

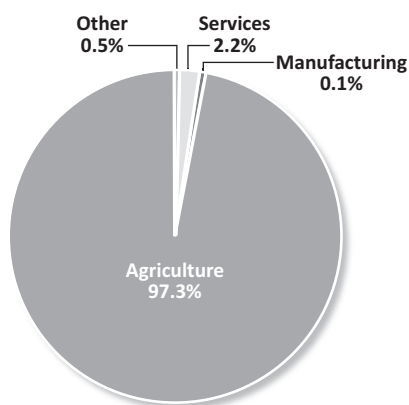
In 2012, Moldova made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Moldova adopted an amendment to the Labor Code that increased fines for engaging children in hazardous work. The Government also implemented the National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor for 2011-2015 at the regional level, and six districts developed local strategies and teams to implement the Plan. Further, the Ministry of Education adopted and issued the decision prohibiting students from agricultural work during the school year. However, the number of inspectors in the Labor Inspection Office and Child Labor Monitoring Unit was not sufficient. While the Government provides some financial support to programs addressing both child labor and trafficking, all major child labor programs have been donor funded. These programs do not appear to be sustainable without outside financial assistance. Children continue to be found in the worst forms of child labor, particularly in hazardous activities in agriculture and as a result of trafficking for forced labor and begging.



### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	24.3 (102,105)
Attending School	7-14 yrs.	92.1
Combining Work and School	7-14 yrs.	29.0
Primary Completion Rate		91.1

### Working Children by Sector, Ages 5-14



#### Sources:

**Primary completion rate:** Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from SIMPOC Survey, 2009.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Moldova are engaged in the worst forms of child labor in agriculture and as a result of trafficking for forced labor and begging.(3) The 2009-2010 National Child Labor Survey estimated that 109,000 children were engaged in dangerous child labor, mostly in agriculture.(3-5) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(6, 7)

Reports indicate that school directors, farms, and agricultural cooperatives signed contracts in 2011 that required students to help with the harvest during the high season in autumn.(8, 9) There was no new information about whether these contracts were signed during the reporting period.

Moldovan children are trafficked abroad and within the country for commercial sexual exploitation, begging, and forced labor in construction and agriculture.(4, 8)

The latest national study on the situation of children in need and those whose parents work abroad conducted between March and July 2012 reveals that 105,270 children have one or both parents working abroad.(4) These children often lack adult supervision and may be at risk of being trafficked, especially if a parent was trafficked.(10)

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There are reports of children working in the streets, but specific information on hazards is unknown.(11, 12)

## Laws and Regulations on the Worst Forms of Child Labor

Article 46 of the Labor Code sets the minimum age for employment at 16 and article 255 sets the minimum age for employment in hazardous work at 18.(3, 4, 13) In certain cases, children age 15 can work with parental or legal authorization if the work will not interfere with their education, health, or development.(11, 13) Government Decision No. 562 establishes a list of jobs in 32 industries, including agriculture, textile, construction, and food processing, that are prohibited to persons younger than age 18.(4, 11, 14) Article 58 of the Labor Code passed in 2012 increased fines for engaging children in hazardous work. The Law on Prevention and Combating Family Violence also has provisions against hazardous work for minors.(4)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

The Constitution forbids forced labor and the exploitation of minors.(11, 15) Article 206 of the Criminal Code and article 6 of the Law on Child Rights prohibits trafficking in children for labor and sexual exploitation and lays out penalties for the use of children in illicit activities, forced labor, prostitution, and the creation of pornography.(4) Article 208.1 of the Criminal Code prohibits the production, distribution, dissemination,

and possession of pornographic images of children.(12) The Law on Preventing and Combating Trafficking in Human Beings provides guidelines for combating child trafficking including prevention, victim assistance, and repatriation for child victims.(16)

The legal framework also includes several other laws that address child labor. These laws include the Law on Labor Force Migration, which calls for protection and care of children left behind by migrant parents; the Law on Occupational Safety and Health, which states that children of working age are individuals in need of specific protections in the workplace; and the Code of Contraventions, which establishes fines for those violating a child's rights.(17) In 2012, the Government developed the Draft Law on special protection of children in high risk situations and children separated from their parents.(18) It is unknown at this point in time whether this law was adopted. The age for military recruitment is 18.(4) Article 6 of the Law on Child Rights also prohibits and lays out penalties for child soldiering.(11)

Education is free and compulsory until the age of 16.(4, 19) However, many schools are not adequately funded, and parents are sometimes charged for school supplies and textbooks.(8) Roma children are particularly vulnerable to barriers in accessing education due to poverty.(8, 20) The law also requires children to have access to education in their native language.(19) In August 2012, the Ministry of Education adopted and issued a decision that prohibits students from engaging in agricultural work during the school year.(4) It is unknown whether students were engaged in agricultural work while attending school during this reporting period.

## Institutional Mechanisms for Coordination and Enforcement

The National Steering Committee on the Elimination of Child Labor (NSC) coordinates work on child labor issues at the national level and is chaired by the Deputy Minister of Labor, Social Protection and Family. It includes representatives from the Government, workers' organizations, NGOs, and academia.(4) At the local level, multidisciplinary teams identify children involved in the worst forms of child labor, offer alternatives to child laborers, monitor children's living conditions, and use the collected information for policy development.(4, 18)

The National Commission for Consultation and Collective Bargaining includes a permanent council on child labor.(4) The National Council for the Protection of Child Rights is chaired by the Deputy Prime Minister and meets on a regular basis to

discuss the protection of child rights.(4) The Council's task is to inform and provide consultation to the National Commission for Consultation and Collective Bargaining's members about the worst forms of child labor.(4)

The Parliament appoints an Ombudsperson who specializes in child protection issues by defending children's constitutional rights and freedoms and by promoting the CRC.(4)

The Labor Inspection Office (LIO) within the Ministry of Labor, Family and Social Protection is responsible for enforcing all labor laws in the Republic of Moldova. In 2012, the LIO operated on a budget of \$615,000 and with a staff of 96.(4)

The direct monitoring of child labor is accomplished through the Child Labor Monitoring Unit that is set up within the LIO. The Unit is a coordinating mechanism between the NSC at the national level and multidisciplinary teams at the local level. It supervises the activities related to combating child labor and coordinates the results coming out of inspections.(18) The Government has reported that the number of inspectors in the LIO and the Child Labor Monitoring Unit is not sufficient.(18)

During the reporting period, the National Confederation of Trade Unions of Moldova established its own Labor Inspection Unit, which supports the LIO by detecting child labor exploitation cases.(18)

The law permits child labor inspections for both legally registered workplaces and individual persons, thus covering informal worksites.(13) Inspectors are also allowed to seek assistance from local public administrators to suspend licenses of employers who repeatedly neglect labor inspection recommendations. However, small farms are not subjected to the inspection, which increases the vulnerability of children to the worst forms of child labor.(4)

In 2012, the LIO conducted 6,499 inspections and uncovered 116 child labor violations, 78 of which were in the agricultural sector.(4) Although information is not available on all types of the 116 violations, there were 52 children working illegally, and 39 children in hazardous work situations.(4) During this same period, the LIO referred 23 child labor violations to Moldovan courts.(4) All 39 children in hazardous activities were removed from work and another 59 children were assisted by LIO inspectors.(4)

The Permanent Secretariat under the National Committee for Combating Trafficking in Persons coordinates government efforts to combat human trafficking, including child trafficking.(21) The agenda of the Permanent Secretariat is

to implement legal provisions on combating trafficking in persons (TIP), establishing working groups for drafting of new provisions on TIP, as well as participation in anti-TIP campaigns, developing the national action plans, and seeking support for projects.(21)

The Center for Combating Trafficking in Persons (CCTIP) is responsible for investigating child trafficking cases. The CCTIP employs 43 police officers to conduct criminal investigations of trafficking, including trafficking for sexual exploitation of children.(4) Despite the training, the techniques by law enforcement are criticized because they sometimes force the victims to confront their trafficker, and victims are required to give numerous declarations and statements.(4) The CCTIP annual budget is approximately \$300,000, which is insufficient to cover the cost of the operations in all territories.(4) In 2012, the Government opened 20 investigations on child trafficking. Of those cases, 12 children were found to be victims of trafficking for sexual exploitation.(4) During the reporting period, seven criminal investigations were finalized and nine perpetrators were sentenced to prison for child trafficking.(4) The average sentence received for trafficking of children in 2012 was 13 years' imprisonment. The Government requested the NGO assistance on all cases with a minor victim that included legal, social, and psychological assistance as well as accommodations to victims of human trafficking in shelters, including children.(4)

### **Government Policies on the Worst Forms of Child Labor**

In 2012, the Government continued to implement the National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor for 2011-2015.(4, 18) The National Action Plan outlines 44 action items to be implemented by 30 stakeholders working on child labor issues.(4) The action items include training key stakeholders on the prevention of the worst forms of child labor, institutionalizing a child labor monitoring system, and developing public informational campaigns on child labor issues.(22) The Ministry of Labor, Social Protection and Family is responsible for monitoring the implementation of the plan and the National Steering Committee will draft annual progress reports.(22) In 2012, officials in six districts developed local plans and formed special teams under the National Action Plan.(4)

In 2012, the Government adopted the National Plan for Prevention and Combating Trafficking of Human Beings for 2012-2013 and implemented the additional specific Plan to

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the National Plan for Preventing and Combating Trafficking of Human Beings for 2012-2013, approved in 2010.(18)

With both strategies in place, child victims or potential victims are provided with different social services, ranging from psychosocial care and maternal centers to family-type children's homes.(18)

In addition, the Government continued to implement the National Plan on Community Support of Children in Need for 2007-2014, adopted in September 2007.(18) The question of whether this policy has an impact on the worst forms of child labor does not appear to have been addressed.

In December of 2012, the Government initiated a reform of child protection policies and drafted a new National Strategy for Child and Family Protection for 2013-2020.(4) The strategy calls for the protection of families in high-risk situations and children in hardship. The Action Plan for implementation of this Strategy is planned to begin in 2013.(18)

In 2007, the Collective Convention on Elimination of Worst Forms of Child Labor was signed by the Government, the National Confederation of Employers, the Trade Unions Confederation, and the Free Trade Union Confederation.(3) This agreement outlined actions aimed at eliminating the worst forms of child labor and included specific work activities and hazards prohibited to children, such as underground work and work that exposes them to machinery, electric shock, extreme temperatures, and chemical or biological agents.(23)

The National Youth Strategy, through its Plan of Action for 2009-2013, aims to facilitate youth employment, provide access to education, encourage youth participation in public life, build the capacity of youth institutions, and develop health and social protection services. The Government allocated \$24 million for the Strategy's implementation.(24)

The Activity Program of the Government of Moldova, "European Integration: Freedom, Democracy, Wellbeing 2011-2014" aims to have a direct impact on the worst forms of child labor by implementing activities such as: ensuring all citizens have access to early education; creating an adequate number of kindergartens and schools for each community; "strengthening the institutional and functional capacities of the local public administration authorities in their exercising of the functions of guardianship authority to ensure observance of children's rights;" and promoting inclusive education to ensure that children with disabilities and from socially vulnerable families have access to education.(18) The question of whether these policies have an impact on the worst forms of child labor does not appear to have been addressed.

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of Moldova continued to implement a project titled "Free, Strong and Safe—to a Better Child Protection System," which started in September 2011. The objective of the project is to establish multidisciplinary assistance for child victims and potential victims of abuse, neglect, and exploitation.(4) The Government expanded the support in 2012 by drafting and adopting a new guide for assisting child victims. A pilot version of the program was carried out from July through December 2012 in 10 localities in two districts.(4) The actions of this project for 2012 include testing the notification process of suspected cases of abuse, neglect, exploitation, and trafficking of children; creating the "Register" for tracking reported cases of abuse; training the members of the multidisciplinary teams; and providing needed assistance in monitoring of child victims and potential victims of abuse, neglect, and exploitation.(18)

In 2012, the Government of Moldova, together with the UN, launched a new program of cooperation for 2013-2017 titled "Towards Unity in Action: United Nations-Republic of Moldova Partnership Framework."(4) The responsibility of the Government and civil society under this program is to improve the social inclusion of vulnerable children and their families. Addressed in the program are child migrants, child victims of sexual exploitation and abuse, and children involved in labor.(4)

The Government participates in USDOS-funded programs to address human trafficking. These programs, with \$1.42 million in funding, build capacity of local government officials and police to investigate and try trafficking cases, as well as strengthen victim identification and assistance.(25) While the Government of Moldova provides some financial support to programs addressing both child labor and trafficking, all major child labor programs have been donor funded. These programs do not appear to be sustainable without outside financial assistance.(4)

In 2012, the Government continued to implement project titled "Addressing the Negative Effects of Migration on Minors and Families Left Behind." This 18-month, \$2.5 million project, funded by the EU, aimed to improve the Government's public information system on child protection, to promote employment opportunities for young people through vocational training, to support business startups, and to conduct awareness campaigns regarding the negative consequences of migration.(26)

The Government of Moldova has various social programs to support vulnerable groups, including vulnerable children.(3) One such program is the Ajutor Social Program, which is a cash benefit program targeted for the poor.(27) Another social program includes the Government's provision of the equivalent of \$29 each to qualifying children from vulnerable families to

cover the cost of school supplies.(9, 28) Additionally, Moldova's Social Investment Fund works to empower poor communities and vulnerable population groups to manage their priority needs through a small grants program.(29) The question of whether these programs have an impact on child labor does not appear to have been addressed.

**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Moldova:**

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Adopt the Draft Law on Special Protection of Children in Risk Situations and Children Separated from Their Parents.	2012
	Monitor schools to ensure that children are not charged extra educational fees or required to participate in farm work during the harvest season.	2010, 2011, 2012
Coordinating Mechanisms	Increase funding for the CCTIP, and increase resources for hiring more labor inspectors in the Labor Inspection Office and the Child Labor Monitoring Unit.	2012
	Take steps to ensure that children working on farms and other small establishments are protected from involvement in hazardous activities.	2012
Policies	Conduct research on whether children are engaged in dangerous work on the street in order to inform policy and program design.	2012
	Assess the impact of the National Plan on Community Support of Children in Need for 2007-2014 on the worst forms of child labor.	2012
	Assess the impact the National Youth Strategy and its Plan of Action for 2009-2013 may have on addressing the worst forms of child labor.	2009, 2010, 2011, 2012
Social Programs	Ensure current child labor programs are sustainable by providing increased financial support.	2010, 2011, 2012
	Increase school funding to ensure that children have access to mandated free education through age 16.	2010, 2011, 2012
	Assess the impact that existing policies and programs such as the Ajutor Social Program may have on reducing child labor.	2011, 2012

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