that some confiscated goods are valued based on their market price which varies depending on the period of time;

trafficking) as a rule takes place in two or more countries, a fact that complicates the conduct of the criminal investigation and the administration of the evidence necessary to establish the truth.

GRETA considers that the Moldovan authorities should take additional measures to ensure that THB cases are investigated promptly, prosecuted successfully, and lead to effective, proportionate and dissuasive sanctions. In this context, the Moldovan authorities should:

- ***ensure the practical implementation of the General Prosecutor Office's guidelines on investigating THB cases and financial investigations, including at regional level***

The anti-trafficking unit of the GPO, based on the departmental duties, contributes to the correct application into practice of the normative framework in the field of criminal prosecution on the segment of preventing and combating the THB offenses and similar or related crimes, to the implementation of measures to unify the practice of criminal cases investigation, to avoid inconsistent settlement of legal issues.

As well, since one of the most important bottleneck in combating THB is the inadequate implementation of the legal framework, the respective controls targeted the activity of the territorial prosecutors' offices in the field of anti-trafficking, in line with the four elements recognized as fundamental at the international level: protection, partnership, prosecution, prevention. In 2020 (as well as in 2018-2019), the prosecutors of the Specialized Section participated in the control carried out at a number of prosecutors' offices, during which checks were undertaken to identify whether the district territorial multidisciplinary teams, the district commissions on THB prevention and combating had been created and what the level of the multidisciplinary collaboration was, as well as, the quality of both the criminal investigation in a number of cases and of the drafted procedural documents had been verified and methodological support had been provided to the prosecutors.

At the same time, in the seminars organized by the NIJ and partners, criminal investigation officers, prosecutors and judges were trained to carry out parallel financial investigations, apply seizures and request the courts to confiscate criminal assets during the criminal investigation acquired illicitly from criminal activity or that served to commit the crime.

Data on financial investigations see above.

- ***strengthen the proactive investigation of THB cases, regardless of whether a complaint about the reported crime has been submitted or not, making use of special investigation techniques, where appropriate, in order to gather evidence and not to have to exclusively rely on testimony by victims***

According to the legislation of the Republic of Moldova, the initiation of criminal investigation on THB cases is not conditional on the existence of the victim's complaint. In this context, taking into account the latent nature of the mentioned crime, several actions are undertaken by the law enforcement bodies aimed at proactively detecting crimes and ensuring a proactive investigation.

Thus, during the 9 months of 2022, there is an increase in identified and investigated cases compared to the same period of 2021, especially for the crime provided by art. 206 CC (Child trafficking), with 10 more cases initiated, and by art. 165 CC (Trafficking in human beings) an increase of 3 cases, a fact that is mainly due to the intensification of pro-active actions by law enforcement officers investigations, after the COVID-19 restrictions were removed, which to a certain extent also limited certain activities of police.

During the investigations carried out on cases of THB and related crimes and similar to trafficking, in the same period of time, the prosecutors authorized the accomplishment and

extension of 37 special investigative measures, including 9 visual pursuits, 3 undercover investigations. At the same time, the prosecutors submitted 346 applications to the investigating judge, requesting authorization to carry out and extend special investigative measures and criminal investigation actions. Of these, 103 actions regarding the authorization of searches, 62 actions regarding the collection of information from electronic communications service providers, 38 regarding the interception and recording of communications, 21 regarding the monitoring or control of financial transactions and access to financial information.

While analyzing the THB crime identification activity for 2021, **an increase in the number of the identified human trafficking cases** (art. 165 of the Criminal Code – 50 cases) **and a decrease in the identified child trafficking cases** (art.206 CP – 13 cases) has been found, as compared to the same period of 2020.

It should be noted that the low share of the number of registered cases of crimes of that category was due to the COVID-19 pandemic. Thus, during the state of emergency set at the national level, and also in the European Union countries, the pro-active actions aimed at detecting crimes of the respective category decreased and there was a decline in the population movements both within the country and abroad. The decrease in the number of registered cases confirms the conclusions of one of the postulates of detecting these categories of crimes, and namely the pro-active investigative measures, which have been substantially reduced due to the pandemic and, as a consequence, have made it difficult for investigative officers to carry out controls, checks and other measures which are necessary to detect the respective categories of crimes.

Moreover, the reduction in the number of cases was also generated by the movement restrictions for all the people, both within the country and abroad, and also the decrease in the economic activity *as a whole*, in areas where the proceeds of THB crime were traditionally used.

Organized crime aspects also continued to be in the spotlight of the law enforcement bodies in 2021 and 2022. Thus, as a result of the implementation of special investigation measures, in 2021, **7 organized crime groups (OCGs) were documented and annihilated** by the officers of the Center for Combating Trafficking in Persons ("CCTP") that were specialized in:

- trafficking for labor exploitation and organization of illegal migration – 4 OCGs;
- trafficking for commercial sexual exploitation – 3 OCGs.

Over the 9 months of 2022, as many as 11 specialized OCGs were documented/annihilated:

- trafficking for labor exploitation – 2 OCGs;
- organization of illegal migration - 1 OCG
- trafficking for commercial sexual exploitation and pimping – 8 OCGs

In 2021 and 2022, several large-scale police operations were organized and carried out with the involvement of international police structures and from other states.

- ***continue providing training and developing the specialization of investigators, prosecutors and judges to deal with human trafficking cases and to ensure that they are not re-qualified as other offenses which carry lighter penalties and deprive victims of THB of access to protection, support and compensation (paragraph 107)***

As previously reported, in the Republic of Moldova there are institutions and officials specialized in the investigation of THB cases. Specialization itself leads to capacity building and ensures effective prosecution of cases. But staff fluctuation makes this issue difficult.

Having analyzed the judicial practice regarding the sentences issued by the courts in the first 9 months of 2022, by which the criminal actions were re-qualified from THB to other crimes that provide milder punishments, the following is to be mentioned.

In the first 9 months of 2022, the courts issued 14 sentences regarding 18 people for committing the crime provided by Article 165 of CC (Trafficking in human beings). Of these, 4 sentences

regarding 7 people were for requalification. At the same time, the courts issued 2 sentences regarding 2 persons regarding the crime provided by art. 206 of CC (Child trafficking), of which 1 sentence regarding 1 person was for requalification.

All requalification sentences were challenged by prosecutors on appeal.

In order to identify the causes and reasons that generated the requalification of the actions of the defendants from THB crimes, child trafficking into other related or similar crimes, an analysis was carried out by the anti-trafficking Section of the GPO, as a result of which the prosecutors will receive recommendations in order to make the activity more efficient.

The training sessions on the THB segment organized for prosecutors, police officers and judges, in the period of 2021 and over the 9 months of 2022, included topics related to the corpus delicti of THB, child trafficking and the distinction from other crimes such as forced labor, pimping and begging. At the same time, during the seminars, practical cases on the correct classification of crimes were debated.

The list of carried out trainings is provided below in point 9. *Specialized authorities and coordinating bodies.*

7. Non-penalty provision

GRETA considers that the Moldovan authorities should continue raising awareness among police officers, prosecutors and judges of the importance of effectively applying the non-punishment principle and ensure its harmonized interpretation (paragraph 114)

The body of prosecutors is permanently focused on the fact that, in line with art. 165 para. (4) and art. 206 para. (4) of the Criminal Code, the (adult) THB and child trafficking victim, is absolved of criminal liability for the crimes committed in relation to this legal standing. It is also pointed out that the illegal migrant, whose migration was organized by another person or group of persons, representing the object of the crime specified in art. 362 (1) (*Organization of illegal migration*) of the Criminal Code, cannot be held liable for the crimes provided for in art. 361 (*Making, holding, selling or using fake official documents, printed materials, stamps or seals*) or art. 362 (*Illegal crossing of the state border*) of the Criminal Code or for other crimes involving either the illegal entry, stay, transit of the state territory or the exit from this territory, or the possession or use of fake official documents.

Regarding the application of the non-punishment principle to the victims of organizing illegal migration, it is to be mentioned that, in 2021, in 4 cases the prosecutors acquitted the THB and migrant trafficking victims for actions related to their victim status. And in January-September 2022, the criminal prosecution was initiated in 253 cases of organizing illegal migration, mainly committed against male Ukrainian citizens as a result of the armed conflict in Ukraine. No criminal investigation was initiated against the migrants, the acquittal on criminal liability being tacit.

As well, it should be noted that the prosecutors are instructed that, in the situation of the change of statements by the aggrieved party, it is judicious to initially verify the actions in the light of the provisions of art. 314 of the Criminal Code, in line with the Instruction of the General Prosecutor no. 15-10d /18-600/601/602/603 of 16.07.2019.

Thus, in 2021, a criminal investigation was initiated in 5 cases based on art. 314 of the Criminal Code "Making someone file false statements" (in human trafficking and child trafficking cases), and in January- September 2022 - in 3 cases.

The training course, should also be mentioned, that was held on 23-24.06.2022 on "*Strengthening the capacities of prosecutors and police officers specialized in combating human trafficking in the light of the latest trends and the recommendations provided in the international*

assessment reports" organized within the framework of the project "Contribution to a consolidated response of legal and policy-making bodies to human trafficking in the Republic of Moldova", implemented by IOM with the support of the US Department of State in partnership with the Government of the Republic of Moldova, for 24 police officers and prosecutors.

8. Protection of victims and witnesses

GRETA urges the Moldovan authorities to take additional steps to:

- *make use of the available measures to protect vulnerable victims and witnesses of THB and to prevent intimidation during the investigation, as well as during and after the court proceedings;*
- *build the awareness of all actors in the criminal justice system on how to avoid re-victimisation and stigmatization of victims of THB through training and awareness-raising, as well as prioritizing the rights, needs and interests of victims;*
- *ensure that cross-examination (direct confrontation) of victims of THB and offenders does not take place in order to avoid re-victimisation and ensure the psychological integrity of the victim;*
- *avoid repeated and lengthy questioning of victims of THB by setting up adequate procedures and internal regulations (paragraph 124)*

With regard to all the sub-points of this recommendation, the following institutional mechanisms for the protection of victims and witnesses should be mentioned:

1. General mechanisms

According to art. 215 of the Criminal Procedure Code, the criminal investigation body, the prosecutor or, depending on the case, the court are obliged to take the measures provided by the legislation to protect the life, bodily integrity, freedom or property of the participants in the trial and, under the law, of their close relatives and their family members. The application of protective measures is ordered by reasoned decision of the prosecutor or the court.

The Law no. 105/2008 on protection of witnesses and other participants in the criminal proceeding ("Law no. 105"), provides for ensuring the security of the participants in the criminal proceedings whose life, body integrity, freedom or property are threatened as a result of holding data they have agreed to provide to the judicial bodies and that represent conclusive evidence of especially serious or exceptionally serious crimes.

In order to protect the witnesses and other participants in the criminal proceeding, protection measures are applied in line with the Law no. 105, including urgent protection measures and assistance measures. Thus, as protection measures, the Law no. 105 provides for:

- a) protection of identity data;
- b) hearing using special methods;
- c) change of residence or place of work or studies;
- d) change of identity, change of appearance;
- e) installation of an alarm system at home or residence;
- f) change of the phone number;
- g) ensuring the protection of assets.

These measures can be applied alone or cumulatively, including together with emergency measures and/or assistance measures.

The criminal investigation body can apply emergency measures against the participant in the criminal proceeding in a situation of danger that requires immediate measures to ensure security, such as:

- a) ensure personal security, home security, residence security or property security;
- b) interception of the communications under the terms of the Criminal Procedure Code;

c) surveillance via audio/video equipment under the terms of the Criminal Procedure Code;

d) temporary placement in a safe place;

e) protection of movement or limiting movement;

f) release of special active and passive means of personal protection.

The emergency measures can be applied alone or cumulatively, including together with assistance measures.

The witnesses and other participants in the criminal proceeding can also benefit from assistance measures, such as:

a) integration into another social environment;

b) professional retraining;

c) ensuring a decent income until finding a job;

d) assistance in obtaining a new profession;

e) medical assistance;

f) legal assistance;

g) psychological and social assistance.

In line with the *General Prosecutor's Instruction on the rights of the victim, the aggrieved party no. 15-10d/17-601 of 12.10.2017*, in order to apply the criminal procedure norms correctly and consistently, it is mandatory for the prosecutors and the investigating officers to inform the victims and the aggrieved parties in the criminal proceeding about their rights and obligations, by handing the information over to them at the appropriate stages of the criminal proceeding.

Thus, the rehabilitation of victims and of their rights, in line with art. 5 of the Law no. 137/2016 on the rehabilitation of victims of crime, is achieved by providing *four categories of support services*, which directly address the needs of the victim of crime, and namely:

- informational counseling on their rights (prosecutors, criminal investigation officers and the staff members of the ascertaining body were instructed to bring to the attention of the victims of crime, in an accessible way, the information mentioned in letter a) letter e) para. 1) art.6, whereas subsequently to draw up the minutes under the terms of paragraph (2) art.6 of the Law).

A major emphasis was placed on how to inform the THB and child trafficking victims about their rights in the criminal proceeding. As a result, a new template of the victim's rights was developed, which included the whole spectrum of rights that the victim benefits from in the criminal proceeding, both in line with the CPC and with the Law no. 137/2016 on the rehabilitation of victims of crime, as follows:

- psychological counselling: the support service that is provided to the victims of crime free of charge and for a fee;

- state guaranteed legal aid: the support service is guaranteed by the provisions of the Law no. 137/2016 and is granted to the victims of crime in line with the provisions of the CPC and the Law no. 198 /2007 on state guaranteed legal aid;

- financial compensation granted by the state: the competent authority to decide on the requests for financial compensation by the state for damage arising from crime is the Ministry of Justice, based on the decision of an interdepartmental commission.

Thus, the prosecutors and the criminal investigators were warned that it is imperative to cooperate with the representatives of public institutions and/or of the civil society whose duties are to provide support services to the victims of crime.

The law enforcement agencies take the necessary steps to gain the trust of victims and to create the necessary conditions for the victims to cooperate with the criminal justice system.

2. Mechanisms of a particular nature, related to categories of criminal offenses:

a. Crimes related to trafficking in human beings and children:

- ***The methodical guidelines on the role of the prosecutor in preventing and combating THB***

– in chapter III "Protection and assistance to the THB victim" it is stipulated that "*The prosecutor, the criminal prosecution body or the court, during the judicial examination of the case, elucidates whether the victim (the aggrieved party) needs to be protected and jointly with the victim decide which protection measures are to be applied to protect the victim, adopting, respectively, the appropriate ordinance or conclusion. At the same time, in this respect, the prosecutor shall cooperate with non-governmental organizations with duties in protecting and assisting the victims of trafficking.*"

The body of prosecutors was warned that the procedure of referring the beneficiaries to the specialized services offered by NGOs or the Government is essential for the success of the rehabilitation and reintegration process.

Thus, the prosecutors are encouraged to work with the non-governmental organizations in place, due to the fact that they have possibilities to provide protection and assistance to the THB victims.

- ***The Instruction on hearing the victims of trafficking in human beings*** was approved by the Order of the General Prosecutor no. 25/15 of 10.04.2014, which sets forth the concepts used, the principles applied and the stages of the THB victim hearing, the particularities of the hearing of the victims of the specified category, the importance of the victim's hearing by the prosecutor, building the relationship with the victim, some rules and procedures applied to the hearing of the THB victim, etc.

The prosecutor's office was alerted to the fact that, as a rule, the THB victims are unwilling to testify.

In this context, it was mentioned that the victims should be assisted and protected to avoid their re-victimization, because the trafficker's control over them is much deeper and can have hidden forms due to a subtle psychological contact established between them that allows the trafficker to manipulate the victim even after her release from slavery. The Stockholm syndrome can be mentioned here, which can be observed in the behavior of some THB victims.

The condition of the victim allows the trafficker to manipulate him/her, including throughout the criminal proceeding, which in many cases makes the victim change his/her statements and may contribute to the criminals to escape criminal liability.

At the same time, it is necessary to take into account the specifics of the hearing of the THB victims, because they are traumatized by the experience of being trafficked, and the fact that they will be asked to recall in detail very personal events, which will cause them painful relives. In particular, this procedure is even more dangerous when it is resumed several times, even if it is carried out in the presence of a psychologist.

In such circumstances, the mentioned *Instruction* establishes the basic principles and stages of the hearing of the THB victim, including that, in order to ensure an effective hearing and reduce the risks of losing the victim as an ally in the criminal process, it is necessary to take into account some principles which have the role of strengthening the resilience of the contact with the victim:

- gaining the trust of the victim;
- addressing the circumstances of the case while avoiding sensitive topics;
- ensuring consistency between the prosecutor's promises and the subsequent actions,

in particular, providing medical, social and material assistance by referring to the competent authorities and verifying the effectiveness of this assistance, taking actions to recover the damage, ensuring protection, applying preventive measures against traffickers, etc.

- The *General Instruction no. 15-10d/18-600/601/602/603 of 16.07.2018 on the investigation of the offenses provided for in art. 311 and art. 312 of the Criminal Code (False denunciation or false complaint and, respectively, False statement, false conclusion or inaccurate translation)* was drafted, which had as an objective to investigate, in every situation of statement change by the witness or the aggrieved party, whether or not they were induced or forced to submit false statements, which represents criminal actions in line with art. 314 of the Criminal Code.

b. Cases of organizing illegal migration:

The Methodological Instruction "*Guidelines for prosecutors on the criminal liability for organizing illegal migration*" were approved by the Order of the General Prosecutor no. 5/15 of 22.01.2018.

With regard to the protection of migrants, the provisions of art. 5 of the Protocol against the illegal trafficking of migrants by land, air and sea have been reiterated, namely that under this Protocol the migrants are not liable to criminal prosecution for having been the subjects of the actions provided for in art.6.

Thus, based on the commitments assumed via the international treaties, by the Law of the Republic of Moldova no. 20/2013, article 362 (1) of the Criminal Code was supplemented with paragraph (4), with the following text: "*The victim of illegal migration is absolved of criminal liability for entering, staying, illegally transiting the state territory or exiting from this territory, as well as for holding and using false official documents for the purpose of organizing his/her illegal migration.*"

Likewise, it was pointed out that the illegal migrant, whose migration had been organized by another person or group of persons, representing the object of the crime specified in art. 362 (1) of the Criminal Code, cannot be held responsible for the crimes provided for in art. 361 or 362 of the Criminal Code or for other crimes involving either the illegal entry, stay, transit of the state territory or exit from this territory, or the possession or use of false official documents.

c. Cases of illegally taking children out of the country

The General Prosecutor's Office developed the "*Guidelines for prosecutors on the criminal liability for illegally taking children out of the country - art. 207 of the Criminal Code*", which were approved by the General Prosecutor's Order no. 53/15 of 10.12.2018. The act includes aspects related to the rights and interests of the parties in the proceedings; enhanced attention should be paid when examining these categories of crimes, because very often the parents who have illegally taken the child out of the country or organized the illegal taking out of the child from the country are recognized as defendants.

The body of prosecutors was instructed to view broadly the right provided for in art. 8 of the ECHR in these cases. That is, where the child is illegally taken abroad, the *Right to respect for private and family life* is affected both as related to the parent who indicated the interruption of uncoordinated relations with the child and the right of the minor to communicate and have family relations with both parents, without making a difference with which of the two they currently reside.

Later, in 2022, the anti-trafficking Section of the GPO conducted a study on the prosecution and trial of cases of illegal taking children out the country, sending prosecutors some methodological recommendations regarding the efficiency of the activity in this segment.

d. Cases of online sexual exploitation of children

The *Guidelines on the international and national legal norms/instruments in the field of combating the abuse and sexual exploitation of children using information and communication technologies* were approved by the Order of the General Prosecutor no. 80/15 of 15.10.2020 - on

the part under analysis, the importance of ensuring the best interest of the child in the process of adopting child-related decisions was emphasized, including when the child is involved in the criminal procedure. It was noted that art. 10 paragraph (6) of the Criminal Procedure Code guarantees the respect for the interests of the minor victim/witness at any stage of the criminal proceeding, that the Criminal Procedure Code of the Republic of Moldova provides for the possibility of hearing the child under special conditions, which are different from the general procedure, in order to protect them from the re-victimization risk.

Thus, in line with art. 109 paragraph (5) of the Criminal Procedure Code, if the victim/minor witness under the age of 14 is to be heard in criminal cases related to crimes of a sexual nature, child trafficking or domestic violence, as well as in other cases where the interests of justice or of the minor require this, the prosecutor requests the hearing of the child under the terms of art. 110 (1) of the CPC (*Special cases for hearing the minor witness*).

The special hearing conditions provided for in article 110 (1) of the CPC, consist in the hearing of the minor by the investigating judge, in specially arranged spaces, equipped with audio/video recording equipment, by an interviewer, especially trained for effective communication with the child.

Likewise, reference was made to the fact that the criminal trial is a difficult and stressful experience for any child. Hearing the child in the police office, the prosecutor's office or in the court of law, associatively, can awaken a sense of guilt for what happened, thus amplifying the impact of the trauma on the child's mental well-being. The international practice, adopted at the national level, provides, as a solution, rules for hearing the child in specially arranged rooms for this procedure.

The emphasis was also laid on the fact that during the criminal process the child victims of crime should benefit from the support services provided for in the Law no. 137/2016 on the rehabilitation of victims of crime, which offers the legal framework needed to ensure the minimum conditions for the rehabilitation of the victims of crime; the protection and respect for the rights and the legitimate interests of the victims of crime.

At the moment, the anti-trafficking Section of the GPO is conducting a study on criminal cases that have as their object online exploitation of children, with the results and recommendations of which the prosecutors will be informed.

3. Practical aspects

It should be noted that in 2021, in order to prevent the re-victimization of the THB victims and child trafficking, based on the requests put forward by the prosecutors, **7 victims were heard under special conditions** by the investigating judge in specially arranged premises, equipped with audio/video recording, by an interviewer, pursuant to art. 110 (1) of the Criminal Procedure Code.

At the same time, it has been stated that in 2021, **in a THB case**, the prosecutor adopted the **ordinance on the application of protection measures to the victim** in order to ensure their safety.

In January and September 2022 - **5 victims** were heard by the investigating judge based on art. 109 paragraph (3) of the CPC¹⁰, and, **1 victim** was heard under special conditions by the investigating judge in specially arranged spaces, equipped with audio/video recording, by an interviewer, pursuant to art. 110 (1) of the CPC¹¹. Likewise, under the conditions provided for in art. 115 of the CPC¹², **6 minor victims** were heard (*on the criminal cases initiated on the fact of*

¹⁰Art. 109 of the CPC - Method of hearing the witness (paragraph 3) If the presence of the witness at the trial of the case is impossible due to his/her departure abroad or for other valid reasons, as well as to reduce or exclude subjecting the witness to an obvious danger or to reduce the re-victimization of the witness, the prosecutor may request his/her hearing by the investigating judge, ensuring the possibility for the suspect, the accused, their defense, the aggrieved party and the prosecutor to ask the heard witness questions.)

¹¹Art. 110(1) of CPC - Special cases of hearing the minor witness

¹²Art. 115 of CPC Using audio or video recordings when hearing the persons

committing child trafficking for sexual exploitation - art. 206 of the Criminal Code) and **3 witnesses** (2 - on the criminal cases initiated on the fact of organizing illegal migration - art. .362/1 of the Criminal Code and 1 - on the criminal case initiated on the fact of committing child trafficking for sexual exploitation - art. 206 of the Criminal Code).

Also, in the Plan on initial training for candidates for the positions of prosecutor and judge of the NIJ, the following permanent seminars were included: "Special methods of hearing witness and aggrieved party" and "Examination of requests for the application of protection measures to the participants in the criminal proceeding".

9. Specialized authorities and coordinating bodies

GRETA welcomes the recent introduction of specialization of judges and considers that the Moldovan authorities should ensure that there is a sufficient number of specialized and trained investigators, prosecutors and judges to deal with THB cases throughout the country. Training on THB should be integrated into the regular training curricula of relevant professional groups, including law enforcement officials, prosecutors, judges, forensic experts, labor inspectors, social workers, child welfare staff, health-care staff, and diplomatic and consular staff (paragraph 132).

The NIJ carried out ongoing training in the field of preventing and combating THB for judges, prosecutors, judicial assistants and clerks. Contributing in this way to the implementation of GRETA's recommendations regarding the continuation of the efforts on training and raising awareness of the relevant professionals. When developing the Plan for the ongoing training of judges, prosecutors, court staff, probation counselors, lawyers who provide state-guaranteed legal aid and prosecutors' consultants for 2021-2022, topics from the recommendations of the GRETA Report were identified and integrated.

In line with the Initial Training Plans for candidates for the positions of judges and prosecutors for 2021 and 2022, the following permanent seminars were integrated: " Examination of requests for the application of protection measures to the participants in the criminal proceeding", "Investigation of crimes against freedom of honor and dignity of the person", "Investigation of crimes against the family and minors", "Judicial investigation of crimes against freedom, honor and dignity of the person".

Developing the professional capacities of anti-trafficking specialists is an essential component of ensuring the effective policy implementation in the field. The prosecutors and judges are trained in line with the ongoing training plans of the NIJ, which emphasize the priority areas established by the strategic documents, including combating THB, amending the legislation, the need for a uniform application of the legislation, knowledge of the international documents to which the Republic of Moldova is a party, of the jurisprudence of the national and international courts. An important role in improving the quality of the activity of the professionals from various central and local public authorities, as well as those from non-commercial organizations, is played by the multidisciplinary training, carried out both in the country and abroad.

Thus, for the implementation of GRETA recommendation, the following trainings were held:

No. of order	The year 2021	
1	2 online courses on the topic " <i>Peculiarities of the investigation and trial of crimes related to trafficking in persons and body parts</i> "	86 trained persons (32 judicial assistants, 24 clerks, 20 prosecutors' consultants, 10 chancellery specialists)
2	2 seminars on the topic " <i>Victims' rights in the context of the Law no. 137 on the rehabilitation and compensation of victims of crime</i> "	69 trained persons (44 judges, 25 prosecutors)
3	2 online courses on " <i>Peculiarities of investigating and judging cases related to cross-border, transnational and organized crime</i> "	52 trained persons (17 judges, 35 prosecutors)
4	Seminar on the topic " <i>Peculiarities of examining cases on the application of protection measures to victims of domestic violence/violence against children</i> "	ined lawyers
5	2 seminars on the topic " <i>Particularities of investigating and judging crimes in the field of combating trafficking in human beings</i> "	73 trained persons (32 judges, 40 prosecutors, 1 clerk)
6	Training course for consular officials from the diplomatic service of the Republic of Moldova on combating and preventing THB. During the course, topics related to national anti-trafficking policies, the international commitments of the Republic of Moldova, the role of the consular officer in the process of managing trafficking cases, the provisions of international treaties, etc. were addressed.	45 specialists (42 from diplomatic missions and 3 from the central office of the Ministry of Foreign Affairs)
7	Workshop for prosecutors from the territorial prosecutor's offices, responsible for the field of combating THB on the topic " <i>Contribution to a consolidated response of law enforcement and policy-making bodies to human trafficking in the Republic of Moldova</i> "	ined prosecutors
8	Training workshop on the topic " <i>Strengthening the capacities of prosecutors and police officers specialized in combating trafficking in human beings in the light of the latest</i> "	ined persons

	<i>trends and recommendations included in the international evaluation reports"</i>	
9	The course organized by ILEA Budapest, on the topic " <i>Updating training on human traffickers</i> "	5 prosecutors, 6 police officers
The year 2022		
10	Summer school " <i>The state's response to human trafficking cases, from the perspective of fairness, efficiency and the criminal proceeding</i> "	22 trained persons (7 judges, 8 prosecutors, 6 prosecution officers, 1 lawyer)
11	3 seminars on the topic " <i>Peculiarities of investigating and judging crimes in the field of combating THB and related crimes</i> "	133 trained persons (8 judges, 31 prosecutors, 32 judicial assistants, 22 clerks, 27 prosecutors' consultants, 13 specialists)
12	2 seminars: " <i>Peculiarities of examining cases on the application of protection measures to victims of domestic violence/violence against children</i> "	51 lawyers providing state-guaranteed legal aid
13	2 workshops " <i>Identification of human trafficking cases in the context of mixed migration flows. Risks and vulnerabilities of refugees and displaced persons in the context of the war in Ukraine</i> "	50 representatives of the Territorial Commissions for combating THB
14.	UNODC Regional Meetings: - Regional expert group meeting (March 2-3, 2022) "Financial investigations and asset recovery resulting from THB, including victim compensation, in South-Eastern Europe", took place in Sarajevo, Bosnia and Herzegovina, - Regional expert group meeting (May 10-12, 2022) on "Improving the response to trafficking in persons for sexual exploitation, especially of women and girls, through the terms of demanding in South-East Europe", took place in Dubrovnik, Croatia, - Regional expert group meeting (July 5-6, 2022) "Addressing trafficking in persons for the purpose of sexual exploitation facilitated by technology and cybernetics, including children, in South-Eastern Europe", took place in Herceg Novi, Montenegro, -Regional multidisciplinary workshop (September 27-29, 2022) within the project "UN locking Impunity of	19 specialists (police officers, prosecutors, labor inspectors)

<p>Traffickers and Supporting Justice for Victims of Trafficking in Persons in Southeastern Europe”, took place in Budva, Montenegro,</p> <ul style="list-style-type: none"> - Regional expert group meeting (October 5-6, 2022) “Combating labor exploitation in THB, with a special focus on supply chains, in South-Eastern Europe”, took place in Chisinau, Republic of Moldova. 	
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10. International cooperation

GRETA welcomes the Moldovan authorities' participation in international co-operation in the area of combating THB and invites them to strengthen their efforts in this respect, in particular when it comes to financial investigations, collaboration between labor inspection agencies, and sharing information to ensure the safe return of victims of trafficking (paragraph 140).

In most cases, the THB crimes, the illegal migration and other crimes related to them are mainly of a cross-border nature, being committed as a rule in two or more countries, a fact that complicates the criminal investigation and the administration of the evidence that is necessary to establish the truth. Thus, the prosecutors and the police officers are permanently instructed that the international cooperation in criminal matters between the states of origin-transit-destination is an indisputable necessity, imposed by objective requirements.

The international legal assistance in criminal matters is requested whenever necessary based on the international instruments to which the Republic of Moldova is a party, as well as on the basis of the applicable national provisions in this regard.

In line with art. 531 para. (1) of the CPC (*Legal Regulation of International Legal Assistance*), the relations with the foreign countries or the international courts in terms of the legal assistance in criminal matters are regulated by the CPC and the provisions of the Law no. 371 of 01.12.2006 on international legal assistance in criminal matters. The provisions of art. 533 of the Criminal Procedure Code regulate the volume of the international legal assistance, which can be requested by the competent bodies of the Republic of Moldova or granted to another requesting state.

Thus, in the field of international cooperation and legal assistance, it can be noted that in 2021 the GPO submitted to other states 32 requests for letters rogatory in criminal cases related to the investigation of THB cases (art. 165 of the Criminal Code). The reference countries are: the Russian Federation – 11, Romania – 1, Great Britain – 1, Bulgaria – 2, the Hellenic Republic – 3, Italy – 2, Cyprus – 1, Ukraine – 2, Portugal – 1, the USA – 1, France – 1, Poland – 1, Turkey – 5.

At the same time, the GPO sent for execution to Romania a request on a child trafficking investigation case (art. 206 of the Criminal Code), which was fully executed.

The GPO received for execution from the legal bodies of other states 3 letters rogatory related to the investigation of cases of trafficking in human beings (art. 165 of the Criminal Code). The reference countries are: Belgium – 1, the Hellenic Republic – 1, the Republic of Uzbekistan – 1. All the letters rogatory have been executed, and the materials have been sent to the requesting states.

Letters rogatory, in criminal cases related to the investigation of child trafficking cases (art. 206 of the Criminal Code) have not been received for execution from the competent authorities of other states.

The GPO sent 6 extradition proceedings on the criminal liability for the offenses provided for in art. 165 of the Criminal Code to the following states: the Czech Republic – 2, Ukraine – 1, Spain – 1, the Hellenic Republic – 1, Italy – 1.

With regard to the investigation of the causes of child trafficking (art. 206 of the Criminal Code), the GPO initiated an extradition request addressed to the authorities of the French Republic.

Over the first 9 months of 2022, the GPO submitted to other states 30 letters rogatory in criminal cases on the investigation of THB cases and related crimes. By the date this note was drafted, 4 letters rogatory had been executed, the rest are currently pending at the foreign authorities.

At the same time, the GPO sent for execution to the competent authorities of the Republic of Italy and France 10 letters rogatory on the investigation of cases of human trafficking and crimes related to child trafficking (art. 206 of the Criminal Code), of which 2 have been executed.

Over the first 9 months of 2022, a person, that was internationally wanted by the competent authorities of Norway for a human trafficking crime which is being under examination, was arrested on the territory of the Republic of Moldova.

At the same time, in connection with the investigation of THB cases (art. 165 of the Criminal Code), the GPO sent 4 extradition requests on criminal prosecution for committing offenses provided for in art. 165 of the Criminal Code to the following states: the Russian Federation – 2, Greece – 1, Denmark – 1. The extradition requests are pending at the competent foreign authorities.

Agreements on establishing Joint Investigation Teams were concluded in 2020-2021:

- The Joint Investigation Team ("JIT") concluded on 28.05.2020 and extended until 29.05.2023. The JIT was concluded between the authorities of the Republic of Moldova (the General Prosecutor's Office, the Combating Trafficking in Human Beings Section), of Romania (DIICOT) and of France (the Lyon Court) in a case of investigations initiated based on - art. 165 paragraph (3) letter a), art. 361 paragraph (2) letter b) and art. 362(1) paragraph (3) letter a) of the Criminal Code.

Within the JIT activity, many actions were carried out in order to achieve the purpose of the JIT, including the organization together with Eurojust of the Joint Action Days on 22.06.2021, following which good and progressive results were achieved in the investigations in all the three countries (arrests, searches, seizures, identification of victims, etc.)

A tripartite coordination meeting was held on 31.03.2022, where the subsequent action plan was agreed upon.

- The JIT between the General Prosecutor's Office (the Combating Trafficking in Human Beings Section) and the Italian Anti-Mafia Directorate (the Prosecutor's Office attached to the Potenza Court) concluded on 05.03.2021, was extended by 6 months until 04.09.2022.

In 2022, two coordination meetings were held during which questions related to the methods of completing the criminal proceeding in both states parties to the team, which state and what accused will send to the court, how to proceed with the aggrieved parties, etc. were assiduously discussed.

- The JIT set on 28.04.2021 between the PCCOCS and the French authorities (the Marseille Court) on the investigation of an organized group, which deals with THB for sexual exploitation was extended by 1 year (27.04.2023). In 2022 there was an exchange of opinions and messages between the JIT members.

- In 2022, a coordination meeting was held for the representatives of the law enforcement agencies from the Republic of Moldova, Italy and Hungary on the investigation of the THB actions of an organized crime group. As a result, it was decided to establish a JIT between PCCOCS and the Italian authorities and to have spontaneous exchange of information with Hungary. Two CCTiP employees also participated.

In 2021, 7 repatriation missions of unattended children on the territory of other states were organized, 16 children were repatriated, including: 13 children from the Russian Federation, 2 children from Poland and 1 child from the USA. From the total number of children repatriated during 2021: 9 children were reintegrated into biological/extended families; 1 child was placed in the professional parental assistance service; 2 children were placed in family-type children's home; 4 children were temporarily placed in the placement centers. During 9 months 2022, 1 child was repatriated from the Russian Federation.

An important role in the organization of actions to prevent and combat THB is played by the cooperation of the Republic of Moldova with various international organizations, missions of international organizations to Moldova with competences in the relevant field, which provide the Government of the Republic of Moldova with expertise and external assistance. Over the 9 months of 2022, the development partners (OSCE and the IOM Mission to Moldova, the US Embassy to Moldova, IC "La Strada", NCCAP, etc.) continued to provide support in training specialists in the field, informing the general public about the risks and the consequences of THB through the development and distribution of informative materials and publication/editing thereof.

11. Procedures adopted for children to get access to justice and remedies

GRETA urges the Moldovan authorities to ensure that all child victims of THB, including children older than 14, are in practice afforded special protection measures. In this context, GRETA refers to the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice (paragraph 151)

The legislation of the Republic of Moldova emphasizes the importance of ensuring the best interests of the child in the decision-making process, especially when he/she is involved in criminal proceedings on THB cases. Article 10 para. (6) of the CPC, guarantees respect for the interests of the child victims and witnesses at all the stages of the criminal proceeding.

Thus, according to art. 59 paragraph (1) of the CPC, the minor victim automatically acquires the status of an injured party in the criminal process, being guaranteed the observance of several procedural rights. In accordance with the provisions of art. 18 paragraph (2) of the CPC, the minor victim is heard in closed meeting. According to the provisions of art. 113 para. (6) of the CPC, no minor will be obliged to participate in the confrontation with the person accused of crimes against his physical and/or moral integrity. According to the provisions of article 110/1 of the CPC, the hearing of minor witnesses under the age of 14 in criminal cases regarding sexual crimes, child trafficking or family violence, as well as in other cases where the interests of justice or the minor require it, under the conditions of art. 109 para. (5), will be carried out by the investigating judge in specially arranged spaces, equipped with audio/video recording means, by an interviewer. The hearing of the minor will be carried out in restricted terms.

In the case of the identified child victims who have reached the age of 14, the criminal prosecution officer communicates to the victim his/her rights and obligations, the legal possibilities for obtaining compensation and the remedies available in line with art. 58 of the CPC, the Law no. 241/2005 on preventing and combating trafficking in human beings, the Law no. 137/2016 on the rehabilitation of victims of crime and the Law no. 105/2008 on the protection of witnesses and other participants in the criminal proceeding.

At the same time, the state prosecutors have been instructed that where necessary, especially when hearing minor victims, the court shall be required to hear the victim or the aggrieved party, as applicable, in the absence of the defendant, ensuring the latter the opportunity to get acquainted with the statements made and to ask the interviewed person questions.

In order to ensure an efficient implementation of the national and international standards, strengthen the child-friendly justice system, improve the quality of protection and assistance

provided to the child victims/witnesses of crime, the memo no. 8/3-11d/22-86 of 22.04.2022 was drawn up and the prosecutors were informed about the opening of the **Integrated Assistance Center for child victims/witnesses of crimes in Balti municipality (BARNAHUS type)**, which provides specialized, complex and multidisciplinary assistance to children who have been victims or witnesses of crimes of a sexual nature, of trafficking in children or domestic violence and about how to refer the children to the Centre.

In order to strengthen a justice system friendly to the child victim/witness, to avoid the re-victimization of the victims of child trafficking, in 2021, based on the requests submitted by the prosecutors, 7 victims were heard under special conditions by the investigating judge in specially arranged premises, equipped with audio/video recording, via an interviewer, pursuant to art. 110 (1) of the CPC (Hearing the child victims/witnesses of crime under special conditions). And over the 9 months of 2022 - 1 victim was interviewed under special conditions.

12. The role of business

GRETA considers that the Moldovan authorities should strengthen engagement with the private sector, in line with the UN Guiding Principles on Business and Human Rights and the Council of Europe Committee of Ministers Recommendation CM/Rec(2016)3 on human rights and business, with a view to raising awareness of the important role and responsibility of businesses in supporting the rehabilitation and recovery of victims, and to provide access to effective remedies (paragraph 155)

The Organization for Entrepreneurship Development ("ODA") is a public, non-commercial institution, empowered to develop and implement programs and tools to support the domestic entrepreneurial environment, including the small and medium-size enterprises ("SME") sector in order to increase the competitiveness of the economy of the country.

Currently, ODA is managing 6 state programs in place and 5 new programs that are under development, which provide integrated training, consulting, funding and mentoring. Among them:

- The Program for Attracting Remittances in Economy "PARE 1+1"
- The Start for Youth Program: a sustainable business at home
- The Support Program for businesses with high growth and internationalization potential
- The SMEs Greening Program
- The entrepreneurial support tool, The SMEs Guarantee Fund
- The Digital Transformation of SMEs Program
- The Women in Business Program

Thus, the listed programs contribute to the development of the entrepreneurial and organizational skills, by facilitating access to consulting/mentoring, training and funding (grants/guarantees), for managing and expanding activities in all the areas of the national economy. In the process of implementing the support programs in place, ODA facilitates free access to entrepreneurial education and access to funding, including for THB victims, to support ensuring their economic and social integration and inclusion.

GRETA considers that the Moldovan authorities should adopt legislation promoting transparency in supply chains to enable scrutiny of companies' performance to prevent THB and labor exploitation (paragraph 156)

By the Law no. 137/2020 (in force from 07.02.21), amendments were made to the Law no. 105/2018 on the promotion of employment and unemployment insurance and the Law no. 140/2001 on the State Labor Inspectorate (SLI).

Thus, since 07.02.2021, SLI has exercised the state control over the activity of private agencies and unlicensed intermediaries that carry out activities related to the employment abroad of the citizens of the Republic of Moldova under the conditions provided for in the Law no. 105/2018 on the promotion of employment and unemployment insurance and other legal acts.

When exercising an unannounced control of the activity of a private agency or an unlicensed intermediary, SLI may request the involvement of the CCTiP or other authorized authorities in the control process.

If, as a result of the state control of private agencies or unlicensed intermediaries, suspicions of THB or forced labor are detected, the SLI sends the control report and other documents related to the case to the CCTiP to establish the elements of the crime.

12. Measures to prevent and detect corruption

While welcoming the steps taken to adopt legislation and set up specialized anti-corruption agencies, in combating corruption, GRETA considers that the Moldovan authorities should introduce measures aimed at addressing corruption in a THB context in the National Anti-Corruption Strategy (paragraph 162).

By the Parliament Decision no. 241/202, the period of action of the 2017-2020 National Integrity and Anti-Corruption Strategy was extended, until 2023. Thus, in the Action Plan on the implementation of the Strategy, the following actions can be noted, which also refer to the fight against corruption in the context of THB:

- Training the actors in the justice system (the law enforcement officers, the prosecutors and the judges) on criminal asset recovery procedures, including on special and extended seizure and confiscation, as well as on international legal cooperation,
- Training the heads of the courts and of the prosecutors' offices and of the operational managers on corruption risk management,
- Carrying out a study on all the criminal cases for acts of corruption and related to corruption with sentences that became irrevocable in the period of 2019-2020,
- Examining the opportunity to create courts/panel of judges specialized in the examination of files for corruption and corruption-related activities.

A priority area in the activity to combat THB is the investigation of cases that involve officials in committing THB and cases that involve officials in corruption actions in connection with the investigation of THB cases.

It should be noted that during 9 months of 2022, no new cases of the mentioned categories were identified, being investigating and examining the cases identified from previous years: 13 related to the involvement of officials in committing THB and 4 related to the cases of involvement of officials in corruption actions in connection with the investigation of THB cases.

13. Developments in the institutional and policy framework regarding the fight against human trafficking

GRETA reiterates its recommendation from the second evaluation report and considers that the Moldovan authorities should examine the possibility of establishing an independent National Rapporteur or designating an already existing independent mechanism for monitoring the antitrafficking activities of state institutions (paragraph 24).

In the 2018-2020 Action Plan on the implementation of the 2018-2023 National Strategy for preventing and combating trafficking in human beings (GD no. 461/2018), the following action was foreseen: *Carrying out the feasibility study aiming to identify the opportunity to create the Office/unit of the national rapporteur on the evaluation of national policies.* In 2020, with the support of IOM, an international expert was contracted to carry out an independent assessment of the effectiveness of the Directorate of the Permanent Secretariat in coordinating anti-trafficking policies and the feasibility of establishing the position of the National Rapporteur in the field of anti-trafficking in Moldova¹³.

This topic was discussed within several working meetings of the Technical Coordinating Group of the PS, but no possibilities were identified to integrate the function of the Rapporteur in a different institution.

In the absence of an independent National Rapporteur, GRETA considers that the Moldovan authorities should commission an external, independent evaluation of the implementation of the National Action Plan (paragraph 25).

In line with the provisions of point 4 of the GD no. 386/2020 on planning, developing, approving, implementing, monitoring and evaluating the public policy documents, which provides that the "*public policy documents in force that do not comply with the provisions of this decisions stay enforceable until the completion of the implementation period, but not more than 2 years after the entry into force of this decision*", the 2018-2023 National Strategy on Preventing and Combating Trafficking in Human Beings was enforceable only until June 2022 and an independent evaluation of the Strategy was requested by the State Chancellery. The evaluation report on the implementation of the 2018-2023 National Strategy on Preventing and Combating Trafficking in Human Beings, was developed by the international expert Hanna Antonova, contracted by IC La Strada. The report was discussed with anti-trafficking experts, civil society organizations and international organizations on 23 November 2022.

Furthermore, GRETA urges the Moldovan authorities to strengthen the co-ordination of anti-trafficking action by increasing the number of staff members in the Permanent Secretariat dealing with the development and co-ordination of the implementation of the National Action Plan (paragraph 26).

The number of the PS employees remained the same, but as a result of the institutional reform that took place in November 2022 within the SC, responsibilities in the THB field were included in 2 job descriptions.

14. Measures to prevent and combat trafficking for labor exploitation

While commending the steps taken since the second evaluation to prevent and combat trafficking for the purpose of labor exploitation, GRETA urges the Moldovan authorities to take further steps to prevent and combat THB for the purpose of labor exploitation, in particular by:

- ***designing and implementing awareness campaigns for people who intend to search for jobs abroad and seasonal workers, as part of which it is clarified that the issuance of a biometric passport does not automatically provide a right to travel or work abroad***

¹³ <http://www.antitrafic.gov.md/libview.php?l=en&id=1359&idc=32&t=/Reports/International-partners-Reports/Assessment-of-the-capacity-of-the-Directorate-of-Permanent-Secretariats-of-the-State-Chancellery-of-the-Republic-of-Moldova-to-coordinate-counter-trafficking-policies-and-of-the-feasibility-of-the-introduction-of-a-National-Rapporteur-on-Combating-Trafficking-in-Human-Beings-in-Moldova/>

In order to prevent the THB cases and other related crimes, the CCTiP employees, together with the representatives of the IC "La Strada", paid 12 visits to the Temporary Placement Centers for displaced persons from Ukraine located in Chisinau municipality, where discussions took place with the staff and the displaced persons in order to prevent potential risk situations. In this regard, leaflets with useful information in English and Ukrainian were developed and provided by the IOM, where the contact numbers of the Hotlines were included.

In the 9 months of 2022, 16 awareness raising and information activities were organized by CCTiP to inform the general public, including media releases with the information placed on the "politia.md" and "procuratura.md" webpages, as well as on the Facebook social network of CCTiP.

By the order of the General Prosecutor's Office no. 15-5d/21-112 of 26.01.2021, the territorial prosecutors were requested to undertake organizational and hierarchical control measures to raise awareness among employers and employees, in order to effectively prevent and combat THB cases for labor exploitation and cases of forced labor. In order to reduce the amplitude of THB through a better information of the population, awareness-raising activities were organized on this topic both from the perspective of the employees and from the perspective of the employers and communication activities to inform the general public about the exploitation phenomenon and its consequences, visits were made to enterprises of different organizational and legal forms, which carry out economic activity, especially in the agricultural sector, animal husbandry, constructions and provision of services in order to familiarize with the risks of using the undeclared labor, disrespect for the employees' rights, implicitly of the working and leisure time, salary payment, the working conditions, with the priority on protection and the security and health of the workers in the working place, etc.

ANOFM provides consultation and information on the legal employment, based on individual employment contracts, via online forms sent by citizens to the institution, by phone and submitted at the headquarters. Via the free telephone service of the Call and Communication Center of ANOFM, a total of 6,647 calls were received with regard to the legal employment in the country and/or abroad, of which 7,768 calls related to the emigration process. The citizens are informed about the 3 legal ways of employment abroad based on the Law no. 105/2018 on the promotion of employment and unemployment insurance: in line with the provisions of the international treaties to which the Republic of Moldova is a party, via the private recruitment agencies which are licensed and individually, based on an individual employment agreement concluded with the employer before leaving the country.

Consultations are also offered to economic agents, interested in getting a license for activities related to employing the Moldovan citizens abroad, and, in line with the field of competence, ANOFM coordinates cooperation agreements and draft individual employment contracts in compliance with the provisions of the Law no. 105/2018 on the promotion of employment and unemployment insurance.

In 2021, as many as 171 draft employment intermediation contracts were examined, of which 132 were positively endorsed. As many as 123 sets of documents submitted for registration as part of the procedure for prior verification of the foreign beneficiary were examined, of which 103 that comply with the legal provisions were registered at ANOFM. Within the limits of the legal framework, ANOFM registers the individual employment contracts of the citizens that are to be employed abroad and the employment intermediation contracts. In the reference period, ANOFM registered 6269 individual employment contracts of the citizens employed abroad via private agents and entered into the Register 2013 employment intermediation contracts concluded between the private agencies and the persons that were seeking employment abroad.

-increasing the number of labor inspectors and expanding their mandate to enable them to play a frontline role in the prevention and identification of THB for the purpose of labor exploitation, including by ensuring that they can carry out unannounced inspections

Since 07.02.2021, in line with the provisions of art. (22) of the Law no. 140-XV of 10.05.2001, SLI exercises the state control over the activity of private agencies and unlicensed intermediaries that carry out the activity related to the employment of the citizens of the Republic of Moldova abroad under the conditions provided for in the Law no. 105/2018 on the promotion of employment and unemployment insurance and in other legal acts, which strengthened their role in preventing and combating THB. In the 2021-2022 period, the number of labor inspectors has not increased.

- ***training labor inspectors throughout the country, as well as law enforcement officers, prosecutors and judges, on combating THB for the purpose of labor exploitation and the rights of victims***

On June 2, 2022, in the light of the "Towards safe, healthy and declared work in Ukraine", Project, a training was carried out by the International Labor Organization, for state labor inspectors and trade unions in order to increase their capacity to counteract forced labor and THB in the context of the war in Ukraine.

The trainings organized for judges and prosecutors have been described in point 9 above.

- ***strengthening co-operation between law enforcement officers, labor inspectors, financial police, tax authorities, trade unions, and other civil society actors, with a view to collecting the evidence necessary for successfully prosecuting cases of THB for the purpose of labor exploitation***

On 04.11.2020, a meeting of the Coordinating Council of the law enforcement bodies with duties in the field of combating THB was organized, including with representatives of the General Prosecutor's Office, the Prosecutor's Office for Combating Organized Crime and Special Cases, the Anti-Corruption Prosecutor's Office, the Ministry of Justice, the Ministry of Internal Affairs, the National Anti-Corruption Center, the Intelligence and Security Service, the General Police Inspectorate of the MoI, the General Inspectorate of the Border Police, the Center for Combating Trafficking in Human Beings. On the agenda of the Coordinating Council meeting, a range of up-to-date topics were debated, including cases of the exploitation of people on the territory of the country in stables, in constructions and in agriculture.

- ***strengthening the monitoring of private recruitment agencies***

The Law no. 105/2018 on the promotion of employment and unemployment insurance implicitly provides for the role of the State Labor Inspectorate as the authority responsible for monitoring the activity of private agencies by performing controls of their activity.

SLI is responsible for carrying out controls jointly with CCTiP at the stage of issuing/extending/re-issuing the activity license (art. 58 of the Law). The control and monitoring of the activity of private agencies and unlicensed intermediaries is carried out by SLI, with the participation of CCTiP, the licensing body and ANOFM.

In order to control the activity of private agencies and unlicensed intermediaries, SLI carries out planned and unannounced controls in accordance with the provisions of this law, the Law no. 140/2001 on the State Labor Inspectorate, the Law no. 131/2012 on the state control of the

entrepreneurial activity and other legal acts. In case of carrying out an unannounced control of the activity of a private agency or an unlicensed intermediary, SLI may request the involvement of the CCTiP or other authorized authorities in the control process.

As part of the control process of the activity of private agencies or unlicensed intermediaries, the SLI shall confirm the following circumstances:

- a) the possession of a license for the activity related to the employment abroad, as well as the validity of the permissive document;
- b) the number of emigrant workers employed abroad through the private agency or through the unlicensed intermediary;
- c) the period of activity and the existence of cases of payments collection;
- d) the accuracy of the information provided to the emigrant worker about the workplace and the workers' rights within the labor mediation process;
- e) the intervention of the private agency in the resolution of a conflict or a labor dispute that arose after the employment of the worker abroad;
- f) the actions taken by the private agency in order to inform the authorities about the complaints of emigrant workers received by the agency regarding the disputes and labor conflicts that have arisen between the foreign beneficiary and the emigrant employed abroad, as well as the actions taken to solve them;
- g) the performance of the due diligence of the foreign beneficiary;
- h) the existence of previous complaints against the private agency or the foreign beneficiary and the nature thereof;
- i) the involvement of the private agency in the repatriation of emigrant workers in line with the procedure set by the Government.

For 2022, as many as 27 controls of the activity of the employment abroad of the citizens of the Republic of Moldova were planned. Over the 9 months of 2022, SLI initiated 20 planned controls in the field of "compliance with the normative framework on the activity of private agencies and unlicensed intermediaries that carry out activities related to the employment abroad of the citizens of the Republic of Moldova". As a result of the undertaken actions, it was found that 8 agencies stated the lack of activity, one agency had its permissive document (license) revoked and one economic agent was removed from the Register.

In 2021, CCTiP, jointly with SLI, checked 16 employment agencies for citizens in the country and abroad. In one case, derogations from the provisions of the Law no. 105/14.06.2018 (on the promotion of employment and unemployment insurance) were elucidated.

In line with art. 58, para. (5) of the Law no. 105/2018, on the day of the registration of the application and of the necessary documents for issuing/extending/re-issuing the license, the licensing body notifies CCTiP and SLI to make sure (with or without requesting a control visit from the body) that the licensing conditions are complied with. Not exceeding 5 working days from the date of notification, CCTiP and SLI send a notification or the control report on the results of the carried out verification.

In the period of 01.01.2022 – 30.09.2022, SLI examined 47 requests from the Public Services Agency ("PSA"), to check the compliance with the licensing conditions set forth in art. 58 of the Law no. 105 of 14.06.2018 on the promotion of employment and unemployment insurance.

The CCTiP employees periodically check the ads on specialized job posting sites, which are subsequently analyzed for signs of potential recruitment of THB victims. As a result of the monitoring, over the 9 months of 2022, 4 contravention reports were drawn up with regard to natural persons and fines were applied thereof, whereas 3 employment agencies were found to be operating with no license, and 1 criminal case was initiated in line with art. 362 (1) of the Criminal Code (Organization of illegal migration) and 2 criminal cases – in line with art. 190 of the Criminal Code (Fraud).

Likewise, in order to prevent cases of THB for labor exploitation, 31 employment agencies were checked in 2022, out of which 2 agencies received a negative opinion on operation. In 2021, CCTiP employees identified 2 natural persons and 2 legal persons that were dealing with employment of citizens abroad, without registering the agency in the field, as a result of which 2 contravention reports were drawn up and fines were applied as sanctions. The State Fiscal Service was notified about these cases.

Periodically, joint working meetings of the employees of the Center for combating trafficking in human beings and the labor inspectors are held.

- ***working closely with the private sector to promote corporate social responsibility, in line with the Guiding Principles on Business and Human Rights and Recommendation CM/Rec (2016)3 on human rights and business (paragraph 172)***

Within the control visits, SLI raises awareness of the decision-makers about their responsibilities in line with the Guiding Principles on Business and Human Rights and the Recommendation CM/Rec (2016).

An added value for the implementation of GRETA recommendation as a whole, is that on October 20, 2021 the National Trade Union Confederation of Moldova (CNSM), on the one hand and the Italian General Confederation of Labor (CGIL), the Italian Confederation of Trade Unions (CISL), the Italian Labor Union (UIL), on the other hand, signed a **Cooperation Agreement** in Rome, Italy. The document provides for increasing the protection of the Moldovan workers with a regulated status in Italy and of the Italian workers with a regulated status in the Republic of Moldova.

In line with the provisions of the Agreement, the parties shall cooperate and carry out activities in the field of promoting the implementation of the provisions, and as the case may be, the ratification of the Conventions, the adoption of standards and other intentional instruments focused on the rights of migrants by mutual support in ensuring compliance with the principles stipulated in the Conventions, standards and other international instruments with regard to the protection of human rights and those in the field of labor. At the same time, the Cooperation Agreement also provides for strengthening the communication and information on the rights of migrants, the provision of assistance to migrant workers, the provision of support in improving working conditions and combating labor exploitation.

15. Social initiatives for groups vulnerable to THB

GRETA considers that the Moldovan authorities should continue to strengthen the prevention of THB through sustained social, economic and other measures to empower groups vulnerable to THB, especially women, children, young people and Roma, including by promoting access to the labor market and by providing access to vocational education. Further efforts should be made to promote gender equality, combat gender-based violence and stereotypes, and support specific policies for the empowerment of women as a means of combating the root causes of THB (paragraph 178)

In the context of the "European Day against Trafficking in Human Beings", on October 18 the national Campaign the "Week for Combating Trafficking in Human Beings" is carried out annually. Within the Campaign, central and local public authorities in cooperation with the

development partners and representatives of civil society carry out awareness raising activities for the general public on this topic. Thus, at the national level during this period, round tables, seminars for professionals and for different vulnerable groups were organized on the respective topic. Informative notes are drawn up about the results of the Campaign, which are posted on www.antitrafic.gov.md.¹⁴

Another important Campaign is the *National Campaign the "16 Days of Activism Against Gender-Based Violence"*, which is held every year, and begins on the International Day for the Elimination of Violence against Women - 25 November - and ends on the Human Rights Day, 10 December. The action aims to prevent and combat gender-based violence by raising awareness about violence as a violation of human rights, its consequences and costs, as well as the mechanisms to combat it at the community and national level.

The year 2021 marked an important step for the Republic of Moldova related to the elimination of gender-based violence by the ratification of the Istanbul Convention. The ratification of the Istanbul Convention represents a significant progress in the context where the COVID-19 pandemic has intensified cases of violence against girls and women, especially domestic violence, emphasizing the need for a firm and immediate action.

In the context of the refugee crisis from Ukraine, in order to identify the needs of vulnerable groups (women, children, elderly, people with disabilities) with the support of development partners, the following swift analyses/assessments were carried out:

- UN Women in cooperation with IOM carried out a swift assessment for the needs of the refugees from Ukraine.

- UNFPA conducted swift gender-based violence assessments and security audits of various temporary refugee placement centers and border crossing points to identify the risks for the phenomenon of gender-based violence, THB and the profile of vulnerable groups, including to support the adoption of risk mitigation measures in all the sectors.

On October 5, 2022, an online event was held in which representatives of our diaspora from France, Spain, Italy, Germany, Israel, Jordan, etc. participated, as well as representatives of central public authorities from the General Prosecutor's Office, the Ministry of Foreign Affairs and European Integration, the Ministry of Labor and Social Protection, the National Employment Agency, the Center for Combating Trafficking in Persons, the State Labor Inspectorate, the Parliament, the National Social Assistance Agency and IC "La Strada". The purpose of this activity was to inform our compatriots in the diaspora about the THB phenomenon, its risks and consequences.

GRETA considers that the Moldovan authorities should provide resources to trained community mediators to enable them to identify potential victims and victims of trafficking within the Roma communities, and strengthen efforts to ensure access to justice for persons from these communities (paragraph 179)

Consolidating the Roma community and improving the situation thereof is one of the desiderata of the Government of the Republic of Moldova. In its efforts to address the situation of the Roma community, the Moldovan authorities are guided by instruments and policies implemented at the level of the European Union.

In order to improve the situation of Roma people in the relevant sectors and ensure their active participation in social and political life in the country, the Government of the Republic of Moldova

¹⁴ <http://www.antitrafic.gov.md/libview.php?l=ro&idc=30&id=1344&t=/Rapoarte/Nationale/Nota-informativa-privind-realizarea-Campaniei-nationale-Saptamana-de-lupta-impotriva-traficului-of-human-beings-October-19-25-2020>
<http://www.antitrafic.gov.md/libview.php?l=ro&idc=30&id=1374&t=/Rapoarte/Nationale/Nota-informativa-privind-realizarea-Campaniei-nationale-Saptamana-de-lupta-impotriva-traficului-of-human-beings-October-18-25-2021>

approves and implements Plans and Programs for supporting the Roma population. The 2022-2025 Program to support the Roma population in the Republic of Moldova was approved by the GD no. 576/2022. The Program is a public policy document that describes the objectives and actions to support the Roma population in the Republic of Moldova to be carried out in priority areas such as: education; health; labor and entrepreneurship development; social protection and housing; Roma participation in public life; combating discrimination; culture and media; the activity of community mediators.

In the context of the increased vulnerability of Roma to the THB phenomenon, a separate chapter of the Program is devoted to measures to ensure the rights of migrant Roma people and to combat THB among them. The authorities' efforts in this field will include:

- organizing information campaigns on the risks and consequences of the involvement in the phenomena of illegal migration and other criminal activities;
- providing the necessary assistance to victims/presumed victims of THB of Roma ethnicity within the centers that offer specialized services;
- providing state-guaranteed legal aid in order to ensure access to justice for THB victims of Roma origin, including informing the victims about their right to state financial compensation and protection against their intimidation during and after the investigation/trial;
- preventing the trafficking in Roma children and women for sexual, labor exploitation, begging activities and other illegal actions;
- training the community mediators on the e-learning platform with regard to THB and the methods of identifying and referring victims and alleged victims from the Roma community;
- developing informative materials on migration and THB, including translation thereof into Romani, for distribution in Roma communities.

One of the tools identified, applicable to the Roma ethnic community, is the institute of the community mediator, which fulfills an important task in facilitating the process of inclusion of ethnic Roma in the society and their consolidation by ensuring a balance in the cooperation between the state institutions and the community, facilitating the communication and cooperation between them.

Additionally, the role and the added value of the activity of the community mediator in the field of preventing and combating THB within Roma communities should be mentioned. The responsibilities of the community mediator include, among others, informing community representatives about the rules of traveling and working abroad, identifying alleged victims of THB, and also facilitating the access of THB victims within Roma communities to assistance and the whole range of services guaranteed to them.

Considerable efforts are made for the ongoing professional development of the community mediators through training and orientation courses, round tables, workshops, conferences, forums, meetings and consultations. The topics of trainings for the mediators are established in cooperation with the relevant ministries, civil society, the National Association of Community Mediators from the Republic of Moldova and other relevant actors and usually cover various fields, including aspects related to the prevention and combating of THB. The following trainings and events for community mediators held in 2021-2022 should be mentioned:

- The republican training seminar for community mediators "*Professional training of the community mediator*", held on December 7, 2021 with the participation of representatives of state institutions - MoH, MoER, as well as the IRA partners – the German International Cooperation Agency (GIZ), Chisinau City Hall, the People's Advocate Office, the National Association of Community Mediators;
- The workshop for strengthening the capacities of the community mediators, held online on October 19, 2021. The event was organized by IRA with the support of the "Economic policy

advice to the Moldovan Government" Project, implemented by GIZ Moldova with the financial support of the German Federal Ministry for Economic Cooperation and Development (BMZ) and the Swiss Agency for Development and Cooperation (SDC).

16. Identification of victims of trafficking

GRETA considers that the Moldovan authorities should strengthen the identification of victims of THB, and in particular:

- ***ensure that the National Referral System is effectively implemented, by continuous and systematic training of all relevant professionals;***

The 2022-2026 Program for the creation and development of the National Referral Mechanism (MNRV) on the protection and assistance to victims of crime and the 2022- 2024 Action Plan on its implementation, were approved by the GD no.182 / 2022, aiming to put in practice the rights of victims of crimes and the implementation of the Law no. 137/2016 on the rehabilitation of victims of crime.

The approval of the MNRV Program was determined by the need to settle the problems in fulfilling the rights of all the victims of crime, as well as by the need to adapt the National Referral System (NRS) for the assistance and protection of THB victims and alleged victims to the changes that have taken place in the society and public policies, but first of all – to the needs of the victims of other crimes. The MNRV Program includes a detailed description of the current problems in the operation of the NRS and ways to address them, as well as establishes the procedure for expanding the scope of the NRS model, turning it into the MNRV.

The general objectives of the MNRV Program aim at:

1. General objective 1. To create a MNRV model that would ensure an effective coordination of the cooperation of all the actors involved in the protection and putting into practice of the rights of victims of crime;
2. General objective 2. To ensure an integrated approach to policies and services for victims of crime.

Since the approval of this Program (in March 2022), an analysis of the normative framework and the practice of providing services aimed to achieve the social reintegration of the THB victims in the Republic of Moldova has been initiated in partnership with the civil society. Meetings with MDTs and trainings are also planned to be carried out in several rayons (those that had in assistance the most displaced people from Ukraine) by the end of 2022.

- ***develop training for law enforcement on how to use ICT to identify victims of THB and gather evidence, in co-operation with specialized NGOs and the private sector***

The following trainings have been held:

- The workshop "Sexual abuse and exploitation of children through information and communication technologies", organized by NIJ, during which 25 prosecutors and 20 judges, 15 prosecutor consultants and 15 judicial assistants were trained (June 2 and 14, 2021) ;

- Training (online) on the "Investigation of online child sexual abuse and exploitation", organized by the Office of the Council of Europe in Chisinau (08.11.2021), 6 CCTiP employees participated;
- National training course "Recruitment of victims of human trafficking on the Internet" (06-10.12.2021), 8 CCTiP employees participated;
- Workshop organized by IC "La Strada" in partnership with the MoI and the US Embassy to Chisinau on the topic the "Early identification of victims of human trafficking during mixed migratory flows" (21.07.2022). Representatives of the MoI, MLSP, GPO, PCCOCS, CCTiP, GIBP, BMA, NSAA participated in the event.
- *pay increased attention to the proactive identification of victims of THB for the purpose of labor exploitation, victims of internal trafficking, and victims among asylum seekers and migrant workers (paragraph 185)*

The CCTiP employees periodically check the ads on specialized websites with regard to the posting of employment ads, which are subsequently analyzed for signs of potential THB victims' recruitment. Likewise, in order to prevent the cases of THB for labor exploitation, 31 employment agencies were checked in 2022, of which 2 agencies received a negative opinion on operation.

The Law no. 241/2005 established that the identification of victims, as a procedure that opens up access to the necessary assistance, can be carried out both by professionals from the public order sector and by the justice as well as beyond the criminal proceeding. In this context, the *Guidelines on the identification of victims and potential victims of trafficking in human beings*¹⁵ were developed, which lay down detailed procedure for the identification that is used by professionals.

17. Victim assistance, including effective access to public health services

GRETA urges the Moldovan authorities to make additional efforts to comply with their obligations under Article 12 of the Convention and ensure that all presumed and identified victims of trafficking receive adequate assistance and support, according to their needs. This should include measures to:

- *provide adequate funding to the centers for assistance and protection of victims and presumed victims of human trafficking, including by making it possible to use confiscated proceeds of THB offenses, as foreseen in Article 15, paragraph 4, of the Convention*

The financing of the specialized social service provision centers, with the status of public institutions, is carried out in line with the methodological norms approved by the Government from the financial resources of the state budget. At the same time, it should be mentioned that the annual funding amounts for the aforementioned centers are updated according to the inflation rate coefficient.

¹⁵approved by the Order of the Ministry of Labor, Social Protection and Family no. 33 of February 20, 2012

For the year 2020:

To maintain the Assistance and Protection Centers for victims of trafficking in human beings and the psychosocial rehabilitation centers for victims of domestic violence (7 Centers), funds amounting to MDL 10,896.9 thousand were executed, of which:

- for the Center for Assistance and Protection of Victims of Trafficking in Human Beings in Chisinau municipality, funds amounting to MDL 3602.3 thousand were executed from the state budget (MHLSP);
- for the maintenance of the Center for assistance and protection of victims of human trafficking in Cahul rayon and the psychosocial rehabilitation centers for victims of domestic violence in Anenii Noi, Causeni, Drochia, Hincesti rayons and Balti municipality, special destination transfers of funds from the state budget to the local tier II budgets amounting to MDL 7294.6 thousand were executed.

For the year 2021:

Overall, to maintain the 8 Centers (the newly created Center in the ATU Gagauzia has been added), funds amounting to MDL 13,067.4 thousand were executed, of which:

- for the Center for the Assistance and Protection of THB Victims in Chisinau municipality, funds amounting to MDL 3587.8 thousand were executed;
- to maintain the Center for the assistance and protection of victims of trafficking in human beings in Cahul rayon and the psychosocial centers for the rehabilitation of victims of domestic violence in Anenii Noi, Causeni, Drochia, Hincesti rayons and Balti municipality and the ATU Gagauzia (new) special destination transfers from the state budget to the second-tier local budgets were made, amounting to MDL 9479.6 thousand.

For the year 2022:

Overall, funds amounting to MDL 14,892.5 thousand were approved to maintain the 8 Centers, of which:

- MDL 4573.4 thousand were approved for the Center for assistance and protection of THB victims in Chisinau municipality;
- To maintain the Center for assistance and protection of victims of trafficking in human beings in Cahul rayon and the psychosocial centers for the rehabilitation of victims of domestic violence in the rayons, via the special destination transfer from the state budget to the second-tier local budgets, MDL 10319.1 thousand were approved.

- set up centers providing assistance, including accommodation, to male victims of THB

In line with the Regulation, approved by GD no. 1263/2016, the National Social Assistance Agency ("NSAA") manages the activity of the Assistance and Protection Center for Victims and Potential Victims of Trafficking in Human Beings, Chisinau Municipality ("APC") and the Assistance and Protection Service for Male Victims of Human Trafficking ("APS") within the Placement Center for the elderly and disabled, Chisinau municipality, in which MLSP has the capacity of the founder.

The creation of the APS represented an activity included in the Action Plan for the implementation of the 2018-2023 National Strategy for preventing and combating trafficking in human beings, GD no. 461/2018.

APS was created on February 16, 2021 and is a specialized service that provides assistance services in crisis situations for victims and alleged victims of THB. The Service's mission is to

ensure a systemic approach to the protection and assistance of male victims of THB, as well as to ensure the respect of their rights by guaranteeing unconditional access to the necessary protection and quality assistance.

The beneficiaries of the Service are men presumed or found to have suffered moral, physical or material damage through the THB offense or other THB-related offenses (forced labor, slavery, organization of illegal migration). The services are provided in line with the individual characteristics of the beneficiaries and the circumstances of the case, taking into account the legal provisions and the quality standards.

The range of services include:

- temporary and safe placement;
 - daycare services;
 - provision of food, clothes and personal hygiene items;
 - psychological, social and legal assistance;
 - access to medical services;
 - advice and information about their rights and available services;
 - assistance in obtaining life skills;
 - referral to re/professionalization and employment services, etc.
- access/referral of beneficiaries to other services and facilitation of the process of (re)integration of beneficiaries in the biological (extended) family and in the community through cooperation and, as the case may be, the referral of beneficiaries at the end of the placement period to the territorial multidisciplinary teams.

In 2021, 18 people benefited from specialized assistance within APS. Out of which, 14 benefited from placement and assistance, and 4 people received a daycare assistance. The beneficiaries were admitted to the APS being referred by the CCTiP (3), the General Police Inspectorate (4), the General Prosecutor's Office (7) and the OIM (4). Out of the total number of those assisted, 15 cooperated with the legal authorities and appear as aggrieved parties in criminal files. The identity documents/civil status were restored for 7 beneficiaries. For 2 beneficiaries, the necessary assistance in establishing social benefits was granted. At the same time, 16 men benefited from psychological services. For 7 people, it was necessary to draw up the psychological evaluation report (request from the legal authorities). At the request of the criminal investigation officers, the APS psychologist participated in 4 hearings within the CCTiP. As many as 13 men benefited from medical assistance. The data on the medical interventions are included in the health record files, on the basis of which the health condition is monitored throughout the period of placement.

In January and September 2022, 16 men benefited from specialized assistance within APS. Out of the total number of beneficiaries, 15 were labor exploited and 1 person was sexually exploited. The persons assisted within the service benefited from the following services: legal assistance – 1, social assistance – 16, medical assistance – 11, psychological assistance – 16, professionalization – 1.

The profile of the assisted beneficiaries indicates that they come from socially vulnerable families or are former residents of boarding-type educational institutions. Education level - general, they can hardly read and write. From a psychological point of view, the beneficiaries are very

sensitive, they cannot express their emotions and feelings, they hardly discuss on the subject of their exploitation due to the strong emotions that they relive.

- ***ensure that all victims of THB are guaranteed effective access to public health care by reviewing Law No. 175/2018 and including them in the categories of vulnerable persons to be covered by health insurance***

In line with the provisions of art. 6 paragraph (1) of the Law no. 1585/1998 on mandatory health care insurance, the status of an insured person is granted by the insurer as a result of the payment of the mandatory health care insurance premium in the manner and the terms provided for by the legislation or by inclusion in one of the categories of unemployed persons insured by the Government. The Government has the capacity of insured for the categories of unemployed persons domiciled in the Republic of Moldova and on the records of the competent institutions of the Republic of Moldova, specified in art. 4 paragraph (4) of the Law no. 1585/1998, except for the persons obliged by law to insure themselves individually.

At the same time, all the persons, including those who do not have the status of an insured person, benefit from specialized outpatient and inpatient medical assistance, in the case of socially conditioned illnesses with a major impact on public health, which is covered from the mandatory health insurance funds. In this context, the THB victims, who do not have the status of an insured person within the mandatory health insurance system, benefit from free pre-hospital emergency medical assistance, primary medical assistance, as well as specialized outpatient and inpatient medical assistance in the case of socially conditioned illnesses with a major impact on public health, the respective expenses being covered from the mandatory health insurance funds. Thus, as it can be noticed the access of the THB victims to the medical services covered by the mandatory health insurance funds, is guaranteed in line with the legal acts in force.

- ***increase co-operation between public agencies to issue identity documents to victims of THB in a more efficient way***

In order to provide the victims of THB with the civil status documents necessary for the issuance of the identity card or the provisional identity card, the competent subdivisions of the Public Services Agency ensure the provision of services for the issuance, free of charge, of certificates or extracts from the civil status documents based on the request submitted by the MLSP or by the territorial social assistance structures or by the MoI if these persons are citizens of the Republic of Moldova.

- ***provide long-term assistance to victims of THB and facilitate their reintegration into society (paragraph 195).***

We reiterate that the 2022-2026 Program for the creation and development of the National Referral Mechanism (MNRV) on the protection and assistance to victims of crime and the 2022-2024 Action Plan on its implementation, were approved by the GD no.182 / 2022, aiming to put in practice the rights of victims of crimes and the implementation of the Law no. 137/2016 on the rehabilitation of victims of crime.

At the same time, the Law no. 105/2018 on the promotion of employment and unemployment insurance, aims to prevent and reduce unemployment and its social effects, including for victims

of human trafficking (THB). In line with art. 25 of this Law, the THB victims can benefit from information and/or specialized support with regard to the demand and supply of labor force, active employment services and measures, conditions of accessing them, methods of finding a job. The information is also provided through activities aimed at familiarizing people with the employment opportunities via ANOFM, the legal employment methods in the country and abroad, etc.

ANOFM via STOFM offers qualification, requalification, training and specialization courses in order to increase and diversify the professional skills of the beneficiaries. For the unemployed who do not have a profession or trade, on-the-job training is provided within the unit in order to get knowledge, skills, competences.

If the unemployed want to start an entrepreneurial activity that creates a job for themselves, STOFM offers advice, assistance and support for starting a business. In order to stimulate job creation and reduce unemployment, ANOFM grants subsidies to support local initiative projects through which jobs are created in rural localities. At the same time, the unemployed who take up a job in another locality selected by STOFM, benefit from a single placement allowance equal to an average monthly salary for the previous year.

18. Preventing child trafficking and identifying and assisting child victims of trafficking

GRETA once again urges the Moldovan authorities to strengthen their efforts to improve the prevention of child trafficking and the identification of, and assistance to, child victims of trafficking, in particular by:

- utilizing the results of research, and paying increased attention to the link between THB in children and the use of ICT

The GD no. 347/2022 on approving the 2022-2026 National Child Protection Program and the Action Plan for its implementation were adopted in 2022.¹⁶ It is important to note that the change of the paradigm proposed in this National Program includes complex interventions on each priority issue, at the level of:

- 1) the legal framework;
- 2) the service provision mechanism by category of beneficiaries;
- 3) the investments for training and motivation of human resources, so that they act effectively in order to protect every child in a situation of difficulty;
- 4) the social norms that contribute to the collective spirit of intervention in supporting each child at risk and that govern the behavior of each member of the community with regard to the intolerance of any form of child abuse and exploitation;
- 5) the amount of financial resources invested in child protection;
- 6) the new and effective approaches in monitoring and evaluating the interventions in the field of child protection.

The general and specific objectives were set following an extensive consultation process in order to identify the priority areas of intervention in the child protection sector:

- 1) good governance in the field of child protection;
- 2) preventing and combating violence in all the environments and in all forms, by violence against children we mean all the types of violence defined in art. 2 of the Law no. 45/2007 on preventing and combating domestic violence, including child neglect, labor exploitation and child trafficking;

¹⁶https://www.legis.md/cautare/getResults?doc_id=131899&lang=ro

3) deinstitutionalization and alternative care/family support to prevent separation.

The order of these priorities was established based on the perception of the participants in the consultations. The children identified the same priorities, and put them in the same order. Thus, the three general objectives suggest another approach to the process of establishing priorities for the development of the child protection system – an approach based on impact through evidence, strong institutions, an informed and active society, as well as through strengthened capacities for effective reaction. This approach puts the child and their best interest in the center of the change, starting from the lessons learned that indicate the need for a quick adjustment of the normative framework, which would facilitate the prompt reaction of the system to the child's needs and would support them in overcoming crisis situations.

It should also be reported that the *Framework Regulation on the organization and operation of the Regional Integrated Assistance Center for child victims/witnesses of crimes and the Minimum Quality Standards was approved by the GD no. 708/2019*.¹⁷ The Barnahus-type regional integrated assistance center for child victims/witnesses of crimes is a highly specialized social institution without a residential component, which provides the beneficiaries with specialized assistance services at the regional level. The beneficiaries of the Center are children who are victims/witnesses of crimes of a sexual nature, child trafficking or domestic violence, against life and/or health, as well as in other cases where the interests of justice or of the child require it, which have or may have serious impact on their physical and/or mental integrity. The beneficiaries of the Center can also be children who are victims/witnesses of the domestic violence misdemeanor or that which endangers the life and health of the child, when the children's interests require it.

It should be highlighted that, within the Center, the following types of specialized assistance services are provided:

- hearing under special conditions;
- medical-legal examination;
- psychological evaluation and, as the case may be, complementary specialized assistance services - assistance to ensure the protection of the child at risk;
- psychological assistance in crisis;
- prior information of the child about the hearing under special conditions;
- medical examination;
- legal assistance.

Given that providing integrated assistance to child victims/witnesses of crimes is a complex process and involves specialists from various fields, clear procedures are needed to provide each type of assistance within the Center, delimiting the roles and responsibilities of all the actors involved, the way of interacting, as well as the ways of documenting all the processes. Thus, for a proper operation of this Service, on February 18, 2022, the *Operational Manual* on the functioning of the aforementioned Service was approved by the Order of the Minister of Labor and Social Protection.¹⁸

The operational manual describes the minimum actions to be taken to comply with the international standards and the Minimum Quality Standards on the organization and operation of the Regional Integrated Assistance Center for Child Victims/Witnesses of Crime and to ensure an approach focused on the interests of the child victims of violence and exploitation.

This document also responds to the need for the involved actors to standardize response activities to ensure consistency of actions and eliminate overlapping, conflicts and non-complementarity. These procedures also aim to ensure the continuity of service delivery that takes

¹⁷ https://www.legis.md/cautare/getResults?doc_id=119740&lang=ro

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

into account respect for children's rights and opinions at every stage and to ensure that the process of providing services allows them to keep their dignity.

Therefore, in early 2022, MLSP signed the Contract no. 12-LD on purchasing services to ensure the operability of the Regional Integrated Assistance Center for child victims/witnesses of crimes, in Balti municipality, thus **since March 2022, the first Barnahus-type center, intended to ensure the prevention of re-victimization and/or re-traumatization in the process of collecting evidence in criminal cases has started operating in Balti municipality.** The new center will serve the entire northern region of the republic, both Balti municipality and the 11 rayons in the region, a total of 571 localities.

At the same time, it is important to mention that, the normative framework has been developed in the field of preventing and combating violence, namely the *Law no. 140/2013 on the special protection of children at risk and children separated from their parents, as well as the Government Decision no. 270/2014 on approving the Instructions on the intersectoral cooperation mechanism for identifying, assessing, referring, assisting and monitoring the child victims and potential victims of violence, neglect, exploitation and trafficking*, which regulated the obligation of the representatives of educational institutions, health, public order, social assistance, other authorities and public institutions with duties in the field of child protection:

1) to register the reports of persons with regard to suspected cases of violence, neglect, exploitation, child trafficking and/or self-report in situations where they have identified suspected cases of violence, neglect, exploitation, child trafficking applying sectoral procedures;

2) to immediately inform the local guardianship authority by phone, and within 24 hours to send them the notification form of the suspected case of violence, neglect, exploitation, trafficking of the child.

Currently, the number of notifications about cases of violence, neglect, exploitation and trafficking remains high, with 6,714 notifications and self-reports registered in 2021. It is important to emphasize that the increase in the number of reports received should not necessarily be associated with the increase in the phenomenon of violence, neglect, exploitation and trafficking, as this is primarily the result of increasing the capacities of professionals from different fields in applying the intersectoral cooperation mechanism for identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking.

In this sense, through the joint Order of the Minister of Labor and Social Protection, the Minister of Health, the Minister of Internal Affairs and the Minister of Education and Research, the *Guidelines for the practical application of the intersectoral cooperation mechanism were approved, in order to effectively implement the provisions of the Government Decision no. 270/2014 on approving the Instructions on the intersectoral cooperation mechanism for the identification, evaluation, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking.*¹⁹

The Guidelines provide a series of recommendations and useful information aimed at ensuring effective and quality multisectoral and multidisciplinary interventions in each suspected or confirmed case of violence, abuse, neglect, exploitation and trafficking in children. The Guidelines are for all the representatives of educational, medical-sanitary and social assistance institutions, regardless of their legal form of organization, cultural, public order, state labor inspectorate, other authorities and public institutions with duties in the field of child protection.

Subsidiarily, it should be noted that, in the research carried out with the support of the development partners, the social workers have been identified as a key group of professionals who require additional training and capacity building in the protection of the rights of children who are

¹⁹ <https://social.gov.md/wp-content/uploads/2021/12/GHID-de-aplicare-practic%C4%83-a-HG-nr.-270.pdf>

victims of sexual exploitation and sexual abuse, including in terms of identifying, reporting and managing cases of sexual exploitation and sexual abuse of children. In this context, in March 2021, a *Training Material on the intervention in cases of sexual exploitation and sexual abuse of children was developed*²⁰ and 3 regional professional training workshops were organized in this regard.

On another note, it should be mentioned that the **free telephone assistance service** for children was launched on June 4, 2014 in the Republic of Moldova, which represents a highly specialized social service without a residential component that offers: psycho-emotional counseling, information in the field of protection of the rights of the child, consultancy in the field of the protection of the rights of the child and referral to the institutions empowered to provide the necessary assistance. This service has been assigned, by the National Regulatory Agency for Electronic Communications and Information Technology of the Republic of Moldova, a unique national number 116 111 and is managed by the Ministry of Labor and Social Protection and implemented by a non-governmental organization.

The activity of the free telephone assistance service for children is based on the provisions of the UN Convention on the Rights of the Child, helping to ensure that all the children can be heard and promoting the four basic principles of the Convention: non-discrimination; the best interest of the child; the right to life, survival and development; respecting the views of the child.

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

The objectives of the Service are:

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

The following activities are carried out within the Counseling Service:

- 1) assessment of the immediate needs and the potential risk of exposure of the child to violence, neglect, exploitation and/or violation of the child's rights;
- 2) counseling and telephone support to overcome the psycho-emotional problems of children, as well as relationship problems between parents/persons in whose care the children are, as well as with other children and/or adults;
- 3) information and consultation on the rights of the child and the child's protection system;
- 4) actions in line with the provisions of the Government Decision no. 270/2014 on approving the Instructions on the intersectoral cooperation mechanism for the identification, evaluation, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking.

Since the launch of the free telephone assistance service for children on June 4, 2014 and by September 30, 2022, as many as 44,535 calls were received and recorded.

In 2021, the psychologists of the free telephone assistance service for children received and recorded 3,929 calls, of which 3,324 were single calls and 605 repeated calls. During 2021, 1,526 children were assisted in the 386 calls in which the psychologists were notified about the situations of the violation of children's rights.

²⁰ <https://social.gov.md/wp-content/uploads/2022/02/Materiale-de-instruire-privind-interven%C8%9Bia-%C3%AEncasurile-de-exploatare-sexual%C4%83-%C8%99i-sexual-abuse-on-children.pdf>

In line with the Law no. 140/2013 on the special protection of children at risk and children separated from their parents, 448 notification forms were drawn up and sent to the competent bodies on suspected cases of violence, neglect, exploitation and trafficking.

In January and September 2022, a total of 591 calls/cases of violation of children's rights were received, of which 240 were unique and 351 were repeated calls. The specialists of the free telephone assistance service for children intervened in 143 unique cases and 11 repeated cases. In line with the Law no. 140/2013 on the special protection of children at risk and children separated from their parents, 261 notification forms were drawn up and sent to the competent bodies regarding suspected cases of violence, neglect, exploitation.

Additionally, regarding the management of the refugee crisis and especially of children, that originate from Ukraine, who benefit from protection on the territory of the Republic of Moldova (as a result of the war on the territory of Ukraine), it should be reported that the provisions of the national legislation in the field of child protection expressly establishes that all the children have equal rights and benefit from protection without any discrimination, regardless of race, nationality, citizenship, ethnic origin, sex, language, religion, disability, beliefs, wealth or social origin²¹.

Thus, in order to ensure respect for the best interests of children refugees, the MLSP and MoI developed the *draft Regulation on the establishment of the intersectoral cooperation mechanism for the identification, assistance and monitoring of children at risk, arriving from the territory of Ukraine during the declaration of the situation of war in Ukraine*, which was approved by the Commission for Exceptional Situations of the Republic of Moldova on 14.04.2022.

Therefore, in order to implement the provisions of point 21, letter e) from the aforementioned Regulation the following documents have been approved:

a) the joint Order of the Minister of Labor and Social Protection and the Minister of Internal Affairs no. 34/169 of April 22, 2022 on some measures to implement the Provision of the Commission for Exceptional Situations of the Republic of Moldova, by which the model of the Document was approved for authorizing the crossing of the state border of the Republic of Moldova when exiting the country by unattended children or children attended by an unauthorized companion²²;

b) the Order of the Minister of Labor and Social Protection no. 36 of May 5, 2022, which approved the model of the Document for a swift assessment of the best interests of the child at risk, that came from the territory of Ukraine during the declaration of the situation of war in Ukraine²³.

It is important to highlight that based on the pre-registered documents, responsible persons have been appointed from the territorial guardianship authorities and the Border Police, to ensure the registration, processing and provision of the necessary assistance, including for completing the identity documents of unattended children or children attended by an unauthorized companion.

The regulation mentioned *above* expressly establishes that the persons appointed in line with point 19 shall inform persons traveling with children about the conditions for granting international protection in the Republic of Moldova and about the 112 emergency service, as well as the free telephone assistance service for children (unique national number 116 111).

Between 22.04.2022 and 30.09.2022, as many as 448 unattended children and 947 children attended without authorization were identified. At the same time, 373 documents were issued to authorize the exiting of the country.

²¹Law no. 338/1994 on the rights of the child; Law no. 140/2013 on the special protection of children at risk and children separated from their parents

²²https://social.gov.md/wp-content/uploads/2022/04/Ordin-34_169-MMPS_MAI.pdf

²³https://social.gov.md/wp-content/uploads/2022/05/Ordin-nr.-36_05.05.2022_Modelul-actului-de-evaluare-rapida.pdf

- ***ensuring a protective environment for children in street situations and unaccompanied or separated asylum-seeking children***

At the proposal of the MLSP, for the category of the children identified without legal representatives on the territory of the Republic of Moldova, originating from Ukraine, a temporary placement center for refugee children with a capacity of 150 was created and approved by the National Social Assistance Agency in Hancesti municipality, Carpineni village, which offer adequate protection for this category of children.

Also, in order to ensure the well-being of the children originating from Ukraine that were identified without legal representatives on the territory of the Republic of Moldova, the MLSP undertakes measures to develop child-friendly social services, namely family-type social services - Professional parental assistance and Family-type children's homes, where these children will be temporarily placed.

Thus, the MLSP together with the development partners are in the process of developing approximately 30 additional social services - Professional parental assistance, in the administrative-territorial units of Donduseni, Orhei and Causeni.

Also, in the context of the declaration of the state of emergency throughout the territory of the Republic of Moldova and the granting of complex assistance to refugees from Ukraine, especially to children and families with children, the MLSP informs that, at the initiative of UNICEF Moldova, support centers for children and families were created, called "Blue Dots", which are located along the transit routes of displaced persons (the border points of Palanca, Otaci, Leuseni and Sculeni), which provide services according to the urgent needs of families with children, such as: information and advice, child-friendly spaces, psychological advice and support in hygiene, health and nutrition, as well as basic legal advice, referral services for the cases of violence or health problems. Also, in order to ensure the provision of a complex assistance to the children and families with children within these support centers, per one representative of the territorial structure of the social assistance was delegated to provide the necessary assistance in line with their functional competences.

- ***strengthening the capacity and resources of child protection professionals***

See the trainings described above in *point 9. Specialized authorities and coordinating bodies and point 16. Identification of victims of trafficking.*

Also, in addition to the trainings organized by the public authorities, the following should be mentioned:

- In 2022, about 300 specialists from the Northern area, responsible for the protection of child victims/witnesses of crimes, were trained by CNPAC on the attitudes and values towards the violence phenomenon. During the training, such topics were addressed as the communication with the child victim of violence; the intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking; the operation of the Barnahus service and the multidisciplinary cooperation within the service;
- In 2022, as many as 12 lawyers and psychologists from the South and the North of the country participated in the interviewer training program in the field of interviewing the child victim/witness of crime. The program was organized by CNPAC in partnership with the National Institute of Justice, the Ministry of Justice and UNICEF Moldova.

- In 2021, about 700 medical workers were informed and awareness was raised about the issue of sexual abuse of children. The specialists learned tools and ways to identify and report these cases. The events were organized by CNPAC.
- ***raising awareness of child trafficking and its different manifestations (including forced begging, forced marriage and forced criminality)***

See the Campaigns described above in *point 15. Social initiatives for groups vulnerable to THB.*

Also, annually, on January 30, the *International Day for Nonviolence* in schools is marked in the Republic of Moldova, the purpose of which is to promote the idea of educating children in the spirit of peace, harmony, solidarity, respect, tolerance, dialogue, cooperation.

The online violence is not limited to the school premises, but the education system plays an important role in solving problems of this kind. Thus, the MLSP encourages teachers, students and parents to report cases of violence against children to the competent authorities.

At the same time, every year, on February 8, the *Internet Safety Day* is marked, with the topic "*Together for a better Internet*". The purpose of the day is to mobilize citizens, civil society, companies, authorities to ensure a better and safer Internet for young Internet users. In the schools of the Republic of Moldova, this day has been marked since 2012 by organizing a series of activities for students, their parents and teachers. Thus, during the period of February 8-11, 2022, in the public and private primary, secondary and high school educational institutions in the country, activities were carried out to promote the use of the Internet in a useful and safe way. Information sessions were held for students, teachers and parents, where topics related to the risks of using the Internet by posting personal content were discussed as well as the danger of grooming and cyberbullying, the safe exploration of Internet and how to handle unpleasant situations etc.

Also, IC "La Strada", which holds the status of the National SID Committee in the Republic of Moldova, in partnership with the Ministry of Education and Research and with the financial support of the US Embassy to Chisinau, launched the Information Campaign on the safety in the virtual environment. Over the course of several weeks, several events, activities, contests and projects in the field of online safety took place. The activities organized within this campaign contributed to strengthening the efforts of adults in order to create a safe space for children in the online environment and in order to prevent any form of child abuse in the virtual space. These events and activities can be found on the digital platform.²⁴

- ***ensuring that specialized NGOs receive adequate funding (paragraph 205)***

The Government Decision no. 656/2022 on approving the framework Regulation on the non-reimbursable funding mechanism of projects of non-commercial organizations was adopted on 23.09.2022. The Regulation provides for the establishment of the general framework on the requirements/conditions/principles for awarding non-reimbursable funding from the state budget for projects implemented by non-commercial organizations. The measures proposed by this Regulation will be financed within the budget allocations approved by the annual budget law/decision.

²⁴ www.siguronline.md

19. Recovery and reflection period

GRETA considers that the procedure for granting a recovery and reflection period should be spelled out and all agencies likely to come across victims of THB (including migration and asylum authorities) should be issued with clear instructions stressing the need to offer the recovery and reflection period as defined in the Convention, ie not making it conditional on the victim's cooperation and offering it to victims before formal statements are made to investigators. Further, the authorities should ensure that victims of human trafficking are systematically informed of the recovery and reflection period (paragraph 209)

In line with the normative framework in the field of preventing and combating THB, the state, through the competent bodies and organizations, undertakes prompt measures to identify and refer THB victims to protection and assistance services, giving them a 30-day reflection period. Thus, the provision of protection and assistance services is not conditioned by the victims' desire to make statements and participate in the prosecution process of the traffickers, nor by the victim's domicile or temporary residence.

Clear instructions have been drawn up by the law enforcement agencies with regard to the rights of the victims during the recovery and reflection period and underlining the fact that these will not be conditioned by the victim's cooperation with the law enforcement authorities. Moreover, the alleged victim of trafficking is given a period of reflection and already at this stage can benefit from accommodation and other services at the Placement Centers.