

MOLDOVA 2019 HUMAN RIGHTS REPORT

Note: Except where otherwise noted, all references in this report exclude the secessionist region of Transnistria.

EXECUTIVE SUMMARY

The Republic of Moldova is a parliamentary democracy with competitive multiparty elections. The constitution provides for legislative and executive branches, as well as an independent judiciary and a clear separation of powers. Legislative authority is vested in the unicameral parliament. Parliamentary elections on February 24 met most Organization for Security and Cooperation in Europe (OSCE), Council of Europe, and other international commitments, although observers noted allegations of vote buying and misuse of administrative resources. Two rounds of presidential elections in 2016 resulted in the election of Igor Dodon. According to the OSCE election observation mission, both rounds were competitive and respected fundamental freedoms. International and domestic observers, however, noted polarized and unbalanced media coverage, harsh and intolerant rhetoric, lack of transparency in campaign financing, and instances of abuse of administrative resources.

The national police force reports to the Ministry of Internal Affairs and is the primary law enforcement body, responsible for internal security, public order, traffic, migration, and border enforcement. The police force has two divisions: criminal and public order. The agencies under the ministry are the General Police Inspectorate, Border Police, the Civil Protection Service, Carabinieri (a militarized gendarmerie responsible for protecting public buildings and other national security functions), the Bureau for Migration and Asylum, and the Material Reserves Agency. Civilian authorities maintained effective control over the security forces.

On June 7, six weeks after the parliamentary elections, the country faced an unprecedented political and constitutional crisis when the Constitutional Court ruled to dissolve parliament, stating that the deadline to form a parliamentary majority had expired, and suspended President Dodon. The then ruling Democratic Party (PDM) refused to relinquish power to a newly formed governing coalition of the pro-Russian Socialist Party (PSRM) and the pro-Western NOW Platform or ACUM bloc. As a result, there were two parallel governments between June 7 and 14. Following intense negotiation and diplomatic engagement, power transitioned peacefully to the newly formed coalition, with ACUM's Maia Sandu as prime minister and PSRM's Zinaida Greceanii as speaker of parliament.

On November 12, the Sandu Cabinet was dismissed in a no-confidence vote by a majority of PSRM and PDM legislators following an intracoalition dispute on the selection of a new prosecutor general. Two days later, a new PSRM-appointed minority government was sworn in, led by former presidential advisor Ion Chicu and supported by PDM.

Significant human rights issues included: torture; arbitrary detention; harsh and life-threatening prison conditions; political prisoners; arbitrary or unlawful interference with privacy; problems with judicial independence; acts of corruption; violence against and medical abuse of children and adults in psychiatric hospitals and residential institutions for persons with mental disabilities; and the use of forced or compulsory child labor.

While authorities investigated reports of official human rights abuses, they rarely successfully prosecuted and punished officials accused of human rights violations or corruption. Selective prosecution of officials for political reasons continued. Impunity remained a major problem. Opposition parties reported pressure and politically motivated prosecutions and detentions.

In 1990 separatists declared a “Transdnierster Moldovan Republic” (Transnistria) along the border with Ukraine. A 1992 ceasefire agreement established a peacekeeping force of Moldovan, Russian, and Transnistrian units. The central government did not exercise authority in the region, and Transnistrian authorities governed through parallel administrative structures. There were reports that police in Transnistria engaged in torture, arbitrary arrests, and unlawful detentions.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

While the law prohibits such practices, the human rights ombudsman and the antitorture prosecution office reported allegations of torture, cruel, inhuman, and degrading treatment, and medical abuse, mainly in detention facilities and psychiatric institutions. There were cases of mistreatment in pretrial detention centers in police stations, particularly in regional police inspectorates.

During the first half of the year, the antitorture division of the Prosecutor General's Office received 456 allegations of torture and mistreatment, a significant increase from the previous year. Many alleged incidents of torture or inhuman treatment were reportedly on the street or in public places, but more than 200 were at government facilities. Prosecutors initiated 45 criminal cases.

The human rights ombudsman reported that most allegations of torture occurred at Penitentiary No. 13 in Chisinau, Penitentiary No. 11 in Balti, and Penitentiaries No. 15 and No. 4 in Cricova.

Human rights nongovernmental organizations (NGOs) reported that authorities continued to use torture, including as a political tool. Impunity persisted and the number of prosecutions for torture initiated was far below the number of complaints filed. NGOs noted the documentation of torture cases was deficient, leading to difficulty in investigations and limited access to justice for victims. The courts did not consider medical evidence other than forensic reports, which did not always cover all the consequences of torture.

In a report published in December 2018 following its visit to the country in June 2018, the Council of Europe's Committee for the Prevention of Torture (CPT) noted intimidation and violence against inmates allegedly carried out by other prisoners with the tacit agreement of prison management. The CPT reported that some guards were in tacit collaboration with informal prison gang leaders and failed to provide a safe environment for prisoners.

In July, the courts sentenced two police officers and four inmates convicted on charges of torture in the case of Andrei Braguta, who was found dead at Penitentiary No.16 in 2017. While in pretrial detention, several inmates had beaten Braguta with the tacit approval of prison guards, who ignored Braguta's pleas for help and medical assistance. One police officer was sentenced to four years' imprisonment and banned from working for the Ministry of Interior for seven years; the second officer received a four-year suspended sentence and a five-year ban from working for the ministry. Three inmates received five-year suspended

sentences while another was sentenced to five years' imprisonment. As of November, two criminal cases from the Chisinau police pretrial detention facility against 13 police officers accused of inhuman treatment and two doctors accused of workplace negligence were ongoing.

While monitoring temporary placement centers for persons with disabilities and psychiatric hospitals in 2018, the Moldovan Institute for Human Rights (IDOM) noted cases of coerced confinement of individuals without any disability. For example, in 2018 approximately 7,000 patients were placed at the Psychiatric Hospital in Chisinau against their will, resulting in 50 court rulings on involuntary confinement in this situation. IDOM also reported cases of children with autism being confined in psychiatric hospitals with no access to specialized treatment programs.

According to the human rights NGO Promo-Lex, there was no mechanism to investigate alleged acts of torture in Transnistria by Transnistrian security forces. A Transnistrian "investigative committee" has not initiated any criminal cases for "providing statements under coercion by means of violence, humiliation, or torture." Promo-Lex noted that authorities perpetrated most inhuman and degrading treatment in the Transnistrian region in order to obtain self-incriminating confessions. In a September 17 decision, the European Court for Human Rights found Moldova guilty of inhuman and degrading treatment in two cases.

Prison and Detention Center Conditions

Despite reconstruction work and minor improvements at several detention facilities, conditions in most prisons and detention centers remained harsh, owing to poor sanitation, lack of privacy, insufficient or no access to outdoor exercise, and a lack of facilities for persons with disabilities.

Quoting detainees, Promo-Lex stated that detention conditions in the Transnistria region were dangerous to life and health.

Physical Conditions: Prisons and detention centers were somewhat overcrowded. Human rights NGOs asserted that the abuse and increased use of preventive arrests combined with insufficient application of alternative noncustodial measures contributed to the overcrowding. During the year, members of the Council for Prevention of Torture (part of the National Mechanism for the Prevention of Torture (NMPT)) conducted 25 preventive visits to prisons, pretrial detention

facilities, and temporary placement centers for persons with disabilities. They found significant deficiencies: poor detention conditions; pretrial detention exceeding 72 hours; lack of access to natural light and clean air; lack of privacy; deficient food and medical services; lack of menus adapted to medical or religious requirements; overcrowding; poor sanitary conditions; failure to separate minor detainees from adults; insufficient staff; and a lack of accessibility for persons with disabilities.

As in previous years, reported conditions at Penitentiary No.13 in Chisinau were the worst in the country. Detainees held there complained of detention in basement cells that did not meet national or international standards. Allegations of torture and inhuman treatment, however, slightly decreased. In multiple cases, the European Court of Human Rights (ECHR) found that detention conditions in Penitentiary No. 13 were contrary to the European Convention on Human Rights. Cells were overcrowded (up to 16 inmates housed in an area measuring 258 square feet), unhygienic, and lacked ventilation, natural light, or permanent access to water for personal hygiene.

According to human rights NGOs, the situation in police station detention facilities slightly improved due to ongoing renovations. In 15 of 30 detention facilities, however, NGOs reported inadequate food distribution, sanitary conditions, health-care facilities, and a lack of pillows, mattresses, clean bed linen, and clothing. Detention facilities, located mostly in the basements of police stations, generally lacked natural light, adequate ventilation, and sewage systems. Human rights NGOs also noted facility staff did not feed pretrial detainees on the days of their court hearings--a potentially severe problem for detainees transported long distances to stand trial, which in some cases meant they received no food for a day.

Health care was inadequate at most penitentiaries. While government regulations require authorities to separate individuals suspected of suffering from tuberculosis from other detainees, authorities reportedly collocated individuals with various diseases with persons with an unconfirmed diagnosis of tuberculosis, potentially exposing them to the disease. Most penitentiaries lacked appropriate facilities for persons with disabilities, which led to inhuman and degrading treatment. Promo-Lex asserted that 30 prisoners died each year due to inadequate medical care.

Police mistreatment of detainees remained a major problem in Transnistria. According to Promo-Lex reports, detention conditions in the region did not improve.

Administration: Internal investigation procedures in the penitentiary system remained weak, and detainees continued to have restricted access to complaint mechanisms. While detainees generally had the right to submit complaints to judicial authorities, they reported censorship and retaliatory punishment by prison personnel or other inmates before or after filing complaints. The head of parliament's human rights committee reported multiple complaints of inhuman and degrading treatment from inmates, pointing to active or passive involvement of the prison administration and inaction from the leadership of the National Administration of Penitentiaries.

Reliable information on the administration of prisons in the Transnistria region was generally not available. Transnistrian authorities reported more than 3,000 detainees in the region.

Independent Monitoring: The government permitted some independent monitoring of prison conditions by local and international human rights observers, and prison officials generally allowed observers to interview inmates in private.

There were no reports of any independent monitoring of detention facilities in the Transnistrian region.

Improvements: Attorneys for detainees in politically sensitive cases reported improvement in access to their clients following the change of government in June.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court.

In Transnistria authorities reportedly engaged with impunity in arbitrary arrest and detention. In a 2018 ruling, the ECHR concluded that courts issuing arrest warrants in the Transnistrian region “were part of a system that did not respect legal provisions,” especially because of detentions going beyond legal norms and examination of appeals to extend detention terms in the absence of the defendants.

In the past, Moldovan police detained persons sought by Transnistrian authorities and transferred them to Transnistria without due process, a practice that officially ceased in 2012, after it was declared unconstitutional. There were, however, cases during the year of Moldovan police allowing Transnistrian police to abduct

individuals from government-controlled territory and taking them to detention in Transnistria without due process.

Arrest Procedures and Treatment of Detainees

The law allows judges to issue arrest warrants based on evidence from prosecutors. Authorities must promptly inform detainees of the reasons for their arrest and describe the charges against them. Authorities may detain suspects without charge for 72 hours. In 2018 investigative judges approved 88.4 percent of arrest warrant requests, the highest rate in the country's history.

Once charged, a detainee may be released pending trial. The law provides for bail, but authorities generally did not use it due to a lack of practical mechanisms for implementation. In lieu of confinement, the courts may also impose house arrest or travel restrictions. The Superior Council of Magistrates reported that judges rarely applied alternative arrest measures. The law provides safeguards against arbitrary use of pretrial detention and requires noncustodial alternatives wherever possible. Judges disproportionately used noncustodial alternative detention mechanisms in cases with political implications.

Detainees have the right to a defense attorney, but at times authorities restricted this right. In some cases authorities did not grant detainees access to a lawyer during their first 24 hours after detention. The government required the local bar association to provide representation to indigent defendants, but the government frequently delayed reimbursement of legal fees. Indigent defendants often did not have adequate counsel.

Pretrial Detention: The law permits pretrial detention for up to 30 days, which the courts may extend, upon the request of prosecutors, in 30-day increments for up to 12 months, depending on the severity of the charges. Pretrial detention lasting from several months to one year was common.

e. Denial of Fair Public Trial

While the law provides for an independent judiciary, government officials' failure to respect judicial independence remained a problem. Judges often failed to assign cases randomly, as required by law. Selective justice continued to be a problem. Before the change of government in June, the public and the press did not have access to court proceedings in several high-profile cases involving current and

former government and bank officials. Lawyers complained of violations of defendants' rights to a fair public trial.

Media representatives and NGOs were concerned about limitations on access to data on the single courts' national portal developed by the Ministry of Justice's Agency for Court Administration. Civil society and journalists complained that, because there was no search option, they could not find the names of those involved in court cases, nor could they determine who adjudicated or prosecuted a case.

In July a Chisinau court acquitted Judge Domnica Manole on charges of abuse of power stemming from her decision to overturn a Central Electoral Commission decision favored by the former regime, and in August she was appointed to the Constitutional Court. Judge Manole had been dismissed by presidential decree in 2017 following a Superior Council of Magistrates decision declaring her unfit to serve, based on an advisory opinion by the Security and Intelligence Service (SIS). Legal experts asserted that removal of a judge based upon a SIS opinion was illegal and a signal to judges that, should they oppose the government, they could be excluded from the judiciary. The Constitutional Court subsequently ruled the dismissal of a judge based on an SIS opinion was unconstitutional.

Trial Procedures

The constitution provides for the right to a fair and public trial. Although the law presumes the innocence of defendants in criminal cases, judges' remarks occasionally jeopardized the presumption of innocence.

Defendants have the right to be informed promptly and in detail of the charges against them and of their right to a fair and public trial without undue delay. Defendants have the right to a lawyer and to attend proceedings, confront witnesses, and present evidence. The law requires the government to provide an attorney to indigent defendants. The practice of appointing temporary defense lawyers without allowing them to prepare adequately was common and undermined the right to legal assistance. Defendants can request postponement of a hearing if attorneys need additional time for preparation. Interpretation is provided upon request and was generally available. Judges can delay hearings if additional time is needed to find interpreters for certain uncommon languages. Defendants may refuse to provide evidence against themselves, unless they plead guilty and the judge reviews and endorses their guilty plea. The law provides a right to appeal convictions to a higher court on matters of fact and law.

In Transnistria, there were credible reports that authorities disregarded trial procedures and denied defendants a fair trial.

Political Prisoners and Detainees

In Transnistria, Oleg Horjan, the leader of the Communist Party and sole opposition member of the Supreme Soviet (parliament) of Transnistria, was arrested in June 2018 after demanding the release of several protesters who were arrested at an antiadministration rally he organized in Tiraspol. In November 2018 he was sentenced to four years and six months in prison by the region's highest court for "violence against a representative of authorities" and "insulting a representative of authorities." He continued to serve his sentence in Hlinaia Penitentiary. Horjan's lawyers and family alleged that he was subject to abuse in detention. Transnistrian authorities denied the Moldovan Ombudsman access to his place of detention.

Civil Judicial Procedures and Remedies

The law allows citizens to seek damages in civil courts for human rights violations. Under the constitution, the government is liable when authorities violate a person's rights by administrative means, fail to reply in a timely manner to an application for relief, or commit misconduct during a prosecution. Judgments awarded in such cases were often small and not enforced. Once all domestic avenues for legal remedy are exhausted, individuals may appeal cases involving the government's alleged violation of rights provided under the European Convention on Human Rights to the ECHR. Citizens who have exhausted all available domestic remedies may also submit a written communication to the UN Human Rights Committee.

While the government declared a zero-tolerance policy toward torture, alleged victims of torture frequently lacked access to effective civil judicial remedies, especially in cases involving mistreatment in penal institutions.

A mediation law establishes an alternative mechanism for voluntarily resolving civil and criminal cases and sets forth rules for professional mediators, but the country lacked an implementation mechanism.

Property Restitution

The country has endorsed the Terezin Declaration and the Guidelines and Best Practices. Although the law provides for restitution of private property confiscated during the “totalitarian regimes which controlled Moldovan territory between 1917 and 1992 and for citizens who were subject to reprisals based on political, national, religious or social grounds,” it does not apply to property confiscated from minority groups. The law specifically refers to private property restoration for victims of the Soviet regime. The government has not enacted any laws concerning restitution of communal property.

In September the Jewish Community of Moldova (JCM) launched a bid for the reconstruction of the Rabbi Tsirelson synagogue and yeshiva following the successful resolution in 2017 of a longstanding court dispute with the Public Property Agency. The agency denied the building permit, on the grounds that the JCM had taken too long to renovate the property.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits arbitrary interference with privacy, family, home or correspondence unless necessary to ensure state security, economic welfare or public order, or to prevent crimes. In 2018 and the first half of 2019, government agents often failed to respect these prohibitions.

Reports of illegal wiretaps of the telephones of political leaders; surveillance; threats against family members; and intimidation against regional representatives of opposition parties continued during the first half of the year. In July parliament’s national security, defense, and public order committee organized hearings on illegal wiretappings. According to the committee, the number of wiretapping requests doubled from 2014 to 2018, with judges approving 97-98 percent of the requests. The report also found that the Ministry of Interior initiated most wiretaps--about 10,000 in 2018 and 3,300 in 2019. The number of wiretaps was the highest during the election campaign. In September the interim prosecutor general announced the initiation of criminal cases against four Interior Ministry employees, three prosecutors, and four judges by the Anticorruption Prosecutor’s Office for wiretapping of politicians, civil society activists, and journalists between 2017 and 2019. These investigations were ongoing as of year’s end.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

While the law provides for freedom of expression, including for the press, there were allegations that authorities did not always respect this right. Journalists were subjected to harassment, intimidation, threats, physical assaults, and politicized prosecutions, particularly around the February parliamentary election and during the constitutional crisis in June. Concentration of ownership of major media outlets in the hands of a few political figures and oligarchs further limited the independence of the press. According to media NGOs and journalists, the incidence of intimidation decreased following the inauguration of the Sandu government.

Freedom of Expression: The law provides for freedom of expression and allows individuals to criticize the government or to discuss matters of general public interest. Restrictions apply only in cases when such discussion poses a threat to national security, territorial integrity, public order, or safety.

Press and Media, Including Online Media: According to media NGOs and international monitors, independent media were active and expressed a plurality of views but were often marginalized by larger outlets owned or controlled by a few politicians and oligarchs. Large media outlets pressured smaller outlets, including by colluding to prevent advertisers from buying advertising space from those smaller outlets, which brought several to the brink of closing. Prominent journalists left key outlets acquired by oligarchs.

Oligarchs closely supervised content and maintained editorial control over reporting from outlets they owned or controlled. Russian news channels rebroadcast in the country continued to disseminate propaganda and presented distorted information about regional and international events. Journalists were blocked from covering certain political events, including Chisinau City Council meetings; the inauguration ceremony for Gagauzia governor Irina Vlah; and rallies by the Shor Party.

On February 19, authorities prohibited the entry into the country of crews from Russia's NTV and Rossiya-1 television channels.

Two organizations controlled the Transnistrian mass media market: The "Public Agency for Telecommunication," which controlled official news information agencies, newspapers, and one of the two most popular television channels, and Sheriff Holding, a business conglomerate with considerable influence in the

Transnistrian “Supreme Soviet.” The Transnistrian “Supreme Soviet” passed a law restricting access of journalists to the institution’s plenary sessions.

Violence and Harassment: There were multiple reports of political and business interests using violence and intimidation against members of the media. During protests organized by the then-ruling Democratic Party on June 7-9, participants, including the bodyguards of party leaders, pushed, struck, and verbally threatened journalists covering the events.

In October 2018 the investigative journalism news portal *RISE.md* reported that law enforcement agents followed one of its journalists, Liuba Sevciuc, after she published an article on September 5 about vacation properties owned by Democratic Party leader Vlad Plahotniuc.

Censorship or Content Restriction: In many cases, journalists practiced self-censorship to avoid conflicts with the sponsors or owners of their media outlets, many of whom are politicians or oligarchs connected to political parties.

Journalists voiced concern that a personal data protection law restricted journalists’ access to information. In addition, investigating journalists complained of problems accessing websites of legal entities.

In Transnistria, journalists avoided criticizing separatist officials’ goal of independence or their “foreign policy” to avoid official reprisals.

Libel/Slander Laws: Some newspapers practiced self-censorship and avoided controversial issues due to concerns that government officials and other public figures could use defamation laws to retaliate against critical news reports.

On March 29, Transnistrian leader Vadim Krasnoselsky approved changes to the “criminal code” criminalizing public insults of the region’s leader, which may be punished by a fine of 5,280 lei (\$300) or up to five years in prison. On August 8, blogger Tatiana Belova and her partner disappeared from their home; Belova’s friends believed she was arrested for insulting Krasnoselsky on social networks. Transnistrian officials have not confirmed Belova’s arrest, but intermediaries have informed human rights NGO Promo-Lex that she is in prison in Transnistria. No public information has been available about the case since August. According to Promo-Lex, Belova refused Promo-Lex representation in the Transnistrian court.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

Latin-script schools in Transnistria continued to be a matter of dispute between the Moldovan authorities and the de facto Transnistrian authorities, although a formal agreement was signed to reduce the rent paid by Moldovan authorities operating Latin-script schools in Transnistria. On September 17 the European Court for Human Rights ruled in the case *Iovcev and others v. Republic of Moldova and Russia*, concerning pressure by the unrecognized Transnistrian authorities on the four Latin Script Schools in Transnistria in 2013-14. The court found Russia guilty of violating the right to education, right to liberty and security, and right to private and family life and ordered Russia to pay 90,000 euros (\$99,000) in damages plus legal expenses.

b. Freedoms of Peaceful Assembly and Association

The government limited freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law provides for freedom of assembly. While the government usually respected this right, there were several exceptions.

Authorities in Transnistria continued to restrict freedom of assembly and were reluctant to issue permits for public protests organized by the opposition. The chairman of the Transnistrian Communist Party, Oleg Horjan, has been imprisoned since June 2018 following an unauthorized protest (see section 1.e., Political Prisoners and Detainees). As of November 7, the case was ongoing in court.

Freedom of Association

The constitution provides for freedom of association and states that citizens are free to form parties and other social and political organizations, and the government generally respected this right. The law prohibits organizations

“engaged in fighting against political pluralism, the principles of the rule of law, or the sovereignty and independence or territorial integrity” of the country.

Separatist authorities in Transnistria severely restricted freedom of association, granting it only to persons they recognized as “citizens” of the region. All activities had to be coordinated with local authorities; groups that did not comply faced harassment, including visits from security officials. Authorities strictly prohibited organizations favoring reintegration with the rest of the country.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation and the government generally respected these rights, with some exceptions.

In-country movement: Transnistrian authorities imposed some restrictions on travel by Moldovan officials to and from the region for official purposes. Chisinau and Tiraspol reached an agreement to lift restrictions on personal travel by government officials and Transnistrian separatist “officials” to and from the region in August. In December 2018, Transnistrian authorities simplified travel procedures for officials of foreign embassies accredited to Moldova and no longer require them to submit pretravel notification letters.

Foreign Travel: Although citizens generally may depart from and return to the country freely, there were some limitations on emigration. Before emigrating, the law requires individuals to settle all outstanding financial obligations with other persons or legal entities. The government did not strictly enforce this requirement. The law also provides that close relatives who are financially dependent on a potential emigrant must concur before the prospective emigrant may depart the country. Authorities did not enforce this law.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Abuse of Migrants, Refugees, and Stateless Persons: The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Refoulement: In June the European Court of Human Rights fined the country 125,000 euros (\$137,500) for forcibly returning seven Turkish educators to Turkey in 2018, where they were imprisoned on unclear charges by Turkish authorities. The ruling noted the transfer of Turkish citizens undermined domestic and international law and that five of the seven were asylum applicants who had been unlawfully deprived of their freedom. A former deputy head of the Moldovan Intelligence Service and the head of the Moldovan Bureau for Migration and Asylum were put under criminal investigation following the ECHR ruling.

Access to Asylum: The law provides for granting asylum or refugee status, and the government established a system for protecting refugees. Obtaining formal refugee status was slow and burdensome. Authorities issued refugees identity cards valid indefinitely; beneficiaries of humanitarian protection received identification documents valid for three years; and asylum seekers received temporary identification cards. UNHCR provided refugees logistical, housing, medical and financial support. A temporary accommodation center administered by the Bureau of Migration and Asylum was available for asylum seekers.

Safe Country of Origin/Transit: The country has a policy of presumptive denial of asylum seekers from Ukraine displaced by the armed conflict in eastern Ukraine. The country had previously accepted Ukrainian asylum seekers but determined that Ukraine's process for protecting and resettling internally displaced persons was sufficient. The majority of displaced Ukrainians preferred to transit Moldova, then seek asylum in the EU.

Temporary Protection: The government provided humanitarian protection to individuals who may not qualify as refugees. As of July, there were 257 beneficiaries of humanitarian protection registered in the national asylum system.

g. Stateless Persons

There were approximately 1,900 stateless persons in the country, most of whom resided in Transnistria. The largest numbers of stateless persons were ethnic

Ukrainians, Russians, Romanians, and Turks. It was estimated that there were an additional 1,734 persons of indeterminate citizenship status and 8,240 former citizens of the Soviet Union who have not sought Moldovan citizenship or documentation thereof.

Stateless persons and refugees may gain citizenship through naturalization. The law allows a stateless person who has resided legally in the country for eight years to seek citizenship. The family reunion process for naturalized refugees was burdensome. The government issued residence permits for a period of up to one year to stateless persons temporarily residing in the country at a cost ranging from approximately 500 to 1,400 lei (\$28.40 to \$80) depending on the urgency of the permit. Trafficking victims received residence permits free of charge.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: According to the OSCE election observer mission, the Council of Europe, and other international observers, parliamentary elections on February 24 were competitive and generally respected fundamental rights. Local and international observers raised concerns, however, about allegations of vote buying and misuse of administrative resources.

According to the European Network of Election Monitoring Organizations, two rounds of local elections held on October 20 and November 3 were conducted in an overall efficient manner and largely in line with international standards, although monitors reported irregularities such as illegal transportation of voters, presence of unknown persons inside polling stations, cases of corruption of voters, electoral campaigning near polling stations, and several incidents of infringement of ballot secrecy.

Two rounds of presidential elections in 2016 resulted in the election of PSRM candidate Igor Dodon. According to the OSCE, both rounds were competitive and respected fundamental freedoms, although observers noted biased media coverage, hostile campaign rhetoric, nontransparent campaign financing, and abuse of administrative resources. An unspecified number of citizens abroad or from

Transnistria were unable to vote due to an insufficient allocation of ballots to their polling stations.

Political Parties and Political Participation: Opposition parties reported intimidation and harassment of their members by local authorities, including threats of loss of employment. On March 20, the head of the opposition Dignity and Truth Party (part of the ACUM bloc) branch in Ungheni, Gheorghe Petic, was sentenced to three years and six months imprisonment on charges of rape after harshly criticizing the ruling party's leadership and the country's Border Police for allegedly covering up illegal smuggling activities. Petic denied the charges, claiming they were politically motivated. On July 19, after the PDM conceded power, Petic was released from detention and his case was sent for reconsideration to the district court.

Following resolution of the country's constitutional crisis and the formation of a governing coalition on June 8, the former PDM chairman, Vladimir Plahotniuc, and the chairman of the left-wing "Shor" Party, Ilan Shor, fled the country, alleging threats against them and their family members. On October 29 the National Anticorruption Center announced the filing of an international arrest warrant for Plahotniuc on charges of large-scale money laundering. On October 30, the Prosecutor General's Office seized up to 54.6 million lei (\$3.1 million) in assets that allegedly were in the possession of the former PDM chairman.

After the change of government, parliament lifted the immunity of five members of PDM and the Shor party. They were under investigation on various corruption charges. The spouse of a PDM member of parliament was detained on charges of cigarette smuggling. The members of parliament have denied the charges and claimed they were politically motivated.

Participation of Women and Minorities: No laws limit the ability of women and members of minorities to participate in the political process, and they did participate. The law provides that either gender must have a minimum of 40 percent of candidates on the party lists of candidates for parliamentary and local elections. The electoral code provides for a 10 percent financial supplement from the state budget for political parties to promote female candidates. The law provides for sanctions against political parties that publicly promote discriminatory messages or stereotypes, use discriminatory language in mass media, or fail to meet the required gender quotas. Civil society contacts reported this law was not enforced.

During the February parliamentary elections, there were 41.8 percent of women on party lists for the national constituency but 21 percent in single mandate districts. Twenty-six women were elected to the 101-seat parliament. Almost 22 percent of mayors elected in the local elections were women. Gender equality NGOs said that around 40 percent of female candidates and 49 percent of female activists were subjected to various forms of intimidation and violence during the parliamentary electoral campaign. According to a December report by the Gender Equality Platform on the legislative and local elections, 52 percent of female candidates were victims of violence during the electoral campaign, but only 15 percent filed a report. Female journalists were also subject to sexism and intimidation.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for official corruption, the government failed to implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Despite some improvement, corruption remained a serious problem. Corruption in the judiciary and other state structures was widespread. The government made progress in investigating corruption cases involving public officials and the judiciary, which resulted in several high-profile detentions.

The law provides the National Anticorruption Center (NAC) the authority to verify wealth and address “political integrity, public integrity, institutional integrity, and favoritism.” The National Integrity Authority (NIA), which was formed to check assets, personal interests, and conflicts of interest of officials, was not fully operational due to delays in selecting the 30 integrity inspectors required by law. The former ruling coalition harshly criticized both the NAC and the NIA for lack of action in investigating corrupt officials.

Corruption: The two key anticorruption institutions, the NIA and the Criminal Assets Recovery Agency, were not fully functional and there was no monitoring of the implementation of the *National Integrity and Anticorruption Strategy*. According to a May survey, 26 percent of citizens admitted to having paid bribes to those working in the public sector in the previous year.

Reports noted that authorities’ attempts to compromise anticorruption processes, including by legalizing possibly illegally acquired assets, remained high during the first half of the year. A much-contested law on capital amnesty expired; it had been adopted in 2018, and could allow the legalization of unreported assets, tax liabilities, and cash. Observers noted that there were few safeguards to prevent the

legalization of criminally acquired assets, although the amnesty law nominally prohibited it.

A 2018 report by Transparency International noted that the government hindered anticorruption efforts by: suppressing civic activists, whistleblowers, lawyers, and judges; initiating new criminal cases against political opponents at the local level; using the law on the protection of personal data to impede access to information of public interest; and amending election laws to benefit the largest, most organized political parties. The report concluded that these practices were indicative of high-level corruption and political corruption, which led to what it labelled “state capture” (i.e., private interests significantly influencing a state’s decision-making processes).

In 2018 the NAC detained 10 persons on corruption charges, including three judges from the Court of Appeals, two judges from the Chisinau Central Court, and a prosecutor from the Chisinau prosecutor’s office. During preliminary hearings in April, only seven out of the 10 suspects showed up in court. The cases were ongoing at year’s end.

In September the Superior Council of Magistrates (SCM) refused to endorse a request from the interim prosecutor general to criminally investigate five judges suspected of involvement in laundering more than 352 billion lei (20 billion) from Russia through the country’s banking system. The SCM postponed the request examination. On September 24 the SCM accepted the interim prosecutor general’s request to lift the immunity of Supreme Court of Justice head Ion Druta, who was being investigated on charges of illicit enrichment. On October 30 anticorruption prosecutors seized several assets (real estate and cars worth 12.9 million lei (\$735,000)) belonging to Druta.

In a separate case, anticorruption prosecutors detained and then released on bail Oleg Sternioala, judge at the Supreme Court of Justice, on charges of money laundering and illicit enrichment. Sternioala tendered his resignation in December.

Financial Disclosure: Laws require financial disclosure by public officials, including state officials, judges, prosecutors, civil servants, and officials holding leadership positions. The NIA has the legal power to apply sanctions. The law provides that officials who fail to declare their assets may be dismissed from office and barred from holding public office. NIA integrity inspectors have authority to alert relevant authorities (Tax Office and Prosecutor’s Office) and request seizure of illegally acquired assets by a court decision. The law requires the heads of state

enterprises and local councilors to submit income statements and provides for an online system for wealth and interest statement submissions. By law officials must make public income statements within 30 days of their appointment and before March 31 of each year for the duration of their term in office. The NIA was not fully functional, and the government enforced these requirements inconsistently.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

Authorities in Chisinau did not have full access to or control over the Transnistrian region. According to local and international experts, authorities in Transnistria continued to monitor and restrict activities of human rights NGOs. There were credible reports that no human rights NGO in the region investigated serious human rights violations due to fear of repression and harassment from authorities.

Government Human Rights Bodies: The ombudsman was fully operational and active in reporting on human rights issues. The law provides for the independence of the ombudsman from political influence and for his or her appointment to a seven-year, nonrenewable term. The Office of the Ombudsman may initiate an investigation based on complaints or on its own authority. Although the Office of the Ombudsman lacked the power to enforce decisions, it acted as a monitor of human rights violations, including monitoring conditions in prisons and other places of detention. A separate ombudsman for children's rights operates under the same framework within the Office of the Ombudsman.

Parliament also had a separate standing committee for human rights and interethnic relations.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape or forcible sexual assault and establishes penalties for violations ranging from three years to life in prison. The law also criminalizes spousal rape.

Rape remained a problem, and there were no specific governmental rape prevention activities. From January to September, police registered 264 cases of rape, compared to 303 total registered cases in all of 2018.

According to the international NGO La Strada, the subject of sexual violence remained sensitive for the country. Societal attitudes affected the behavior and the reticence of sexual violence victims to report incidents. The number of complaints from persons with multiple vulnerabilities who were subjected to sexual violence increased. Sexual abusers frequently used information technologies to threaten, frighten, humiliate, or cause the victim not to report abuses to law enforcement agencies. Specialists responsible for intervening in sexual violence cases were affected by prejudice and stereotypes and sometimes contributed to the victimization of or discrimination against victims of sexual crimes. Media outlets sometimes reinforced stereotypes and contributed to social stigma in their reporting on cases of sexual violence.

As of September, police registered 1,429 cases of domestic violence, 625 of which were treated as criminal cases and 804 as misdemeanors. Twenty cases of domestic violence resulted in deaths--a 33 percent increase over the same period in 2018. Police carried out prevention activities against persons who showed violent behavior in family relationships.

In one prominent case, in August 2018, a 15-year-old Romani girl and her mother from Sorooca were kidnapped, raped, set on fire, and murdered. The perpetrator pled guilty to committing a hate crime and was sentenced to life imprisonment in June.

A study published in 2017 by La Strada noted that the country's legal system does not provide an effective remedy for victims of sexual abuse. According to the study, in many cases rape was reclassified as sexual intercourse with a person younger than 16 and victims' statements on the lack of consent were not taken into account, which reduced the potential penalty. In an estimated one-third of cases, law enforcement officers initiated criminal investigations for less serious offenses than the ones reported by the victims. In 90 percent of the cases, the victims were not present at the preliminary hearings or the first court hearing on the case. Victims were commonly forced to confront their attacker in court.

The law defines domestic violence as a criminal offense, provides for the punishment of perpetrators, defines mechanisms for obtaining restraining orders

against abusive individuals, and extends protection to unmarried individuals and children of unmarried individuals. The law regulates five forms of domestic violence--physical, psychological, sexual, economic, and spiritual. The maximum punishment for family violence offenses is 15 years' imprisonment.

The law requires the victim to prove they were subjected to violence. The law does not provide criminal penalties for abuse resulting in "nonsignificant bodily harm."

According to NGOs, after release from detention, abusers commonly returned to their homes, although the law permits excluding an abuser from lodging shared with the victim, regardless of who owns the property. Law enforcement officials may apply emergency restriction orders requested by domestic violence victims. Police protection of victims and proper execution of protective orders improved slightly; the law requires that authorities issue protective orders within 24 hours.

The law provides for cooperation between government and civil society organizations, establishes victim protection as a human rights principle, and allows third parties to file complaints on behalf of victims. La Strada, for example, operated a hotline to report domestic violence, offered victims psychological and legal aid, and provided victims options for follow-up assistance. The Women's Law Center offered legal, psychological and social support to 340 victims of domestic violence in comparison with 411 victims during the same period in 2018.

Sexual Harassment: Sexual harassment remained a problem. The law provides criminal penalties for sexual harassment ranging from a fine to a maximum of three years' imprisonment. The law prohibits sexual advances that affect a person's dignity or create an unpleasant, hostile, degrading, or humiliating environment in a workplace or educational institution. According to NGOs, law enforcement agencies steadily improved their handling of sexual harassment cases, addressing harassment of students by university professors and several instances of workplace harassment. Civil society groups criticized the judicial system for displaying inadequate concern for the safety of victims and for not holding perpetrators accountable for their behavior.

According to a recent survey, one in five women reported being sexually harassed by a teacher. Societal attitudes and lack of interest from law enforcement discouraged victims from reporting instances of sexual harassment. In one prominent example, in August 2018, two university assistants accused a professor from the State Medical University of sexual harassment. The professor denied the

allegations and demanded compensation for libel of one million lei (\$57,300) from the assistants. The victims refused to proceed when the university ethics commission requested additional evidence. In September a court ruled that the victims must pay damages to the professor in the amount of 30,000 lei (\$1,700) each and apologize publicly to the professor.

Coercion in Population Control: Unlike the previous year, there were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women and men enjoy the same legal status in family, labor, property, nationality, inheritance law, and in the judicial system. The law requires equal pay for equal work, which authorities generally respected. The law requires that women fill a minimum of 40 percent of decision-making positions in government and political offices; prohibits sexist and discriminatory language and images in the media and advertising; and spells out employers' responsibilities in ensuring that workplaces are free of discrimination and sexual harassment.

Children

Birth Registration: Persons may acquire citizenship through birth to a citizen parent, birth in the country to stateless persons, birth to parents who cannot transmit their citizenship to the child, or through adoption by citizen parents. Registration of birth is free of charge for all citizens. The lack of registration certificates for a number of children, especially in rural areas and in Romani families, remained a problem. Experts estimated that more than 1,000 children lacked identification documents.

Education: Primary education was free and compulsory until the ninth grade. Education of Romani children remained a problem; only half of Romani children attended school and one in five attended preschool. According to Romani representatives, absenteeism and school dropout rates in Romani communities stemmed from poverty and fear of discrimination.

Child Abuse: Although the law prohibits child neglect and specific forms of abuse, such as forced begging, child abuse remained a problem. According to UNICEF's *Children in the Republic of Moldova: Situation Analysis 2016*, 76 percent of children between the ages of two and 14 were subjected to violent methods of discipline. The Ministry of Health, Labor and Social Protection has noted that social norms created a permissive environment for violence against children at home and at school.

The Ministry of Education, Culture and Research reported 4,515 cases of violence against children in the first half of the 2018-19 academic year, a decrease of 6 percent compared to the same period the previous year. Some 1,128 children reported neglect, while there were 46 cases of labor exploitation and 22 of sexual abuse. During the year authorities sent 698 cases to institutions tasked with protecting children's rights. Local public authorities failed to monitor all cases of abuse against children, claiming a lack of experts. The ombudsman for children's rights stated that most child neglect cases were due to alcohol abuse in the family.

A special unit for minors and human rights in the Prosecutor General's Office was responsible for ensuring that particular attention and expertise were devoted to child abuse victims and child offenders.

Early and Forced Marriage: The legal minimum age for marriage is 16 for women and 18 for men. There were no official statistics regarding child marriages.

Child marriage was most common in Romani communities, where it was reportedly acceptable to marry off girls between the ages of 12 and 14. This either took the form of a forced marriage, whereby a girl is married off to an adult man against her will, or an arranged marriage, whereby "match makers" arranged for two children to be married in the future. In both cases, marriage takes place without official documentation or registration. After marriage, girls commonly dropped out of school to take on household duties.

Sexual Exploitation of Children: Child prostitution is punishable by three to seven years' imprisonment. Authorities punished commercial sex with minors as statutory rape. The law prohibits the production, distribution, broadcasting, import, export, sale, exchange, use, or possession of child pornography, for which the punishment is one to three years' imprisonment and fines of 150,000 to 250,000 lei (\$8,520 to \$14,200). These laws were generally enforced. The minimum age for consensual sex is 16. The country is a destination for child sex tourism. According to UNICEF, about 10 percent of children in the country were exposed to sexual abuse.

The Prosecutor's Office to Combat Organized Crime and Special Cases is responsible for investigating and prosecuting child sexual abuse cases, and the Antitrafficking Bureau of the General Prosecutor's Office is responsible for investigating and prosecuting child trafficking and child sexual exploitation. During the year law enforcement identified seven victims of child pornography

production, ranging in age from three to 14. From January to November, La Strada's Child Safeguarding Team registered 79 new cases of child sexual exploitation and sexual abuse. Law enforcement referred 63 cases for assistance.

Institutionalized Children: As of 2018, 1,119 children were in government residential institutions, including 476 children with mental disabilities, 377 orphans and children without parental care, and 266 children with sensory disabilities. Children raised in residential institutions were at greater risk of unemployment, sexual exploitation, trafficking, and suicide as adults compared with their peers raised in families. According to human rights watchdogs and the ombudsperson for children's rights, legal protective mechanisms for homeless children were not functional.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The Jewish community numbered between 25,000 and 30,000 persons, including 2,000 living in Transnistria.

According to the Jewish community, anti-Semitic discourse and attitudes increased, particularly on social media. No acts of vandalism or Jewish property destruction were reported, however. Property restitution continued to be a problem for the Jewish community, and there was no law to address it (see section 1.e., Property Restitution).

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to public facilities, health services, or the provision of other government services, but

authorities rarely enforced the law. There were an estimated 180,000 persons with disabilities in the country.

Investigation of degrading treatment of patients in psychoneurological institutions was deficient. In most cases, prosecutors refused to investigate complaints submitted by patients, questioning the accuracy of allegations made by persons with mental disabilities. According to Promo-Lex, most prosecutors and investigators lacked technical skills to investigate acts of violence or torture in psychiatric institutions. Another problem was the lack of a regulatory framework for the psychological assessment of victims of torture and inhuman or degrading treatment in psychiatric institutions.

A doctor arrested in 2013 for the serial rape, sexual assault, forced abortion, and abuse of patients with mental disabilities received a final sentence.

During the first nine months of the year, members of the Council for Prevention of Torture, as part of the National Mechanism for the Prevention of Torture (NMPT), conducted preventive visits to residential institutions for persons with disabilities. The NMPT identified a shortage of personnel in most residential institutions, including of medical staff for institutions hosting persons with disabilities; verbal and physical abuse by personnel of persons with disabilities; involuntary confinement of patients; insufficient qualified staff at specialized institutions for children with disabilities; and lack of a complaint mechanism.

During its monitoring activities, The Moldovan Institute of Human Rights (IDOM), identified systemic deficiencies in psychiatric hospitals and temporary placement centers for persons with disabilities. While noting some improvements, experts reported cases of forced medication without a legally mandated court order. Patients isolated in temporary placement centers reported the administration of psychotropic drugs without consent and mistreatment by personnel. IDOM also found deficiencies in documentation, investigation, and management of cases involving persons with mental/psychosocial impairments by police, prosecutors, judges, and health service providers.

According to IDOM, in two out of three psychiatric hospitals there were no separate wards for patients who committed crimes while “acting without discernment.” Persons with different types of disabilities and widely different ages were sometimes lodged in the same rooms, and unjustified restrictive measures sometimes applied.

The law requires new construction and transportation companies' vehicles to be accessible to persons with disabilities. Authorities implemented the provisions of the law only to a limited extent. While many newly built or reconstructed buildings were accessible, older buildings often were not. More than 70 percent of public institutions lacked access ramps for persons with disabilities. Persons with limited mobility complained about the lack of access to public transportation and public institutions as well as the shortage of designated parking places.

Most schools were ill-equipped to address the needs of children with disabilities. Some children with disabilities attended mainstream schools, while authorities placed others in boarding schools, or they were home schooled. Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (with the exception of jobs requiring specific health standards), many employers either failed to provide accommodations or avoided employing such persons.

An audit on the accessibility of polling stations conducted by the Central Electoral Commission and the UNDP found that only 1 percent of 612 stations assessed were fully accessible for wheelchair-bound persons.

The government continued the deinstitutionalization of persons with disabilities and provided alternative community-based services under the *National Program of Deinstitutionalization of People with Intellectual and Psychosocial Disabilities* from residential institutions for 2018-26. The Equality Council examined more cases of discrimination based on disability status than any other type of discrimination in 2018.

Human rights observers criticized the country's guardianship system. A person placed under guardianship loses all standing before the law and cannot perform social and legal acts, such as marriage, voting, claiming social benefits, and consenting to or refusing medication. Most residential institutions lacked proper accommodation for persons with mobility impairments.

In Transnistria the law provides for protection of the rights of persons with disabilities in the areas of education, health care, and employment. Reliable information about the treatment of persons with disabilities in Transnistria was generally unavailable but there were reports that children with disabilities rarely attended school and lacked access to specialized resources.

National/Racial/Ethnic Minorities

Roma continued to be one of the most vulnerable minority groups in the country and faced a higher risk of marginalization, underrepresentation in political decision making, illiteracy, and social prejudice. Roma had lower levels of education, more limited access to health care, and higher rates of unemployment than the general population (see section 7.d.). According to the most recent statistics, only 21 percent of Roma were actively employed. Romani women were particularly vulnerable to social exclusion and discrimination. According to a 2018 survey conducted by the country's Council for Preventing and Eliminating Discrimination and Ensuring Equality, Roma continued to be one of the least accepted groups in the society.

Approximately 60 percent of Romani families lived in rural areas. Some Romani communities lacked running water, sanitation facilities, and heating. Other problems facing Roma included lack of emergency health-care services in secluded settlements, unfair or arbitrary treatment by health practitioners, and lower rates of health insurance coverage. Authorities lacked an effective mechanism to address vulnerable families whose children did not attend school.

According to a survey conducted by the Roma Women Network in Moldova, in a survey of 476 Romani women from 48 localities, the most serious problems reported were limited access to: education; the job market; medical services; and information about health and hygiene. The survey shows that only 36.6 percent of Romani women attended some form of state guaranteed education, while 57.8 percent said they did not have an opportunity to continue their studies. About 84.7 percent of respondents were unemployed, and many of them alleged that they were subject to discrimination when trying to get a job. According to the same survey, one-third of women reported discrimination at the doctor's consultation. At the same time, 70 percent of women did not have access to information about health and hygiene.

According to Roma leaders, the community faced a high rate of emigration and the state did not provide financing for Romani community mediators, as prescribed by law. Roma complained of reluctance by local authorities to finance and support the mediators. About 70 percent of the 31 Roma community mediators did not have access to a computer and did not receive any support from the mayoralty. The government's 2016-20 action plan for the Roma community was unfunded.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits employment discrimination based on sexual orientation, but societal discrimination based on sexual orientation and gender identity continued. The lesbian, gay, bisexual, transgender, and intersex (LGBTI) community reported verbal and physical abuse. In most cases, police were reluctant to open cases against the perpetrators. According to a survey conducted by the Antidiscrimination Council in 2018, the LGBTI community had the lowest societal acceptance rate of any minority group.

In May the NGO Genderdoc-M organized the 18th annual Solidarity Pride March. For the second year in a row, an estimated 1,500 police were deployed to ensure the safety of the 200 to 300 participants who marched 1.5 miles through central Chisinau. No attempts were made to disrupt the march, and only a few isolated counterdemonstrators protested. On the same day, President Dodon and the Moldovan Orthodox Church organized a festival to celebrate traditional family values.

Genderdoc-M reported eight verbal and five physical assaults against LGBTI individuals during the year. Genderdoc-M reported that 13 cases of discrimination, hate speech, hate crime, infringement upon family rights, and freedom of assembly based on sexual orientation or gender identity were under examination at the ECHR, including two filed during the year. In June Genderdoc-M reported a case of intentional arson of the car of lawyer and human rights defender Doina Ioana Straisteanu. The organization believed the crime was motivated by her efforts to defend the LGBTI community.

Civil society organizations reported that, although transgender individuals were allowed to change their names (e.g., from a male to a female name) on legal identity documents, including passports, the government did not permit them to update gender markers to reflect their gender identity. Transgender individuals also experienced employment discrimination (see section 7.d.).

In Transnistria, consensual same-sex sexual activity is illegal, and LGBTI persons were subjected to official as well as societal discrimination.

HIV and AIDS Social Stigma

Persons living with HIV continued to face societal and official discrimination.

The law prohibits hospitals and other health institutions from denying admission or access to health-care services or requesting additional fees from persons with HIV or suspected of being HIV positive. Prison inmates with HIV/AIDS faced high levels of discrimination by both prison staff and other inmates. Hospitals disclosed HIV status without consent to persons not entitled to have such information.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides workers the right to form and join independent unions, bargain collectively, and conduct strikes. The government generally respected these rights with limitations. The law prohibits antiunion discrimination but does not provide for the reinstatement of workers fired for union activity. The law does not allow government workers and workers in essential services, such as law enforcement, judges, holders of public administration offices, health-care providers, and public utility employees, to strike. The law prohibits strikes during natural disasters, epidemics, and pandemics as well as in times of state emergency. Authorities may impose compulsory arbitration at the request of one party to a dispute. There are no particular groups of workers excluded from or covered differently by relevant legal protections.

The government and employers generally respected freedom of association and the right to collective bargaining. Worker organizations were independent of the government, political parties, employers, or employers' associations. There were no reports that the government, political parties, or employers interfered in the functioning of workers' organizations. Prosecutors may reject appeals by trade unions alleging antiunion behavior, and authorities did not punish alleged violations of the trade union law. Workers exercised the right to strike by conducting legal strikes.

There is a mechanism to monitor and enforce labor laws through the State Labor Inspectorate (SLI) and the Prosecutor General's Office, but it failed to monitor effectively and enforce the rights to collective bargaining and to organize. The law does not provide effective sanctions for violations of freedom of association, or stipulate penalties for violating trade union rights. Penalties for the deliberate failure to negotiate and amend collective agreements or the violation of negotiated terms were not sufficient to deter violations.

The SLI does not have the authority to enforce penalties for violations of workplace health and safety concerns; this was delegated to 10 other state agencies according to their areas of expertise.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, with exceptions. The law and a government decision allow central and local authorities as well as military bodies to mobilize the adult population under certain conditions, such as in the event of a national disaster, and to employ such labor to develop the national economy. The government did not invoke this provision during the year. Penalties for persons who engage workers in forced labor were sufficiently stringent to deter violations and were seldom imposed.

The government did not effectively enforce the law. Resources, inspections, and remediation for forced labor were generally inadequate. Men and women were subjected to labor trafficking to Russia, Turkey, Cyprus, and the United Arab Emirates. Internal trafficking occurred in all regions of the country, focused mostly on farms and begging in larger towns. Internal trafficking for begging and labor exploitation, particularly in the agriculture and construction sectors, was steadily on the rise. Official complicity in trafficking continued to be a significant problem that the government attempted to curb by prosecuting those involved.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15. The law permits juveniles between the ages of 16 and 18 to work under special conditions, including shorter workdays (35 hours per week and no night, weekend, holiday, or overtime work). With written permission from a parent or guardian, 15-year-old children may work. Work for children who are 15 or 16 should not exceed 24 hours per week. Children younger than 18 are not allowed to perform hazardous and dangerous activities in 30 industries, including construction, agriculture, food processing, and textiles. The law prohibits the worst forms of child labor and provides for three to 15 years' imprisonment for persons engaging children in such activities. Under aggravated circumstances, courts can increase the sentence to life imprisonment. These penalties were sufficient to deter violations.

Parents who owned or worked on farms often sent children to work in fields or to find other employment. Children left behind by parents who had emigrated abroad also worked on farms. The vast majority of child laborers worked in family businesses or on family farms.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination based on sex, age, race, color, nationality, religion, political opinion, social origin, residence, disability, HIV-positive status, and membership or activity in trade unions, as well as other criteria. The law requires employers to provide for equal opportunity and treatment of employees without discrimination, to apply the same criteria to assess each employee's work, and to provide equal conditions for men and women relating to work and family obligations. The law defines and prohibits both direct and indirect discrimination. Penalties were generally sufficient to deter violations.

Discrimination in employment and occupation occurred with respect to gender, disability, minority status, sexual orientation, gender identity, and HIV-positive status. The National Trade Union Confederation (NTUC) reported frequent cases of employers denying employment to pregnant women, since such employment was associated with additional benefits payable after childbirth.

The law also stipulates that the Council for Preventing and Eliminating Discrimination and Ensuring Equality be responsible for reviewing complaints of discrimination and making recommendations. As of September the council made decisions on 191 cases of alleged discrimination, 43 percent more than in 2018.

e. Acceptable Conditions of Work

According to NTUC, as of October, salary arrears were more than 40 million lei (\$2.27 million), with almost half the sum accounted for by the state forestry service.

The law sets the maximum workweek at 40 hours with overtime compensation; provides for at least one day off per week; and mandates paid annual leave of at least 28 calendar days (government holidays excluded). Different paid leave plans may be used in some sectors, such as education, health care, and public service.

The law prohibits excessive compulsory overtime. Foreign and migrant workers have the same legal status as domestic workers.

The government sets occupational safety and health standards. According to labor law, workers can remove themselves from situations that endanger their health or safety without jeopardy to their employment.

The labor code requires work contracts for employment. There were no reports of work contracts in the agricultural sector, where the central government did not have an effective mechanism to monitor compliance.

Government efforts to enforce requirements for minimum wage, work hours, and occupational health and safety standards were limited and ineffective. The law requires the government to establish and monitor safety standards in the workplace, but there is no public reporting available on inspections for compliance with health and safety standards. Penalties for violations were insufficient to deter violations.

Inspectors from the SLI were required to give advance notice before conducting labor investigations and were generally prohibited from conducting onsite inspections if information sought could be obtained in writing, which undercut their enforcement ability. This legal change also distributed responsibility for occupational health safety controls to 10 sectoral inspection agencies, most of which did not have sufficient trained staff to carry out inspections. As a result, the SLI did not conduct any unannounced or onsite inspections in 2018 or from January to June, and the sectoral agencies conducted fewer than 100 such inspections. Authorities did not effectively enforce legal protections, and child labor remained a problem, especially in the agriculture and construction industries.

A thriving informal economy accounted for a significant portion of the country's economic activity. According to the International Labor Organization, 30.9 percent of the total employed population had an informal job and 68.7 percent of those jobs were in the agricultural sector. Workers in the informal economy did not have the same legal protections as employees in the formal sector. There were no government social programs targeting workers in the informal economy.

Poor economic conditions led enterprises to spend less on safety equipment and to pay insufficient attention to worker safety. There is a consensus among stakeholders that after the change in the legislation governing labor inspections, occupational safety and health standards in the workplace worsened during the

year. In the first nine months of the year, the SLI reported 352 work accidents involving 366 victims. The SLI also reported 18 work-related deaths. Enterprise committees investigated 266 cases of temporary incapacitation resulting from work accidents, involving 274 persons.