

In 2013, Moldova made a moderate advancement in efforts to eliminate the worst forms of child labor.

The Government adopted the Law on the Special Protection of Children at Risk and Children Separated From Their Parents, and Decision No. 889, which provides better social support for families with children at risk. Additionally, the Government extended implementation of the National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor for 2011–2015 from the initial six districts to nine districts in which local public administrations developed local plans and created special teams to combat child labor on a regional level. However, children in Moldova continue to engage in child labor in agriculture and the worst forms of child labor in commercial sexual exploitation as a result of human trafficking. Gaps remain in the areas of law enforcement and social programs funding. The number of inspectors in the Labor Inspection Office was not sufficient. While the Government provides some financial support to programs addressing both child labor and trafficking, all major child labor programs have been donor funded. These programs do not appear to be sustainable without outside financial assistance.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Moldova are engaged in child labor in agriculture and in the worst forms of child labor in commercial sexual exploitation as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in Moldova.

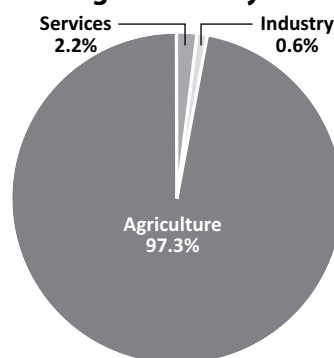
**Table 1. Statistics on Children's Work and Education**

| Children                      | Age       | Percent          |
|-------------------------------|-----------|------------------|
| Working (% and population)    | 5-14 yrs. | 24.3 (4,371,604) |
| Attending School (%)          | 5-14 yrs. | 92.1             |
| Combining Work and School (%) | 7-14 yrs. | 29.0             |
| Primary Completion Rate (%)   |           | 89.6             |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from LFS-SIMPOC Survey, 2009.(6)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

| Sector/Industry | Activity                                 |
|-----------------|--|
| Agriculture     | Activities unknown (2, 3, 7)             |
| Industry        | Construction, activities unknown* (1, 8) |
| Services        | Street work, activities unknown* (9, 10) |

# Moldova

## MODERATE ADVANCEMENT

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

| Sector/Industry                         | Activity   |
|---|--|
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation sometimes as a result of human trafficking (1, 3, 4, 8) |
|   | Begging as a result of human trafficking (4, 8)  |
|   | Forced begging* (3)  |

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Both boys and girls were trafficked for commercial sexual exploitation within the country, whereas girls were also trafficked for commercial sexual exploitation transnationally.(11)

In line with the Ministry of Education’s 2012 decision that requires local administrations, schools, and parents to prohibit students from working while at school during the harvest season, requests for contracts to allow children to work during the autumn high season, while few, were declined in 2013.(12)

There is a lack of research on the work activities carried out by children in agriculture, construction, and street work in Moldova.







Generally, many schools in rural areas are not adequately funded, and parents are sometimes charged for school supplies and textbooks, which they cannot always afford. Roma children encounter barriers to accessing education due to poverty and societal discrimination.(13, 14)

The latest national study on the situation of children in need and those whose parents work abroad reveals that 105,270 (approximately 15 percent) of children have one or both parents working abroad.(1, 3)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Moldova has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

| Convention   | Ratification |
|--|--------------|
|  ILO C. 138, Minimum Age  | ✓            |
|  ILO C. 182, Worst Forms of Child Labor   | ✓            |
|  UN CRC   | ✓            |
|  UN CRC Optional Protocol on Armed Conflict   | ✓            |
|  UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓            |
|  Palermo Protocol on Trafficking in Persons   | ✓            |

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

| Standard  | Yes/No | Age | Related Legislation  |
|---|--------|-----|--|
| Minimum Age for Work                                  | Yes    | 16  | Article 46 of the Labour Code of the Republic of Moldova (15)  |
| Minimum Age for Hazardous Work                        | Yes    | 18  | Article 255 of the Labour Code of the Republic of Moldova (15)   |
| List of Hazardous Occupations Prohibited for Children | Yes    |     | Government Decision No. 562, The Collective Convention on Elimination of Worst Forms of Child Labor (16, 17) |

**Table 4. Laws and Regulations Related to Child Labor (cont)**

| Standard  | Yes/No | Age | Related Legislation   |
|---|--------|-----|---|
| Prohibition of Forced Labor                               | Yes    |     | Article 44 of the Constitution of the Republic of Moldova; Article 6 of the Law on Children's Rights; Article 168 of the Criminal Code; The Collective Convention on Elimination of Worst Forms of Child Labor (3, 17-19) |
| Prohibition of Child Trafficking                          | Yes    |     | Article 206 of the Criminal Code of the Republic of Moldova; The Collective Convention on Elimination of Worst Forms of Child Labor (17, 19, 20)  |
| Prohibition of Commercial Sexual Exploitation of Children | Yes    |     | Articles 173, 208 -209 of the Criminal Code of the Republic of Moldova; Article 6 of the Law on Children's Rights; The Collective Convention on Elimination of Worst Forms of Child Labor (3, 17, 19)                     |
| Prohibition of Using Children in Illicit Activities       | Yes    |     | Article 209 of the Criminal Code of the Republic of Moldova; The Collective Convention on Elimination of Worst Forms of Child Labor (17, 19)  |
| Minimum Age for Compulsory Military Recruitment           | Yes    | 18  | Law No. 15-XV (21)  |
| Minimum Age for Voluntary Military Service                | Yes    | 18  | Laws No. 1245-XV and 162-XVI (21)   |
| Compulsory Education Age                                  | Yes    | 16  | Article 9 (b) of the Law of the Republic of Moldova on Education (22)   |
| Free Public Education                                     | Yes    |     | Article 4 (5) of the Law of the Republic of Moldova on Education (22)   |

During the reporting period, the Government adopted new laws that focus on child protection and the elimination of the worst forms of child labor. The Law on the Special Protection of Children at Risk and Children Separated From Their Parents, or Law No. 140, aims to create a framework for identifying, evaluating, assisting, monitoring, and registering children at risk and children separated from their parents, and to designate agencies to implement the frameworks.(3, 12, 23) The law recognizes several situations in which children are identified as at risk, including begging, practicing prostitution, and living on the street. In addition to this law, the Government adopted Decision No. 889, which provides better social support for families with children at risk.(3)

The Government also signed a new Collective Convention No. 14 on the elimination of the worst forms of child labor in cooperation with the National Confederation of Employers, and the Trade Union Confederation.(3) The new Convention outlines the stakeholders' obligations regarding eliminating the worst forms of child labor.(12, 24)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

| Organization/Agency   | Role  |
|---|---|
| The Labor Inspection Office (LIO) within the Ministry of Labor, Family, and Social Protection                                     | Enforce all labor laws, including child labor laws. Investigate cases with possible labor law violations, including those that relate to children.(3)   |
| Multidisciplinary teams   | Act on a local level to identify children involved in the worst forms of child labor, provide better alternatives to child laborers, continue to monitor the living conditions of identified children, and use the collected information for policy development.(3, 16) |
| The National Council for the Protection of Child Rights within the National Commission for Consultation and Collective Bargaining | Inform and provide consultation to members of the National Commission for Consultation and Collective Bargaining's members about the worst forms of child labor and protecting child rights.(1)   |
| The Parliamentary Ombudsman   | Promote the UN CRC and defend the constitutional rights of children. Request cooperation from public authorities and public institutions on child protection issues.(3)   |

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

| Organization/Agency                                     | Role   |
|---|--|
| Ministry of Internal Affairs                            | Enforce criminal laws against child trafficking and sexual exploitation. Have officers dedicated to child protection and child labor.(3)   |
| Prosecutor General's Office                             | Conduct and oversee criminal investigations of cases, including the worst forms of child labor exploitation; prosecute cases of worst forms of child labor in court and at the Supreme Court of Justice; and represent the rights of child victims in cases when their civil rights are violated.(12) Employ five prosecutors to deal with trafficking in persons cases as well as trafficking of children cases. Composed of 36 prosecutorial offices throughout the country, which have prosecutors specialized in handling of child trafficking cases.(3, 12) |
| Ministry of Justice                                     | Enforce criminal laws against child trafficking and sexual exploitation.(3) Draft, consult, and propose all processes related to legislation for the Government's approval before they enter in force.(12)   |
| The Center for Combating Trafficking in Persons (CCTIP) | Lead criminal investigations and arrest the perpetrators involved in trafficking of persons, including trafficking of children.(3)   |
| Service for Information and Security                    | Enforce criminal laws against child trafficking and sexual exploitation through cooperation and exchanging information with CCTIP.(3)  |

Law enforcement agencies in Moldova took actions to combat child labor, including its worst forms.

### *Labor Law Enforcement*

In 2013, the Labor Inspection Office (LIO) conducted 6,209 inspections and uncovered 41 child labor violations.(3) Although LIO added 13 inspectors in 2013, the current total number of 109 staff members and the amount of funding allocated to conduct inspections are insufficient. Violations were mostly due to illegal employment of minors with no proper identification and registration, lack of mandatory safety standards at the work place, excessive working hours, and absence of proper health certificates.(3) LIO referred eight child labor violations to Moldovan courts.(3) All 23 children who were working illegally or who were removed from work were assisted by LIO inspectors.(3) The law permits child labor inspections for both legally registered workplaces and individual persons, thus covering informal worksites.(15) However, the inspectors have to announce their visit to the businesses, which lessens the effect of the inspections.(3)

### *Criminal Law Enforcement*

In 2013, approximately 30 government officials received training on interviewing techniques for child victims. Despite the training, the techniques employed by law enforcement are criticized because child victims are required to give numerous declarations and statements, and are sometimes forced to confront their trafficker.(3) The Center for Combating Trafficking in Persons (CCTIP) employs 43 officers who conduct trafficking in persons investigations, including trafficking of children.(3) The Government opened 19 investigations on child trafficking in 2013, and of those cases, 20 children were found to be trafficking victims for labor or sexual exploitation. The Government finalized seven criminal investigations, and four perpetrators were sentenced to prison for child trafficking.(3) The Government assisted all 20 victims of human trafficking, and 12 child victims were assisted by the Center for Assistance and Protection of Victims of Human Trafficking under the Ministry of Labor, Family, and Social Protection.(3)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR**

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

| Coordinating Body   | Role & Description  |
|---|---|
| The National Steering Committee on the Elimination of Child Labor (NSC) | Include representatives from the government's ministries, workers' organizations, NGOs, and academia to coordinate work on child labor issues at the national level.(1, 3)                          |
| Child Labor Monitoring Unit   | Supervise national-level activities related to combating child labor and serve as a coordinating mechanism between NSC at the national level and multidisciplinary teams at the local level.(3, 16) |

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

| Coordinating Body  | Role & Description  |
|--|---|
| The Permanent Secretariat under the National Committee for Combatting Trafficking in Persons | Monitor implementation of legal provisions on combating trafficking in persons (TIP), establish working groups for drafting new provisions on TIP, participate in anti-TIP campaigns, develop the national action plans, and seek support for projects.(25) |
| The National Committee for Combatting Trafficking in Persons                                 | Coordinate the Government's efforts to prevent and combat trafficking in persons.(3)  |

Despite the important coordinating role of the National Steering Committee on the Elimination of Child Labor (NSC), the committee did not meet in 2013 to discuss child labor issues. This may impact the overall efforts to combat child labor and its worst forms on a national level.(3)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Moldova has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

| Policy   | Description   |
|--|---|
| The National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor for 2011–2015 (NAP) | Outlines 44 objectives to be implemented by 30 stakeholders to eliminate the worst forms of child labor by specific deadlines. Includes the institutionalization of a child labor monitoring system and develops public information campaigns on child labor issues.(3, 26) Extended from the initial six districts to nine districts in which local public administrations developed local plans and created special teams to combat child labor on a regional level. Provides training on child labor issues to 700 local mayors and approximately 1,770 social assistance workers.(3)                  |
| The National Plan on Community Support of Children in Need for 2007–2014*  | Aims to provide social inclusion for children in need through various services and initiatives.(3, 16)  |
| The National Youth Strategy 2009–2013*   | Aims to facilitate youth employment, provides access to education, encourages youth participation in public life, builds the capacity of youth institutions, and develops health and social protection services.(27)  |
| European Integration: Freedom, Democracy, Wellbeing 2011–2014*   | Aims to have a direct impact on the worst forms of child labor by implementing activities such as ensuring all citizens have access to early education; creating an adequate number of kindergartens and schools for each community; promoting inclusive education to ensure that children with disabilities and from socially vulnerable families have access to education; and "strengthening the institutional and functional capacities of the local public administration authorities in their exercising of the functions of guardianship authority to ensure observance of children's rights."(16) |

\*The impact of this policy on child labor does not appear to have been studied.

During this reporting period, the Government of Moldova made some progress in the area of policy implementation. In addition, the Government drafted a new National Strategy for Child and Family Protection for 2013-2020. The Strategy calls for a system of protection for families with children in high risk situations.(1, 3, 28) The Strategy has not been adopted yet.(12)

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Moldova funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

| Program  | Description   |
|--|---|
| Free, Strong, and Safe—to a Better Child Protection System*‡                       | Government program that establishes multidisciplinary assistance for child victims and potential victims of abuse, neglect, and exploitation.(1) Extended its pilot version from the original 10 localities to 19 localities in 2013.(3)  |
| Towards Unity in Action: United Nations-Republic of Moldova Partnership Framework‡ | Government and the United Nations program to improve social inclusion of vulnerable children and their families. Addresses child migrants, child victims of sexual exploitation and abuse, children involved in labor and governance, and social change for child rights.(1, 3, 29) |

**Table 8. Social Programs to Address Child Labor (cont)**

| Program   | Description  |
|---|--|
| USDOS-funded programs*  | \$1.42 million USDOS-funded programs that build capacity of local government officials and police to investigate and try trafficking cases, as well as strengthen victim identification and assistance.(30)  |
| Ajutor Social Program*‡   | Government and the World Bank cash benefit program that targets the poor.(31)  |
| Additional Social Programs*‡  | Government program that provides the equivalent of \$29 each to qualifying children from vulnerable families to cover the cost of school supplies.(32, 33) Amount slightly varies across the regions depending on the local administrations budgets.(12)   |
| Strengthening the Effectiveness of the Social Safety Net Project 2011–2016* | \$37 million World Bank project to improve the country’s social safety net through expanding and strengthening the Ajutor Social Program, among other things. Provides social assistance based on people’s income to reach the poorest population.(12, 34) |
| Financial Assistance Pilot Program* ‡                                       | Government and donor-funded financial assistance pilot program provides up to 6 months of financial assistance to poor families with children in six districts. Government provided \$8,000 toward this program.(3)  |
| Human Trafficking Awareness Campaigns                                       | Police led effort to raise human trafficking awareness through information sharing and training activities in middle and high schools about crimes relating to children.(28)   |

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Moldova.

While the Government of Moldova provides some financial support to programs addressing both child labor and trafficking, all major child labor programs have been donor funded. These programs do not appear to be sustainable without outside financial assistance.(1, 3)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Moldova (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

| Area                | Suggested Action   | Year(s) Suggested |
|---------------------|--|-------------------|
| Laws                | Monitor schools to ensure that children are not charged extra educational fees.  | 2010 – 2013       |
| Enforcement         | Increase funding for CCTIP, and increase resources for hiring more labor inspectors in LIO and the Child Labor Monitoring Unit.  | 2012 – 2013       |
|                     | Enable inspectors to conduct unannounced child labor inspections in both the formal and informal sectors.  | 2013              |
| Coordination        | Ensure that NSC meets regularly to discuss and coordinate issues related to the worst forms of child labor.  | 2013              |
| Government Policies | Assess the impact of the National Plan on Community Support of Children in Need for 2007–2014, and the National Youth Strategy and its Plan of Action for 2009–2013 may have on addressing the worst forms of child labor. | 2013              |
| Social Programs     | Conduct research to determine the activities carried out by children working in agriculture, construction, and on the street to inform policies and programs.  | 2013              |
|                     | Increase school funding and avoid imposing school fees for the mandated term of free education through age 16.   | 2010 – 2013       |
|                     | Ensure current child labor programs are sustainable by providing increased financial support.  | 2009 – 2013       |

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general are reported in this chart, 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.

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