

In 2016, Moldova made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted Law No. 207, which increases penalties for the use of children in the worst forms of child labor. It passed the Action Plan to Support the Roma People, which includes the goals of inclusive education and combating discrimination of the Roma, an ethnic minority group whose children are particularly vulnerable to the worst forms of child labor. In addition, the Government and the International Labor Organization established a Decent Work Country Program to strengthen available statistics on child labor and improve the effectiveness of the labor inspectorate. However, children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in agriculture. Funding for the State Labor Inspectorate was not sufficient, and the inspectorate's efforts to enforce child labor laws were hindered by barriers to conducting unannounced inspections. Furthermore, the judicial system failed to ensure that perpetrators of crimes related to the worst forms of child labor were properly convicted and sentenced according to the law.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in agriculture. (1-5) Table 1 provides key indicators on children's work and education in Moldova.

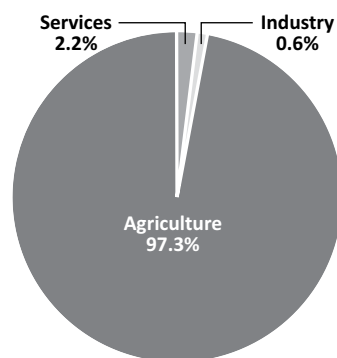
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	24.3 (102,105)
Attending School (%)	5 to 14	92.1
Combining Work and School (%)	7 to 14	29.0
Primary Completion Rate (%)		90.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force Survey-Child Labour Survey, 2009.(7)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Agriculture, † including growing crops and raising farm animals (2, 8-14)
Industry	Construction, † activities unknown (2, 8, 10, 11)
Services	Street work, including begging (10, 12)
	Domestic work (10, 12)
	Wholesale and retail trade, activities unknown (8-11)

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**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor <sup>†</sup>	Commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking (1, 2, 4, 5, 10, 15)

<sup>†</sup> Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

<sup>‡</sup> Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Poor lack of information limits an assessment of the types of work that children perform and the sectors in which they work, including for the secessionist region of Transnistria.(2, 4, 10, 15)

Both boys and girls are recruited for commercial sexual exploitation.(4, 5) Traffickers recruited children as young as age 13 for prostitution and other forms of commercial sexual exploitation.(4) Moldova is also a destination for sex tourism of children from various countries.(4, 5, 10, 11, 15, 16) Sex tourists continue to target orphanages by bribing orphanage administration officials to obtain unsupervised access to children.(3)




Child trafficking, particularly of children suffering from familial neglect, continues to be a concern in Moldova.(4, 13, 17, 18) Children left behind by migrant parents may be particularly vulnerable to child labor and human trafficking, especially those who are in orphanages or boarding schools.(4, 9, 12, 16, 19) Vulnerable children from Transnistria were at an increased risk of being trafficked through Ukraine’s Odessa region.(4, 20)

Although the Education Code provides for free and compulsory education until age 18, parents are required to pay fees for textbooks, and sometimes they are asked to pay informal fees.(10, 21) Children, especially girls from the Roma community, remain vulnerable to the worst forms of child labor, including forced begging.(12, 21, 22) Children who lack identity documents may face increased vulnerability to engage in child labor, including its worst forms. Textbook costs, birth registration documentation, and the negative attitudes of school officials and students toward some Roma children make it challenging for some Roma children to access education.(4, 9, 12, 16, 19, 23, 24)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Moldova has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The legal framework in Moldova appears to be sufficient to address and protect children from child labor (Table 4).

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 46 of the Labor Code (25)
Minimum Age for Hazardous Work	Yes	18	Article 255 of the Labor Code; Article 3 of the Collective Convention on Elimination of the Worst Forms of Child Labor (25, 26)

**Table 4. Laws and Regulations on Child Labor (cont)**

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Government Decision No. 541; Collective Convention on Elimination of the Worst Forms of Child Labor; Articles 103, 105, 255 and 256 of the Labor Code (25-27)
Prohibition of Forced Labor	Yes		Article 44 of the Constitution; Article 168(b) of the Criminal Code; Article 7 of the Labor Code; Collective Convention on Elimination of the Worst Forms of Child Labor (25, 26, 28, 29)
Prohibition of Child Trafficking	Yes		Articles 2 and 25–29 of the Law on Preventing and Combating Trafficking in Human Beings; Collective Convention on Elimination of the Worst Forms of Child Labor (26, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 206 and 208 of the Criminal Code; Article 6 of the Law on the Rights of the Child; Collective Convention on Elimination of the Worst Forms of Child Labor (26, 29, 31)
Prohibition of Using Children in Illicit Activities	Yes		Article 208 of the Criminal Code; Collective Convention on Elimination of the Worst Forms of Child Labor (26, 29)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 28 of Law No. 1245-XV on the Preparation of Citizens for Homeland Defense (32, 33)
State Voluntary	Yes	18	Article 12 of Law No. 162-XVI on the Status of Servicemen (34)
Non-state Compulsory	Yes		Article 26 of the Law on the Rights of the Child; Article 206(d) of the Criminal Code (29, 31)
Compulsory Education Age	Yes	16	Article 13 of the Education Code of 2010 (35)
Free Public Education	Yes		Article 35 of the Constitution; Article 9 of the Education Code of 2014 (28, 36)

In 2016, Law No. 207 was passed, which increases penalties for the use of children in the worst forms of child labor, including forced child labor, using minors in criminal activities, and the production of child pornography.(37) The Government amended Criminal Code Law 985 XV, Article 175 to include protection for minors who are sexually exploited on the Internet, increasing the sentences of offenders.(38)

While Article 13 of the Education Code of 2010 states that education is compulsory until age 18, this provision will not be fully in force until 2018.(11) Fifteen-year-olds can sign a work contract, with parental consent, if the work will not endanger the minor's health or interfere with the child's growth, education, and professional development.(2)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Labor Inspectorate (SLI) in the Ministry of Labor, Social Protection, and Family (MLSPF)	Enforce all child labor laws. Investigate child labor cases.(39, 40) Manage the National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS), which has been implemented in all of Moldova's regions; each regional coordinator coordinates directly with law enforcement, NGOs, and schools, and leads victim rehabilitation efforts.(4) Through the National Coordination Unit and Child Labor Monitoring Unit (CLMU), coordinate activities related to the protection of victims and potential victims of human trafficking. Build the capacity of multidisciplinary teams (MDTs) at the local level to improve victim identification and referral for crisis intervention and rehabilitation.(41) Includes community social assistants, police officers, and NGO workers.(41) One inspector in 2016 within the CLMU.(10, 39, 42)
Center for Combating Trafficking in Persons (CCTIP)	Lead criminal investigations and arrest perpetrators, including trafficking of children for both labor and sexual exploitation. Subdivision of the Ministry of the Interior with 11 criminal investigators.(10)

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**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Security and Intelligence Service	Enforce criminal laws against child trafficking and sexual exploitation through cooperation and information exchange with CCTIP, the Border Police, the National Corruption Center, and the Customs Service. Attached to the CCTIP.(10, 39)
Prosecutor General's Office (PGO)	Conduct and oversee criminal investigations on the worst forms of child labor, including the commercial sexual exploitation of children, and prosecute cases. Maintains 36 offices around the country.(43, 44)
People's Advocate (Ombudsman)	Specialize in child protection issues, including child labor, and defend children's constitutional rights. Public authorities, officials, and institutions are required to cooperate with the Ombudsman.(10)
Ministry of Justice (MOJ)	Enforce criminal laws against child trafficking and sexual exploitation.(39) Draft, consult, and propose all processes related to legislation for the Government's approval before they enter into force.(43)
Center for Combating Cyber Crime	Focus on child pornography through a specialized unit of three operatives.(10) USDOS has donated specialized equipment to this center and conducts training on a continual basis for 12 police officers on criminal investigations of cybercrimes involving children.(4, 44)
Ministry of Information Technology	Assist with the identification of victims of trafficking in persons and provide foreign victims with residence permits and identity cards.(4)

In 2016, the Prosecutor General's Office (PGO), Center for Combating Trafficking in Persons (CCTIP), Security and Intelligence Service, and the Border Police developed a report on factors that increase vulnerability to human trafficking, including lack of parental supervision, poverty, disability, and youth.(20) The Ombudsman remained vacant in 2016 until April, which may have affected child protection cases.(10) In addition, as part of its August reforms, the PGO eliminated the requirement for specialized prosecutors for trafficking in persons (TIP) cases. This practice was reinstated in December; however, the requirement was not codified into law, which means that the PGO can again reverse this decision without outside approval.(20, 21) This disruption likely contributed to the significant decrease in trafficking prosecutions.(20, 21)

### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in Moldova took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$560,000 (2)	\$700,000 (11)
Number of Labor Inspectors	109 (2)	87 (11)
Number of Child Labor Dedicated Inspectors	2 (42)	1 (11)
Inspectorate Authorized to Assess Penalties	No (2)	No (11)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (2)	Yes (11)
Training on New Laws Related to Child Labor	Unknown	Yes (10)
Refresher Courses Provided	Yes (2)	Yes (10, 21)
Number of Labor Inspections	6,933 <sup>†</sup> (2)	4,048 <sup>‡</sup> (11)
Number Conducted at Worksite	Unknown	4,048 <sup>‡</sup> (11)
Number Conducted by Desk Reviews	Unknown	0 (11)
Number of Child Labor Violations Found	10 <sup>†</sup> (2)	17 <sup>‡</sup> (11)
Number of Child Labor Violations for Which Penalties Were Imposed	7 (2)	17 <sup>‡</sup> (11)
Number of Penalties Imposed that Were Collected	Unknown	3 (10)
Routine Inspections Conducted	Yes (2)	Yes (11)
Routine Inspections Targeted	Unknown	No (10)
Unannounced Inspections Permitted	Yes (2)	Yes (11)
Unannounced Inspections Conducted	Yes (2)	Yes (11)
Complaint Mechanism Exists	Yes (2)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (11)

<sup>†</sup> Data are from January 2015 to November 2015.

<sup>‡</sup> Data are from January 2016 to November 2016.

The State Labor Inspectorate (SLI) inspects enterprises, institutions, and organizations, regardless of their type or legal form. The SLI trained all national and regional labor inspectors on combating child labor.(10) In 2016, three seminars about the minimum requirements for labor safety, including for minors, were held.(10) However, the number of labor inspectors, funding, and resources were insufficient.(11) Furthermore, a law was adopted that temporarily blocked inspections by all state inspection agencies for 180 days as an attempt to reduce corruption in the labor inspectorate.(21) As a result, the SLI was not able to conduct inspections on businesses for most of 2016 until the moratorium ended in October.(10) The number of labor inspectors decreased and an insufficient number of inspections were conducted.(10) In 2016, 3,302 routine announced and 746 unannounced inspections were conducted. Thirteen minors were removed from hazardous occupations.(11) Sources indicated that the number of confirmed child labor violations in 2016 did not accurately reflect the entire problem.(10)

The laws on minimum age for work and hazardous work prohibited for minors are also applicable to informal work. The SLI develops a targeted inspection plan based on a risk assessment, in accordance with Law No. 131 and 140, and Government Decision No. 375.(45-47) However, children working in the informal sector are unprotected due to law enforcement practices.(10) Inspections are less effective because the SLI must give notice to employers 5 days prior to planned inspections.(2, 10) In addition, the Government's existing mechanism for filing and responding to child labor complaints is generally regarded as ineffective.(2)

### *Criminal Law Enforcement*

In 2016, criminal law enforcement agencies in Moldova took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (4)	Yes (20)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	No (10)
Refresher Courses Provided	Yes (2)	No (10)
Number of Investigations	38 (2)	23 <sup>‡</sup> (10)
Number of Violations Found	44 (2)	23 <sup>‡</sup> (10)
Number of Prosecutions Initiated	24 (2)	7 <sup>‡</sup> (10)
Number of Convictions	19 (2)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (10)

<sup>‡</sup> Data are from January 2016 to October 2016.

The Ministry of the Interior noted that funding was inadequate for criminal investigators.(11) Ten police officers attended trainings about interagency cooperation; child victim assistance; prevention of violence, neglect, and exploitation; and child trafficking.(11) However, a source indicated that the Government's law enforcement personnel, particularly police officers who conduct foot patrols, lacked training in proper investigative techniques for child trafficking cases.(4)

Local NGO experts agree that weaknesses in the judicial system continue to hinder the Government's ability to enforce laws related to the worst forms of child labor.(4, 20, 48, 49) Sentences did not correspond with the severity of the crime. Minor victims of commercial sexual exploitation received penalties for engaging in commercial sex.(20)

The Ministry of Labor, Social Protection, and Family provided training to 900 mayors on the implementation of an interagency mechanism for the identification, referral, assistance, and monitoring of child victims and potential victims.(10) Although a reciprocal mechanism between criminal authorities and social services exists, there is insufficient cooperation between the agency members of the National Referral System.(4, 20) Also, CCTIP has established child interview rooms in each of Moldova's regions, but there is no specialized placement center for child victims of trafficking.(4, 20) The inability of local authorities to identify criminal acts was also of concern.(10)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor (NSC)	Coordinate work on child labor issues at the national level among representatives from workers' organizations, NGOs, academia, and government agencies. The NSC did not meet in 2016.(10)
National Committee for Combating Trafficking in Persons (NCCTIP)	Coordinate efforts to prevent and combat child trafficking and child sexual exploitation. Members include government ministries.(10, 20) Through the Permanent Secretariat, monitor implementation of legal provisions on combating human trafficking as developed by the NCCTIP.(10) Draft provisions on human trafficking, participate in anti-trafficking campaigns, and develop national action plans.(4)
National Commission for Consultation and Collective Bargaining	Through the Permanent Council on Child Labor, inform and provide consultations to the Commission on issues arising from the worst forms of child labor. In 2016, the Commission met seven times.(10)
National Council for the Protection of Child Rights	Coordinate national efforts to combat child exploitation.(10) Chaired by the Deputy Prime Minister. The Council met once in 2016.(10) Has a working group to discuss existing gaps in the current birth registration process and develop recommendations.(50, 51)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Moldova Action Program (2016–2018)†	Promotes the rights and protection of children, including the prevention and combating of violence, neglect, and exploitation.(52) Aims to increase the welfare, safety, and quality of life of citizens.
Action Plan for 2015–2016	Adopted by Government Decision No. 680. Includes actions to address child labor issues and promote children's rights, including for vulnerable groups.(2, 53) The Action Plan continued to be implemented in 2016.(10)
National Plan for Preventing and Combating Trafficking in Human Beings (2014–2016)	Aims to improve anti-human trafficking efforts and reduce children's vulnerability to child labor and sexual exploitation by improving data collection, referral mechanisms, public awareness, and training for government officials.(54) Continued to implement the plan in 2016.(10)
Strategy of the National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS) (2009–2016)	Outlines a framework for the protection of victims of human trafficking. Focuses on raising awareness, improving victim identification, referral mechanisms, and training and technical assistance.(41) Regulates the work of the MDTs and the National Coordination Unit. Launched by the MLSPF.(41) The Government continued to implement the strategy in 2016.(10)
Action Plan to Support the Roma People (2016–2020)†	Aims to promote social inclusion of Roma. Includes the goals of education, social protection, and combating discrimination.(55) Funding comes from the Government, private partnerships, and the EU.(55, 56)
Child Protection Strategy (2014–2020)†	Includes the goals of preventing and combating violence, neglect, and the exploitation of children, and providing assistance to children's upbringing and development.(40, 57) In July 2016, the Government further approved the strategy for 2016–2020.(58)

† Policy was approved during the reporting period.

The Government had a National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor, but it expired in 2015. Research found no evidence that a new national action plan has been developed.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Key Social Programs to Address Child Labor<sup>‡</sup>**

Program	Description
UNICEF-Government of Moldova Country Program (2013–2017) <sup>†</sup>	UNICEF and Government program to improve the social inclusion of vulnerable children. Focuses on migrant, Roma, and child victims of sexual exploitation and abuse.(24, 40) Program continued in 2016.(10)
Conditional Cash Transfer Program <sup>†</sup>	Government allocated \$780,000 in financial support to give to vulnerable families with children to buy school items.(21) Lump sum support was given to 77,083 families with minor children from the allocated budget of \$30 million.(10, 21, 44)
Structured Interviewing of Child Victims and Witnesses in Moldova (2014–2016) <sup>†</sup>	UNICEF, Oak Foundation, and USAID-funded project. Aimed to ensure that child victims of domestic violence and trafficking are treated fairly within the justice system.(2) Implemented by the National Center for the Prevention of Child Abuse, the PGO, the MOJ, and others.(2) Support for the program continued in 2016.(10)
ILO Projects*	Decent Work Country Program (2016–2020) aims to strengthen available statistics on child labor and improve the labor inspectorate, with a focus on construction and agriculture.(59) Promoting Decent Work for Roma Youth in Moldova focuses on policies to address Roma youth labor market integration for 15- to 29-year-olds.(60)
Center for Protection and Assistance for Victims of Human Trafficking	Child victims of human trafficking are offered legal and social support, accommodation, psychological assistance, and family reunification services.(10)
Child Helpline (2014–2016) <sup>†</sup>	Implemented by La Strada. Provided psychological counseling and information to parents and children who may be experiencing violence, neglect, or exploitation.(42, 61) In 2016, the Helpline received 9,495 calls and provided counseling to 6,321 children.(10, 20)
Shelters for Victims of Human Trafficking <sup>†</sup>	Government-funded shelters for children from Moldova and Transnistria.(20) Offer accommodations, rehabilitation, and reintegration services.(48) Program continued in 2016.(10)

\* Program was launched during the reporting period.

<sup>†</sup> Program is funded by the Government of Moldova.

<sup>‡</sup> The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 10, 42-44, 62-66)

Existing social programs do not meet the current level of need, particularly for child victims of TIP requiring long-term care and children working in agriculture.(20)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Moldova (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the State Labor Inspectorate to assess penalties.	2016
	Increase funding for the State Labor Inspectorate to ensure that it employs a sufficient number of inspectors and provide inspectors with the financial resources necessary to inspect child labor.	2012 – 2016
	Ensure that laws do not block state inspection agencies from carrying out inspections.	2016
	Fully protect children in all sectors and make inspections more effective by eliminating advance notice to employers.	2016
	Ensure that the government mechanism for filing and responding to child labor complaints functions properly.	2016
	Ensure that funding is sufficient for criminal investigators.	2016
	Ensure that investigators, including police officers who conduct foot patrols and CCTIP, receive training on laws and investigative techniques related to the worst forms of child labor.	2016
	Strengthen the judicial system, especially the PGO's specialized prosecutors, to ensure that perpetrators of crimes related to the worst forms of child labor are convicted and sentenced according to law and children are protected and treated as victims.	2014 – 2016
Coordination	Ensure that the National Steering Committee on the Elimination of Child Labor meets.	2013 – 2016
Government Policies	Develop and adopt a national action plan for child labor elimination and prevention.	2016

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct research to determine the activities carried out by children working in the agriculture, industry, and services sectors.	2013 – 2016
	Institute targeted support programs for institutionalized children in orphanages or boarding schools.	2015 – 2016
	Institute targeted support programs that eliminate discrimination and violence against Roma children and promote equal access to education.	2014 – 2016
	Ensure sufficient support for child trafficking victims and children working in agriculture.	2015 – 2016

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