

# Moldova

*The Government of Moldova has strengthened its legal framework to provide protections for children in the worst forms of child labor, especially those in vagrancy, begging and illicit activities, and work in the informal sector. The Government also signed a Memorandum of Understanding with the ILO to address this issue, and completed the first survey in three years that provides more up-to-date statistics on the number of children involved, as the basis for making progress on the problem. A National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor for 2011-2015 is currently being considered by the government, with ILO support. Children continue to be involved in the worst forms of child labor in agriculture and on the streets. Although policies and programs to combat such child labor are being formulated, they have yet to be fully implemented.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	30.1%
Attending School	5-14 yrs.	82.2%
Combining Work and School	7-14 yrs.	31.8%

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

Some children are engaged in the worst forms of child labor in Moldova in agriculture and on the streets.<sup>3329</sup> A 2009-2010 Moldovan National Child labor survey, commissioned by the Government of Moldova to help address the problem, estimated that 109,000 children were engaged in child labor, mostly in small businesses and agricultural labor. A 2007 ILO report noted that two-thirds of rural children had worked on farms by age 14, although it was not known how many of such children were engaged in worst forms of child labor. An older ILO report notes that school directors, farms, and agricultural cooperatives had signed contracts to have students help with the harvest during the high season in autumn.<sup>3330</sup> Children's work in agriculture



may involve using dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides.

Children work on the streets in Moldova.<sup>3331</sup> They also work at factories and in carpentry.<sup>3332</sup> These children may be exposed to a variety of risks, including severe weather, harsh working conditions, dangerous machines and tools, accidents caused by proximity to vehicles, and vulnerability to criminal elements.

Moldovan girls are trafficked abroad for commercial sexual exploitation.<sup>3333</sup> Children, mostly girls, are also trafficked internally from rural areas to the capital, Chisinau.<sup>3334</sup>

A 2006 UNICEF report stated that the migration of adults in search of work has left approximately

40,000 children parentless.<sup>3335</sup> These children often lack proper supervision and are at greater risk of labor and sexual exploitation.<sup>3336</sup> Both forced labor and forced prostitution are reportedly especially common in the secessionist region of Transnistria in northeastern Moldova. Children from Moldova are exploited for both labor and commercial sexual exploitation. However, it is unclear how many victims are children.<sup>3337</sup>

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

The law sets the minimum age for employment at 16.<sup>3338</sup> In certain cases, children who are age 15 can work with parental or legal authorization, if the work will not interfere with their education, health, or development.<sup>3339</sup> The Government has approved a list of hazardous work forbidden for children under age 18, including underground work, well drilling; metal work; work demanding “dynamic effort” or psychological exertion, and work which presents risk of injury from machinery, electric shock, extreme temperatures, or chemical or biological agents.<sup>3340</sup>

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Constitution prohibits forced labor and the exploitation of minors.<sup>3341</sup> The law prohibits trafficking

in children for labor and sexual exploitation and lays out penalties for the use of children in the worst forms of child labor.<sup>3342</sup>

In January 2009, a new provision of the Law on Labor Force Migration came into force, which is designed to ensure better protection and care of children left behind by migrant parents working and living abroad.<sup>3343</sup> Also in January 2009, a Law on Occupational Safety and Health came into force; it includes child laborers in the category of vulnerable groups that should be protected against specific risks in workplaces.<sup>3344</sup> In May 2009 a new version of the Code on Contraventions came into force, which establishes fines for parents or legal guardians who violate children’s rights to care and education and whose children enter vagrancy, begging, and illicit activities.<sup>3345</sup>

**Institutional Mechanisms for Coordination and Enforcement**

The National Steering Committee (NSC) on the Elimination of Child Labour was established by the Government of Moldova in 2004 to address and coordinate all child labor issues. In collaboration with the ILO, the National Steering Committee ensures that all responsible government agencies work pursue objectives and targets set for programs to the eliminate exploitative child labor.<sup>3346</sup>

The Labor Inspection Office (LIO) is the division inside the Ministry of Labor, Family and Social Protection that is responsible for enforcing all labor laws in the Republic of Moldova. Within the LIO, the Child Labor Monitoring Unit (CLMU) enforces laws as they specifically pertain to child labor.<sup>3347</sup> The LIO employs 81 labor inspection officers. They are posted in 10 offices throughout the country, and investigate all types of labor violations, including those related to child labor.<sup>3348</sup> The availability of training, the number of inspectors, and amount of financial resources dedicated to child labor enforcement is unknown.

Members of the CLMU identify and withdraw working children, raise awareness among employers on the risks of child labor, train labor inspectors, and enforce of child labor laws.<sup>3349</sup> The law permits child labor inspections for both legally registered workplaces

and persons, thus covering informal worksites. Inspectors are also allowed to seek assistance from local public administrators to suspend licenses of employers who repeatedly neglect labor inspection recommendations.<sup>3350</sup> During the first seven months of 2009, labor inspectors visited 14 enterprises where 45 persons under age 18 were employed. They found that nine of the 45 were employed in violation of child labor laws and fined seven employers as a result.<sup>3351</sup>

The Government created the National Committee for Combating Trafficking in Persons (NCCTIP) in November of 2009 and tasked it with taking concrete action in investigating and opening cases against traffickers. Led by the Deputy Prime Minister, the NCCTIP includes the Ministers of the Interior, Justice, Labor, Family and Social Protection; as well as the Prosecutor General and the Director of the Center for Combating Trafficking in Persons.<sup>3352</sup> The Ministry of Justice is responsible for prosecuting criminal violations involving trafficking in human beings, including children. At a meeting of the NCCTIP in November 2009, the Minister of Justice reported that the courts handed down convictions in 57 TIP-related cases in the first ten months of the year.<sup>3353</sup> The courts reached convictions in all four cases involving child trafficking.<sup>3354</sup>

The Center to Combat Trafficking in Persons (CCTIP) is the Moldovan Government's principal anti-trafficking agency. It operates a task force to coordinate the country's law enforcement efforts. CCTIP keeps statistics on cases opened and transmitted to prosecutors and courts, but not statistics on decisions delivered by the courts or judgments executed, which are kept by the Prosecutor's Office and the Ministry of Justice, respectively.<sup>3355</sup> The Government of Moldova does not, however, maintain a central database of these statistics on trafficking cases.

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

A Strategy on the Referral System for Protection and Assistance of Victims and Potential Victims of Trafficking (2009-2011) has been in effect since February 2009.<sup>3356</sup>

In March 2009, the Government of Moldova also approved the National Youth Strategy and its Plan of Action for 2009-2013 (Law No. 25-XVI).<sup>3357</sup> The

Government of Moldova was one of 49 states which agreed to the Agenda 2020 objectives of the European Cultural Convention of the Council of Europe, which facilitates youth employment, access to education and information, and develops health and social protection services.<sup>3358</sup> The Government allocated \$25,000 to implement the agenda and is expected to report annually to parliament on its implementation.<sup>3359</sup> Considering the scope of the Agenda 2020, this level of funding may be insufficient. The question of whether these policies have an impact on the worst forms of child labor does not appear to have been addressed.

In August 2009, the Government of Moldova signed a Memorandum of Understanding (MOU) with ILO-IPEC.<sup>3360</sup> As part of this agreement, the Government will seek to prohibit and eliminate child labor, with priority given to the worst forms, by increasing awareness of and integrating the elimination of child labor into relevant national social and economic development policies and programs. In particular, the MOU stipulates the formulation of policies and programs that will specifically target young girls, children in hidden work situations, and other groups of children with special vulnerabilities and needs.<sup>3361</sup> In conjunction with the ILO, the Government of Moldova has drafted a comprehensive National Policy and Plan of Action to address the worst forms of child labor.

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

The Government of Moldova has participated in a number of donor-funded projects across multiple sectors to combat child labor and address employment and migration issues. From 2006 to 2009, the Government participated in a USDOL-funded \$3.5 million, regional project to combat trafficking and other worst forms of child labor in Central and Eastern Europe. The project withdrew and prevented children from exploitative labor in Albania, Bulgaria, Moldova, Romania, and Ukraine.<sup>3362</sup>

The Moldovan Government, through its Center for Combating Trafficking in Persons, is working in conjunction with NGOs that operate a victim referral system to assist victims. In 2009, this program assisted 66 child labor victims. The referral system has been described as a model for other countries dealing with trafficking.<sup>3363</sup>

The National Center for Child Abuse Prevention has been implementing educational, legal, and psychological assistance programs in Moldova since 1997. Within the first nine months of 2009, children were prevented from engaging in hazardous work on the streets and at third party farms, and protected from trafficking.<sup>3364</sup> There are government hotlines for reporting labor violations, including child labor issues.<sup>3365</sup>

The Government of Moldova and the NGO La Strada are participating in a \$320,000, USDOS-funded project to train local government officials, improving protection and assistance for trafficking victims. The project supports the authorities in developing a monitoring system to assess the implementation of the National Referral Mechanism. It also organizes trainings for various government agencies that help to identify, assist, and protect trafficked persons.<sup>3366</sup> The Government of Moldova is also participating in a 2-year, \$900,000 project for the prevention and elimination of the worst forms of child labor in Central and Eastern Europe, funded by the German Government.<sup>3367</sup>

The Ministry for Labor, Family, and Social Protection is responsible for reintegrating children who have been used in criminal activities and are at risk of trafficking. The Ministry is also responsible for consolidating Moldova's child labor programs, developing and implementing policies to protect and assist children and victims.<sup>3368</sup> In 2008, the Ministry for Labor,

Family, and Social Protection launched district-level directorates to better meet these responsibilities.<sup>3369</sup>

Moldova and the ILO launched the country's first Decent Work Country Program (DWCP) from 2006-2007 in order to lay the foundations for ILO contributions towards the country's development. One of the outcomes of the 2006-2007 DWCP was the establishment of local implementation units on child labor in five areas: Chisinau, Balti, Orhei, Ungheni, and Sangerei. Reportedly, these units have had continued success in combating human trafficking and other worst forms of child labor throughout the country.<sup>3370</sup> The second DWCP launched in 2008 aims to make improvements in the labor market, social protection, and the elimination of worst forms of child labor. The program also plans to undertake surveys on labor migration, the entry of young people into the labor market, and the prevalence of child labor in the Moldovan economy.<sup>3371</sup> One of the desired outcomes of the program will be to strengthen the multi-disciplinary Child Labour Monitoring System (CLMS) to identify, withdraw, refer, and track children involved in the worst forms of child labor, as well as generate data and statistics to support policymakers in making informed decisions. The CLMS will continue to focus on the worst forms of child labor and hazardous child labor. It aims to ensure that direct services be provided to children at risk in sectors that have not been sufficiently targeted for services, including agriculture, street working, and human trafficking.<sup>3372</sup>

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

### IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Conduct targeted child labor investigations in the agriculture sector to prevent the use of children during the high harvest season.

### IN THE AREA OF POLICIES:

- Expand and improve policies to prevent children's involvement in exploitative child labor, including by:
  - Increasing funding for the annual implementation of the Council of Europe's Agenda 2020 youth policy objectives and including specific child labor objectives.
  - Implementing the MOU with ILO-IPEC to develop policies and programs that specifically addresses the worst forms of child labor.
  - Assessing the impact that the National Youth Strategy and its Plan of Action for 2009-2013 and the Agenda 2020 may have on addressing the worst forms of child labor.

### IN THE AREA OF PROGRAMS:

- Expand and improve programs to prevent children's involvement in exploitative child labor, including by:
  - Implementing public information campaigns to change attitudes of the customary employment of children, especially during the agriculture season;
  - Implementing social programs that specifically target children working in agriculture, street work, and other sectors.

<sup>3329</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data provided are from 2000. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>3330</sup> U.S. Department of State, "Moldova," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/index.htm>.

<sup>3331</sup> United Nations, *Common Country Assessment*, Chisinau, July 2005; available from [http://www.un.md/key\\_doc\\_pub/doc/CCA\\_Eng\\_last.pdf](http://www.un.md/key_doc_pub/doc/CCA_Eng_last.pdf).

<sup>3332</sup> U.S. Department of State, "Moldova," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119093.htm>.

<sup>3333</sup> Ibid., sections 5 and 6d. See also U.S. Department of State, "Moldova (Tier 2 Watch List)," in *Trafficking in Persons Report- 2009*, Washington, DC, June 4, 2009; available from <http://www.state.gov/documents/organization/105658.pdf>.

<sup>3334</sup> U.S. Department of State, "Country Reports- 2008: Moldova," section 5. See also U.S. Embassy- Chisinau, *reporting*, February 18, 2009, para 11.

<sup>3335</sup> Vladimir Lozinski, *Lack of Jobs in Moldova Leaves Children Without Parental Care*, UNICEF, Rublenita, Moldova, October 17, 2006; available from [http://www.unicef.org/infobycountry/moldova\\_36200.html](http://www.unicef.org/infobycountry/moldova_36200.html).

<sup>3336</sup> PROTECT CEE, *Moldova Country Profile*, [online] 2006; available from [Hard Copy on File]. See also U.S. Embassy - Chisinau, *reporting*, February 2, 2010, para 39.

<sup>3337</sup> U.S. Department of State, "Country Reports- 2008: Moldova," sections 5 and 6d.

- <sup>3338</sup> Government of the Republic of Moldova, *Labour Code*, (March 28, 2003), article 46; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/64896/63849/F1780758090/MDA64896ENG.PDF>. See also U.S. Embassy- Chisinau, *reporting*, January 23, 2009, 4. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, Geneva, 2006, 34.
- <sup>3339</sup> Government of the Republic of Moldova, *Labour Code*, article 46. See also U.S. Embassy- Chisinau, *reporting*, January 23, 2009, 4.
- <sup>3340</sup> Government of the Republic of Moldova, *Collective Convention No. 8 on Elimination of the Worst Forms of Child Labor*, (July 12, 2007), sections 1-3; available from [http://www.un.md/un\\_ag\\_mol/ILO/Convention\\_engl\\_12%2007%2007.pdf](http://www.un.md/un_ag_mol/ILO/Convention_engl_12%2007%2007.pdf).
- <sup>3341</sup> Government of the Republic of Moldova, *Constitution of the Republic of Moldova*, (1994), articles 44 and 50; available from <http://www.e-democracy.md/en/legislation/constitution/>.
- <sup>3342</sup> U.S. Embassy- Chisinau, *reporting*, January 23, 2009, 4 and 5. See also U.S. Department of State, “Country Reports-2008: Moldova,” sections 5 and 6d.
- <sup>3343</sup> U.S. Embassy - Chisinau, *reporting*, February 2, 2010., para 7.
- <sup>3344</sup> *Ibid.*, para 8.
- <sup>3345</sup> *Ibid.*, para 10.
- <sup>3346</sup> *Ibid.*
- <sup>3347</sup> U.S. Embassy- Chisinau, *reporting*, January 23, 2009. See also, Embassy of Moldova, *submission to DOL representative*, July 19, 2009.
- <sup>3348</sup> U.S. Embassy - Chisinau, *reporting*, February 2, 2010., para 10.
- <sup>3349</sup> Embassy of Moldova, *submission to DOL representative*.
- <sup>3350</sup> U.S. Embassy- Chisinau, *reporting*, January 23, 2009.
- <sup>3351</sup> Embassy of Moldova, *submission to DOL representative*.
- <sup>3352</sup> U.S. Embassy- Chisinau, *reporting*, November 23, 2009.
- <sup>3353</sup> *Ibid.*
- <sup>3354</sup> *Ibid.*
- <sup>3355</sup> U.S. Department of State, “Country Reports- 2008: Moldova,” section 5. See also U.S. Embassy- Chisinau, *reporting*, February 18, 2009, para 30.
- <sup>3356</sup> U.S. Embassy - Chisinau, *reporting*, February 2, 2010., para 41.
- <sup>3357</sup> ILO-IPEC., *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II). Technical Progress Report*. Geneva., August 24, 2009.
- <sup>3358</sup> *Ibid.*
- <sup>3359</sup> *Ibid.*
- <sup>3360</sup> *Ibid.*
- <sup>3361</sup> Embassy of Moldova, *submission to DOL representative*.
- <sup>3362</sup> ILO-IPEC, *Balkans Child Trafficking Phase II, Project Document*, cover page, 69.
- <sup>3363</sup> ILO-IPEC., *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II). Technical Progress Report*. Geneva.
- <sup>3364</sup> Embassy of Moldova, *submission to DOL representative*. See also Embassy of Moldova, *submission to DOL representative*.
- <sup>3365</sup> ILO-IPEC., *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II). Technical Progress Report*. Geneva.
- <sup>3366</sup> U.S. Department of State, “Country Reports- 2008: Moldova,” section 5.
- <sup>3367</sup> ILO-IPEC., *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II). Technical Progress Report*. Geneva.
- <sup>3368</sup> ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Technical Progress Report, RER/03/P50/USA, Bucharest, March 2005, 3. See also U.S. Embassy - Chisinau, *reporting*, February 2, 2010., para 7.
- <sup>3369</sup> ILO-IPEC., *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II). Technical Progress Report*. Geneva.
- <sup>3370</sup> U.S. Embassy - Chisinau, *reporting*, February 2, 2010., para 44. See also Embassy of Moldova, *submission to DOL representative*.
- <sup>3371</sup> Embassy of Moldova, *submission to DOL representative*.
- <sup>3372</sup> U.S. Embassy - Chisinau, *reporting*, February 2, 2010., para 44