Moldova - Researched and compiled by the Refugee Documentation Centre of Ireland on 31 May 2010

Information on victims of trafficking, including information regarding state protection to returned victims.

The February 2010 *United States Department of State*'Trafficking in Persons Interim Assessment' for Moldova, states:

> "The Government of Moldova has made uneven progress in addressing trafficking in persons since the release of the 2009 TIP Report. The new government made some improvements in victim identification and increased funding for victim assistance, and it demonstrated a high-level commitment to trafficking by establishing a cabinet-level national committee on trafficking led by the foreign minister. Nonetheless, concrete improvements in trafficking-related complicity and victim protection have yet to be realized." (United States Department of State (24 February 2010) *Trafficking in Persons Interim Assessment - Moldova*)

The report continues stating:

> "During the reporting period, the government provided $61,800 to its assistance and protection center in Chisinau, an increase from the previous year. An NGO reported the government provided free access to vocational training and issuance of national identification and health insurance to trafficking victims. NGOs believe that victims are often subject to subtle or direct threats against themselves or family members from traffickers and indicated that risk assessments for victim witnesses are rarely undertaken by the government. The government has yet to address ongoing concerns about the lack of specialized protections for child victims of trafficking; children are often interviewed multiple times over the course of several hours by police without special training and some are confronted and threatened by their traffickers. The government indicated its intention to re-open a high-profile case involving allegations of trafficking-related official complicity; it has not prosecuted or convicted any government officials for their involvement in trafficking-related corruption, however." (Ibid)

Page 2 of a report from the *UN Human Rights Committe,* in section C under the heading 'Principal subjects of concern and recommendations', notes:

> "The Committee expresses its concern at the lack of significant progress in the implementation of many of the Committee's previous recommendations, particularly those relating to conditions in detention facilities; trafficking in human beings;[…]
>
> The State party should strengthen its efforts to implement the Committee's recommendations in these areas." (UN Human Rights Committee (4

November 2009) Concluding observations of the Human Rights Committee –
Republic of Moldova)

The report continues on page 7 adding:

"The Committee welcomes the adoption of the 2005 Law on Preventing and
Combating Trafficking in Persons and the establishment of the Rehabilitation
Centre for Victims of Trafficking in Human Beings. However, it remains
concerned that the State party continues to be a country of origin and transit
for trafficking in human beings, particularly women and children, despite the
adoption of legislation and policy in this area. (arts. 3, 7, 8 and 26)

The State party should strengthen the implementation of its trafficking laws
and policies, including through more concerted efforts to prosecute offenders
and to protect victims. The State party should also broaden the
implementation of measures to assist the social reintegration of victims and to
provide genuine access to health care and counselling in all areas of the
country." (Ibid)

The June 2009 *United States Department of State* report on 'Trafficking in
Persons' for Moldova notes:

"While some of Moldova's anti-trafficking activities remained dependent on
international donor funding, the government improved victim protection
efforts, deployed more law-enforcement officers in the effort and contributed
direct financial assistance toward victim protection and assistance for the first
time." (United States Department of State (16 June 2009) *Trafficking in
Persons Report 2009 - Moldova*)

Under the heading 'Protection' the report adds:

"Moldova improved its victim protection efforts during the reporting period. For
the first time, the government funded approximately $52,000 for the operation
of an IOM-operated primary shelter for repatriated adult and child victims. In
cooperation with IOM, the government expanded the national system of
referring identified trafficking victims to shelters to cover 16 districts and 2
municipalities, an increase from seven districts covered in 2007. During the
last year, the government enacted regulations for facilitating and funding
victim repatriation. Moldovan law exempts victims from criminal prosecution
for unlawful acts committed as a direct result of being trafficked. NGOs
continued to document instances of trafficking victims' rights being violated in
court, though the official government policy remained one of encouraging
victims to participate in the investigation and prosecution of trafficking
offenders. Most NGOs noted that the government's treatment of victims
improved during the last year. Moldova's government Center to Combat
Trafficking in Persons (CCTIP) continued operating a special unit for physical
and psychological protection of victims and witnesses, and in September
2008, the government enacted a new witness protection law." (Ibid)

A report from the *International Organisation for Migration* states:

"Identification is the first step in the assistance and protection process. If the
identification of a Moldovan victim of trafficking happens abroad, IOM is
contacted to arrange the return to Moldova. On arrival, the victim is offered

the opportunity to go directly to the Assistance and Protection Centre, specialized in crisis assistance. Referral to the Centre can also come from within Moldova – from the police, from an NGO or, for example, through a social worker identifying a victim in their own community." (International Organisation for Migration (undated) *Preventing Trafficking and Protecting Victims in Moldova*)

The report continues stating:

"The framework in Moldova for assistance cooperation is established by the National Referral System (NRS) for Assistance and Protection of Victims and Potential Victims of Trafficking. The NRS is designed to facilitate access to protection services by establishing and employing referral procedures for identified (potential) victims in order to deliver quality services provided by the cooperative actors in the field." (Ibid)

Under the heading 'The Cornerstone of Assistance – The Centre' the report adds:

"The Assistance and Protection Centre is a place of refuge from trafficking in human beings. Operational since 2001, the Centre provides temporary shelter to all victims of trafficking and at-risk cases – women, men and children – in a safe and welcoming environment. Child victims of trafficking and children of beneficiaries are catered for in child-friendly surroundings. During their stay, beneficiaries are offered a wide range of services including medical, psychological, social, legal, educational and recreational services. By the end of 2008, the number of victims of trafficking assisted by IOM and the Centre was 2,443, including 166 children." (Ibid)

The *International Organisation for Migration* states in their overview of Moldova:

"Moldova has, by far, the greatest number of victims of trafficking in the region. The government is trying to improve migration management through enhancing the development impact of migration, ensuring protection of migrants' rights and combating trafficking in persons.

IOM is enhancing coordinated regional cooperation on migration in order to further develop common migration standards and mechanisms, and to share best practices to prevent irregular migratory flows and combat criminal activities, such as trafficking and smuggling of human beings.

IOM works in partnership with the Moldovan government, international intergovernmental organizations as well as local NGOs on all aspects of migration, including developing capacities to manage migration flows, developing international cooperation, providing guidance on migration legislation, improving migration management and border management and combating trafficking in human beings." (International Organisation for Migration (undated) *Moldova – Facts and Figures*)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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