



EMBASSY OF THE REPUBLIC OF MOLDOVA
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The Embassy of the Republic of Moldova to the United States of America presents its compliments to the Bureau of International Labor Affairs, the United States Department of Labor, and has the honor to convey herewith the requested information on the latest actions undertaken by the Government of the Republic of Moldova toward eliminating the worst forms of child labor, as well as the copy of the reports that has been submitted to the International Labor Organization (ILO) on Conventions 138 and 182, pursuant to Article 22 of the ILO Constitution.

The Embassy of the Republic of Moldova to the United States of America avails itself of this opportunity to renew to the U.S. Department of Labor the assurances of its highest consideration. I.M.



Bureau of International Labor Affairs
U.S. Department of Labor

Washington, D.C.

Information
regarding institutional mechanisms, policies developed and actions taken
for the elimination of the worst forms of child labour in the Republic of Moldova

I. Institutional mechanisms

1-2. The cooperation of national institutions competent in the field of child protection and elimination of child labour takes place in the framework of the **National Steering Committee on the elimination of child labour**, established by *Government Decision no. 495 of 11 May 2004*. The Committee is chaired by the representative of the Ministry of Labour, Social Protection and Family, with the participation of the following institutions: Labour Inspection; National Employment Agency; Ministry of Education; Ministry of Health; Ministry of Agriculture and Food Industry; Ministry of Internal Affairs; Ministry of Youth and Sport; Ministry of Finance; National Bureau of Statistics; State Chancellery; General Prosecutor's Office; Center for Human Rights of Moldova; National Confederation of Trade Unions of Moldova; National Confederation of Employers of the Republic of Moldova; Centre for Information and Documentation on Children's Rights from Moldova; State University "Alecu Russo" from Bălți; Non-governmental organization „La Strada”; OSCE Mission to Moldova.

The last meeting of the National Steering Committee took place on the 27th of July 2012. The agenda included discussions regarding the stage of implementation of the *National Action Plan on prevention and elimination of the worst forms of child labour for 2011-2015*. As a result, it was decided that the Labour Inspection will issue an Order regarding the control during the summer period of the economic entities that use the labour of minors and will inform the Ministry of Education on the inadmissibility of students' involvement in autumn farm work during the academic year.

The issue of child labour was also discussed at the meeting of the *National Council for the Protection of Child Rights* on 14 September 2012, as well as during the meeting of the *Coordinating Council of law enforcement bodies with functions in the field of combatting trafficking in human beings under the General Prosecutor* on 29 February 2012.

An important platform for the cooperation in the area of combating child labour is offered by the *National Commission for collective consultation and negotiation* that ensures tripartite consultations between the social partners (Government, trade unions and employers associations) concerning labour and social-economic issues. A *standing specialized council on child labour* functions within the above-mentioned Commission. Its purpose is to examine problems regarding the prevention and combatting of the worst forms of child labour, as well as to consult the Commission on these subjects.

The direct monitoring of child labour is accomplished through the **Child Labour Monitoring Unit**, which functions within the Labour Inspection since May 2007 and is formed of 2 labour inspectors. They are mandated to:

- coordinate the control activities and systemize the information collected during controls;
- supervise the activities related to combatting child labour;
- act as connecting link between the *National Steering Committee on the elimination of child labour* and the multidisciplinary teams regarding monitoring child labour at the local level.

The **multidisciplinary teams for monitoring child labour** represent local structures for combatting the worst forms of child labour, constituted of specialists with special training in the

area of child protection (social assistants, psychologists, police officers, lawyers, labour inspectors, health workers, teachers, child protection specialists, NGO representatives, peer-to-peer educators etc.). The multidisciplinary teams aim to:

- identify children involved in the worst forms of child labour;
- provide alternative and better lives for the children concerned;
- further monitor the situation of these children;
- use the data produced by the Child Labour Monitoring System for developing relevant policies.

Such multidisciplinary teams currently function in several regions, namely Chişinău, Bălţi, Orhei, Ungheni, Sângerei. According to the *National Action Plan on prevention and elimination of the worst forms of child labour for 2011-2015*, the multidisciplinary teams will be created in all the regions of the country.

In September 2011, a Memorandum of cooperation for the implementation of the pilot project "*Safe, strong and free – a better system to protect children in Moldova*" was signed by various partners at different levels: competent ministries (Ministry of Labour, Social Protection and Family; Ministry of Education; Ministry of Health; Ministry of Interior); the local Councils of Orhei and Leova regions; the National Centre for Child Abuse Prevention and the Children's Rights Information and Documentation Centre of Moldova.

The aim of the project is to define, pilot and promote a multi-stakeholder cooperation mechanism for monitoring of the situation of and assisting child victims and potential victims of the abuse, neglect, exploitation and trafficking. During the 2nd semester of 2012 the piloting of the instructions regarding the mechanism of inter-institutional cooperation for the monitoring, prevention and assistance of child victims started in 10 localities in Orhei and Leova regions.

According to the provisions of the Memorandum, until now the actions of piloting the instructions were realized through:

- testing the Sheet on the notification of the case suspected of abuse, neglect, exploitation and trafficking of the child;
- establishment of the Register for tracking the notifications regarding cases suspected of abuse (at the community level);
- testing the "Interview for child protection" tool;
- training the members of the multidisciplinary teams and providing necessary assistance in monitoring of child victims and potential victims of abuse, neglect and exploitation.

Subsequently, after the adoption of the *Law on special protection of children in risk situations and children separated from their parents*, the Ministry of Labour, Social Protection and Family will present for approval to the Government the mechanism of inter-sectorial cooperation in the above-mentioned area, which will ensure a multidisciplinary approach in the process of assessing and assisting the children at risk, which at its turn will have a further positive impact on child victims of labour exploitation.

3. The state control over the respect of the legal framework in the area of labour, including of persons younger than 18, is exercised by the Labour Inspection. It is formed of 96 units, of which 15 are part of the central apparatus, and 81 units are distributed into 10 territorial labour inspectorates.

Within the Labour Inspection functions the *Child Labour Monitoring Unit* formed of 2 inspectors. However, the monitoring of the work of minors is not exclusively within the

competence of the *Child Labour Monitoring Unit*, this issue being a mandatory aspect of each control issued by the Labour Inspection.

Obviously, the current number of staff is not sufficient to perform the functional tasks of the Labour Inspection, in general, and of the Child Labour Monitoring Unit, in particular. For this reason, the results of controls carried out by the Inspection provide only a summary situation of compliance by employers with child labour laws. At the same time, it is necessary to underline that the staff of the Labour Inspection will be increased in 2013 with 12 units.

In this context, it is encouraging that the National Confederation of Trade Unions of Moldova recently decided to proceed with the establishment of its own Labour Inspection (according to art. 386 of the Labour Code), adopting its Rules of procedure at the meeting of the Confederal Committee on 9 August 2012. It is envisaged that the new structure will provide consistent support to the Labour Inspection, including in detecting and combating child labour exploitation cases.

4. The *Child Labour Monitoring Unit* does not possess a separate budget. The budget of the Labour Inspection for 2012 was 7 394,4 thousands lei, which is not sufficient for the adequate implementation of the activity objectives of the Inspection.

5. The labour inspectors have been trained in child labour at the beginning of their work in the *Child Labour Monitoring Unit*. Their controls are conducted according to the provisions of Order no. 06-A of 11.04.2007, which approved *the Guide of the labour inspector on conducting child labour monitoring*.

6. During 2012 there were conducted 6499 control visits at 5510 economic units with a total of 216 thousands employees, of which 107 thousands – women and 116 thousands – minors. The minors were involved in agriculture, light industry, catering, trade, construction, education, etc. (cereal threshing - 30 persons, agricultural work - 20 persons, harvesting fruit and vegetables - 20 persons, unskilled work - 14 persons, tailoring activities - 11 persons, construction - 6 persons, caring for animals - 5 persons, breaking walnuts - 3 persons, waiters- 2 persons, selling goods- 3 persons, secretary-typist- 1 person, cooking- 1 person).

7. In the process of work 116 persons younger than 18 were identified. 39 persons were involved in activities forbidden for minors, being subsequently withdrawn from them.

From the total number of minors, 52 were working illegally (undeclared work) at 22 companies. According to the results of the Labour Inspection controls, the undeclared work of minors is used more often in agriculture as compared to other areas of activity.

8. During the reporting period, the Labour Inspection has intervened in 59 cases of using the labour of minors, as a result being disposed measures to remedy the deficiencies with regard to those minors.

9. During 2012 the labour inspectors have issued and submitted for review to the court 23 minutes on administrative offence (art.55 " Violation of labour legislation, legislation on safety and health at work" and art. 55¹ " Use of undeclared work" of the Contravention Code), as a result of which individuals, persons holding public positions and legal entities were sanctioned.

10. During 2012 the courts applied fines in the value of 50 thousands lei, for violations of the labour legislation in relation to minors. The information on these fines is possessed by the courts that disposed their collection.

II. Government policies

1. a) General legal framework

As a result of the signature and ratification of a series of international treaties in the area of children's rights (United Nations Convention on the rights of the child, International Labour Organization Convention No.138 (1973) concerning minimum age for admission to employment, ILO Convention No.182 (1999) concerning the prohibition of the worst forms of child labour and immediate action for elimination) the Republic of Moldova continuously undertakes efforts to ensure the respect of the standards provided by these documents.

Currently several laws contain provisions on child labour, including having provisions for eliminating the worst forms of it. The main provisions that set the limits of labour use of the persons under the age of 18 are comprised in the Constitution of the Republic of Moldova, the Law on child's rights and the Labour Code.

Rules setting limits on key labour use persons under 18 years are included in the Constitution, the Law on the Rights of the Child and the Labour Code.

Thus art. 50 par. (4) of the Constitution expressly forbids exploitation of minors, their use in activities that would prejudice health, morality or which would jeopardize their well development or life.

In its turn, the Law on child's rights (*art. 6*) stipulates the state's obligation to protect the child's inviolability, protecting against any form of exploitation, discrimination, physical or mental violence, not admitting brutish, cruel, scornful behavior, insults and mistreatment, involvement in criminal actions, instigation of minors to consumption of alcoholic beverages, illicit use of drugs and psychotropic substances, participation in fortune games, begging, instigation or forcing to practice prostitution or any other illegal sexual activity, use in pornography industry, including by parents or their legal representatives (custodians), relatives.

Provisions that refer to the distinct forms of child labour are contained in the Labour Code, art. 255 that prohibits use of persons under the age of 18 in heavy work and in work with harmful and/or dangerous working conditions, in underground work and also work that can cause harm to their health and their moral integrity (*gambling, work in night institutions, manufacture, transportation and trade in alcoholic drinks, tobacco products, narcotic and toxic products*).

The same article sets down the interdiction on the fact that minors manually raise and transport weights exceeding the maximum norms established for them. Based on these provisions, by the *Government Decision no.562 of 7 September 1993* the "Classified list of industries, professions and works in heavy and hazardous conditions, proscribed to persons under the age of 18" was approved. The List includes jobs in 32 branches of national economy, as well as a series of common professions for all branches.

The Labour Code prohibits also the admission of persons under 18 at night work (*art. 103*), overtime work (*art. 105*), as well as delegating the persons concerned on missions/ trips, except for the employees from the audio-visual institutions, theatres, circuses, cinematographic, theatrical or concert organizations, and also organizations of professional sportsmen (*art. 256*).

Additionally according to the art. 96 and 100 of the Labour Code, employers are obliged to establish for the minor employees reduced duration of working hours (*from 15 to 16 years old – 24 hours of work per week and 5 hours per day; from 16 to 18 years old – 35 hours of work per week and 7 hours per day*).

The general minimum age for employment according to the Labour Code is 16. As an exception, the individual may conclude an individual labour contract also at the age of 15, with a written permission from their parents or custodians, unless it will jeopardize as a consequence the health, development, vocational formation and training of the minor.

For the infringement of legal norms regarding the involvement of children in labour activity, there functions a system of criminal and administrative sanctions, provided by **art. 206 of the Criminal Code** (*trafficking of children*, including for the purpose of labour exploitation, sexual exploitation and begging, etc.), **art. 208 of the Criminal Code** (*attracting minors at criminal activities or determining them to commit immoral acts*), and **art. 58 of the Contravention Code** (*admitting minors to employment which threatens their life or health, or attracting the minors to exercise illegal work*).

In this context, it is necessary to underline the recent improvement of the coercive framework aimed to enforce the legislation on child labour. On 11 July 2012 was adopted the **Law no. 169 amending and supplementing certain acts**, by which in the Labour Code and the Contravention Code provisions referring to undeclared work (i.e. art. 7¹ and art. 55¹) were introduced. At the same time, articles 55 and 58 introduced tougher sanctions.

According to the art. 55 of the Contravention Code in the current wording, the violation of labour laws or legislation on safety and health at the workplace related to a minor is punishable by a fine of 120 to 150 (previously 50 to 80) conventional units for individuals, with a fine from 250 to 350 (previously 100 to 150) conventional units for persons holding public positions, a fine of 400 to 480 (previously 120 to 180) conventional units for legal entities.

According to the current provisions of art. 58, the admission of a child to work places which endanger his/her life and health or attracting the minor to exercise a work prohibited by law shall be fined from 100 to 150 (previously 30 to 40) conventional units for individuals, a fine of 250 to 400 conventional units for persons holding official positions, a fine from 400 to 500 (previously 100 to 150) conventional units for legal entities with or without the deprivation, in all cases, of the right to perform a certain activity for a period of 6 months (previously 3) to one year.

The introduction of administrative sanctions for the use of undeclared work will also have a positive impact, since a considerable part of them are employed informally, fact that further attracts other implicit violations of law (non-respect of minimum age of employment, health and safety standards at work, wages below the minimum allowed by law, etc.).

According to art. 55¹ of the Contravention Code, the use of undeclared work for each identified person is fined from 100 to 150 conventional units for individuals, 250 to 350 conventional units for persons holding an official position, and 350 to 500 conventional units for legal entities.

At the same time, according to the objectives set, in 2012 the Ministry of Labour, Social Protection and Family has developed the ***Draft Law on special protection of children in risk situations and children separated from their parents***, which aims to:

- regulate the duties and responsibilities of the local tutor authorities and the territorial social assistance structures regarding the procedures for the identification, assessment, support, referral, monitoring and evidence of children at risk;

- establish the procedure for self-notification and registration of notifications regarding the children at risk;
- nationally homogenize the procedures for assessing and recording children at risk;
- determine the mandatory character of cooperation in the area of child protection for local and territorial tutor authorities from different administrative-territorial units;
- define a number of basic terms used in the child protection system, which until now were used with different meanings, among which the notions of: children at risk, children separated from parents, abandoned children, abuse, neglect, etc.

In this context, we should note the recent improvement coercive framework designed to enforce laws regarding child labour. On 11 July 2012 was promoted the Law No. 169 that modified and completed a number of legislative acts. This Law introduced into the Labour Code and the Contravention Code a number of provisions regarding the undeclared labour (articles 7¹ and 55¹) while articles 55 and 58 of the Contravention Code were redrafted providing for a more stringent sanctions.

According to the art.55 of the current version of the Contravention Code, the infringement of the Labour legislation or the Legislation regarding the safety and security of the work environment with regards to juveniles shall be punishable by a fine of 120 to 150 (*previously 50 to 80*) conventional units in case the offender is a natural person and a fine of 250 to 350 (*previously 100 to 150*) conventional units in case the offender holds a managerial role and a fine of 400 to 480 (*previously 120 to 180*) conventional units for the legal entity.

According to the new wording of the art.58, allowing children into working environments that possess danger for their life and wellbeing or persuading juveniles to perform working activities prohibited by the legislation shall be punishable by a fine of 100 to 150 (*previously 30 to 40*) conventional units in case the offender is a natural personal and a fine of 250 to 400 conventional units in case the offender holds a managerial role and a fine of 400 to 500 (*previously 100 to 150*) conventional units for the legal entity, in all every case the state having the option of prohibiting certain activities of the offender for a period of 6 month (*previously 3month*) up to a year.

This introduction of contravention sanctions for the employment of undeclared working force will have a positive impact on the child labour conditions, since the majority of them are employed unofficially, a phenomena that implicitly results into other breaches of the legislation in their regard (disregard for the minimal employment age, safety and security norms and regulations, salaries below the legal minimum, etc).

According to the Art.55¹ of the Contravention Code, employment of undeclared labour shall be sanctioned by a fine, for each identified person – 100 to 150 conventional units for the offender natural person, 250 – 350 conventional units for the offender holding a managerial role and 350 – 500 conventional units for the offender legal person.

b) Action Plan

On 11 October 2011 by the Government Decision No. 766 was approved the National Action Plan regarding the preemption and elimination of the worst labour conditions for children for the 2011-2015 time period.

The Action plan was drafted as a result of the inclusion of the Republic of Moldova, in April 2009 into the Global Project of the International Programme on the Elimination of Child Labour (IPEC) financed by the US Department of Labour in order to promote, notify and support the

implementation of the above mentioned Action Plan. The Plan comprises more than forty activities and has as general purpose:

- revision and updating of the relevant legislation aiming to ensure adequate conditions for the prevention and eradication of the worst forms of child labour;
- increasing the awareness of the general public and decision makers regarding the problems of the worst forms of child labour;
- facilitating access to proper education in order to prevent their inclusion into the worst forms of child labour;
- rehabilitation and educational as well as social reintegration of the children recovered from the worst forms of child labour;
- providing support for the families of the children involved in the worst forms of child labour, etc;

Subsequently to the adoption of the National Plan, there were approved 6 local action plans regarding the prevention and eradication of the worst forms of child labour (*in the Anenii Noi, Edinet, Ocnita, Singerei, Taraclia districts and the municipality of Balti*). Activities related to the prevention and eradication of the worst forms of child labour were also included in the Strategic program of socio-economic development of the Criuleni district for the years 2012-2015 and the Action plan regarding the implementation of this Strategic program.

2. According to the Action Plan, the liability for the implementation of the actions included lies with the bodies of the director National Committee (listed under art.1 of the section "Institutional mechanism"), local and distinct-level councils, as well as mixed local interdepartmental teams. Amongst the implementation bodies listed are:

- The National Confederation of Patronage of the Republic of Moldova,
- The National Confederation of Labour Unions of Moldova,
- Education Science Institute,
- State Pedagogical Institute "Ion Creanga", Chisinau,
- Academic setting
- Media channels
- Social rehabilitation centers
- NGO's
- International Labour Organization

For each specific action is fixed a term limit, competent institution, partner institutions that will provide support in accomplishing the respective activities.

3. The Action Plan is being implemented. The comprehensive report regarding the implementation of the Plan will be submitted to the Government by 31 March 2013, currently being revised in final draft. After the acceptance of the final version of this report a copy will be submitted to the Embassy.

4. and 5. The strategic documents of the policies currently underway do not have any references to the worst forms of child labour. However, **medium-term development priorities "Relaunch Moldova"** include a number of key actions that influence the rate involving children in activities that are prohibited to them. Amongst such activities are:

- Increasing gross enrollment rate in secondary general education from 94.1 percent in 2002 to 98 percent in 2015;
- Increasing the enrollment rate in pre-school programs for children aged 3-6 years from 41.3 percent in 2002 to 78 percent in 2015 for children aged 6-7 years from 66.5 percent

in 2002 to 98 percent in 2015, and reduction by at least 5 percent of the gap between rural and urban areas and between disadvantaged and middle income groups;

- Residential child care reform by redirecting funds from the residential (boarding schools) to community services and family type by promoting the professionalism of human resources and by strengthening the capacity of monitoring, evaluation and supervision at all levels of child protection and family.

Similarly, the Activity Program of the Government of the Republic of Moldova “European Integration: Freedom, Democracy, Wellbeing 2011-2014” sets a number of goals, accomplishment of which will have a direct impact on the children as potential victims of the worst forms of child labour. The goals are as follows:

- ensuring the accessibility of education for all the citizen of the Republic of Moldova and, especially access to early education to all the pre-school aged children;
- adapting the number and type of kindergartens and schools to the number of children and students residing in every community, taking into account the available demographic projections;
- promoting the concept of inclusive education in order to ensure the access to education services of children with disabilities and of the ones from socially susceptible families;
- reforming the system of residential institutions/home schooling by promoting politics and programs of de-institutionalization of children.
- development and implementation of the nationwide program of combating the phenomena of “school drop-out”;
- strengthening the institutional and functional capacities of the local public administration authorities in their exercising of the functions of guardianship authority in order to ensure observance of children rights;
- prevention of institutionalization and improving the process of de-institutionalization.

The *National Strategy on the community actions aimed at supporting children at hardship* for the years 2007-2014, enforced by the Decision of the Government nr 954 dated August 20, 2007 similarly contains provision for pertinent measures, as follows:

- Increasing the number of socially included children from the number of children at hardship;
- Increasing the number of youth/children from secondary education institutions in volunteering and unpaid events;
- Increasing the number of services aimed at preventing institutionalization as well as the number of children reintegrated into families (biological or extended);
- Increasing the responsibility of the community and the development of community services for children at hardship, etc.

At the same time, we would like to mention that at the beginning of 2012 the Ministry of Labour, Social Protection and Family initiated a full-size reform process in the domain of child protection, which will have as an outcome the development and approval of the *Strategy and the National Action Plan in the area of child and family protection*.

The Strategy of Child and Family protection 2013-2020 will represent a set of policies aimed at the development and increasing the efficiency of the system of protection of the families in high risk situations and children at hardship.

The new strategy will be focused on the set of general objectives set forth according to the current situation of the families and children at risk or hardship, based on the best international practices.

At the same time, it will result in synergies from convergence with other politics and documents in the field of child and family protection. The general objectives of the strategy are as follows:

- Prevention of separation of the child from the family environment, taking into account primarily the child's interest;
- Prevention and curbing the abuse, violence, negligence and exploitation of children and the promotion of non-violent practices in the process of children rearing;
- Pairing the family life and professional activities, especially for women.

The general objective "*prevention and combating the abuse, violence, negligence and exploitation of children and promoting non-violent practices in child rearing*" will be realized through a thorough analysis of the phenomena, thus allowing for:

- Performing the analysis regarding the amplitude of the phenomena of child abuse, negligence and violence;
- Establishing the causes of the abuse, negligence and violence;
- Illustrating the negative effects of the abuse, negligence and violence.

Amongst the actions that are set to be realized in order to accomplish the specific objectives of preventing and combating child abuse, negligence and exploitation we would like to mention:

- Development and implementation of an national Program of developing non-violent parenting skills and parenting support;
- Ensuring child protection against information that might adversely influence their moral and psychical welfare;
- Creating psychological and emotional support services for the children at risk;
- Improving the efficiency of the legal framework regarding the combating of family violence;
- Ensuring the protection of personal information and prevention of re-victimization of the abuse negligence and exploitation sufferers.

It is worth mentioning that in August 2012 the Ministry has drafted and approved *Methodology on creating the Strategy for family and child protection 2013-2020*.

Is planned for early 2013 the development of the *National Action Plan for the implementation the Strategy of child and family protection*.

III. Social Programs

During 2012, the Government has been involved in the implementation of multiple action plans related in the process of elimination of the worst forms of child labour:

- National Action Plan on the prevention and elimination of the worst forms of child labour for 2011-2015 (approved by Government Decision no. 766 of 11 October 2011);
- National Plan for preventing and combating trafficking of human beings for the years 2012-2013 (approved by Government Decision no. 559 of 31 July 2012);
- Additional specific Plan to the National Plan for Preventing and combating trafficking of human beings for the years 2012-2013 (approved by Government Decision no. 1170 of 21 December 2010);
- National Plan of community Actions to support children in hardship for the years 2007-2014 (approved by Government Decision no. 995 of September 3, 2007).

Having the support of the action plans listed, child victims or potential victims of the worst forms of child labour have been provided social services within various structures, as follows

1. Psychosocial care centers for children victims of violence, abuse and exploitation provides comprehensive services to children in order to prevent and overcome trauma experienced as a result of violence, abuse and exploitation.

Recipients of such services are:

- Children victims of violence, abuse and exploitation;
- Children that carried out actions of violence, abuse and exploitation;
- Family members.

Services rendered in the care centers are as follows: therapy, counseling, psychological assistance, information and support for educational inclusion assistance for family and social (re) integration, legal assistance.

The country operates a single specialized service for psychosocial support child victims of violence, abuse and exploitation - Psychosocial Support Center Child and Family "AMICUL" which provided various services for **450 children** in the year 2011.

Additionally AMICUL provides services for the:

- guardianship authorities;
- law enforcement bodies (prosecution offices, police stations, judges), during their dealings with the cases involving violence with regards to children. In 2011 they received 106 applications to provide psychological assessment of children (42 - from the guardianship authorities, 64 - from the prosecution and courts) and have been prepared / presented 75 reports of child psychological assessment.

In 2009-2010 AMICUL center assisted 579 children victims of violence throughout the Republic of Moldova, as follows:

<i>Age of the beneficiary</i>	<i>Type of the abuse</i>				<i>Total nr of abuses by age*</i>
	<i>Physical</i>	<i>Psychological</i>	<i>Negligence</i>	<i>Sexual</i>	
0-3	21	18	21	11	71
4-7	26	34	17	31	108
8-10	37	29	16	38	120
11-15	66	40	12	90	208
16-18	21	16	2	33	72
Total	171	137	68	203	579

Of these, 338 are in Chisinau. Respectively, their solution was worked out with the Department for Child Protection and its subdivisions.

The other 241 cases were worked out with guardianship authorities of tier I and II of the districts of the country as well as specialists responsible for child protection locally.

Assisted children received the following services:

- Social Assistance - 409 children
- Psychological assistance - 290 children
- Legal assistance - 352 children
- Assistance in legal proceedings - 97 children (preparation for legal hearing, psychologist participation in legal hearings, assisting the child in legal proceedings, reporting psychological evaluation of the child victim).

2. Maternal centers are public or private institutions for the protection of mother-child couples in order to prevent child abandonment and provide training, maintaining and strengthening of family ties.

Among the beneficiaries of these services are abused or neglected parent-child couples:

- Mother and child abused in any way in the family;
- The child abused physically/psychologically by neglect, due to lack of knowledge or due to financial hardship.

In 2011 the country had 10 operational maternity centers services that have received parent - child 98 couples.

3. Family-type children's homes (FTCH) and professional parenting assistance (PPA) are social services that provide child care in the substitute foster family of the parent-educator or professional parenting assistant.

Among the beneficiaries of these services are included children who are or may become victims of any form of violence, human trafficking, abandonment or neglect, ill treatment, exploitation while in the care of one or both parents, legal guardian or any others responsible for their care.

During 2012 in the country were:

- 87 family type children's homes with 357 child inhabitants;
- 160 professional parenting assistants with 245 children in their care.

However, in the process of the activity of the regional Commissions for protection of children in hardship, the number of cases examined annually has increased approx. 4 times in 2011 compared to 2009. During 2011 the Commission's organized 289 sessions, which were examined **1670 cases of families with 2355 children**. Most of the times, the cases with children in difficult situations come to the attention of the above mentioned specialized commissions due to the neglect of the parental duties parents in the process of child rearing, education and caretaking.

During the examination process the Commissions presented to the regional guardianship authorities decisions for family reintegration of 467 children from 343 families.

Also, in other cases, the Commission has approved the following forms of protection: 378 children were institutionalized in the boarding schools for orphans and children without parental care, nursing homes and specialized boarding schools (including in the case of 145 children due to insufficient of alternative services or lack thereof), 432 children were placed in temporary foster care for children at risk and children with disabilities, and for the 88 children were applied other forms of protection (Community houses for children with disabilities, placement into maternity centers for mother-child couple's).

At the same time, for 456 children were taken necessary measures in order to prevent their institutionalization.

Article 22 of the ILO Constitution

Report
submitted by the Government of Republic of Moldova relative
to the application of the Convention nr. 138 (1973) concerning minimum age
for admission to employment,
for the period from August 11, 2011 until August 12, 2012

In addition to the previous report concerning the application of Convention 138, we communicate that during the reporting period the national legal framework in the field covered by the Convention has not supported any changes.

However, we'd like to mention that the National Action Plan on the prevention and elimination of the worst forms of child labour for years 2011-2015, approved by Government Decision nr. 766 of October 11, 2011, requires action to be performed in the third quarter of 2012, updating the list of industries, occupations and activities, in hard and hazardous conditions, prohibited for persons under eighteen years old, approved by Government Decision nr. 562 from September 7, 1993. In this context will be put under discussion the adoption of the list of light work activities, where could be admitted young people under 16 years old.

As for the practical application of the Convention, we should like to present below the data provided by the Child Labour Unit of Labour Inspectorate, which takes permanent control measures, monitoring and information activities concerning the activity of working people, including those younger than 18 years.

In the period 1 July 2011 – 1 July 2012, during inspection visits to 25 economic agents from the county and to 7 natural persons /individuals/ in the work process were found 252 younger workers under 18 years, including a child of 12 years, 10 children aged 15 years, 10 – aged 15 years, 10-aged 16 years and 231- aged 17 years.

Of the total number, 234 young people worked illegally, i.e. without individual working contract, without issued employment order and working time records, in the absence of a working service book.

Among others violations fixed in the control protocols are listed the following:

- Admission to work without carrying out any preventive medical examination.
- Attraction to work of people aged 15 years without written consent of parents.
- Denial of individual protective safety equipment.
- Non assurance of the reduced working hours/time.
- Attraction to work on holidays.
- Gaps in salary calculation.
- Failure in filling in the books, which have to contain full information on identity of the minor workers.
- Getting children to working activities which are prohibited to children under the age of 18 years.

(There were found 55 persons included in activities prohibited for children (to winnow cereals – 38 children, picking and stringing tobacco – 6 children, the load work – 6 children, cattleman (animal care) – 5 children). The labour inspectors submitted prescriptions to remedy of violations detected by the immediate withdrawal of children from these activities). Leaders of the entities inspected, who have not complied with the provisions of the labour legislation, have been applied sanctions, 22 minutes on offense have been compiled – 6 - under article 55, para.1 from Contravention Code (*violation of the labour protection legislation*); 14 - under article 55, 2 (*same actions committed against minors*); 2- under art.58 (minor engaging in work that is dangerous for his health), which were subsequently submitted for examination to the court.

Besides the control activities, were conducted and other relevant actions as follows:

1. According to Government Decision nr. 477 of 28 June, 2011, the Working Group was created to ensure the realization of the action Plan to minimize the practice of paying salary “in envelopes” and on “illegal work”, with involvement of the Labour Monitoring Child Unit.

With the purpose of preventing and combating undeclared work and the violation of labour law on safety and health at work, through the period 26 September to 11 November 2011, was held the National Campaign on Labour Inspection in agriculture, entitled “Preventing and combating undeclared work, on related risks of use of mechanized equipment and the pesticides in agriculture”, with the methodological support of Sub-regional ILO Office in Budapest.

2. From March 1 to August 17, 2012, run the National Campaign of Labour Inspection in the constructions, entitled “ Preventing and combating undeclared work and risks on safety and health of workers from constructions”, to sensitize the society about the damage caused by the undeclared work performed and about risks for life and health of the workers from constructions.
3. During April to September 2012, have been organized and carried out common control actions to economical agents, of representatives of the trade union centers “Agroindsind” and employers’ representatives from regions, working in agriculture. During these inspection activities was given particular attention to working women and to persons younger than 18 years of age.
4. During April – May 2012 have been undertaken actions of information of pupils from 17 educational institutions in Briceni, Donduseni, Edineț, Ocnița, Călărași, Ungheni, Nisporeni, Cimișlia, Leova concerning the rights and obligations of parties at work.
5. Through Labour Monitoring Child Unit, the Labour Inspection annually notifies on possible consequences as a result of massive attracting of minors to proscribed working activities or breach of labour law provisions on safety and health.
6. In its turn, the Ministry of Education having the purpose to spread the legal knowledge, in the curriculum on the subject “Civic Education” (module “Personal development and career guidance”), have introduced several issues related to work,

including that of minors. For example: on Labour Law. Employment opportunities in the country and abroad. Individual employment contract”, “Child labour: opportunities and limits”; “Exploitation of child labour: loss and rewards”.

7. In the educational institutions are planned and conducted meetings of head teachers with parents, where the last are informed about the importance of education and training of children, about the risks which come from children involvement in the working activities that damage their health, being at the same time instructed how to prevent child labour issues. As didactic support, serve the ILO publications (“Child labour exploitation – condemnation to poverty”, “Child labour in Republic of Moldova”, etc.)

However, in some areas it is practiced to train pupils in the work of harvesting, the initiative coming from community local businesses (sometimes from parents). To ensure the safety and health of children involved in work activities, the Ministry of Education, through its special provisions, set annually conditions of participation of pupils/students in field working activities in accordance with Labor Code.

According to those provisions, in the field working activities, which are not considered dangerous to life and health, with the written consent of the parents, may be involved pupils over 15 years of age. The maximum period of pupils' participation in farm work during the school year constitutes 2 weeks, with subsequent recovery of schooling hours.

In this context, we'd like to mention that currently, on 27 July 2012, was held the meeting of the National Steering Committee on the Elimination of Child Labour, where it was decided that the Labour Inspection should notify the Ministry of Education on non involvement in the future of pupils and students in autumn agricultural works, because it affects the educational process.

The latest data which directly target minors engaging in various activities are included in the report “Child Labor in Moldova” elaborated in 2010 with the support of ILO International Program on elimination of child labor, the report can be accessed on the website of the National Bureau of Statistics¹.

The copy of this report was presented to the National Confederation of Trade Unions of Republic of Moldova and the National Confederation of Employers of Moldova.

¹ <http://www.statistica.md/pageview.php?l=ro&id=3117&idc=350>

Report

of the Government of Republic of Moldova to Convention Nr. 182 (1999) concerning the prohibition of the worst forms of Child Labour and Immediate Action for elimination for the period from August 12, 2009 until August 12, 2011

(Ratified by Law Nr. 849-XV from February 15, 2002)

1. In addition to the previous report on the application of Convention 182, we inform about the evolution of the national legislation framework in the field covered by Convention.
 - It was adopted the Law Nr.169 from July 11, 2012 amending and supplementing certain legislative acts, which have been introduced in the Labour Code and the Contravention Code provisions related to undeclared work (art. 55¹) and two articles from Contravention Code, that stipulated responsibility for labor violations were exposed in a new version with more severe sanctions.

It should be mentioned that the size of fines has been increased, including the offense, provided through art. 58 from the Contravention Code on Minor's admission to employment which threatens his/her life and health or for attracting minors in works hazardous for their life and health. Whereas, all upper mentioned articles from Contravention Code tangent to child labor, we reproduce their contents below, as it is stipulated by Law Nr. 169.

“Article 55. Violation of Labour Legislation and Legislation on Safety and Health

- (1) Violation of Labor Legislation and Legislation on Safety and Health is fined from 100 to 140 (previously 50 to 75) of conventional units¹ applied for natural persons, a fine from 200 to 350 (previously 50-75) of conventional units for officially responsible persons, and a fine of 350- 450 (previously 80 to 120) of conventional units, for legal persons.
- (2) The same actions committed against minors is punished by a fine from 120 to 150 conventional units applied for natural persons, a fine from 250 to 350 (previously from 100 to 150)of conventional units for official persons, and a fine of 400 to 480 (previously 120 to 180) of conventional units for legal persons”.

“ Article 55.¹ Use of undeclared work

Use of undeclared work is sanctioned for each identified person with a fine from 100 to 150 conventional units for a natural person, with a fine from 250 to 350 conventional units for officials and a fine of 350 to 500 conventional units for legal persons”.

¹ Conventional unit fine is equal to 20 MLD (about 1,6 USD)

“ **Article 58.** Minor admission to jobs which threaten his life and health or attracting minor to works which threaten his life and health.

Minor’s admission to jobs which threaten his life and health or attracting minor to engage in a work, prohibited by law is punished/sanctioned by a fine of 100 to 150 (previously 30 to 40) conventional units applied for natural persons, with a fine from 250 to 400 conventional units for official persons, and a fine from 400 to 500 (previously from 100 to 150) conventional units for legal persons with or without deprivation, in all cases, of the right to exercise a certain activity for a period of 6 months (previously were 3) at one year.

- Though Government Decision no.766 of 11 October 2011 it was approved the National Action Plan on preventing and eliminating of the worst forms of child labor for 2011-2015, elaborated as a result of Moldova's inclusion in IPEC Global Project of development, awareness and support for the implementation of Global Action Plan on elimination of the worst forms of child labor by 2016, funded by the U.S. Labour Department. The Plan (attached in Russian) includes over forty actions; some of them have already been realized.

The implementation stage can be assessed based on the information contained in the table below, which includes only realized actions (7 of 44)

I-st SPECIFIC OBJECTIVE: CREATION AND INSTITUTIONALISATION THE MECHANISMS TO COORDONATE ACTIONS TO PREVENT AND ELIMINATE THE WORST FORMS OF CHILD LABOR (CENTRAL, BRANCH AND LOCAL LEVELS)		
Nr. d/o	Actions	Achievements
1.	Development of the National Steering Committee Regulation for elimination of child labor, which will regulate in detail the manner of operation, activity objectives and Committee tasks, the same as the role and attributions of its member institutions.	On 28 May 2012 was adopted the Government decision no.333”On amending and supplementing the Government Decision no.495 of May 11, 2004”, which provides the completion of the Decision no. 495 with the Regulation of the National Steering Committee for Elimination of Child Labour. At the same time the Regulation provides for that the Secretariat of the Committee will be provided by the Ministry of Labour, Social Protection and Family.

2	Creation of a Permanent Secretariat of National Steering Committee for the elimination of child labour, which would ensure the exchange of information among its member institutions and other relevant bodies, disseminating informations to the general public and media, attracting additional funds	
II-nd SPECIFIC OBJECTIVE (SO): CREATION OF A FAVORABLE ENVIRONMENT FOR THE PREVENTION AND ELIMINATION OF THE WORST FORMS OF CHILD LABOUR		
ACHIEVEMENT 1 (SO II): STRENGTHENING THE KNOWLEDGE BASE ON THE WORST FORMS OF CHILD LABOUR AND ITS CONSEQUENCES		
1.	Dissemination of the analytical Report “Child Labour in Republic of Moldova: Survey results from 2009 regarding children activities”	According to information provided by National Bureau of Statistics the 2009 survey results regarding children activity (report and summary) have been posted on NBS's web - site and thus are publicly available on: http://www.statistica.md/pageview.php?l=ro&idc=350&id=3117
ACHIEVEMENT 2 (SO II): INTEGRATION OF PROVISIONS REGARDING DISPOSAL OF THE WORST FORMS OF CHILD LABOUR IN RELEVANT POLITICS (NATIONAL, BRANCH AND LOCAL LEVEL) AND THE MECHANISMS FOR THEIR IMPLEMENTATION		
2.	Integration of the provisions concerning the elimination of the worst forms of child labour in the local action plans	1. It was approved 6 local action plans on preventing and eliminating of the worst forms of child labour (in districts: <i>Anenii Noi, Edineț, Ocnîța, Singerei, Taraclia and Bălți</i>). 2.Actions to prevent and eliminate the worst forms of child labour were included in the Strategic Program of socio-economical development of district Criuleni in 2012-2015 and Action Plan on implementation of this Program for 2012
ACHIEVEMENT 3 (SO II) A HIGHER LEVEL OF AWARENESS FROM CIVIL SOCIETY AND DECISION MAKERS CONCERNING THE PROBLEM OF THE WORST FORMS OF CHILD LABOUR AND THEIR CONSEQUENCES		
8.	The integration of worst forms of child labour in continuing educational programs for teachers and managers conducted by the Institute of Education Sciences and other relevant institutions.	Aspects of the worst forms of child labour were included in continuing training programs for teachers who teach at school subject “Civic Education” conducted by the Institute of Education Sciences. Meanwhile, Ministry of

		Education asked Institute of Education Sciences and Pedagogical University "Ion Creangă" from Chişinău to examine the possibility of training the teachers and managers, starting June 1, 2012 a module on the worst forms of child labour.
9.	The integration of the worst forms of child labour into training programs for teachers, educators, school psychologists, social workers in universities, colleges. Taking over positive experience from State University "Alecu Russo" from Bălţi	According to information provided by Ministry of Education, similar tasks to those mentioned above were made in pedagogical universities and colleges. Thus, in academic year 2012-2013 is expected to be introduced in the training programs a module on the worst forms of child labor for teachers, educators, school psychologists and social workers
III-rd SPECIFIC OBJECTIVE: THE IMPLEMENTATION OF ACTIONS TO PREVENT CHILDREN INVOLVMENT IN THE WORST FORMS OF CHILD LABOUR AND IMMEDIATE CHILDREN REMOVAL FROM THE WORST FORMS OF CHILD LABOUR		
RESULT 1 (SO III): ACTIONS TO FACILITATE CHILDREN ACCESS TO OBLIGATORY QUALITY EDUCATION, NON-FORMAL EDUCATIONAL PROGRAMS AND IMPLEMENTED TRAINING ORIENTATION PROGRAMS		
1.	The organization of community actions, especially in the rural areas (cityhall, school, church, police, NGOs, etc.) to prevent dropping out, identify and withdraw children from the worst forms of child labour and their schooling.	According to information presented by President of Străşeni district, was discovered and settled the case of a 17 years minor, originally from the village <i>Rădeni</i> , <i>Străşeni</i> district, who have done hard labour on a farm from Străşeni and did not attend school. This case was examined in the framework of multidisciplinary team and then forwarded to the Labour Inspection. Finally, the minor was returned to his biological family and trained.

2. Beside mentioned above measures, state authorities that are competent in the field have realized other actions for the implementation of Convention. According to information presented by the Ministry of Education, under the statutory power, it systematically contributes to exclusion of child labour through activities addressed both to direct beneficiaries – children, as well as the indirect – teachers, parents, businesses, representatives of local authorities.

Thus, in the school year 2011-2012, was continued the implementation of the school subject "Civic Education" (1 hour by week for V-XII classes) according to modernized curriculum 2010 edition, which includes topics in the field, such as:

- Module "Personal development and career guidance"(classes V-XII);
- Child labor: opportunities and limitations (class VI)
- Employment. Opportunities for employment in the country and abroad.
- Individual employment contract (Xth form/class).

There have been taken measures to improve the access to basic education and optimization of the children frequency in rural areas, to ensure completion of compulsory education by:

- providing free textbooks for grades I-IV;
- free food for children from grades I-IV and children from disadvantaged families in grades V-IX.
- transportation to school for children from 16 districts to prevent early school leaving.

Also, to prevent and eliminate child labor by parents, have been taken steps towards efficient communication with District Departments for Education Youth and Sport and Prosecution. However, in some areas (mainly rural) is still practiced to train pupils in agricultural works, the initiative coming from local businesses or local leaders.

However, in some areas (mainly rural) is still practiced to train pupils in agricultural work, initiative coming from local businesses or local governments.

Having the purpose to ensure the health and safety at work of children involved in the work activities, the Ministry of Education, by special provisions establishes pupils/students conditions of participation to field works according to Labour Code. Thus, at the field work without risk for life and health, with written consent of parents may be involved pupils over 15 years old. In agricultural works, pupils have to be accompanied by teachers who are responsible for their safety during all period of work.

Maximum pupils' participation in farm work during school year was, until now, 2 weeks, with subsequent lessons recovery. **In this context, we should mention that on 27 July 2012 was held the National Steering Committee's meeting on the Elimination of Child Labour, during which it was decided that Labour Inspection have to notify the Ministry of Education for avoiding future involvement of pupils and students in agricultural autumn works, because these jeopardize the training process.**

In its turn, the Labour Inspection during 26 September – 11 November held the National Campaign of Labour Inspection in Agriculture entitled "Prevention and combating of undeclared work, risks related to the use of mechanical equipments and pesticides in agriculture", with methodological support of ILO Sub Regional Office in Budapest.

From March 1 to August 17, 2012, is running the National Campaign of Labour Inspection in constructions entitled "Prevention and combating of undeclared work and risks for health and safety of workers from constructions", to sensitize the society about the damage caused by undeclared work and about risks for life and health of workers from constructions.

During the months of April –May, the Inspection has taken actions to inform pupils from 17 educational institutions in Briceni, Donduseni, Edinet, Ocnita, Calarasi, Ungheni, Nisporeni, Cimislia, Leova, about rights and obligations of the parties at work:

During the period from April to September 2012, are organized the common control actions with representatives of trade union centers "Agroindsind" and employers from area at businesses, that are doing work in agriculture. During these inspection activities, is paid particular attention to working women and people under 18 years old.

3. With reference to the degree of compliance of practice with Convention, we should communicate that according to the information provided by Labour Inspection, in the period 1 July 2011- 1 July 2012, inspection visits have been organized to 25 businesses from country and to 7 individual persons, and were detected 252 workers younger than 18 years in work process, of these - a child of 12 years, 10 children aged 15 years, 10-16 years and 231 aged 17 years old.

From the total number, 234 young people worked illegally, i.e. without an individual employment contract, without issue of employment order, no record of working time and in the absence of employment work book

Among other violations fixed in the control protocols are listed the following:

- admission to work without carrying out preventive medical examination
- attraction to employment of persons aged 15 years, without any written consent of parents
- admission to work without trainings on health and safety at work
- denial of personal protection equipment
- non-assurance of the shorter working time
- attraction to work on holidays
- gaps in the calculations of salary
- failure to produce records, which have to include full information on the identity of underage workers
- getting children in work activities prohibited to persons under 18 years.

(There were found 55 persons included in activities prohibited for children (selling cereals – 38 children, picking and lined tobacco – 6 children, working with loads – 6 children, take care of animals – 5 children). Labour inspectors submitted prescriptions to remedy violations detected by immediate withdrawal of children from activities).

Leaders of the inspected entities that have not complied with labour legislation have been made 22 minutes on offense: 6- on article 55, 1-st paragraph from Contravention Code (*violation of labour protection legislation*); 14- on article 55, 2 (*same actions committed against minors*); 2- on art.58 (*minors engaged in working activities dangerous for their health*), which were subsequently submitted for examination to the Court.

The latest data which directly target minors engaging in various activities are included in the report “Child Labor in Moldova” elaborated in 2010 with the support of ILO International Program on the elimination of child labor. The report can be accessed on the website of the National Bureau of Statistics²

4. On chapter on child trafficking, during 2011 year, employees of the Ministry of Interior discovered 23 cases, compared with 21 cases from last year, that represent an increase by 9.5%.

Of all these, 16 cases were sent to the prosecutor and 14 cases were sent to Court, dismissed-0 and discontinued-0.

On the base of penal cases started in this section, have been identified 23 victims of children trafficking, namely: 16 female and 7 male. With reference to destination countries, should be mentioned, that 5 children were trafficked in Russian Federation, 3 in other countries, 15 were trafficked in the territory of Republic of Moldova.

In all cases, traffickers abused of specific vulnerability of children, organizing by deception, with profit purpose and sexual exploitation of children (17 cases), exploitation for labour (5 cases) and for begging (1 case).

² <http://www.statistica.md/pageview.php?l=ro&id=3117&idc=350>

The increase of the number of child trafficking can be explained as growth of criminal cases started against an international network of pedophiles. On this, has been previously informed the National Committee for combating human trafficking. In this context we should mention, that the activities concerning identification of new nets of pedophiles are continuing.

With reference to crimes of illegal removal of children from country during the concerned period, the employees of the Ministry of Interior opened 12 criminal cases, compared with 13 cases recorded during the same period from last year, which represents a decrease of 7, 7%. Of all these, 8 cases were sent to the prosecutor and 5 cases were sent to Court, ranked 1 and discontinued 0 cases. According to statistical data analysis, were discovered 8 male minors and 6 female, who have been removed illegally from country, by a parent, usually using false notary statements.

In the first half of the year 2012, there were discovered 10 cases of children trafficking, compared to 12 cases from last year, that represents a decrease of 16,7%. Of all these 3 cases were sent to prosecutor and 0 sent to Court, dismissed -0 and discontinued -0 cases. Also, were identified 8 children victims of trafficking: 7 girls and 1 boy, from that, 3 laborers, 6-sexual and 1 – by begging. The destination countries of trafficked children were: Turkey, Italy, Ukraine, Russia.

A noticeable trend during the last period of time, represent the cases of sexual abuse of minors by foreign citizens, using modern advanced technologies and through sexual tourism. Usually, abuse is committed by adults or by persons who are significant older and who are in a dominance position. According to data given by CI “La Strada”, usually children, specially girls are abused by their fathers or close relatives, who take care of them, as their mother went to work abroad, but also boys are at risk, in the conditions when the phenomenon of commercial sexual exploitation of children, including foreigners, as well as the sex tourism had not avoided Republic of Moldova.

In connection with illegal removal of children from country since the beginning of 2012, employees of Minister of Interior opened 5 penal cases, compared with 7 cases recorded during the same period from last year, which represents a decrease of 25, 6%. From these, 2 cases were sent to the prosecutor, 2- to Court, dismissed – 0 and discontinued – 0.

For information, see below the situation of criminal cases examination, started in the context of activities to combat the worst forms of child labour in 2011 (The source is the Minister of Interior)

Name of item (article)	Total penal cases opened	Judged	Sent to prosecutor	Dismissed
Art.168 from Penal Code (<i>Forced Labour</i>)	8	-	-	1
Art.183 from Penal Code(<i>Violation of Labour Protection</i>)	58	1	13	7
Art.206 from Penal Code (<i>Trafficking of Children</i>)	24	14	2	-
Art.208 from Penal Code (<i>Attraction of minors in criminal activities</i>)	82	56	5	2
Art.208 ¹ from Penal	3	2	-	-

Code (Child pornography)				
Art.302 from Penal Code(Organization of begging)	2	2	-	-
Total:	177	75	20	10

In the same context, the table below presents information concerning the examination by legal instances of child trafficking penal cases (art. 206 from Penal Code) for 2010- 2012 (first half) according to Ministry of Justice data.

Years	The remaining cases at the beginning of reporting period	Cases received	Examined cases with sentencing	Cases concluded	The remaining cases at the end of reported period	Persons convicted	Persons excused	Applying of safety medical measures	Cases classified
2010	5	7	7	9	3	7	0	0	0
2011	3	28	9	17	14	7	1	0	1
2012 (I-st half)	14	5	2	3	16	2	1	0	1

Additionally, at your request, communicate the following:

1. National Collective Convention no. 8 of 12 July 2007, on eliminating the worst forms of child labour, covers all working minors, regardless of whether they work under individual employment contract, license, patent of business or are employed in informal sector.
2. According to data from Ministry of Education, on 30 of May 2012 were enrolled 44 pupils, and 105 pupils dropped out in the second half. Of these, 17 Roma children did not attend school during 2011-2012, and 4 pupils left school in the spring for the following reasons:

- 11- Moved in other regions with their parents
- 6- Cause of economical situation
- 4- Cause of parents refuse

All mentioned cases are reviewed by special committees, created in the framework of respective communities, in composition of which are teachers, representatives of social affairs departments and law enforcement authorities.

For the prevention and elimination of school dropout are taken following measures:

- It is given free books for Roma pupils
- Roma children receive food for free in school from first class till nine class
- Before September 1, it is provided financial support (300-800 MDL or about 24-64 USD) from educational institutions funds and municipalities for purchase clothing and supplies.

However, in appreciation of data presented upper we have to take into consideration the difficulties connected with Roma children record subject to compulsory education (7-16 years), which are as follows:

- There is no disaggregated data on the number of Roma pupils, because in accordance with European practice it was excluded section "nationality" from statistical forms.
- The majority of Roma children are registered as Moldovans.
- Roma people do not always have a permanent residence and identity documents.

With reference to etno-national educational problem of Roma people, we have to mention the following:

- In 2011-2012 educational plans, along with studying subjects as "History, culture and traditions of peoples of Russian, Ukrainian and Bulgarian" was introduced "History, culture and traditions of Roma people" (1 hour per week).
- Currently, under Ministry of Education it is elaborated curriculum course "History, culture and traditions of Roma people".
- In town Hincesti, at Mihai Eminescu Lyceum was opened a group of Roma pupils (18 persons), who were guided by two social facilitators from Roma people, meet several times a week to study the habits and traditions of their people, to speak and sing in their native language.
- At high school from village Mingir, district Hincesti a social mediator teaches optional a group of 10 pupils language and traditions of Roma.
- At the kindergarten from village Vulcanesti, district Nisporeni are developed teaching activities of Roma language in three groups.

As for the introduction of Roma language as compulsory subject in the school program, we have to mention that this requires supplementary research to determine its literary standards, because the language spoken by Roma people in different localities have different distinguishing features.

3. Information on the implementation of National Plan to prevent and combat human trafficking for 2010-2011 years is presented in reports to conventions 29 and 105.

However, we should mention that self-employment of persons younger than 16 years is not possible under the conditions established by law to conduct such activities.

For example, according to art.2 of the Law on entrepreneurial patent, patent holders may be only persons that meet qualification requirements for respective type of activity. Under art.5 of the same law, the patent applicant's qualification is determined based on the documents on education (qualification) and previous work activity presented by him.

Copy of this report has been submitted to National Confederation of Employers from Moldova and National Confederation of Trade Unions from Moldova.

