



National REPORT on the Implementation of the Policy on Prevention and Combating Trafficking in Human Beings

For the year 2022

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ABBREVIATIONS

| | |
|-----------------------|---|
| NAE | National Agency for Employment |
| NSAA | National Social Assistance Agency |
| CPA | Central Public Authority |
| LPA | Local Public Authority |
| PSA | Public Services Agency |
| CAP | Centre for Assistance and Protection of Victims and Potential Victims of THB |
| CCTP | Center for Combating Trafficking if Persons |
| IC "La Strada" | "La Strada" Public Association International Center |
| NC CTHB | National Committee for Combating Trafficking in Human Beings |
| NCCAP | National Centre for Child Abuse Prevention |
| NCSGLA | National Council for State Guaranteed Legal Aid |
| TMT | Territorial multidisciplinary team |
| JIT | Joint Investigation Team |
| GRETA | Council of Europe Group of Independent Experts on Combating Trafficking in Human Beings |
| GD | Government decision |
| NIJ | National Institute of Justice |
| GIBP | General Inspectorate of Border Police |
| MFAEI | Ministry of Foreign Affairs and European Integration |
| MER | Ministry of Education and Research |
| MJ | Ministry of Justice |
| MH | Ministry of Health |
| MLSP | Ministry of Labor and Social Protection |
| NRM | The program for the creation and development of the National Referral Mechanism |
| IOM | International Organization for Migration |
| OSCE | Organization for Security and Cooperation in Europe |
| IO | International Organization |
| PGO | Prosecutor General's Office |
| PCCOCS | Prosecutor's Office for Combating Organized Crime and Special Cases |
| PS NCCTHB | Permanent Secretariat of the National Committee for Combating Trafficking in Human Beings |
| TIP | Trafficking in persons |
| UNODC | United Nations Office on Drugs and Crime |
| UNHCR | United Nations High Commissioner for Refugees |

METHODOLOGY

This Report is developed in accordance with the provisions of point 9¹ para.(5) of the Government Decision no. 472/2008 approving the composition of the National Committee for Combating Trafficking in Human Beings and the Rules of Procedure of the National Committee, according to which the *Permanent Secretariat of the Committee monitors and evaluates the implementation of policies in the field of preventing and combating trafficking in human beings by the competent institutions, at all levels of public administration, as well as by intergovernmental, nongovernmental organizations carrying out activities in the field.*

This report contains an analysis of data and trends in the field of trafficking in human beings (TiP) as well as of actions implemented and results achieved by the anti-trafficking community of the Republic of Moldova in 2022.

For the development of this Report certain collected information and statistical data were used, including the following:

- information provided by the central public authorities (CPA), local public authorities (LPA), non-commercial organizations (NGOs) and international organizations about the implementation of the Action Plan for the years 2021-2022 regarding the implementation of the National Strategy to prevent and combat human trafficking for the years 2018-2023;
- recommendations contained in the decisions of the meetings of the National Committee for Combating Trafficking in Human Beings (CN CTHB) and of the meetings of the technical coordination group of the Permanent Secretariat (SP) of the CN CTHB ;
- the recommendations of international evaluation reports (GRETA, Trafficking in Persons Report of the US Department of State, Report of the US Department of Labor on serious forms of child labor exploitation, etc.).

This report is structured in chapters in line with the 4Ps paradigm policy, recommended by international standards in this field (Prevention, Protection, Punishment, Partnership), and addresses the amendments in the legal and institutional framework in this field.

The report contains 2 annexes illustrating the progress obtained following the implementation of the 2021-2022 Action Plan for the implementation of the 2018-2023 National Strategy for Prevention and Combating Trafficking in Human Beings and the operation of the Territorial Commissions for combating THB in 2022.

1. General measures

1.1. Legal, policy and regulatory framework

- ❖ The program for the creation and development of the National Referral Mechanism („NRM”) for protection and assistance of crime victims for the years 2022-2026 and the Action plan for the years 2022-2024 on its implementation were adopted (*GD no.182/2022*), aims to exert in practice the rights of victims of crimes and the implementation of Law no. 137/2016 regarding the rehabilitation of crime victims.
- ❖ The National Child Protection Program for the years 2022-2026 and the Action Plan for its implementation were approved (*GD no. 347/2022*).

- ❖ From the Criminal Procedure Code (art. 110/1), the age of 14 years old was changed in regards to interviewing under special conditions the children victims/witnesses of crimes in criminal cases regarding crimes of a sexual nature, regarding child trafficking or family violence, as well as in other cases where the interests of justice or of the minor require it. Therefore, minors will be interviewed under special conditions up to the age of 18. (*amended by the Law no.316 of 17.11.2022*).
- ❖ The Law no. 102 of 14.04.2022 has amended the Contravention Code. Changes were made to article 89 „Practicing of prostitution”, by reducing the punishment for practicing of prostitution and aggravating the punishment for persons that benefit from these services.

✉ DRAFT LAW

The Prosecutor General’s Office has developed and submitted for promotion to the Ministry of Justice a draft law consistent with the anti-trafficking policies regarding the amendment and completion of the Criminal Procedure Code with an instrument necessary for the examination of criminal cases for TIP offenses and related crimes within a shorter period, namely the completion of Chapter III of Title V of the Code of Criminal Procedure - with the "Consent at the border" institution, as a procedural lever to ensure the presence of persons at the trial.

- ❖ The Regulation on the establishment of the intersectoral cooperation mechanism for the identification, assistance, and monitoring of children at risk, who arrived from Ukraine during the war, was approved by the Commission for Exceptional Situations of the Republic of Moldova by Decision no. 14 of 14.04.2022. Therefore, in order to implement the provisions of point 21, letter e) of the abovementioned Regulation, the following acts were adopted:



- a) *Joint Order of the Minister of Labor and Social Protection and the Minister of Internal Affairs no. 34/169 of April 22, 2022 regarding certain measures to implement the Decision of the Commission for Exceptional Situations of the Republic of Moldova, and adoption of the form of the Act for the authorization of the crossing of the state border of the Republic of Moldova of unaccompanied or accompanied by and unauthorized companion children;*
- b) *Order of the Minister of Labor and Social Protection no. 36 of May 5, 2022, which approved the form of the Act for rapid assessment of the best interests of the child at risk, who came from the territory of Ukraine during the declaration of the state of war in Ukraine.*

- ❖ On 05.10.2022, the Order of the Minister of Internal Affairs no. 485 "Regarding the approval of the Guide on the identification of victims and presumed victims of human trafficking in the context of mixed migratory flows" was adopted.

- ❖ The Operational Manual for the Regional Integrated Assistance Center for child victims/witnesses of crimes (Barnahus type) was approved, by the Order of the Minister of Labor and Social Protection of February 18, 2022.

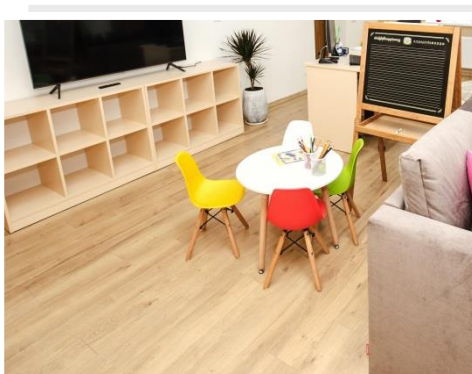
❖ In order to unify the criminal prosecution praxis in the field, the Prosecutor General's Office has generalized the activity of prosecutors by fields of activity, and as a result it has developed and sent to territorial and specialized prosecutors 3 recommendations:

GPO Recommendations no. 6/2-9d/22-135 of 28.02.2022 regarding the investigation, qualification and judicial examination of cases regarding the illegal removal of children from the country (art. 207 Criminal Code)

GPO Recommendations no. 6/2-15d/22-292 of 27.04.2022 regarding the status of persons leaving the territory of Ukraine, the legal qualification of their actions and the manner of action by law enforcement agencies

GPO Recommendations no. 15-15d/22-314 of 07.06.2022 regarding the reasons that determined the payment of the traffickers, the measures to be taken in order to exclude the identified deficiencies from the activity.

1.2. Changes in the institutional framework. The activity of the institutional coordination framework



Barnahus-type regional center

In 2022, the MLSP and the NCCAP signed a contract regarding the purchase of services to ensure the functionality of the Barnahus-type Regional Integrated Assistance Center for child victims/witnesses of crimes - North.

Starting from March 2022, the first Center began its activity in the municipality of Balti, aimed at ensuring the prevention of revictimization and/or retraumatization in the process of collecting evidence in criminal cases. It services the entire northern region of the republic, both the municipality of Balti and the 11 districts of the region, a total of 571 localities.

In the first year of activity of the Center, 78 children were assisted.

Displaced children from Ukraine also benefited from specialized assistance of Barnahus-type services in 2022.



1 meeting of the National Committee for Combating Trafficking in Human Beings. Discussed topics:

- Presentation and approval of the Report on the implementation of the policy in the field of combating and preventing human trafficking in 2021
- Planned measures and implementation of the recommendations of international monitoring mechanisms such as GRETA and the US State Department
- Prevention of TIP among people displaced from Ukraine.



1 session of the Technical coordinating group of the Permanent Secretariat of the NCCTHB. Discussed topic:

- consultation of the draft Report of the Government of the Republic of Moldova regarding the implementation of the Recommendations of the Report of the Council of Europe Group of Independent Experts on Combating Trafficking in Human Beings (GRETA)



5 meetings of the Task Force on Trafficking in Human Beings (created in 2022 in the context of the war in Ukraine). Discussed topics:

- Development and implementation of the Action Plan on preventing and combating human trafficking in the context of the Response Plan to the Situation in Ukraine for the period July 1, 2022- July 1, 2023
- Measures and Campaigns to prevent trafficking of refugees from Ukraine, the support provided;
- Thematic studies and research, etc.

1.3. Development of professional capacities of specialists

Strengthening the professional capacities of specialists is a fundamental segment to ensure the effective implementation of the policy in the field, especially in the context of the new trends of the phenomenon and the turnover of specialists.

1482 specialists from law enforcement agencies, from the field of social assistance, lawyers who provide legal assistance guaranteed by the state and other categories of specialists were trained.

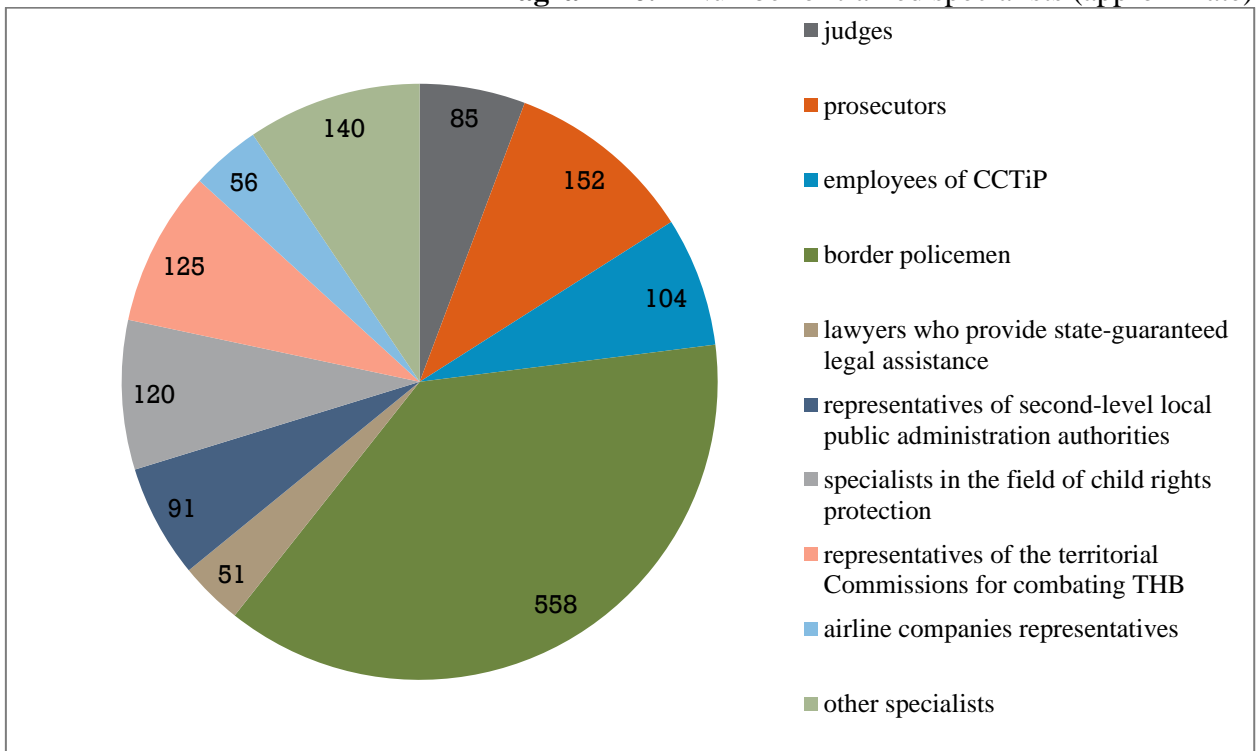
The following training courses and workshops are worth mentioning:

- ❖ The training courses organized by the NIJ for prosecutors, judges, lawyers providing state-guaranteed legal assistance, etc. with the following topics: *"Certain aspects of the examination of cases regarding the application of protective measures for victims of family violence/violence towards children"*, *" Certain aspects of the investigation and trial of crimes in the field of combating TIP and related crimes"*, *" Certain aspects of investigating and judging cases regarding cross-border, transnational and organized crime. Aspects regarding the fight against terrorism"*, *"Methods and tactics of investigation and examination of cases regarding crimes of a sexual nature committed by means of information technologies. Aspects of online abuse of minors"*, etc.
- ❖ 5 Workshops for representatives of the Territorial Commission for Combatting Trafficking *"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" , organized by the State Chancellery, CI "La Strada", War Child Holland.

- ❖ 2 workshops for airline representatives (flight crews and senior flight attendants, passenger registration service supervisors and aviation security inspectors on the ground) regarding the phenomenon of human trafficking in the Republic of Moldova, organized by the State Chancellery.
- ❖ 8 regional meetings organized by UNODC in different states, including Moldova, with the following themes: "Trafficking in human beings for the purpose of sexual exploitation, especially of women and girls, through the lens of demand from South-Eastern Europe", "Addressing human trafficking for purposes of sexual exploitation through international cooperation", "Tackling child trafficking, especially for the purpose of forced crime in South-Eastern Europe", "Financial investigations and asset recovery resulting from human trafficking, including victim compensation, in South-Eastern Europe", "Improving the response to trafficking in persons for sexual exploitation, especially of women and girls, through the lens of demand in South-Eastern Europe", "Tackling trafficking in persons for the purpose of technology and cyber-facilitated sexual exploitation, including of children from South-East Europe", "Combating labor exploitation in human trafficking, with a special focus on supply chains, in South-Eastern Europe", from Chisinau, Republic of Moldova.

Diagram no. 1 Number of trained specialists (approximate)



1.4. Collection and analysis of statistical data, research

The analysis of statistical data remains the starting point in terms of the development and/or elaboration of policies in order to ensure the rights and freedoms of citizens, emerging from the identified needs. Thus, during the reference period, several researches, evaluations and analyzes of the situation in the field of preventing and combating TIP were carried out, as follows:

- ❖ National Report on the Implementation of the Policy on Prevention and Combating Trafficking in Human Beings for the year 2021 ¹,
- ❖ Informative note regarding the realization of the national campaign "The fight against human trafficking week" October 17-23, 2022 ²,
- ❖ The evaluation of the National Strategy to prevent and combat human trafficking for the years 2018-2023 ³, carried out by the international expert Hanna Antonova,
- ❖ Research report "Mapping existing services in the Republic of Moldova for people displaced from Ukraine. Identifying the risks of exploitation and trafficking in human beings", carried out by CI "La Strada" ⁴,
- ❖ The study "Analysis of the normative framework and the practice of providing services, aimed at the social (re)integration of victims of human trafficking in the Republic of Moldova" carried out by the International Organization for Migration, with the support of the US Embassy in the Republic of Moldova.

¹<http://www.antitrafic.gov.md/libview.php?l=ro&idc=30&id=1381&t=/Rapoarte/Nationale/Raport-national-de-realizare-a-politicii-de-prevenire-combatere-a-traficului -of-human-beings-for-the-year-2021>

²<http://www.antitrafic.gov.md/libview.php?l=ro&idc=30&id=1417&t=/Rapoarte/Nationale/Nota-informativa-privind-realizarea-Campaniei-nationale-Saptamana-de-lupta-impotriva-traficului -of-human-beings-October-17-23-2022>

³<http://www.antitrafic.gov.md/libview.php?l=ro&idc=32&id=1420&t=/Rapoarte/Ale-partenerilor-internationali/Evaluarea-Strategiei-nationale-de-prevenire-i-combatere-a-traficului -of-human-beings-for-the-years-2018-2023>

⁴https://lastrada.md/pic/uploaded/Cartografierea_serv_exist_MD_ro.pdf

2. Prevention of human trafficking

2.1. Measures to prevent human trafficking for the general public



WORLD DAY AGAINST TRAFFICKING IN PERSONS 30 JULY

In the context of the World Day against human trafficking, July 30, the State Chancellery, in partnership with IC "La Strada", began organizing the training workshops for members of the Territorial commissions for combatting trafficking, titled "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"

The national campaign "Week against human trafficking"



- On October 18, 2022, the Republic of Moldova marked the "European Day of Combating Trafficking in Human Beings". For the 11th year in a row, the national campaign "The week of fighting against human trafficking" was carried out.
- During a week, the central and local public authorities in partnership with international and non-governmental organizations distributed informative materials and organized activities, with the aim of raising awareness and informing the general public, in particular pupils, students and young people, parents, teaching staff regarding the risks and consequences of TIP, employment opportunities in the Republic of Moldova, as well as the institutions to which they can turn in case of necessity.
- Through the Campaign, approximately 210,500 pupils/students and approximately 1,859 people of the general public were informed, including refugees from Ukraine. Approximately 6582 specialists were trained.

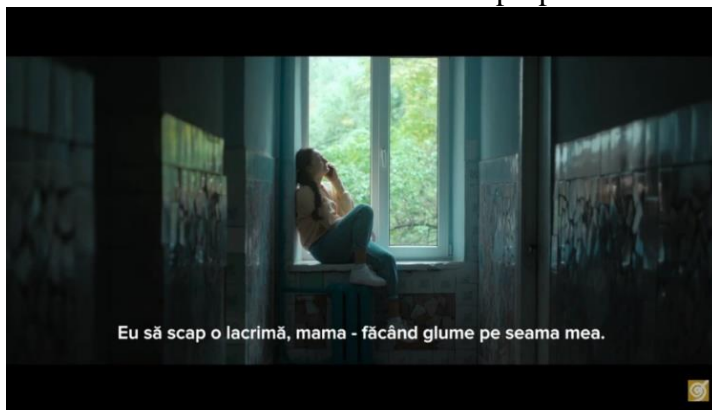
The Ministry of Education and Research, through educational institutions, organized various information activities for students, young people and the general public. About 210,500 pupils/students were informed.

On October 5, 2022, the phenomenon of human trafficking, the prevention of illegal employment and the reduction of the risk of exploitation, were topics discussed online with our compatriots in the diaspora. The event was organized by the State Chancellery.

NAE offers consultations and information on legal employment, based on individual employment contracts, through online forms sent by citizens, by phone and at the headquarters. Thus, through the free telephone service of the Call and Communication Center, during 2022, a total of 5,397 calls were received regarding legal employment in the country and/or abroad, of which 1,127 calls addressed the emigration process. Citizens are informed about the 3 legal ways of employment abroad based on Law 105/2018 on the promotion of employment and unemployment insurance; in accordance with the provisions of the international treaties to which the Republic of Moldova is a party; through licensed private employment agencies and individually based on an individual employment contract concluded with the employer before leaving the country.

2.2. Measures to prevent human trafficking for Ukrainian refugees

The year 2022 was marked by the aggression of the Russian Federation towards Ukraine and the flow of refugees on the territory of the Republic of Moldova. The risks of TIP and exploitation for refugees from Ukraine are related to the fact that most of these people are women and children, separated families, limited access to existing protection mechanisms. Thus, informing these people is a major concern and, in the course of the year, actions were carried out for this purpose.



CI "La Strada" in partnership with the International Organization for Migration launched a Campaign to raise awareness of the general public about the TIP risks that refugees may be exposed to in the context of the aggression in Ukraine. The message of the Campaign "Take care of yourself and don't let anyone think that nobody will help you!" is about the availability of specialists that will offer support to any person subject to exploitation, through informational support, counseling and ensuring access to services in case of need (<https://lastrada.md/rom/articole/oriunde-ai-fi-ai-grija-de-tine-si-nu-permite-nimanui-sa-creada-ca-nu-are-cine-sa-t-329>).

Reducing the Risk of Trafficking in Persons at the Ukrainian - Moldovan Border

What is human trafficking?
HUMAN TRAFFICKING is a form of modern slavery and human rights violation that is still relevant in the 21st century. The recruitment, transportation, transfer, harbouring or reception of persons, by means of threats, use of force or other forms of coercion, or by means of deception, fraud, or psychological pressure for the purpose of further exploitation.

Exploitation can take the following forms:

| | | | | |
|--|---------------------|---|-----------------|---------------|
| Labour exploitation or forced services | Sexual exploitation | Involvement in criminal activities | Forced begging | Debt bondage |
| Illegal adoption | Domestic servitude | Slavery or practices similar to slavery | Forced marriage | Organ removal |

Signs which may indicate you are or could be exploited by a person claiming to help you:

- They are offering a job with an unrealistically high salary.
- They are forcing you to perform work.
- They have removed your identification documents.

The International Organization for Migration has developed informational materials on the prevention of TIP at the Moldovan-Ukrainian border (available in English and Ukrainian).

The OSCE and the Thomson Reuters company launched the "Be safe" online campaign. On the official page of the campaign www.helpforukrainians.info, useful information can be found to raise awareness of the risks related to human trafficking. Thus, Ukrainian citizens can learn about the direct signs of TIP and request help from the authorities of the countries where they have taken refuge.

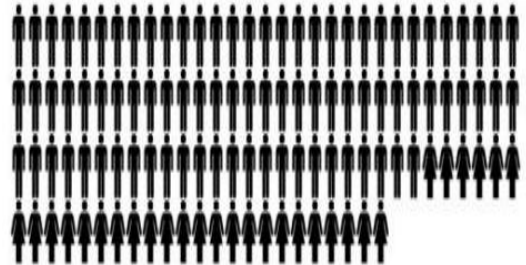


3. Protection

3.1. Identification of victims and presumed victims of human trafficking

During 2022, during criminal investigations regarding **trafficking of human beings** (art. 165 Criminal Code) and **trafficking of children** (art. 206 Criminal Code), **151 victims** were identified, as follows:

- ❖ 107 adult victims (32 women/75 men),
- ❖ 44 minors (43 girls/1 boy).



Compared to 2021, when **357 victims** were identified (335 adults: 130 women/204 men) and 22 child victims (21 girls/1 boy), in 2022 there is a decrease in the number of victims by approximately 130%, *which was determined by several investigations of proportions within the joint investigation teams carried out by the Specialized Section of the GPO jointly with the CCTP: one created with the Republic of Italy (over 70 female victims) and another with the French Republic (over 200 male victims).*

Adult victims:

By the type of exploitation:

- 82 adult victims (66 men/16 women) were subjected to **labor exploitation** (compared to 264 victims identified in 2021),
- 11 victims (all women) were subjected to **sexual exploitation** (compared to 24 victims identified in 2021),
- 2 victims (1 male/1 female) were subjected to **exploitation through begging** (in the same period of 2021, 3 victims were identified),
- 11 victims (1 woman/10 men) exploited for the purpose of **embezzling allowances or social benefits** (in the same period of 2021 - 43 victims),
- 1 (one) victim (male) of **organ, tissue and cell trafficking** (in the same period of 2021, 1 victim was identified).

In terms of destination countries:

The EU is confirmed as a constant destination with a descending tendency

- **In the European Union area** 76 victims of TIP were identified (of which 51 men and 25 women).

The main destination country of external trafficking (from the perspective of the number of victims) is the Federal Republic of Germany (hereafter "FRG"), with 33 persons (30 men and 3 women) for the purpose of labor exploitation and 1 person (woman) for the purpose of the practice of begging.

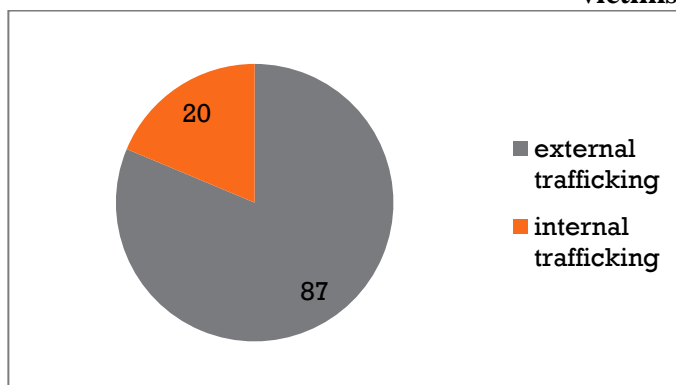
Depending on the purpose of exploitation, the following situation was found:

| Labor exploitation - 54 victims (12 women/ 42 men): | Sexual exploitation - 9 victims (all women): | Exploitation for the purpose of begging - 1 victim: | Exploitation for the purpose of harvesting human organs, tissues and/or cells - 1 victim: | Exploitation for the purpose of embezzling social benefits, or allowances – 11 victims: |
|---|--|---|---|---|
| Poland – 7 (3 women/ 4 men) | Italy - 4 women | FRG - 1 victim (woman); | Bulgaria - 1 victim (male) | French Republic – 11 (3 women/ 8 men) |
| FRG – 33 (3 women/ 30 men) | Hellenic Republic - 3 women | | | |
| Italy - 6 (4 women/ 2 men) | French Republic - 1 woman | | | |
| Portugal - 4 (1 woman/ 3 men) | Belgium - 1 woman | | | |
| Romania – 1 woman | | | | |
| Bulgaria – 3 men | | | | |

- **In the CIS area, 11 victims** were identified (3 women/8 men), as follows: Russian Federation – 10 victims (3 women/7 men) exploited through labor and 1 victim (female) exploited through begging.
- **In the Republic of Moldova (internal traffic) 20 adult victims** (3 women/17 men) were identified, exploited:
 - through labor - 18 victims (17 men/ 1 woman);
 - sexual - 2 female victims.

During 2022, no TIP victims were identified in the countries of the Middle East, which was previously one of the main destination areas for traffickers.

Diagram no. 2 External/internal trafficking (adult victims)



Children victims of trafficking:

Unlike 2021, in 2022 all victims of child trafficking were exploited on the territory of the Republic of Moldova

44 child victims (43 girls/1 boy) were identified, exploited on the territory of the Republic of Moldova (in 2021 - 22 child victims (21 girls/1 boy) , of which:

- for the purpose of sexual exploitation - 42 victims-children, all girls (in 2021 - 11 victims (all girls));
- for the purpose of labor exploitation - 2 child victims (1 girl/1 boy), in 2021 - 8 girl victims;
- for the purpose of begging - 0 child victims - in 2021 - 2 victims (1 girl/1 boy).

3.2. Statistics on assisted victims of human trafficking and child trafficking. Profile of the assisted victim

65 victims of TIP⁵ were assisted (of which 49 adult victims and 16 child victims).

The profile of the assisted adult TIP victim:

- ❖ Of the total number of 49 victims of TIP, 30 are women and 19 are men.
- ❖ Analyzing the age of the victims, we notice that the majority of female victims (16 women) are between 18-25 years old, and the majority of male victims (11 men) are between 36-50 years old.
- ❖ With regard to the level of education, it is confirmed that the majority of female victims - 46% have secondary and specialized education, and the majority of male victims (68%) have secondary school education.
- ❖ Most of the victims, about 70%, come from rural areas.
- ❖ Analyzing the marital status of the victims, we note that 40% of the number of victims are unmarried.
- ❖ With reference to the type of exploitation, we mention that 29% of the victims were sexually exploited (13 women and 1 man), 69% were exploited through work, 2% (1 woman) were exploited through begging.
- ❖ Regarding the relationship between the victim and the recruiter, it is confirmed that the majority of female victims 73% did not know the recruiter, and the majority of male victims 74% knew the recruiter.
- ❖ Of the total number of victims, we note that 100% of the male victims were exploited on the territory of the Republic of Moldova, while most of the female victims, 60%, were exploited outside the country.
- ❖ Referring to the type of services the victims received, we note that 92% of the victims received social assistance, 49% received medical assistance, 8% received legal assistance, 80% received psychological assistance, 8% received benefited from assistance in orientation towards employment measures and 38% of physical protection.

Child trafficking victim profile:

⁵The data regarding the profile of the assisted victim differs from the data of the identified victims, described in Chapter 3.1. The profile of the assisted victim was developed based on the data collected from the Centers providing assistance and protection to victims of TIP and refers only to victims who benefited from assistance within the Centers.

- ❖ 100% of the total number of victims of child trafficking are female,
- ❖ 69% of child victims come from rural areas
- ❖ 100% of the victims were exploited on the territory of the Republic of Moldova.
- ❖ With reference to the type of exploitation, 88% of the victims were sexually exploited, 12% (2 victims) were exploited through work.

3.3. Repatriation, rehabilitation and reintegration of victims and presumed victims of TIP

The rendering of specialized social services, within the Centers providing social services, which also assist victims of TIP, is carried out in accordance with *Government Decision no. 898 of 30.12.2015 for the approval of the Framework Regulation regarding the organization and operation of the Assistance and Protection Service for victims of human trafficking and the minimum quality standards.*

During the year, 65 victims of TIP (49 adult victims and 16 child victims) benefited from assistance at the Centers for providing specialized services. The victims were given psychological, medical, legal assistance, assistance in orientation towards employment measures, physical protection, as needed.

Repatriation

Adults

2 repatriation missions of adults in difficulty were organized:

- with the support of IOM, a person (male) was repatriated from Egypt and later he was referred to a hospital institution for medical treatment.
- the second repatriation mission was carried out from the MLSP budget - a mother-child couple was repatriated from Romania - the couple was later admitted to foster care within the Center for Placement and Rehabilitation for Children of Fragile Age.

Children

With reference to the repatriation of victims of child trafficking and unaccompanied children, 4 child repatriation missions were organized, and 5 children (3 boys and 2 girls) were repatriated:

- 3 children were repatriated from the Russian Federation (2 missions) and 2 children from Romania (2 missions).
- from the total number of children repatriated during 2022, 3 children were reintegrated into biological/extended families, 1 child – placed in a family-type children's home and 1 child – placed in a temporary placement center.

Financing of the Centers for the assistance

For the financing of the Centers for the assistance and protection of TIP victims, the psychosocial centers for the rehabilitation of victims of domestic violence and measures for the protection and assistance of TIP victims, financial means in the amount of 16.2 million lei were

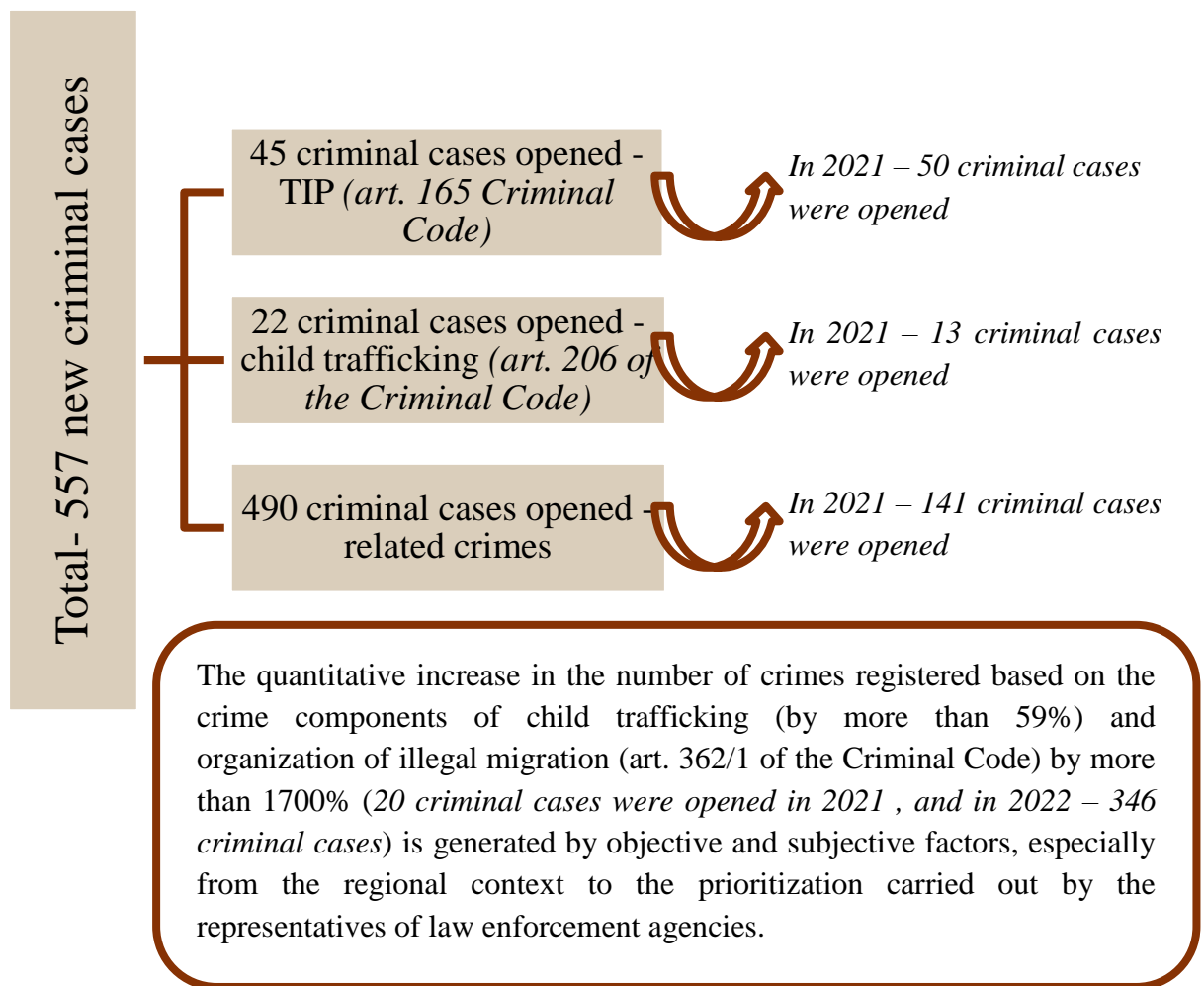
approved in the national public budget, of which 14.7 million lei were spent, which represents 90.7%. Of these:

- ❖ For the financing of the assistance and protection centers for victims of human trafficking in the Cahul district and the psychosocial rehabilitation centers for victims of family violence in the districts of Anenii Noi, Căușeni, Drochia, Hâncești, Balti municipality and ATU Găgăuzia, financial means were approved in volume of 9.8 million lei, of which 9.7 million lei were spent. The respective expenses were carried out through the special destination transfer from the state budget to the second-level local budgets.
- ❖ For the financing of the Center for assistance and protection of victims of human trafficking in the municipality of Chisinau, allocations in the amount of 4.7 million lei were approved in the MLSP budget, out of which 4.5 million lei were spent.
- ❖ For the organization of the repatriation missions, financial means in the amount of 426.7 thousand lei were approved in the MLSP budget, of which 240.3 thousand lei were spent.

4. Punishment

New criminal investigations

Referring to the identification of cases and initiated cases, it was found that in the course of 2022, a total of 67 crimes from the category of human trafficking were registered in the country (45 TIP - art. 165 of the Criminal Code and 22 - child trafficking, art. 206 of the Criminal Code) and 490 related crimes.



Criminal cases where the investigations has been concluded and sent to court

During the period under review, the investigation was concluded in 177 criminal cases from those assigned to the category of human trafficking, similar or related crimes (in 2021 - 174 criminal cases). Of these, 111 criminal cases were sent with an indictment to the courts, in 33 criminal cases the investigation was terminated, and 35 criminal cases were dismissed. From the total number:

- ❖ on **the offense of TIP (art. 165 of the Criminal Code)** the investigation of 45 criminal cases was concluded, of which 28 cases were concluded with an indictment and sent to the court (25 cases in 2021), in 7 cases the investigation was terminated, and 10 cases were dismissed.

- ❖ on **the crime of child trafficking** (art. 206 of the Criminal Code) the investigation of 22 criminal cases was concluded, of which 17 cases were concluded with an indictment and sent to the court (6 cases in 2021), in 1 case the criminal investigation was terminated, and 4 cases were dismissed.

Having analyzed **the judicial practice** for the year 2022 with regard to the offenses of TIP, child trafficking, related or assimilated offenses, the following state of facts was established:

The courts handed down a total of 66 verdicts on cases of human trafficking, related or similar offenses against 77 defendants (in 2021 - 105 verdicts against 139 defendants). Breakdown of verdicts:

Human trafficking (art. 165 Criminal Code)

16 verdicts on human trafficking against 22 defendants (in 2021 - 38 verdicts against 53 defendants), out of which:

- 4 convictions of 4 defendants (sentenced to prison), the others being dismissals/acquittals

Child trafficking (art. 206 Criminal Code)

3 verdicts on child trafficking against 3 defendants (in 2021 - 16 verdicts against 28 defendants), out of which:

- 2 convictions of 2 defendants (sentenced to prison), the others being dismissals/acquittals

☑ The decline in the number of verdicts handed down was the consequence of the declaration of the state of emergency throughout the territory of the Republic of Moldova and the establishment of specific measures in the justice system after the beginning of the aggression in Ukraine.

☑ Although these measures were canceled on 04.04.2022, the process of examining criminal cases was still affected, due to the setting of other deadlines for examining cases.

☑ Another factor, which influenced the number of examined cases, was the expiration of the mandates of several judges, who were not re-appointed, thus the criminal cases from their docket were redistributed at the end of 2022 and the trials were resumed.

☑ The reduction in the number of verdicts is not only specific to the anti-trafficking field, but also to the general results in the judicial-criminal field found in the statistical reports on the respective field.

Table no. 1

*Statistics on the application of the provisions of the Criminal Code,
Human trafficking/Child trafficking (art.165/art.206 CC)*

| The year | Criminal cases registered | Criminal cases sent to court | Defendants (traffickers) regarding whom the verdict was handed down | Persons sentenced to prison | Persons sentenced to prison with the conditional suspension of the punishment | Number of victims according to CCTP |
|----------|---------------------------|------------------------------|---|-----------------------------|--|-------------------------------------|
| 2010 | 142/23 | 45/10 | 48/5 | 27/4 | 11/1 | - |
| 2011 | 111/24 | 45/14 | 35/2 | 7/1 | 11/1 | 131 |
| 2012 | 151/20 | 60/5 | 21/10 | 13/9 | 8/1 | 266/24 |
| 2013 | 135/20 | 43/8 | 27/12 | 20/4 | 1/0 | 233/29 |
| 2014 | 151/24 | 42/7 | 34/9 | 28/9 | 6/0 | 238/26 |
| 2015 | 151/38 | 52/24 | 29/10 | 27/9 | 0/0 | 242/68 |
| 2016 | 123/28 | 22/11 | 48/8 | 39/8 | 1/0 | 197/35 |
| 2017 | 122/41 | 65/20 | 31/28 | 25/21 | 1/0 | 201/48 |
| 2018 | 154/37 | 60/23 | 56/30 | 32/24 | 2/1 | 305/60 |
| 2019 | 91/30 | 42/19 | 67/26 | 48/22 | 1/0 | 232/109 |
| 2020 | 45/21 | 42/9 | 36/25 | 22/16 | 1/0 | 116/23 |
| 2021 | 50/13 | 25/6 | 53/28 | 19/25 | 1/0 | 335/22 |
| 2022 | 45/22 | 28/17 | 22/3 | 4/2 | 0/0 | 107/44 |

In order to ensure the continuity of the **parallel financial investigations**, simultaneously with the application of the punishment of the defendants, during the reporting period, the courts also ordered the confiscation, under the conditions of art. 106 and art. 106/1 of the Criminal Code, of the assets used to commit crimes related to human trafficking.



As a result of parallel financial investigations, the courts, besides handing down convictions for TIP and crimes related in 12 cases, have ordered the confiscation of money and goods use for committing crimes valued approximately at 560,000 lei.

Victim and witness protection

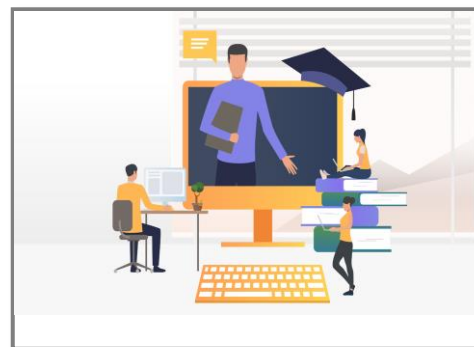
- 4 investigations were opened on charges of prompting to make false statements (art. 314 Criminal Code) regarding TIP and child trafficking cases
- in 2 cases of TIP and 1 case of child trafficking, the prosecutors absolved the victims for the actions committed in connection with their victim status

In 2022, in 8 cases the courts ordered the payment of 143,000 lei to the injured parties. Apart from this, in 3 cases the courts admitted the civil suits in principle.

5. Partnership

Cooperation with international partners/ civil society

Consolidating the national partnership and strengthening the interaction between different institutions with attributions in the field of preventing and combating TIP and development partners/civil society remains a priority. During 2022, development partners and civil society (OSCE and IOM Mission in Moldova, US Embassy in Moldova, UNHCR, CI "La Strada", NCCAP, etc.) continued to provide support by training specialists in the field, informing the general public about the risks and consequences of TIP, the development and distribution of informative materials and their publication/editing.



Cooperation with competent authorities from other states in order to ensure the safe and legal employment of citizens of the Republic of Moldova abroad

☑ During 2022, the implementation of bilateral agreements/memorandums concluded with the State of Israel (concluded in 2012), Bulgaria (concluded in 2018) and the Federal Republic of Germany (concluded in 2021) continued.



In 2022, 1 negotiation was initiated with the Government of the State of Israel regarding the temporary employment of citizens of the Republic of Moldova as caregivers of elderly people with disabilities in the State of Israel.

International cooperation in the field of legal assistance

| Requests for rogatory commissions submitted by the Prosecutor General's Office to other states | Requests for rogatory commissions received by the Prosecutor General's Office for execution |
|--|--|
| 30 requests for rogatory commissions , of which 21 requests – regarding the investigation of TIP cases and 9 requests – regarding the investigation of illegal migration organization cases | 13 requests for rogatory commissions related to the investigation of TIP cases and related crimes |
| <i>The reference countries are:</i> | <i>The reference countries are:</i> |
| Russian Federation - 7 requests | Russian Federation - 1 requests |
| Germany – 4 requests | Italy -1 request |
| Turkey – 3 requests | Germany - 6 requests |
| France - 3 requests | Belgium – 2 requests |

| | |
|--|----------------------|
| Romania - 2 requests | Romania – 1 requests |
| Ireland - 2 requests | Ukraine – 1 requests |
| Spain - 2 requests | France – 1 requests |
| 1 (one) request each to Belgium, Italy, Hungary, Portugal, Ukraine, Greece, Slovenia | |

For cross-border cases, one of the basic tools of international legal assistance in criminal matters, namely *Joint Investigation Teams* (hereinafter "JITs") with law enforcement agencies of destination countries, has been widely applied, some of which have continued from previous periods, others being initiated in the reporting period.



On 14.01.2022, a JIT agreement was concluded between the PCCOCS and the Directorate for the Investigation of Organized Crime and Terrorism, Romania (hereinafter "DIICOT"), in a case of organizing and facilitating illegal migration.



On 22.11.2022, two JIT agreements (1 - for 6 months and the second - for 12 months) were concluded between the PCCOCS and the Prosecutor General's Office of Ukraine regarding two distinct cases of organizing illegal migration.



During 2022, a coordination meeting was held for representatives of law enforcement agencies from the Republic of Moldova, Italy and Hungary on the investigation of TIP actions of an organized criminal group. As a result, it was decided to form the JIT between the PCCOCS and the Italian authorities with a spontaneous exchange of information with Hungary.



Cooperation continued within 3 joint investigation teams established in previous periods with colleagues from foreign jurisdictions, including France, Romania, and Italy.

6. Conclusions and objectives for the next period

- ✚ The year 2022 was marked by the aggression of the Russian Federation towards Ukraine and the flow of refugees on the territory of the Republic of Moldova. The risks of TIP and exploitation of refugees from Ukraine are related to the fact that most of these persons are women and children, separated from family, have limited access to existing protection mechanisms. Thus, informing this category of persons as well was a major concern and, during the course of the year, actions were carried out for this purpose;
- ✚ Regarding the **dynamics and trends of TIP**, during 2022 **151 victims were identified**, of which **107 were adults** and **44 children**. Compared to 2021, in which *357 victims were identified (335 adults and 22 children)*, in 2022 there is a decrease in the number of identified victims, which was determined by several large-scale investigations carried out in 2021 within the Joint Investigation Teams carried out by the Specialized Section of the PGO jointly with the CCTP: one created with the Republic of Italy (over 70 female victims) and another with the French Republic (over 200 male victims);
- ✚ The main **form of exploitation of adult victims** remains the same as in previous years – labor exploitation, and the place of destination – **external trafficking**;
- ✚ During 2022, no exploited adult victims were detected in the countries of the Middle East, which was previously one of the main destination areas for traffickers;
- ✚ The main **form of exploitation of victims of child trafficking** remains the same as in 2021 – sexual exploitation, and unlike last year, all victims were exploited **on the territory of the Republic of Moldova** ;
- ✚ During 2022, the number of verdicts has declined, compared to previous years, which was the consequence of the declaration of the state of emergency throughout the territory of the Republic of Moldova and the establishment of specific measures in the field of justice after the beginning of the aggression in Ukraine. The decline in the number of verdicts is not only specific to the anti-trafficking field, but also to the general results in the judicial-criminal system found in the statistical reports on that field;
- ✚ It is revealed that in most cases the victims do not file civil suits. This is also due to the corruption of the victims by traffickers and, as a result, their refusal to participate in the judicial process. Also, the victims do not in all cases self-identify as having been harmed by the traffickers' actions, which is why they do not want to continue the judicial process under a civil aspect;
- ✚ The "Evaluation of the National Strategy to Prevent and Combat Trafficking in Human Beings for the Years 2018-2023" was carried out by an international expert, which contains conclusions about the implementation of the National Strategy and its Plans, as well as important recommendations for the development of the next policy document anti-trafficking.

The following were established as objectives for the next period:

- ✚ continuing to raise awareness among the general public, including refugees from Ukraine, about the risks of TIP;
- ✚ ramping up investigations in order to counter the activity of transnational criminal groups specialized in TIP, child trafficking and illegal migration;
- ✚ strengthening the capacities of the specialized subdivisions, to ensure the proportional response of law enforcement agencies to the current risks regarding the situation in the region;

- ✚ intensification of international cooperation with the representatives of law enforcement agencies from transit and destination countries, especially for the purpose of creation and operation of joint investigation teams;
- ✚ analyzing the risks of redirecting the flow of migrants to the EU, taking into account the new situation in the region and the blocking of transitory flows through usual countries of destination, such as Ukraine, the Russian Federation, Belarus, etc.
- ✚ the regular application of the legal provisions and the methodology, which refer to financial investigations, in order to trace and confiscate the assets derived from the activity of TIP and child trafficking;
- ✚ the use of techniques and software for the collection, analysis of digital evidence, especially in cases of child trafficking and child trafficking with the use of information and communication technologies;
- ✚ contributing to the restoration of the victim's rights in the criminal process, by ensuring that the procedural actions are carried out in an environment favorable to the victim;
- ✚ development and approval of the new policy document in the field of preventing and combating TIP.