



National Report on the Implementation of the Policy to Prevent and Combat Trafficking in Human Beings

for 2023

TABLE OF CONTENTS

Abbreviations

Methodology

1. General Measures

1.1. Legal, policy and regulatory framework

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

1.3. Building the specialists' professional skills

1.4. Collection and analysis of statistical data, studies

2. Prevention

2.1. Measures to prevent trafficking in human beings for the general public

2.2. Measures to prevent trafficking in human beings for refugees from Ukraine

3. Protection

3.1. Identification of victims and presumed victims of trafficking in human beings

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

3.3. Repatriation, rehabilitation and reintegration of victims and presumed victims of trafficking in human beings

4. Punishment

5. Partnership

6. Conclusions and Objectives for the Next Period

ABBREVIATIONS

CAP	Center for Assistance and Protection of Victims and Potential Victims of Trafficking in Human Beings
CCTHB	Center for Combating Trafficking in Human Beings
I.C. "La Strada"	"La Strada" International Centre NGO
NC CTHB	National Committee for Combating Trafficking in Human Beings
NCCAP	National Center for Child Abuse Prevention
CT	Territorial Commission for Combating Trafficking in Human Beings
JIT	Joint Investigation Team
GRETA	Council of Europe's Group of Experts on Action against Trafficking in Human Beings
HG	Government Decision
NIJ	National Institute of Justice
MIA	Ministry of Internal Affairs
MER	Ministry of Education and Research
MLSP	Ministry of Labour and Social Protection
NRMV	National Referral Mechanism for Victims of Crime
IOM	International Organisation for Migration
OSCE	Organization for Security and Cooperation in Europe
APS	Assistance and Protection Service for Male Victims of Human Trafficking
PS NCCTHB	Permanent Secretariat of the National Committee for Combating Trafficking in Human Beings
THB	Trafficking in human beings
UNODC	UN Office on Drugs and Crime
UNHCR	United Nations High Commissioner for Refugees

METHODOLOGY

This Report has been prepared in accordance with point 9¹, para. (5) of Government Decision No 472/2008 approving the composition of the National Committee for Combating Trafficking in Human Beings and the Regulation on the National Committee, according to which *the Permanent Secretariat of the Committee monitors and evaluates the implementation of policies on preventing and combating trafficking in human beings by the competent institutions at all levels of the Government, as well as by relevant intergovernmental and non-governmental organisations.*

This report analyses data and trends related to trafficking in human beings (THB), as well as the implemented actions and results achieved by the anti-trafficking community of the Republic of Moldova during 2023.

The following information and statistical data were used as sources for this Report:

- information provided by central public authorities, local public authorities, non-profit organisations and international organisations on achievements in the field of preventing and combating THB;
- recommendations formulated by the meeting of the National Committee for Combating THB (NC CTHB) and the meetings of the Coordinating Technical Group of the Permanent Secretariat (PS) of the NC CTHB;
- recommendations of international assessment reports (GRETA, the US State Department's Report on Trafficking in Persons, the US Department of Labour's Report on Worst Forms of Child Labour Exploitation, etc.).

The report is structured by chapters according to the 4Ps policy paradigm recommended by international standards in this field (Prevention, Protection, Punishment, Partnership), and also considers developments in the legal and institutional framework in this field.

1. General Measures

1.1. Legal, policy and regulatory framework

The Program to Prevent and Combat Trafficking in Human Beings for 2024-2028 has been approved, effective from 01.01.2024 (GD No. 715 of 26.09.2023).

 Article 10 of Law 241/2005 on Preventing and Combating Trafficking in Human Beings was amended to ensure the interconnection of the national and local systems in the implementation of the social assistance reform. The territorial social assistance bodies and structures responsible for social assistance and protection of children's rights in Chișinău municipality and in the Autonomous Territorial Unit of Gagauzia were assigned tasks and responsibilities in the field of prevention and combating THB (Law No. 256/2023, in force since 01.01.2024).

 Law 105/2018 on Employment Promotion and Unemployment Insurance was amended to improve the provisions of Article 36. According to the new provisions, an employer who employs unemployed persons, including victims of THB, for an indefinite period of time (at the referral of the territorial employment unit) receives monthly subsidies in the amount of 80% of the basic salary, according to the employee's individual employment contract, but not more than 50% of the national average monthly salary for the previous year, for a period of 6 months, for each unemployed person employed. The subsidy is provided to partially compensate the salary of the unemployed person (Law No 302/2023, in force since 31.01.2024).

 The Criminal Procedure Code (Article 110¹) was amended to exclude the age of 14 years for hearing child victims as witnesses in criminal cases of sexual offences, child trafficking or domestic violence in special conditions, as well as in other cases where the interests of justice or the interests of the minor so require. Thus, up to the age of 18, children are heard in special conditions.

Article 113 states that confrontation of the victim, injured party with the suspect or the accused shall be conducted with the consent of the victim or injured party in the presence of a defence counsel and, where necessary, with the participation of a psychologist. In the absence of the consent of the victim or injured party, confrontation may take place on the basis of a reasoned decision by the prosecutor with reference to the circumstances relevant to the establishment of the truth that cannot be resolved in any other way. The decision authorising confrontation may be appealed to the investigating judge. (Law No 316/2022, in force since 9.01.2023).

To implement effectively the *Law 140/2013 on the Special Protection of Children at Risk and Children Separated from their Parents*, the Order of the Minister of Labour and Social Protection approved the Child Protection Case Management and the Guidelines for its practical implementation (*Order 134 of 15.09.2023, https://social.gov.md/wp-content/uploads/2023/09/Ordin-nr.-134_Management-de-caz.pdf*), which contains a number of explanations on the implementation of case management, regulating the obligations, duties and powers of the case manager and members of the multidisciplinary team, etc.

The new elements of case management include the explicit responsibility of central and local authorities and their subordinate structures/institutions/services working in the fields of social assistance, education, health care, of law enforcement and probation bodies, to participate in multidisciplinary teams during initial and comprehensive assessment of the child's situation at the request of the local guardianship authority, as well as in the development and implementation of the individual assistance plan, and the duty to respond and cooperate in line with the cross-sector cooperation mechanisms approved by the Government. The new provisions were communicated to the staff of the territorial social assistance structures during the training events held in July 2023.

The Criminal Code is to be supplemented by article 206¹ on the use of the results of the labour or services of a person who has been a victim of child trafficking. It is proposed to amend the penalties for the offence under Article 206 of the Criminal Code in order to ensure the principle of individualisation of criminal punishment. The draft law was approved by the Government through Decision No 355 from 07.06.2023, registered with the Parliament under No 75 and adopted in the first reading.

In order to improve the legal framework to prevent and combat the phenomenon of sexual exploitation of children on the Internet and to better protect children from such forms of exploitation or abuse, the Ministry of Justice has begun the process of amending the criminal law to bring it into line with the Lanzarote Convention, the Convention on Cybercrime (Budapest Convention) and Directive 211/92/EU of the European Parliament and of the Council from 13.12.2011 on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA.

In order to ensure a uniform approach to the arrangement of premises for minors' hearings in criminal proceedings, the Ministry of Justice started drafting a GD to approve standards for special hearing rooms for minors who are witnesses of crimes.

With the support of IOM, the Regulation on the Center for Assistance and Protection of Victims and Potential Victims of THB was reviewed and a new draft Regulation was prepared

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

! Changing the structure of the Center for Combating Trafficking in Human Beings (CCTHB) and the Center for Combating Cybercrimes (CCC)

In accordance with the Ministry of Internal Affairs (MIA) Order No. 342 dated 12.07.2023, the staff of the CCTHB has been reduced from 40 to 21 posts consisting of the Head of the Subdivision and two Investigation Units, namely:

- Investigation Section 1 – investigation of THB crimes sexual exploitation and pimping;
- Investigation Section 2 – investigation of THB crimes of organ harvesting and child trafficking.

Thus, 2 divisions were eliminated, namely the Criminal Prosecution Section and the Analytical Section.

The Criminal Prosecution Section was also eliminated from the CCC.

! Establishment of the Coordinating Council within the National Referral Mechanism for Victims of Crime (NRMV)

By Order of the Ministry of Labour and Social Protection (MLSP) No. 146 dated 04.10.2023, the Coordinating Council within the NRMV was established. The Council is composed of representatives of specialised central public administration authorities and organisational structures within their competence, public institutions, as well as of civil society and scientific organisations with competence and/or active in the field of providing protection, assistance and support to victims of crime. The first working meeting took place in December 2023.

! Reorganisation of the Bureau for Migration and Asylum

By Government Decision No. 16 dated 11.01.2023, the Bureau for Migration and Asylum of the Ministry of Internal Affairs was transformed into the General Inspectorate for Migration and the number of staff was increased from 197 to 247.



1 meeting of the National Committee for Combating Trafficking in Human Beings. The topics discussed included:

- Presentation and approval of the Report on the implementation of the policy on combating and preventing trafficking in human beings in 2022;
- Concept of a new anti-trafficking policy document;
- Approval of the composition of the national expert group on trafficking in human beings, DIREX.



2 meetings of the Coordinating Technical Group of the NCCTHB Permanent Secretariat. The topics discussed included:

- draft Program to Prevent and Combat Trafficking in Human Beings for 2024-2028 and the Action Plan for its implementation.



4 meetings of the Task Force on Trafficking in Human Beings (established in 2022 in connection with the aggression in Ukraine). The topics discussed included:

- implementation of the Action Plan on preventing and combating THB in the context of the Ukraine Response Plan for the period from 1 July 2022 to 1 July 2023;
- Measures and campaigns to prevent THB for refugees from Ukraine, the support provided;
- The results achieved during 2023, updates and trends in this area.



1 meeting of the Coordinating Council of law enforcement authorities with mandate in combating trafficking in human beings. The topics discussed included:

- Changes to the internal structure and staffing of the CCTHB;
- Promotion of the draft laws prepared by the General Prosecutor's Office;
- Dynamics of THB phenomenon and organisation of illegal migration in 2022 and the first 6 months of 2023;
- Judicial practice in cases of human trafficking and related crimes, etc.



The work of the Territorial Commissions for combating THB (TCs) was reported by 21 TCs (out of 35 existing ones):

- All TCs organised awareness-raising activities for the general public;
- 8 TCs reported holding meetings on the following topics: cross-sector cooperation, support services for victims/presumed victims of THB, the measures taken by TC members, etc.
- 3 TCs reported identifying 8 victims/presumed victims of THB and referring them to the relevant services.

1.3. Building the specialists' professional skills

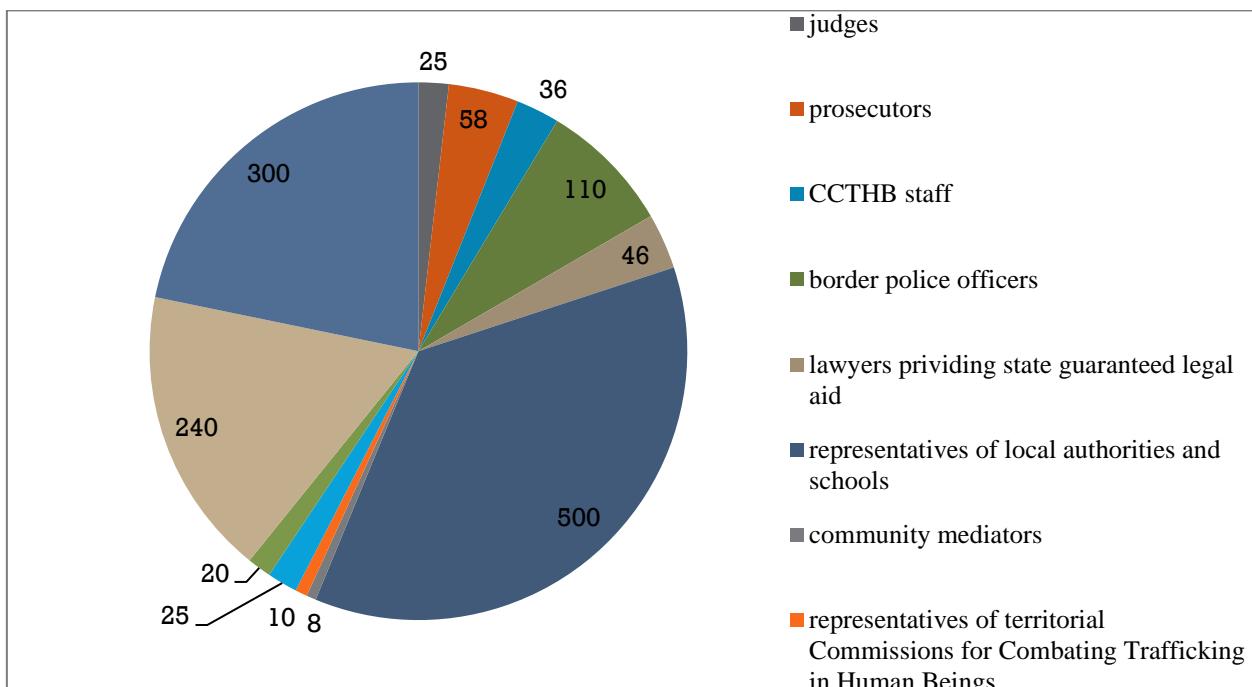
Strengthening the competences of professionals is a fundamental segment to ensure effective policy implementation, especially in the context of new trends in this phenomenon and the flow of professionals.

Thus, in 2023, a total of about **1,300 professionals** from law enforcement, social protection, lawyers providing state-guaranteed legal aid and other categories of professionals were trained.

The following training courses and workshops are worth mentioning (*the list is not exhaustive*):

- ❖ Training courses organised by the National Institute of Justice (NIJ) for prosecutors, judges, lawyers providing state-guaranteed legal aid, etc. on the following topics: *“Peculiarities of investigation and prosecution of THB and related offences”*, *“State response to THB cases in terms of fairness, efficiency and victim-centredness of the criminal justice process”*, *“Victims’ rights in the context of Law No. 137 on rehabilitation and compensation for victims of crime”*, *“Specifics of providing state-guaranteed legal assistance to victims of THB and domestic violence”*;
- ❖ The first national simulation exercise bringing together the entire anti-trafficking community in the Republic of Moldova (18-22 September 2023). The simulation exercise was organised by the OSCE Mission to Moldova in cooperation with the State Chancellery and the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings and was a simulation of real THB cases, which brought together about 80 anti-trafficking professionals from across the country, enabling them to improve their capabilities to proactively investigate and prosecute THB cases, assist and protect THB victims;
- ❖ Training, information and awareness-raising sessions for representatives of local public authorities, education institutions and community mediators on prevention and combating THB, gender-based violence, sexual abuse and other forms of exploitation, as well as information on how to access state assistance and protection services (September 2023 – October 2023);
- ❖ Regional workshop on preventing and combating THB, organised by UNODC in Vienna in partnership with the State Chancellery (5 October 2023). The workshop was organised within the framework of the project *“Unlocking Impunity of Traffickers and Supporting Justice for Victims of Trafficking in Persons in Southeastern Europe”*, implemented by UNODC with the support of the Office to Monitor and Combat Trafficking in Persons (J/TIP) of the US Department of State. In the course of the project, around 55 professionals in the field benefited from training workshops.

Diagram 1 Number of trained professionals (about 1,300)



1.4. Statistical data and researches collection and analysis

Analysis of statistical data is the starting point for developing and/or designing policies to ensure people's rights and freedoms based on the identified needs. Thus, several studies, assessments and situation analyses in the field of preventing and combating THB were carried out during the reporting period, namely:

- ❖ National Report on the Implementation of the Policy to Prevent and Combat Trafficking in Human Beings for 2022¹,
- ❖ Information note on the implementation of the National Campaign “Week against Trafficking in Human Beings” from 16 to 22 October 2023²,
- ❖ Information note on the implementation of the Action Plan to Prevent and Combat Trafficking in Human Beings in the context of the Ukraine Response Plan for the period 1 July 2022 – 1 July 2023³,
- ❖ Evaluation study of the services for the rehabilitation of crime victims provided by public and private service providers, carried out by the Research and Consulting Center “Sociopolis”, with financial support from IOM,
- ❖ The report “Knowledge, Attitudes and Child Protection Practices in the School Environment”, carried out by the Sociopolis Research and Consultancy Centre at the request of NCCAP⁴,
- ❖ Report of the Prosecutor General on the country's compliance with the legislation on preventing and combating trafficking in human beings,
- ❖ With the support of the IOM Mission to Moldova, a study on the establishment of an accompaniment service for victims of THB was initiated.

¹ <https://www.antitrafic.gov.md/libview.php?l=ro&idc=30&id=1438&t=/Rapoarte/Nationale/Raportul-national-de-realizare-a-politicii-de-prevenire-i-combatere-a-traficului-de-fiinte-umane-pentru-anul-2022>

² <https://www.antitrafic.gov.md/libview.php?l=ro&idc=30&id=1455&t=/Rapoarte/Nationale/Nota-informativa-privind-realizarea-Campaniei-nationale-Saptamana-de-lupta-impotriva-traficului-de-fiinte-umane-16-22-octombrie-2023>

³ <https://www.antitrafic.gov.md/libview.php?l=ro&idc=30&id=1456&t=/Rapoarte/Nationale/Nota-infomativa-cu-priire-la-realizarea-Planului-de-actiuni-privind-prevenirea-i-combaterea-traficului-de-fiinte-umane-in-contextul-Planului-de-Raspuns-la-Situatia-din-Ucraina-pentru-perioada-1-iulie-2022-1-iulie-2023>

⁴ https://www.cnpac.md/wp-content/uploads/2023/12/Raport_CNPAC_UNHCR_RO-to-print.pdf

2. Prevention of trafficking in human beings

2.1. Measures to prevent trafficking in human beings for the general public



In the context of the World Day against Trafficking in Human Beings, celebrated on 30 July, the State Chancellery, in partnership with I.C. "La Strada" and IOM, launched the National Information Campaign to combat the phenomenon of THB. The campaign was launched within the framework of the project "*Strengthening National Efforts to Prevent Trafficking in Persons and Rehabilitate Victims of Trafficking in the Republic of Moldova*", funded by the US Department of State. The main goal of the campaign was to prevent THB, raise public awareness and encourage people to report cases of human trafficking to support services. The campaign ran from 28 July to 18 October 2023 and its messages were targeted at people wishing to travel abroad for work, as well as vulnerable groups – young professionals, women subjected to domestic violence, refugees and the unemployed.

National Campaign "Week against trafficking in human beings"



- On 18 October 2023, the Republic of Moldova marked the European Day against Trafficking in Human Beings. For the 12th consecutive year, central and local authorities organised the national campaign "Week against Trafficking in Human Beings".
- Over the course of a week, central and local public authorities, in partnership with international and non-governmental organisations, distributed information materials and organised activities to raise awareness and inform the general public, in particular school children, students and young people, parents, teachers, about the risks and consequences of THB, employment opportunities in the Republic of Moldova, and the institutions to which they can turn to in case of need.
- The campaign informed about 200,000 schoolchildren/students, 10,500 teachers, 1,500 professionals (town hall staff, community social workers, professional parental assistants, etc.) and 34,500 people belonging to the general public (unemployed, jobseekers, potential migrants, probationers, convicts, refugees, etc.)

The National Employment Agency organised special thematic events such as "Diaspora Days" and "International Migrants' Day". As part of these events, territorial employment offices carried out activities to inform and raise public awareness of the risks and consequences of THB, organised various thematic information seminars on the prevention of this phenomenon and the risks of irregular migration, promotion of legal employment in the country and abroad. Within the framework of local partnerships, educational sessions were organised for secondary school and vocational school students to inform them about the THB phenomenon and its consequences. More than 2,000 people participated in the above activities during 2023.

From 7 to 14 December 2023, the State Chancellery, in cooperation with the Ministry of Education and Research (MER) and IOM, organised information and awareness-raising sessions on combating trafficking in human beings for students from 5 education institutions: the Center of Excellence in Light Industry, Chișinău, Vocational Schools No. 2, No. 3 and No. 9 from Chișinău and Vocational School from Criuleni.

3. Protection

3.1. Identification of victims and presumed victims of trafficking in human beings

In 2023, work on informing refugees from Ukraine about the THB phenomenon, safe employment continued.



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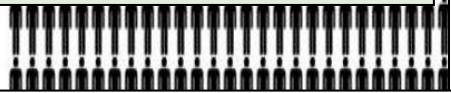
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Compared to 2022, when **151 victims** were identified, there is a slight increase of about 10% in 2023.

Public authorities at central and local levels organised information and awareness-raising events for Ukrainian refugees in the country's accommodation centers.

To mark World Anti-Trafficking Day, OSCE relaunched the BeSafe campaign, created in 2022 together with Thomson Reuters. The campaign helps protect Ukrainian refugees from trafficking by providing basic information on how to recognise traffickers' recruitment methods, how to avoid them and how to get help when needed.



During 2023, **169 victims** were identified in criminal cases of **human trafficking** (Article 165 of the Criminal Code) and **child trafficking** (Article 206 of the Criminal Code), of whom:

- ❖ 144 adult victims (16 women/128 men),
- ❖ 25 children (19 girls/6 boys).

In 2023, I.C. "La Strada" organised a National Information Campaign for Ukrainian refugees and the host community about the risks of THB and exploitation, the resources available in our country that they can turn to for support, and the services

www.migratiesigura.md; interviews, feature articles, 3 audio spots in Romanian and Russian, electronic banners "See here why too good offers can be questionable" in Romanian, Russian and Ukrainian, counselling on the Anti-Trafficking Hotline and on the Internet.



Adult victims:

By form of exploitation:

- 84 adult victims (78 men/6 women) were subjected to **labour exploitation** (*compared to 82 victims identified in 2022*), of whom 53 victims were foreign nationals: 42 from Bangladesh and 11 from India;
- 9 victims (all women) were sexually exploited (*compared to 11 victims identified in 2022*),
- 50 victims (all men) were exploited for criminal purposes (*no victims identified in 2022*),
- 1 victim was exploited for use as a surrogate mother (*no victims identified in 2022*).

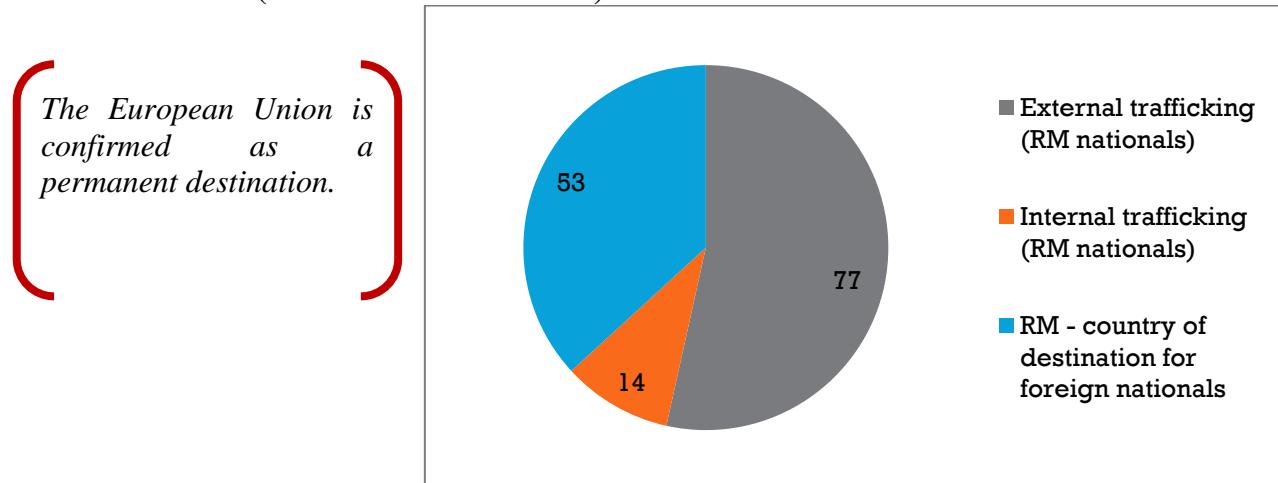
If in 2022 there were identified victims exploited for allowances or social benefits, exploitation through begging, victims of trafficking in organs, tissues and cells, no victims in these categories were identified in 2023.

For the first time, 37% of adult victims are foreign nationals. This confirms the trend of Moldova becoming a destination country for THB.

Regarding countries of destination:

- In the European Union area, 61 victims of THB were identified (52 of them men and 9 women).
- The Russian Federation is another destination for traffickers, with 15 victims identified (1 woman/14 men).
- In addition, 14 adult victims (5 women and 9 men), nationals of the Republic of Moldova, were identified as having been exploited in the Republic of Moldova.

Diagram 2 External and internal trafficking in persons/Moldova as a country of origin and destination (number of adult victims)



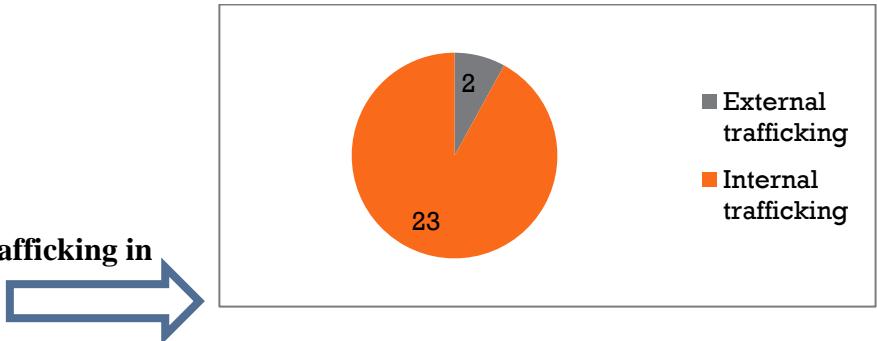
Victims of child trafficking:

During the reporting period, a total of 25 child victims (19 girls/6 boys) were identified (*in 2022 – 44 child victims: 43 girls/1 boy*), of whom:

- for sexual exploitation – 14 child victims: 13 girls/1 boy (*in 2022 – 42 victims: all girls*);
- for labour exploitation – 8 child victims: 3 girls/5 boys (*in 2022 – 2 victims: 1 girl/1 boy*);
- for the purpose of begging – 2 child victims: both girls (*no victims in 2022*);
- for the purpose of sale-purchase and illegal adoption – 1 victim: a newborn girl (*no victims in 2022*).

23 child victims were exploited on the territory of the Republic of Moldova and 2 victims in Ukraine and Germany for the purpose of begging, in contrast to 2022, when all child victims were exploited on the territory of the Republic of Moldova.

Diagram 3 External/internal trafficking in human beings (child victims)



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

The platform of Centers of specialised services financed from the state budget provided assistance to 37 victims of THB⁵ (29 adults and 8 children).

The profile of assisted adult victim of THB:

- ❖ Out of the total number of THB victims, there are 8 women and 21 men (15 men are from Bangladesh),
- ❖ Analysing the age of the victims, we see that most of the women and men are in the age group of 36-50 years,
- ❖ Regarding the level of education, most of the female victims (50%) have secondary education, while most of the male victims (71%) do not have any education.
- ❖ Victims-nationals of the Republic of Moldova are 50% urban dwellers and 50% rural dwellers.
- ❖ Analysing the marital status of victims, we note that 76% of victims are unmarried,
- ❖ Regarding the type of exploitation, we note that 83% of victims were subjected to labour exploitation (3 women and 21 men), 17% – to sexual exploitation (5 women),
- ❖ With regard to the relationship between the victim and the recruiter, it is noted that 83% of the victims did not know the recruiter,

The profile of the adult victims who are foreign nationals:

- ❖ Of the total number of adult victims from Bangladesh (15 victims), most victims are between 36-50 years of age;
- ❖ Regarding the level of education, it was reported that 100% of the victims had no education;
- ❖ All the victims are unmarried;
- ❖ The reason for emigration for 100% of the victims was poverty;
- ❖ All victims had a legal status in the country of destination and were subjected to labour exploitation.



During the placement period, the beneficiaries from Bangladesh benefited from a wide range of services: accommodation, food, psychological counselling, medical assistance, legal assistance, hygiene care, assistance in processing beneficiary's documents, provision of hygiene kits, financially covered by the IOM Mission to Moldova.

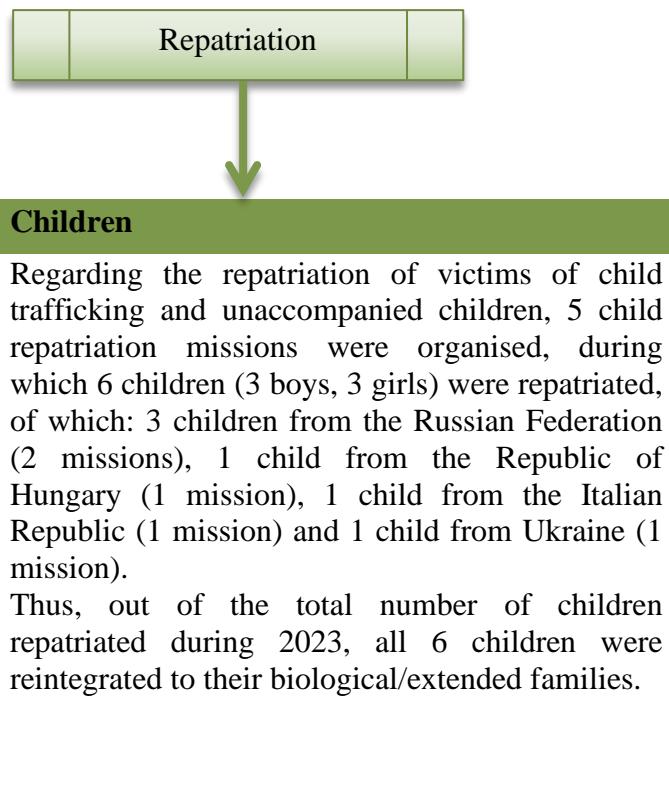
During the placement period, the beneficiaries from Bangladesh were employed in a factory for a probationary period, where they were provided with food, accommodation and working conditions suitable to their needs.

In October 2023, these individuals left the Accommodation Center and were employed, provided with housing, food, and suitable working conditions.

⁵ The data on the profile of the assisted victim differs from the data on identified victims described in Chapter 3.1. The profile of the assisted victim was compiled based on the data collected at the assistance and protection centers for victims of THB and refers only to those victims who received assistance at these centers.

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

The social service centers, which also assist victims of THB, provide specialised social services in accordance with Government Decision No. 898 dated 30.12.2015, *approving the Framework Regulation on the organisation and functioning of the Assistance and Protection Service for victims of trafficking in human beings and the minimum quality standards.*



During the year, 37 victims of THB and child trafficking were assisted by specialised services. The victims were provided with psychological, medical, and legal assistance, employment counselling and, when necessary, physical protection.

In 2023, 144 victims of THB benefited from state-guaranteed legal aid, which is significantly more than in previous years.

Maintenance of Service Provider Centers

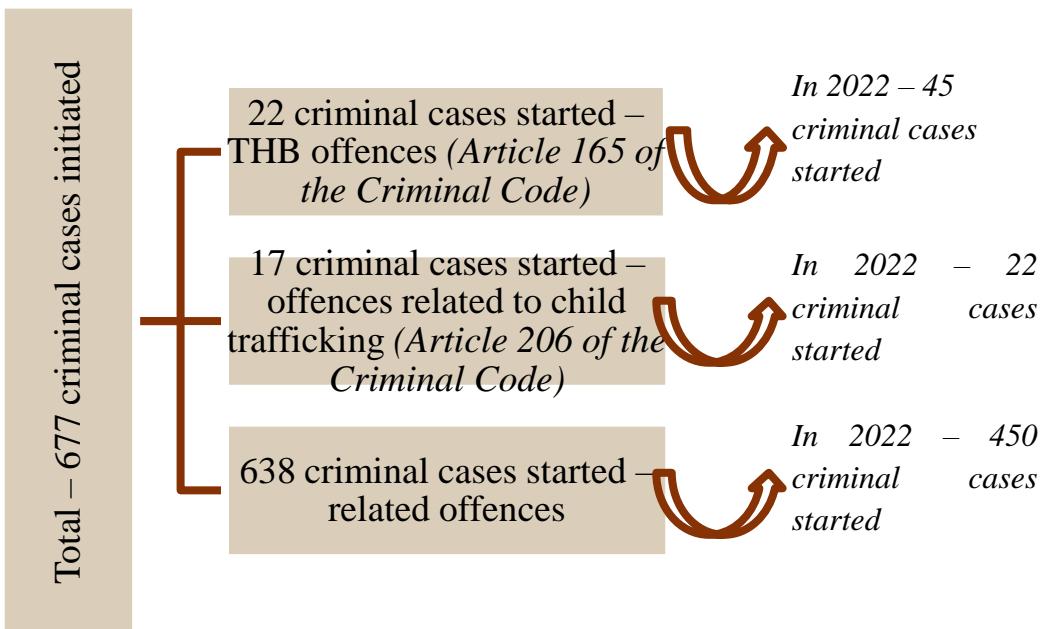
For 2023, to maintain the assistance and protection centers for victims of THB, funds in the total amount of MDL 7.5 million have been approved, of which, as of 31.12.2023, MDL 5.7 million have been implemented, including:

- ❖ MDL 1.7 million was approved for the maintenance of the Center for Assistance and Protection of Victims of Trafficking in Human Beings of Cahul district, of which MDL 1.0 million was implemented;
- ❖ for the financing of the Center for Assistance and Protection of Victims of Trafficking in Human Beings from Chișinău, in the budget of the MLSP were approved allocations in the amount of MDL 5.8 million, which as of 31.12.2023 were implemented in the amount of MDL 4.7 million;
- ❖ At the same time, for the measures for protection and assistance to victims of THB (repatriation), the MLSP budget approved funds in the amount of MDL 0.2 million, which were fully utilised.

4. Punishment

Criminal cases initiated

Regarding the identification of cases and prosecutions, it was found that during 2023, a total of 39 offences under the category of trafficking in persons (22 THB offences, Art. 165 CC; and 17 offences related to child trafficking, Art. 206 CC) and 638 related offences were registered in the country.



Twelve organised criminal groups were investigated and dismantled, which were involved in such crimes as child trafficking, THB, organising illegal migration, pimping.

There has been a significant decrease, by more than 100%, in the number of registered offences related to THB, with 22 criminal cases started in 2023, compared to 45 cases in 2022. There is a similar situation, only with a smaller decrease, with child trafficking offences, where 17 offences were reported in 2023 compared to 22 in 2022. On the other hand, the number of criminal cases for crimes related to the organisation of illegal migration increased by more than 46%, and the number of criminal cases for crimes of forced labour (Article 168 of the Criminal Code) and child pornography (Article 208¹ of the Criminal Code) increased significantly. This is due to both objective and subjective factors, in particular, regional peculiarities, fluctuations and reduction in the number of staff involved in countering crimes in this category, a decrease in the number of proactive investigations, the limited capacity of the authorities to provide long-term assistance and support to victims of the above crimes, which affects the lack of interest of victims to participate in the criminal process, etc.

Criminal cases in which criminal prosecution was completed and sent to court

During the reporting period, criminal prosecution was finished in 165 criminal cases of THB, and related or similar offences (*177 criminal cases in 2022*). Of these, 103 criminal cases were sent with indictments to court for consideration on the merits (109 criminal cases in 2022), with 13 criminal cases discontinued (33 criminal cases in 2022) and 49 criminal cases terminated (35 criminal cases in 2022). Of the total number:

- ❖ for **THB-related offences** (*Article 165 of the Criminal Code*) criminal prosecution was completed in 32 criminal cases, of which 18 cases were concluded with an indictment and sent to court for examination on the merits (*28 cases in 2022*), 2 cases were discontinued, 12 cases were terminated.
- ❖ for **offences related to trafficking in children** (*Article 206 of the Criminal Code*), prosecution was completed in 12 criminal cases, of which 11 cases were concluded with an indictment and sent to court for consideration on the merits (*17 cases in 2022*), 1 case was terminated.

Having analysed **court practice** for 2023 on offences related to THB, child trafficking, related or similar offences, the following situation was found:

The courts handed down a total of 112 sentences for trafficking in persons, related or similar offences against 147 defendants (66 sentences against 77 defendants in 2022). Of these:

Trafficking in human beings (Article 165 of the Criminal Code)

33 verdicts for trafficking in persons against 42 defendants (*16 convictions against 22 defendants in 2022*), of which:

– 18 convictions against 23 defendants (prison sentences imposed), the rest being verdicts of termination/acquittal/conviction with reclassification of the offence.

Child trafficking (Article 206 of the Criminal Code)

11 child trafficking verdicts

against 17 defendants (*3 verdicts against 3 defendants in 2022*), of which:

– 7 child trafficking convictions against 10 defendants (prison sentences imposed), the rest being verdicts of termination/acquittal/conviction with reclassification of the offence.

Increase in the number of criminal cases with judgements is due to both objective and subjective factors:

- ▶ One of the objective factors behind the increase in the number of sentences handed down for these categories of offences is the fact that, in the period immediately preceding the reporting period, i.e. in 2022, more criminal cases were brought to court for these categories of offences,
- ▶ A subjective factor contributing to the increase in the number of cases heard was the appointment of judges to hear the criminal cases pending before the magistrates whose terms of office expired in 2022 or who resigned,
- ▶ Furthermore, the 2023 judicial year was not disrupted, as in previous years, by the introduction of a state of emergency in the judiciary, which in previous years had a significant impact on the number of criminal judgements handed down.

Table 1
*Statistics on the enforcement of the Criminal Code,
 Trafficking in human beings/Child trafficking (Art. 165/Art. 206 of the CC)*

Year	Criminal cases registered	Criminal cases sent to court	Defendants (traffickers) who have been convicted	Persons sentenced to imprisonment	Persons given suspended prison sentences	Number of victims according to the CCTHB
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
2023	22/17	18/11	42/17	23/10	0/0	144/25

To ensure the continuity of parallel financial investigations, along with the sentencing of the accused, the courts also ordered the confiscation of the assets used to commit THB offences under Articles 106 and 106¹ of the Criminal Code.

As a result of parallel financial investigations, the courts, along with convictions for THB and related offences, ordered the confiscation in favour of the state of money and goods used to commit the crime or obtained as a result of the crime, amounting to about MDL 1,896,905.

Protection of victims and witnesses in criminal proceedings

- criminal prosecution was initiated in 1 case under Article 314 of the Criminal Code – Incitement to give false testimony, in connection with a THB case,
- in relation to 1 victim of THB and 36 victims of the offence of organising illegal migration, prosecutors acquitted the victims for the acts committed due to their status as victims.

In cases of THB and related offences, in 13 cases the courts ruled to recover a total of MDL 1,303,848 in civil claims in favour of the victims.

5. Partnership

Cooperation with international partners/civil society

Strengthening national partnership and enhancing collaboration between different institutions in the field of prevention and combating THB and development partners/civil society remains a priority. In 2023, development partners and the civil society (OSCE Mission and IOM in Moldova, US Embassy in Moldova, UNHCR, I.C. "La Strada", NCCAP, etc.) continued to support the training of subject-matter professionals, informed the general public about the risks and consequences of THB, developed and disseminated information materials and published/edited them.

- During 2023, the NGO CNFACEM supported specialised centers (Center for Assistance and Protection of Victims and Potential Victims of Trafficking in Human Beings and APS) in providing assistance to victims and presumed victims of THB (provision of consignments of clothing and footwear, assistance with identity documents/health insurance policy, transport and other needs).

Cooperation with competent authorities of other countries to ensure safe and legal employment of Moldovan nationals abroad

With regard to the implementation of the *Agreement between the Government of the Republic of Moldova and the Government of the State of Israel on the temporary employment of workers from the Republic of Moldova in certain sectors (construction sector)*, following the declaration of a state of war on the territory of the State of Israel, at the request of the MLSP, the National Employment Agency and I.C. "La Strada", the Israeli authorities notified the employing companies of their obligation to assist any Moldovan worker who requests to be transferred to a safer area in Israel and not to carry out professional activities in or near the conflict zone. The Israeli authorities also stressed that all Moldovan workers who might be affected by the risky situation in Israel would have the rights provided for in Israeli law and the benefits due to those recognised as victims of hostilities, including health care. The implementation of the Moldovan-Israeli Agreement, including the registration of candidates and organisation of professional examinations, was suspended until the Israeli party resolved the stated issues, *and the implementation of the agreement was resumed in February 2024*.

International cooperation in the field of legal aid

- During the criminal prosecution, acting in accordance with the standards set out in Article 32 of the Warsaw Convention, prosecutors submitted 11 requests for letters rogatory to other states, of which 9 requests in criminal cases of THB and 2 requests in cases of organising illegal migration.
- At the same time, the Office of the Prosecutor General received 10 requests for letters rogatory, of which 6 requests for letters rogatory in criminal cases of THB and 4 requests for letters rogatory in cases of organising illegal migration.
- In connection with the investigation of THB cases, the General Prosecutor's Office sent six extradition requests to other States.
- At the same time, law enforcement authorities detained 2 persons on the international wanted list.

One of the main instruments of international legal assistance in criminal matters, namely ***Joint Investigation Teams*** (hereinafter – JITs), is widely used in cross-border cases, and 2 JITs have already been established:

- between Moldova and Hungary and Italy on the criminal case on organisation of illegal migration and labour exploitation of Moldovan nationals on the territory of Italy.
- between Moldova and Romania on the criminal case of sexual exploitation of Moldovan nationals on the territory of Romania and other EU countries.

6. Conclusions and Objectives for the Next Period

Main conclusions:

- ⊕ In 2023, work continued on organising information and integration activities for refugees from Ukraine;
- ⊕ The Program to Prevent and Combat Trafficking in Human Beings for 2024-2028 was approved, effective from 01.01.2024 (GD No. 715 dated 26.09.2023), which is the continuity of the national anti-trafficking policy;
- ⊕ Regarding the **dynamics of THB**, **169 victims** were identified during 2023, of which **144 were adults** and **25 children**. Compared to 2022, when *151 victims were identified (107 adult victims and 44 child victims)*, 2023 shows an increase in the number of identified adult victims and a decrease in the number of identified child victims;
- ⊕ For the first time, 37% of adult victims are foreign nationals. This confirms the trend of Moldova becoming a destination country for THB.
- ⊕ In contrast to the previous year, there were identified victims (adults) exploited **for use in criminal activities** and **as surrogate mothers**. In 2023, no victims exploited for the purpose of misappropriation of social benefits or allowances, begging, organ or tissue/cell harvesting were identified;
- ⊕ The main **form of exploitation of adult victims** remains the same as in previous years – labour exploitation – and the place of exploitation is **external trafficking**;
- ⊕ The main **form of exploitation of child trafficking victims** remains the same as in 2022 – sexual exploitation, and unlike last year, when all victims were exploited on the territory of the Republic of Moldova, in 2023 2 victims were exploited abroad;
- ⊕ The Bureau for Migration and Asylum of MIA was transformed into the General Inspectorate for Migration and the number of staff was increased from 197 to 247;
- ⊕ Most cases of THB tend to be the result of the activities of organised criminal groups, members of small criminal networks not necessarily under the control of large criminal networks, or employees of small, loosely structured groups, including family members;
- ⊕ Cross-border crime is constantly evolving and the tensions caused by Russia's invasion of Ukraine have diversified and intensified crime at the state border, increasing vulnerability to crimes such as organising illegal migration, human trafficking, drug trafficking, smuggling and trafficking in arms and ammunition.

Barriers and challenges reported by anti-trafficking actors:

- ⊕ The new trends in the THB phenomenon in the Republic of Moldova posed challenges for the provision of assistance to foreign nationals (from Bangladesh and India), victims of THB, in particular lack of shelter and funds for social services. There are currently no public or private companies in the market willing to offer housing to beneficiaries, and there is no funding approved by the Government for this purpose;
- ⊕ **The structure of the Center for Combating Trafficking in Human Beings underwent major changes.** The number of staff was reduced from 40 to 21, and two units were eliminated, the prosecution and analysis divisions. The capacity of the Center for Combating Cybercrime, which deals with cases involving the sexual exploitation of children on the Internet, was also reduced.
- ⊕ Strengthen the Specialised Unit of the Office of the Prosecutor General with the necessary capacity (resources and personnel) to carry out the duties set out in the Regulation on the Prosecutor's Office to ensure the effective implementation of criminal

policies to combat THB and related crimes, in particular the organisation of illegal migration;

- The policy documents, plans, strategies do not have sufficient reporting deadlines for comprehensive and qualitative analyses, and this is further complicated by the changing staffing of the CCTHB;
- The refusal of minor victims to cooperate with CCTHB staff during the investigation, one of the reasons being their attachment to the traffickers or their lack of awareness of the seriousness of what happened;
- The refusal of minor victims to avail themselves of the possibilities (types of assistance services) offered by the CAP, in particular accommodation, that would allow the prosecution to be considered and completed in a reasonably shorter time, as well as eliminate any undue influence by suspects/accused or persons close to them on the victims in cooperating with the prosecution in order to objectively clarify the circumstances of the case;
- Partial or complete alteration of the original testimony of victims during the investigation, resulting in a lighter sentence for the trafficker;
- Internal/external migration of THB victims for long periods of time (several months to several years);
- Lack of legal norms allowing to hear persons remotely, using modern technologies, at the stage of criminal prosecution;
- Complex procedures for investigating certain app users, social media accounts, imposed by private companies such as Meta etc., or tracking goods paid for online, Amazon, Money Gram, Revolut currency transfers;
- Impossibility to monitor certain websites, online platforms for sexual exploitation of people (adults or children) used by perpetrators;
- Possibility for foreigners from high-risk countries to apply electronically for a visa to the Republic of Moldova without an invitation;
- Impossibility of verifying the authenticity of documents attached electronically;
- The possibility to leave the asylum center following an immediate request for protection by foreign nationals;
- Insufficient or no cooperation with the authorities of immigrants' countries of origin;
- The National Institute of Justice reported a decrease in the number of judges/prosecutors attending anti-trafficking training, and continuing education requirements no longer include training in this area;
- The State Labour Inspectorate has reported that increasing the number of labour inspectors tasked with preventing and combating THB would emphasise the importance of respecting the salary rights, creating decent working conditions and condemning the actions of employers who use forced labour;
- The territorial commissions for combating THB reported the need for continuous and cross-sectoral training in the field;

The following have been set as objectives for the next period of activity:

- Implement the Program to Prevent and Combat Trafficking in Human Beings for 2024-2028 and the Action Plan;
- Adjust the existing regulatory framework for combating trafficking in human beings, taking into account the new trends in the development of the THB phenomenon, in particular, the risks of increasing cases of exploitation of foreign nationals on the territory of the Republic of Moldova;
- Continue to raise awareness of THB risks among the general public, including refugees from Ukraine;
- Strengthen the capacity of the divisions responsible for this area to ensure a proportionate law enforcement response to the current risks posed by the situation in the region;
- Strengthen the capacity of members of the Territorial Anti-Trafficking Commissions to combat THB;
- Strengthen the status of the Territorial Commission for combating THB as a local coordination platform with a proactive model of activity in identifying and assisting victims and presumed victims of THB;
- Strengthen the response mechanism to cases of THB in the context of the Republic of Moldova becoming a destination and transit country for victims of trafficking due to labour shortages and the invasion of Ukraine;
- Enhance international cooperation with law enforcement officials of countries of transit and destination, in particular with a view to establishing and operating Joint Investigation Teams;
- Intensify measures to detect and suppress THB attempts at state border crossings based on the application of indicators specified in the respective risk profiles by the staff working at the state border crossing points;
- Strengthen cooperation with national and international authorities in preventing and combating THB, as well as cooperation with diplomatic and consular institutions (national and foreign accredited in the Republic of Moldova) in order to ensure the protection of Moldovan nationals in countries of destination;
- Analyse the risks of redirecting the flow of migrants to the EU territory taking into account the new situation in the region and blocked transit flows through traditional countries such as Ukraine, the Russian Federation, Belarus, etc.
- Regularly apply the legal provisions and methodology related to financial investigations in order to trace and confiscate assets derived from THB and child trafficking;
- Use techniques and software to collect and analyse digital evidence, especially in human and child trafficking cases, using information and communications technology;
- Undertake a systemic adjustment of the NRMV following the RESTART reform;
- Build the capacity of new social workers to prevent and combat THB;
- Analyse Law 241/2005 on preventing and combating trafficking in human beings and make recommendations for amendments;
- Update the methodological support on identifying victims and presumed victims of THB for professionals in direct contact with foreigners;
- Provide for the possibility for line ministries to implement the recommendations of the Analytical Study on Law No. 137/2016 on the Rehabilitation of Victims of Crime;

- Develop a conceptual and regulatory framework for an accompaniment service for vulnerable victims of THB;
- Strengthen the capacity of the Human Rights Department staff and cooperate with civil society within the State Chancellery to ensure coordination of activities in the field of preventing and combating THB.