

# Moldova

## Incidence and Nature of Child Labor

UNICEF estimated that 37.1 percent of children ages 5 to 14 years in Moldova were working in 2000.<sup>2651</sup> Moldova is a primarily agricultural country, and it is common for children in rural areas to work on family farms or help with household chores.<sup>2652</sup>

According to the IOM, Moldova is considered the primary country of origin in Europe for trafficking of women and children for prostitution to the Middle East, Balkans, and Europe.<sup>2653</sup> A December 2003 UN report reveals that Moldovan children are also being trafficked to Russia for begging and to Ukraine for working on farms. The report states that while trafficking to the Balkans appears to have decreased, new trafficking patterns are emerging, with Russia being a primary destination point for victims, including children.<sup>2654</sup> Young women in rural areas are frequently the target population for traffickers who offer transportation to jobs overseas, but upon arrival, confiscate passports and require payments earned through prostitution.<sup>2655</sup> According to information gathered by ILO-IPEC through a rapid assessment survey, boys and girls as young as 12 years old are trafficked, many of them recruited by people they know.<sup>2656</sup> Estimates on the numbers of child trafficking victims remain limited. However IOM statistics from 2000-2003 indicate that 42 percent of the trafficking victims who were returned to Moldova were minors.<sup>2657</sup>

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<sup>2651</sup> The total number of working children included "children who have done any paid or unpaid work for someone who is not a member of the household or who did more than four hours of housekeeping chores in the household or who did other family work." Ten percent of children ages 5 to 14 did unpaid work for someone other than a household member, and 2 percent engaged in paid work. See Government of Moldova, *Multiple Indicator Cluster Survey (MICS) 2*, UNICEF, 2000, 6, 24, Table 2; available from <http://www.childinfo.org/MICS2/newreports/moldova/moldova.pdf>.

<sup>2652</sup> U.S. Embassy Chisinau, *unclassified telegram no. 1400*, September 2001.

<sup>2653</sup> Women and children are trafficked to Bosnia-Herzegovina, Macedonia, Serbia-Montenegro, Kosovo, Italy, France, Portugal, Germany, Romania, Bulgaria, Hungary, Slovakia, Czech Republic, Poland, Greece, Cyprus, Turkey, Lebanon, Israel, United Arab Emirates, Pakistan, and Afghanistan. Transnistria, the country's border region not under the government's control, is a source and transit point for trafficking. The government recognizes that Moldova is one of the most significant source countries for trafficking in the world. See U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Moldova*, Washington, D.C., February 25, 2004, Section 6f; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27854.htm>. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Moldova*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33192.htm>.

<sup>2654</sup> The Temporary Center for Minors in Moscow reported that at least half of the child beggars in Moscow are Moldovan. Children are reported as being kidnapped or deceptively taken by members of the Roma community. See Barbara Limanowska, *Trafficking in Human Beings in Southeastern Europe*, UNICEF, UNOHCR, OSCE-ODIHR, December 2003, 73, 84, 85. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Moldova*.

<sup>2655</sup> According to Save the Children and the Association of Women in Law, many of the traffickers are women. Young women were being approached by friends or acquaintances, particularly in rural areas, who would offer assistance in finding a job abroad. See U.S. Department of State, *Country Reports- 2003: Moldova*, Section 6f.

<sup>2656</sup> ILO-IPEC, *Combating the Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Geneva, September 2003, 10.

<sup>2657</sup> Centre for the Prevention of Trafficking in Women, *Trafficking in Children for Sexual Exploitation in the Republic of Moldova*, Chisinau, 2003, 7.

Education for children is compulsory for 9 years, beginning at age 7.<sup>2658</sup> While the Constitution guarantees free public education,<sup>2659</sup> families face significant additional expenses, including supplies, clothes, and transportation fees.<sup>2660</sup> In September 2003, the government helped vulnerable families purchase school supplies by providing them with direct monetary assistance.<sup>2661</sup> In 2001, the gross primary enrollment rate was 85.3 percent, and the net primary enrollment rate was 78.3 percent.<sup>2662</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. The net primary school attendance rate was approximately 98.0 percent.<sup>2663</sup> According to the government, about 800 children did not attend school; however, press reports indicate that the number is higher, particularly in rural areas.<sup>2664</sup>

## Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 16 years. In certain cases children 15 years of age can work with parental or legal authorization and providing that the work will not interfere with the child's education or growth.<sup>2665</sup> Children under 18 years are prohibited from participating in hazardous work, including work involving gambling, night clubs, selling tobacco or alcohol.<sup>2666</sup> Employees who are children must pass a medical exam every year until they reach 18 to be eligible to work.<sup>2667</sup> Legal remedies, civil fines and criminal penalties exist to enforce labor legislation, with prison terms of up to three years for repeat offenses.<sup>2668</sup> The Constitution prohibits forced labor and the exploitation of minors.<sup>2669</sup> A Criminal Code is in force, which provides for 10 years to life imprisonment for trafficking and the use of children in

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<sup>2658</sup> UNESCO, *Education for All 2000 Assessment: Country Reports - Moldova*, prepared by Ministry of Education, pursuant to UN General Assembly Resolution 52/84, 1999, Part I and II; available from [http://www2.unesco.org/wef/countryreports/moldova/rapport\\_1.html](http://www2.unesco.org/wef/countryreports/moldova/rapport_1.html).

<sup>2659</sup> *Constitution of the Republic of Moldova, 1994*, Article 35; available from <http://oncampus.richmond.edu/~jjones/confinder/moldova3.htm>.

<sup>2660</sup> U.S. Embassy Chisinau, *unclassified telegram no. 1400*.

<sup>2661</sup> The government provided vulnerable families between USD 7-22 per child for school supplies. See U.S. Department of State, *Country Reports- 2003: Moldova*, Section 5.

<sup>2662</sup> World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

<sup>2663</sup> While the official age to enter primary school is 7 years, a number of children go to school before the age of 7. To account for these children, the primary school attendance rate includes all children of primary school age who were currently attending school in the school year immediately preceding the survey. See Government of Moldova, *MICS2*, 14.

<sup>2664</sup> U.S. Department of State, *Country Reports- 2003: Moldova*, Section 5.

<sup>2665</sup> Article 46 of the Labor Law, as cited in U.S. Embassy Chisinau, *unclassified telegram no. 0959*, August, 2003. Articles 96 and 100 state that children between the ages of 15 and 16 can only work a maximum of 24 hours a week, and no more than 5 hours a day. Children between the ages of 16 and 18 years can only work a maximum of 35 hours a week, and no more than 7 hours a day.

<sup>2666</sup> Article 255 of the Labor Law, as cited in *Ibid*. The government approved a list in 1993 of hazardous work that children cannot participate in, including underground work, metal work, energy and heat production and well drilling.

<sup>2667</sup> Article 152 of the Labor Law, as cited in *Ibid*.

<sup>2668</sup> Article 183 of the Labor Law, as cited in U.S. Embassy Chisinau, *unclassified telegram no. 1499*, October 2002.

<sup>2669</sup> *Constitution of the Republic of Moldova*, Articles 44 and 53.

the worst forms of child labor.<sup>2670</sup> The Law on Children’s Rights protects children under 18 years of age from prostitution or sexual exploitation.<sup>2671</sup>

The Labor Inspection Office is responsible for enforcing all labor laws, including those pertaining to child labor. While child labor violations are known to occur, they have not been formally reported or uncovered.<sup>2672</sup> An anti-trafficking unit comprised of approximately 30 police officers within the Ministry of Internal Affairs has reportedly improved police investigations on trafficking, and prosecutions have more than doubled in 2004 from 2003.<sup>2673</sup> The Ministry of Internal Affairs cited 382 trafficking investigations in 2004, including 33 cases related to the trafficking of children. The General Prosecutor’s Office reported 95 convictions in 2004 for trafficking and pimping combined.<sup>2674</sup>

### Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Moldova is participating in a USDOL-funded ILO-IPEC regional project to combat the trafficking of children for labor and sexual exploitation. The project is working in partnership with local organizations.<sup>2675</sup> The government also participates in the Stability Pact for South Eastern Europe Task Force on Trafficking in Human Beings, which fosters regional cooperation and offers assistance to governments to combat trafficking.<sup>2676</sup> The National Committee on Anti-trafficking, a government working group, established local committees in each region to provide information on the anti-trafficking efforts. In partnership with OSCE and the Council of Europe, the Ministry of Internal Affairs and the Ministry of Labor conducted a special training for trafficking investigators. The Ministry of Labor has partnered with international and local NGOs, to provide employment assistance to victims of

Selected Child Labor Measures Adopted by Governments	
Ratified ILO Convention 138 09/21/1999	✓
Ratified ILO Convention 182 06/14/2002	✓
ILO-IPEC Member	✓
National Plan for Children	
National Child Labor Action Plan	
Sector Action Plan (Trafficking)	✓

<sup>2670</sup> U.S. Embassy Chisinau, *unclassified telegram no. 1499*. See also U.S. Department of State, *Country Reports- 2003: Moldova*, Section 6d. According to a 2002 report submitted to the UN Committee on the Rights of the Child by Moldovan NGOs, the new Criminal Code has inadequate measures for the enforcement of trafficking legislation, or for the protection and rehabilitation of victims. See *Complementary Report of the Non-Governmental Organizations on the Implementation of the UN Convention on the Rights of the Child in the Republic of Moldova*, Chisinau, 2002; available from [http://www.crin.org/docs/resources/treaties/crc.31/Moldova\\_ngo\\_report.pdf](http://www.crin.org/docs/resources/treaties/crc.31/Moldova_ngo_report.pdf).

<sup>2671</sup> U.S. Embassy Chisinau, *unclassified telegram no. 2236*, August 2000. Prostitution is also illegal under Article 105-1 of the Criminal Code, and punishable by imprisonment from six months to one year. See Barbara Limanowska, *Trafficking in Human Beings in Southeastern Europe*, UNICEF, UNOHCR, OSCE-ODIHR, June 2002, 29.

<sup>2672</sup> U.S. Embassy Chisinau, *unclassified telegram no. 0959*.

<sup>2673</sup> Limanowska, *Trafficking in Human Beings*, 2003, 77. Centre for the Prevention of Trafficking in Women, *Trafficking in Children Report*, 23. U.S. Embassy Chisinau, *unclassified telegram no. 232* (2005).

<sup>2674</sup> U.S. Department of State, *Country Reports- 2003: Moldova*, Section 6f. U.S. Embassy Chisinau, *unclassified telegram no. 232* (2005).

<sup>2675</sup> The 3-year project began in September 2003 and in addition to Moldova, is implementing activities in Albania, Romania and Ukraine. See ILO-IPEC, *ILO-IPEC Child Trafficking Project*, project document.

<sup>2676</sup> The Task Force has assisted a number of countries, including Moldova, in developing national action plans as well supports projects on prevention of trafficking, protection of victims and prosecution of traffickers. See Organization for Security and Cooperation in Europe, *Stability Pact for Southeastern Europe: Task Force on Trafficking in Human Beings*, [online] [cited May 11, 2004]; available from [www.osce.org/attf/index.php3?sc=Introduction](http://www.osce.org/attf/index.php3?sc=Introduction).

trafficking.<sup>2677</sup> Despite government efforts, due to a lack of funds at the national level, as well as corruption and linkages between government officials and organized crime, the majority of trafficking protection and awareness raising measures are being implemented by Moldovan NGOs.<sup>2678</sup>

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<sup>2677</sup> Limanowska, *Trafficking in Human Beings*, 2003, 76. See also Centre for the Prevention of Trafficking in Women, *Trafficking in Children Report*, 25.

<sup>2678</sup> Limanowska, *Trafficking of Human Beings*, 2002, 30-32. IOM is implementing a trafficking awareness raising campaign; UNICEF assists girls at risk of trafficking and prostitution; and other NGOs, including La Strada and Association for Women Lawyers, are working on the issue. For the most part, these activities are planned and implemented independently; however, the government is planning to cooperate with La Strada to implement an awareness raising campaign in schools. Save the Children Moldova has a program to provide assistance to victims of trafficking, including repatriation assistance, psychological counseling, and vocational training. See *Program for Social Assistance to Trafficked Human Beings*, Save the Children Moldova, [online] [cited October 28, 2004]; available from <http://scm.ngo.moldnet.md/trafic.html>. See also Centre for the Prevention of Trafficking in Women, *Trafficking in Children Report*, 23.