



U.S. DEPARTMENT OF STATE

46

23/3-04

Moldova

Country Reports on Human Rights Practices - 2003
Released by the Bureau of Democracy, Human Rights, and Labor
February 25, 2004

The Constitution provides for a multiparty representative government with power divided among a president, cabinet, parliament, and judiciary. In 2001, parliamentary elections resulted in a new communist parliamentary majority and government. The elections were generally free and fair; however, authorities in the separatist Transnistria region interfered with the ability of residents there to vote. In 2001, the Parliament elected Communist Party leader Vladimir Voronin President. The Constitution provides for an independent judiciary; however, judges were reportedly subject to outside influence and corruption.

Separatist elements, assisted by Russian military forces in the area, have declared a "Dniester Republic" in Transnistria between the Dniester River and Ukraine. The Government does not control the region. Unless otherwise stated, all references herein are to the rest of the country.

The Ministry of Internal Affairs is responsible for the police, while the Information and Security Service (ISS) controls other security organs. The Department of Border Guards constitutes a separate agency. The Parliament has constitutional authority to investigate the activities of the Ministry of Internal Affairs and the ISS and to ensure they comply with the law. The ISS can investigate crimes, but not arrest individuals. The civilian authorities maintained effective control of the security forces. Some members of the security forces committed human rights abuses.

The country had a population of approximately 4.35 million, of which approximately 750,000 live in Transnistria. The country was transitioning from a centrally-planned to a market economy, with the "shadow economy" representing 30 to 70 percent of economic activity. Agriculture and food processing were the most important sectors, followed by trade, transportation and communications, and manufacturing. The Government estimated that approximately 80 percent of the population lived below the officially designated subsistence minimum.

The Government generally respected the human rights of its citizens; however, there were problems in some areas, and the human rights record of the Transnistrian authorities was poor. Citizens generally had the right to change their government, although this right was severely restricted in Transnistria. Authorities reportedly tortured and beat some persons, particularly persons in police custody and Roma. Prison conditions remained harsh, with attempts to improve them hampered by lack of funding. Security forces were widely believed to monitor political figures, use unauthorized wiretaps, and at times conduct illegal searches. There were some restrictions on freedom of the press, including defamation and calumny laws that encouraged self-censorship. During the year, the Government adopted new limits on freedom of association. A few religious groups continued to encounter difficulties in obtaining official registration. Societal violence and discrimination against women, children, and Roma persisted. There were some limits on workers' rights. Trafficking in women and girls remained a very serious problem.

The Transnistrian authorities reportedly continued to use torture and arbitrary arrest and detention. Prison conditions in Transnistria remained harsh, and three ethnic Moldovan members of the Ilascu group remained in prison despite charges by international groups that their trials were biased and unfair. Human rights groups were not permitted to visit prisoners in Transnistria. Transnistrian authorities harassed independent media, restricted freedom of association and of religion, and discriminated against Romanian-speakers.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life.

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents in the country or its separatist region.

b. Disappearance

There were no reports of politically motivated disappearances.

In April 2002, unknown persons, possibly Moldovan police or agents of the Ukrainian government, allegedly abducted a foreign citizen from his apartment in Chisinau and extradited him to Ukraine without judicial due process.

At year's end, authorities had not completed their investigation of the 2-month kidnapping of opposition political figure Vlad Cubreacov in 2002. The Prosecutor General refused public requests to release photographs of three suspects in the case. There were no developments in the 2002 kidnapping of Deputy Director of the Department of Information Technologies Petru Dimitrov, who remained missing. Authorities continued to detain five suspects in the case. An October report on the case by the Chisinau Prosecutor General failed to consider information from officials involved in the incident and declared the case closed.

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

The Constitution prohibits torture and other cruel, inhuman, or degrading treatment or punishment; however, there were reports that police employed cruel and degrading arrest and interrogation methods and that guards beat prison inmates.

The European Roma Rights Center reported that law enforcement officials regularly subjected Roma to torture or other cruel, inhuman, or degrading treatment or punishment (see Section 5). Police and judicial officers rarely investigated or prosecuted violence and human rights abuses against Roma.

Conditions in most prisons in the country and in Transnistria remained harsh with serious overcrowding. Cell sizes did not meet local legal requirements or international standards. The incidence of malnutrition and disease, particularly tuberculosis, was high in all prisons. Conditions were particularly harsh in facilities for persons awaiting trial or sentencing, and included overcrowding, bad ventilation, and a lack of recreational and rehabilitation facilities. During the year, a local NGO launched a program with the Netherlands in which three Moldovan and three Dutch prisons exchanged information on security and training. Local NGOs also started programs to provide medicine, warm clothes and radios for prisoners and an Institute of Penal Reforms training program for prison staff.

In an effort to resolve the dispute between the mayor of the Transnistrian city of Bender and the central Ministry of Justice regarding inmates with tuberculosis in a Bender hospital, authorities promised to transfer contagious inmates to another prison. In June, the Ministry of Justice completed a special hospital for tuberculous prisoners in the Pruncul Prison outside of Chisinau. Transnistrian authorities regularly cut off utilities to the Bender hospital.

Male and female prisoners were held separately. The country had only one small facility, similar to a detention camp, for juveniles convicted of crimes, and one women's prison had a small section for juvenile girls. There was no juvenile justice system (see Section 1.e.). Children accused of crimes usually were tried by the criminal courts and, if convicted, sent to adult prisons where they were held in separate cells. Pretrial detainees were held separately from convicted prisoners, although there was one report of convicted prisoners remaining in pretrial detention facilities due to prison overcrowding.

Government and independent human rights observers were generally permitted to visit prisons. The Moldovan Center for Human Rights made regular prison visits during the year. The Government cooperated with the International Committee of the Red Cross (ICRC) and permitted visits to prisoners. Transnistrian authorities allowed the ICRC to visit prisons in Transnistria during the year.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions in practice. A new Penal Code, drafted with the assistance of foreign legal advisors, took effect in June.

The police are the primary law enforcement body in the country. During the first 4 months of the year, 65 criminal cases had been instituted against police officers for bribery, robbery, and abuse of office. An internal affairs unit, reporting to the Minister of Interior, investigated minor incidents of corruption. The Center for Combating Economic Crimes and Corruption, which reports to the President, investigated more serious corruption cases. Police corruption remained a problem.

Judges issued arrest warrants based on cases presented by prosecutors. Under the Constitution and the law, authorities must promptly inform detainees of the reason for their arrest and the charges against them. Suspects may be detained without charge for 72 hours. Under the Constitution, the accused has the right to a hearing before a court regarding the legality of his arrest.

Detainees normally were allowed family visits and had the right to a defense attorney (see Section 1.e.). A defense attorney must be present for an arraignment. Authorities generally granted access to a lawyer only after a person had been detained for 24 hours; detainees were often presented with the charges against them without a lawyer present.

Once charged, a detainee may be released on personal recognizance pending trial. No system of bail exists; in some cases, to arrange release, a friend or relative was allowed to give a written pledge that the accused will appear for trial. Detainees accused of violent or serious crimes generally were not released before trial.

From February to August, authorities held Constantin Becciev, head of the Chisinau water utility, in preventive detention while investigating him for fraud in connection with the purchase of a generator. Critics charged that the detention was part of a broader, politically motivated campaign against individuals associated with Chisinau city government. The trial was postponed several times; the case was ongoing at year's end.

Local and international NGOs reported arbitrary detention and arrests of Roma without cause or warrants, often without access to a lawyer (see Section 5).

In June, the Tribunal Court of Chisinau sentenced Ivan Burgudji, a Gagauz official and well-known Gagauz nationalist, to 5 years in prison for abuse of power and malicious hooliganism in connection with his opposition political activities. Burgudji supporters staged protests in Gagauzia following the decision. The Organization for Security and Cooperation in Europe's (OSCE) Mission expressed concern over the inadequate medical attention provided to Burgudji while he awaited trial.

The Constitution and the law permit pretrial detention for an initial period of 30 days. The courts or Parliament may extend pretrial detention to 12 months on an individual basis, based on the severity of the alleged crime. Detentions of several months were fairly frequent; in some rare cases, pretrial detention was extended for several years. By October 1, there were 2,786 persons out of a total prison population of 11,001 awaiting trial at year's end.

Transnistrian authorities continued to exercise arbitrary detention as common practice. Transnistrian authorities usually applied arbitrary detention procedures to persons suspected of being critical of the regime and sometimes lasted up to several months.

The law prohibits forced exile, and the Government did not employ it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, official pressure and corruption of judges remained a problem.

There continued to be credible reports that local prosecutors and judges extorted bribes for reducing charges or sentences.

Following a major reorganization in May, the judiciary consists of three levels: lower courts, courts of appeals, and the Supreme Court. A separate Constitutional Court has exclusive authority in cases regarding the constitutionality of draft and final legislation, decrees, and other government acts. While the Constitutional Court was generally regarded as fair and objective, observers frequently charged that other courts were corrupt or politically influenced.

The Constitution authorizes the President, acting on the nomination of the Superior Court of Magistrates, to appoint judges for an initial period of 5 years. Before being reappointed, judges must undertake specialized judicial training and pass a test evaluated by the Superior Council of Judges. Political factors have played a large role in the reappointment of judges.

There is no juvenile justice system (see Section 1.c.). Children accused of crimes usually were tried by the criminal courts.

The Prosecutor General's office is autonomous and answers to Parliament, and is responsible for criminal prosecution, the presentation of formal charges before a court, and the overall protection of the rule of law and civil freedoms. Prosecutors may open and close investigations without bringing the matter before a court, giving them considerable influence over the judicial process.

By law, defendants in criminal cases are presumed innocent; in practice, prosecutors' recommendations carried considerable weight and limited the defendant's actual presumption of innocence. Trials generally were open to the public. Defendants have the right to a lawyer and the right to attend proceedings, confront witnesses, and present evidence. The Government requires the local bar association to provide an attorney to defendants that are unable to afford one. However, the Government was unable to pay ongoing legal fees, and defendants often did not have adequate counsel. Prosecutors occasionally used bureaucratic maneuvers to restrict lawyers' access to clients. Defense attorneys were able to review the evidence against their clients when preparing cases. The accused has the right to appeal to a higher court. The Constitution provides for the right of the accused to have an interpreter both at the trial and when reviewing documents of the case. If the majority of the participants agree, trials may take place in Russian or another language instead of Romanian.

Due to a lack of funding for facilities and personnel, there was a large backlog of cases at the tribunal and Higher Appeals Court levels. According to the Justice Ministry, only approximately 75 percent of all court rulings were carried out due to either a lack of judicial and prosecutorial resources or because the subjects were not in the country.

The country has a military justice system, whose courts have generally the same reputation as civilian courts.

In Transnistria, Alexandru Lesco, Andrei Ivantoc, and Tudor Petrov-Popa of the "Ilascu Group" remained in prison, having been convicted in 1993 of killing two Transnistrian officials. At year's end, the European Court of Human Rights (ECHR) had not ruled on a case brought by the wives of the three men against Moldova and Russia. Ilie Ilascu, the leader of the group who subsequently became a Romanian parliamentarian, and international organizations continued to urge Transnistrian authorities to release the remaining members of the group or to retry them in a proper court under international monitoring. Transnistrian authorities denied the ICRC's repeated requests during the year for permission to see these prisoners (see Section 1.c.). The Transnistrian leader, Igor Smirnov, declared in a speech that he would not pardon the three group members.

There were no reports of political prisoners other than those in Transnistria.

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

The Constitution prohibits such actions; however, the Government did not respect these prohibitions in practice.

Prosecutors may issue search warrants; the law does not provide for judicial review of search

warrants. It was widely believed that the security agencies conducted illegal searches without proper authorization. Courts did not exclude evidence that was obtained illegally. The Constitution specifies that searches must be carried out "in accordance with the law" but does not specify the consequences if the law is not respected. By law, the prosecutor's office must authorize wiretaps and may do so only if a criminal investigation is underway; however, in practice the prosecutor's office lacked the ability to control the security organizations and the police or to prevent them from using wiretaps illegally. It was widely believed that security agencies monitored residences and telephones electronically.

During the year, police reportedly informed persons of Middle Eastern origin that they were being monitored carefully.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution and the law provide for freedom of speech and of the press; however, the Government sometimes restricted these rights, applying the electoral law, the Civil Code, and a calumny law selectively against some critics and intimidating some journalists into practicing self-censorship. Nevertheless, there was an active, independent media.

The print media expressed a wide variety of political views and commentary. The Government owned two newspapers and a news agency; national and city governments subsidized a number of newspapers. Political parties and professional organizations, including trade unions, also published newspapers, most of which had a circulation of less than 15,000 copies.

There were several independent radio stations, including one religious station, with some stations rebroadcasting programs from Romania and Russia. The five stations based in Chisinau continued to be influenced by various political interests. The Chisinau-licensed stations mostly rebroadcast programs from Russian or Romanian stations, and only local news shows and a few other programs were locally produced. The Government controlled a radio station and a television station that covered most of the country. Some local governments, including Chisinau and Gagauzia, operated television and radio stations, as well as newspapers.

The number of media outlets that were not owned and operated by the Government or a political party increased. However, most of these independent media remained in the service of, and secured large subsidies from, political movements and commercial or ethnic interests. The law prohibits foreign governments from funding or supporting domestic publications. In practice, Romanian government-supported publications complied with the law by receiving funds from "foundations" created for this purpose. The Government did not prosecute publications receiving funds from other states. A law that at least 65 percent of broadcasting must be in the Romanian language has been interpreted to mean that 65 percent of locally produced content (not total airtime) must be in Romanian. The law does not apply to advertising.

During the year, the Government took steps to strengthen oversight by a non-government board over the nominally independent public television and radio broadcasting company "Teleradio-Moldova," formerly a state-owned company. However, the extent to which the company has been removed from government control remained unclear. On December 1, the radio news director of "Teleradio-Moldova" was taken off the air, reportedly for allowing unapproved information about an anti-government demonstration to be broadcast. The firing renewed discussion that the Government was still influencing the company.

On March 28, a new Law on Combating Extremism took effect that many observers considered to be a potential tool for the Government to limit the expression of views by independent or opposition media. The Government did not take any legal action under the law during the year.

During the year, the Chisinau court continued the case against the editor-in-chief of the weekly *Accente*, who was arrested and released in October 2002, along with two *Accente* journalists, on charges of bribery. The newspaper's office was searched and its archives seized by law enforcement bodies. The newspaper was reportedly pursued after it published articles on corruption and trafficking cases involving government officials. *Accente* journalists complained that they had been blackmailed and threatened by law enforcement bodies.

In June, Antena C radio station, operated by the Chisinau Mayor's office, removed a call-in program called "Hyde Park" from the air. The talk show was accused by ISS representatives of inciting the population to violence and overthrow of the Government. The ISS interrogated a few program participants and the Audio Visual Coordinating Council (AVCC) had threatened to withdraw the station's license if action was not taken against the program.

In December 2002, the AVCC forced a local independent radio station, Vocea Basarabiei, to stop broadcasting, accusing it of violating broadcasting regulations. Many observers argued that the real reason of the suspension was the pro-Romanian political stand of the station. Vocea Basarabiei re-obtained its frequency and permission to broadcast in March.

In early December, the AVCC also threatened to close Antena C radio station and the Euro-TV channel, both voices of the opposition and owned by Chisinau city government, due to alleged inaccuracies in their legal documents. The AVCC claimed that Antena C and Euro-TV were not registered as legal entities.

The Constitution prohibits censorship, and the Government did not officially censor books, films, or any other media. However, in practice, members of Parliament and other government officials often complained to the media about critical reporting, which usually resulted in the media toning down the level of criticism.

A calumny law prohibits defamation of high-level public officials. Parties filing lawsuits must distinguish between their public and private roles and must prove that the information was false, defamatory, and published recklessly or with intentional malice. Plaintiffs generally have lost in cases in suits filed against journalists and media organs. In May, a prominent politician, Dumitru Diacov, brought a lawsuit against the Flux newspaper for calumny, and ISS representatives questioned the newspaper staff. In August, a foreign businessman, Boris Birstein, filed suit under the calumny law against the Flux newspaper; the case was under investigation at year's end.

In 2002, some Teleradio Moldova staff protested alleged government censorship, triggering calls for the transformation of Teleradio Moldova into a public institution. Following recommendations from the Council of Europe, Parliament passed bills in July 2002 and February to convert Teleradio Moldova into a public institution. The opposition remained dissatisfied with the law, arguing that civil society was still not involved adequately in supervising the activity of Teleradio Moldova and that the law still provided for many forms of direct political interference in the company's activity. Further amendments to the Law on Teleradio Moldova, adopted by Parliament in November, provided for the liquidation of the company, dismissal of all staff, and the creation of a new public institution. However, critics argued that this step made it easier to dismiss journalists for political motives.

Print and broadcast journalists reportedly practiced self-censorship regularly due to government and public figures' use of the electoral and calumny laws to sue for defamation and complaints from authorities of news coverage.

The former news director of the governmental news agency Moldpress was dismissed after she publicly declared that the Presidential press service required the news agency to disseminate its information without editing or verification of comments.

The Government did not restrict foreign publications. However, most were not widely circulated due to high costs. Russian newspapers were available, and some published special Moldovan weekly supplements. The country received television and radio broadcasts from Romania, France, and Russia. A small number of cable subscribers received a variety of foreign television programs, including news programs. Few residents had satellite television. Parliament has prohibited the use of locally based foreign media outlets for political campaigning.

The Government did not restrict access to the Internet or academic freedom.

Of the two major newspapers in Transnistria, one was controlled by the separatist authorities, and the other by the Tiraspol city government. There was one independent weekly newspaper in Bender and another in the northern Transnistrian city of Ribnitsa. At times, the independent newspapers criticized the Transnistrian regime, for which the separatist authorities harassed them. Other print media in Transnistria did not have a large circulation and appeared only on a weekly or monthly basis; some of them also criticized local authorities. Most Moldovan

newspapers did not circulate widely in Transnistria, although they were available in Tiraspol.

After exhausting its appeals in Transnistrian Supreme Court, the opposition newspaper Glas Naroda published its last issue in July. The paper, along with the People's Power for Social Equality movement, was ordered to dissolve as the result of a lawsuit that many observers saw as politically motivated.

On May 23, a court in the Transnistrian-controlled city of Bender ordered the closure of the independent newspaper Novaya Gazeta and fined its editors approximately \$5,000 (35,000 rubles) in a libel case that many saw as politically motivated. On June 26, the Transnistrian Supreme Court ruled to return the case to the Bender court, a move that was seen as a victory for Novaya Gazeta, which continued to publish.

During the year, Transnistrian authorities increasingly pressured schools teaching Romanian in Latin script (rather than Cyrillic script used in Soviet Moldova) and using the curriculum of the central Ministry of Education (see Section 1.d.). In September 2002, authorities shut down a public school in Grigoriopol for clandestinely teaching in Latin script, after which children took day trips to another city for instruction. In December 2002, the parents of these children were threatened with dismissal from their jobs in enterprises and institutions run by the Transnistrian authorities. Although the OSCE helped negotiate a formula in September to allow Latin-script schools to register in line with Transnistrian requirements, Transnistrian authorities continued to impose logistical and legal hurdles to impede Latin-script schools from functioning normally.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respected this right in practice. Mayors' offices issue permits for demonstrations and may consult the Government if a demonstration is likely to be extremely large; permits were issued routinely and without bias.

The Transnistrian authorities usually did not permit free assembly, and on those occasions when they did issue permits, they often harassed organizers and participants. Regional authorities at times organized mass rallies in their own support and called them "spontaneous rallies by the people."

The Constitution provides for freedom of association and states that citizens are free to form parties and other social and political organizations; however, Article 41 of the Constitution states that organizations that are "engaged in fighting against political pluralism," the "principles of the rule of law," or "the sovereignty and independence or territorial integrity" of the country are unconstitutional. Small parties that favor unification with Romania have charged that this provision is intended to impede their political activities; however, no group has been prevented from forming as a result of this provision. Private organizations, including political parties, were required to register, but applications were approved routinely. There were 23 political parties at year's end.

Opposition leaders viewed the new Law on Combating Extremism as a possible limitation on the right to assembly, because it restricts public actions that are considered extremist or aimed at undermining the Government's authority. The Government did not use the law to limit the right to assemble at the end of the year.

The law on parties and other social-political organizations provides that the Ministry of Justice may suspend for a period of up to 1 year a party that violated the Constitution or the law after a written warning with a deadline for cessation of the unlawful activity. During electoral campaigns, only the Supreme Court of Justice may suspend a party's activity.

Transnistrian authorities restricted freedom of association by intimidation and prosecution for alleged offenses or on invented charges. In June, the Transnistrian Supreme Court upheld a 2001 Tiraspol City Court ruling disbanding the "For Power to the People—For Social Justice" party.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this

right in practice; however, the law includes restrictions that inhibit the activities of some religious groups. There is no state religion; however, the Moldovan Orthodox Church received some special treatment from the Government. For example, the Metropolitan of Chisinau and All Moldova and other high-ranking Orthodox Church officials reportedly have diplomatic passports.

Critics raised concerns about the new Law on Combating Extremism saying that it could be used to abuse opposition organizations—including religious organizations—and individuals. The law had not been used against religious organizations at year's end.

The law requires religious groups to register with the Government. Unregistered religious organizations are not permitted to buy land or obtain construction permits for churches or seminaries. The law does not expressly oblige the State Service for Religions (SSR) to register a religious organization, but suggests that registration is automatic when adequate documentation is filed. At the request of the State Body for Religions, a court may annul the registration of an organization if its activities are political or harm the "independence, sovereignty, integrity, security, or public order" of the country.

Authorities have not registered the Church of True Orthodox-Moldova despite a 2002 Supreme Court ruling in its favor. The SSR and the Government attempted a variety of appeals and were still ordered to register the church. Many delays in the court process have prevented a final decision. The Church of Jesus Christ of Latter-day Saints (Mormons) and the Spiritual Organization of Muslims in Moldova continued to face bureaucratic difficulties in the registration process. The SSR claimed both groups failed to present mandatory documents necessary for registration.

The Law on Religion permits proselytizing, but explicitly prohibits "abusive proselytizing," which is defined as "an attempt to influence someone's religious faith through violence or abuse of authority." The Government has not taken legal action against individuals or organizations for proselytizing, with the exception of a member of Jehovah's Witnesses who was fined approximately \$27 (400 lei) for door-to-door preaching.

Non-denominational "moral and spiritual" instruction is mandatory for primary school students and optional for secondary and university students. The Ministry of Education introduced the program gradually with instruction for first through third graders being implemented during the year. Some schools have a specific class on religion, but attendance is conditioned by parental consent and whether individual schools have the necessary funds.

The law provides for restitution to politically repressed or exiled persons whose property was confiscated during the successive Nazi and Soviet regimes. This regulation has been extended in effect to religious communities; however, the Moldovan Orthodox Church has been favored over other religious groups in this area and has recovered nearly all of its property. In cases where property was destroyed, the Government offered alternative compensation. However, property disputes between the Moldovan and Bessarabian Churches have not been resolved. Despite being able to register and operate as a legal religion, representatives of the Bessarabian Orthodox Church claimed that their property rights were still being violated. The Jewish community had mixed results in recovering its property but no pending cases. Members of the Molocan community had a property claim that remained unresolved at year's end.

There were a few reports of negative press articles about non-Orthodox religions. Members of Jehovah's Witnesses have been the target of articles criticizing their beliefs and legitimacy, and the Baptists in Transnistria claim press reports about their religion have been negative.

In February, unknown persons destroyed eight tombstones in a Jewish cemetery in Balti. However, according to a leading Rabbi in Chisinau, it was not clear whether anti-Semitism motivated the event.

In recent years, Transnistrian authorities have denied registration to Baptists, Methodists, and the Church of the Living God. Unregistered religious groups were not allowed to hold public assemblies, such as revival meetings. The law in Transnistria prohibits renting houses, premises of enterprises, or "cultural houses" for prayer meetings. Transnistrian authorities have told evangelical religious groups meeting in private homes that they did not have the correct permits to use their residences as churches. In May, Transnistrian authorities reportedly fined Efram Platon twice for holding religious meetings in his home in Bender; the fines were appealed in court. Authorities in Grigoriopol and the village of Mayak reportedly arrested several

members of Jehovah's Witnesses for proselytizing and other religious activity.

The Transnistrian Supreme Court did not rule by the end of the year on the Tiraspol public prosecutor's 2002 suit to annul the registration and ban the activities of Jehovah's Witnesses. Under a July 2002 letter from the Transnistrian Commissioner for Religions and Cults, Transnistrian authorities are to consider the Jehovah's Witnesses as illegal until the court case is resolved. Transnistrian state officials have reportedly accused Jehovah's Witnesses of a lack of patriotism and of spreading Western influence. Additionally, Transnistrian authorities have developed a new textbook that is to be used at all school levels, which reportedly contains negative and defamatory information regarding the Jehovah's Witnesses.

Non-Orthodox groups in Transnistria complained that they generally were not allowed to rent property and often were harassed during religious services.

For a more detailed discussion, see the 2003 International Religious Freedom Report.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution and law provide for these rights, and the Government generally respected them in practice; however, authorities sometimes restricted travel to and from the separatist Transnistrian region.

The Government did not restrict travel within the country, and there were no closed areas except the military depot at Colbasna controlled by the Transnistrian separatist authorities. Travel between Transnistria and the rest of the country was not prevented; however, separatist authorities often stopped and searched incoming and outgoing vehicles and hindered movement by OSCE representatives on several occasions. Although the village was controlled by the Government under cease-fire terms, Transnistrian authorities interfered with, and at times blocked, farmers from the Transnistrian village of Dorotcaia from traveling to government-controlled areas to sell their produce.

Citizens generally were able to depart from and return to the country freely; however, there were some restrictions on emigration. Close relatives who are dependent on a potential emigrant for material support must give their concurrence. The Government also may deny permission to emigrate if the applicant had access to state secrets; however, such cases were very rare, and none were reported during the year. A large number of citizens were working in foreign countries without legal status. Estimates on emigration from official sources were inconsistent and largely anecdotal; the Government estimated that between 600,000 and 800,000 citizens were working outside the country, the vast majority of them illegally. Media and independent NGO sources suggested that the number of citizens working abroad was approximately one million. The majority worked in Russia, Portugal, Italy, Spain, Greece, and Romania.

On July 25, Parliament adopted the Law on Refugee Status, which provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. In practice, the Government provided protection against refoulement and granted refugee status and asylum. During the year, 87 persons requested asylum and 5 persons were granted asylum. According to the U.N. High Commissioner for Refugees (UNHCR), 984 persons had been registered with the UNHCR in the country during the year through December 1. Many refugees originated in Chechnya, Iraq, Sudan, Afghanistan, Nigeria, and other African countries. The Government also provides temporary protection for some persons who do not qualify as refugees or asylees, but did not grant it to anyone who applied during the year. The Government cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice in most of the country through periodic, free, and fair elections held on the basis of universal suffrage; however, this right was restricted in Transnistria.

The Constitution provides for a parliamentary form of government. Parliament elects the president, who, as head of state, appoints the prime minister, who names a cabinet. The prime

minister, who functions as the head of government, and the cabinet are approved by Parliament. A three-fifths vote by secret ballot in Parliament is required to elect a president. If after multiple votes Parliament is unable to elect a president, the sitting president may dissolve Parliament.

In 2001, citizens voted in multiparty parliamentary elections. The OSCE Office of Democratic Institutions and Human Rights considered the elections to be free and fair; however, election observers noted some shortcomings such as the inaccuracy and incompleteness of voter lists and excessively restrictive media provisions in the Electoral Code. In Transnistria, authorities interfered with their residents' ability to vote in these elections. In addition, Transnistrian "presidential" elections in 2001, as well as Supreme Soviet elections in 2000, were not observed by international monitors and were not considered free and fair.

A total of 23 parties met the threshold of 5,000 members and were officially registered. Because many small parties failed to win the minimum number of votes required for representation, only three parties—the Communist Party, the Our Moldova Alliance, and the Christian Democratic Popular Party (PPCD)—have seats in Parliament. Several members elected with one of the component parties of the Our Moldova Alliance have left the faction to become independents or to join other factions.

The Government selectively enforced regulations, including inspections and tax auditing, for individuals and businesses that belong to or support opposition parties.

The 2001 parliamentary elections resulted in a clear victory for the Communist Party, which won 50 percent of the popular vote and 71 out of 101 seats in Parliament. In 2001, Parliament elected Communist Party leader Vladimir Voronin as President; and Voronin appointed businessman Vasile Tarlev as Prime Minister.

On May 25 and June 8, local elections for mayors and city councils were held nationwide. Voters also chose regional councils in all areas except the Gagauz autonomous region. International observers concluded that while the voting itself generally met international standards, the Government's conduct during the campaign fell short of the generally good record established in previous elections. The negative trends observed in the campaign included heavily biased state media reporting, the arrests of two opposition mayors during the campaign period (along with the threatened arrest of others), and the use of administrative resources for campaign purposes. The local elections were preceded by a very biased media campaign, with the state media providing distorted information to voters, according to the OSCE Election Observation Report. Government media dedicated significant time to government candidates and allowed opposition candidates only limited time to respond. Although regulations prohibited broadcast media from presenting candidates on the news, the main candidates for Chisinau mayor, incumbent Mayor Serafim Urechean and Minister of Transportation and Communications Vasile Zgardan, could often be seen on television in their official capacities.

A Christian Turkic minority, the Gagauz, enjoyed local autonomy in the southern part of the country. In 2002, central authorities pressured the Gagauzia Governor Dmitry Croitor to resign, and there were irregularities in the October 2002 elections that replaced him with Communist candidate Gheorghe Tabunschik. Gagauz observers complained that the Government did not abide by the terms of the agreement giving Gagauzia autonomous status and that it enacted laws that contradicted both local and national legislation establishing Gagauzia's autonomy. Gagauz opposition figures argued that harassment continued in the May 25 mayoral races in the region. In November, two rounds of voting in Gagauzia generally met international standards, but were marked by irregularities including group voting, multiple voting, open voting, mobile ballot box fraud, proxy voting, and unauthorized persons in polling stations.

The truce between the Government and separatists who have declared a "Dniester Republic" in Transnistria held during the year, although agreements to normalize relations have not been honored. During the year, a Joint Constitutional Committee, consisting of representatives of the Government and Transnistria began work on a federal solution to the dispute, but major differences over the proper federal structure continued to divide the two sides.

Citizens' right to change their government was severely restricted in Transnistria. In the period prior to the 2001 "presidential" elections, authorities shut down a political party and a youth group, closed a leftist party newspaper, and seized a press run. The authorities refused to

register one potential presidential candidate and dismissed another from his job as mayor of Bender prior to the election. Authorities reportedly threatened workers with job loss and students with expulsion from their universities if they did not vote for the incumbent, Igor Smirnov. Local observers reported that the actual voting was unfair, with considerable ballot box stuffing. Officials in the northern region of Kamenka reported that 103.6 percent of their voters cast ballots for Smirnov.

There were no restrictions in law or practice on the participation of women in political life. Women held 13 of 101 parliamentary seats. Speaker of Parliament Eugenia Ostapciuc occupied the highest political position in the country attained by a woman.

Russian, Ukrainian, Bulgarian, Gagauz, and Romani minorities were represented in Parliament, with deputies elected from nationwide party lists rather than local districts. Debates took place in either the Romanian or Russian language, with translation provided.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings, except in the Transnistrian region.

The local Helsinki Watch organization maintained contacts with international human rights organizations, as did the Helsinki Citizens Assembly. Amnesty International maintained a satellite office in Chisinau and was active in the country, although the Transnistrian authorities impeded its activities in that region.

Citizens may appeal to the ECHR in Strasbourg if they believe their rights have been violated or that national laws are not in accordance with the European Convention on Human Rights. During the year, citizens of the country filed 27 complaints with the ECHR.

The Government supported the work of the OSCE, which had a mission in the country to assist efforts to resolve the separatist conflict. The OSCE participated in the Joint Control Commission that reviews violations of the cease-fire agreement. Transnistrian authorities have limited OSCE access to the region; however, the OSCE mission enjoyed free access to the Security Zone dividing Transnistria from the rest of country.

The law provides for three parliamentary advocates (ombudsmen), and an independent center for human rights, the Moldovan Human Rights Center. Parliament appoints the three advocates, who have equal rights and responsibilities, for 5-year terms. Advocates may be removed from office only by a two-thirds vote of Parliament. Parliamentary advocates are empowered to examine claims of human rights violations, advise Parliament on human rights problems, submit legislation to the Constitutional Court for review, and oversee the operation of the Moldovan Human Rights Center. Center personnel provide training for lawyers and journalists, visit jails, make recommendations on legislation, and conduct seminars and training programs for police, penitentiary personnel, judges, prosecutors, public administration officials, and law students. The majority of complaints received by the center involved private property violations, labor rights, access to justice, personal security, right to life, and personal dignity.

Transnistrian authorities reportedly have attempted to gain control over NGOs in the region by having security officials "invite" their leaders to their offices to discuss their registration and by pressuring landlords not to renew office leases for some.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides that persons are equal before the law regardless of race, sex, disability, or social origin; however, societal discrimination against women and some ethnic minorities, particularly Roma, persisted. There were remedies for violations, such as orders for redress of grievances, but these were not enforced in all cases.

Women

Domestic violence against women was a problem. Although the Government did not keep data on incidences of domestic violence, human rights advocates asserted that it was widespread. The law does not specifically address domestic assault, and there is no law against spousal rape. Women abused by their husbands may file charges under general assault laws. Husbands convicted of such assault may receive prison sentences (typically up to 6 months). In practice, the Government rarely prosecuted domestic assault crimes. The Ministry of Internal Affairs reported 66 spousal abuse cases during the first 8 months of the year, including 36 resulting in serious bodily injury and 30 resulting in either murder or attempted murder. There were 135 cases of rape reported in the first 9 months of the year. Women's groups believed that the numbers of rapes and incidents of spousal abuse were underreported.

The Government supported educational efforts, usually undertaken with foreign assistance, to increase public awareness of domestic violence and to train public and law enforcement officials in how to address the problem. In June, the city of Chisinau opened a women's shelter for victims of domestic violence. Private organizations operated services for abused spouses, including a hot line for battered women.

Prostitution is illegal and punishable by a fine and administrative detention of up to 30 days.

Trafficking in women was a serious problem (see Section 6.f.).

The law does not address sexual harassment.

The law provides that women and men enjoy equal rights, and in practice women received pay equal to that of men for equal work; however, women did not hold high-paying jobs in the same proportion as men. The Government provided extended paid maternity leave. There were significant numbers of female managers in the public sector and in banking. The Minister of Finance and the president of the country's largest bank were women. Women made up approximately 50 percent of the workforce.

Children

There is extensive legislation designed to protect children, and the Government provided supplementary payments for families with many children. Under the Constitution, the Government is to provide free, compulsory, and universal education for 9 to 10 years, which may be followed either by technical school or other further study; the requirement can vary at the discretion of the Minister of Education. However, many inadequately funded schools, particularly in rural areas, charged parents for school supplies. While not illegal, such charges contradicted the Government's policies and resulted in many children being kept at home by parents. Government statistics indicated approximately 800 children were not in school; however, press reports suggested that the number was higher, especially in rural areas. On September 1, the Government and local authorities provided assistance in amounts ranging from approximately \$7.40 (100 lei) to approximately \$22.20 (300 lei) each to children from vulnerable families to buy school supplies. The health system devoted a large portion of its limited resources to childcare, but childcare professionals considered the amount inadequate.

Various laws have provisions against child neglect; however, child abuse was believed to be widespread. Although prohibited by law, corporal punishment in schools was common. Observers reported that women begging on the streets of Chisinau often sedated their babies to spend long hours begging without having to care for them.

Trafficking in girls remained a very serious problem (see Section 6.f.).

The situation of children in orphanages was generally very poor. Official statistics from 2001 indicated that there were approximately 13,500 institutionalized children. An additional 5,000 children lived in adoptive homes, 4,500 more lived in foster homes or with legal guardians. Not all institutionalized children were orphans; the number of children entrusted to the Government by needy parents or by parents leaving the country in search of work, reportedly was growing. NGOs estimated that up to 30,000 children were in institutions or foster homes. Due to lack of funding, children's institutions had major problems including inadequate food, "warehousing" of children, lack of heat in the winter, and disease.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities. There are no laws providing for access to buildings, and there were few government resources devoted to training persons with disabilities. The Government provided tax advantages to groups that assisted persons with disabilities.

National/Racial/Ethnic Minorities

According to the 1989 census, approximately 65 percent of the population are members of the titular nationality. Ukrainians (14 percent) and Russians (13 percent) are the two largest minorities. A Christian Turkic minority, the Gagauz, representing approximately 3.5 percent of the population lives primarily in the southern regions of the country and speaks Russian and Gagauz, a Turkic language. Official statistics put the number of Romani at 11,600, or less than 0.5 percent of the population. The OSCE and Romani NGOs have estimated the number of Romani at 20,000 to 200,000.

Roma suffered violence, harassment, and discrimination. Local and international NGOs reported that Roma were victims of police beatings in custody, arbitrary arrest and detention, unlawful confiscation of personal property, and harassment by law enforcement officials and were subjected to societal violence and harassment. The European Roma Rights Center reported that officials discriminated against Roma with regard to equal treatment, adequate housing, education, and access to public services.

A human rights NGO reported there were approximately ten cases of violence or harassment of Roma during the year, not all of which went to court. In one reported case, a young Roma man was beaten in Otaci, and police did not arrive at the scene until hours later. In another, a Roma woman received a 3-year prison sentence for a misdemeanor, despite the law permitting lesser sentences for mothers of young children.

Roma were the poorest of the minority groups and often lived in segregated communities in unsanitary conditions lacking basic infrastructure. These conditions often led to segregated education with even fewer resources than in the rest of the country's schools. Many Romani children did not attend school, very few received a secondary or higher education, and there was no Romani-language education, unlike for other minorities.

Minority rights and the language question were closely related. Romanian is the official language; however, Russian has tended to serve as a language for interethnic communication. Since 2001, Parliament amended several laws to strengthen the use of Russian without making it an official language. On March 4, the Constitutional Court rejected a proposal submitted by the Communist faction in Parliament to make Russian the second official language, describing the proposal as insufficiently specific. A citizen has a legal right to choose the language of interaction with government officials or commercial entities and officials are required to know both Russian and Romanian "to the degree necessary to fulfill their professional obligations." Many Russian speakers, including well-educated professionals, do not speak Romanian well or at all, while most educated Romanian speakers know both languages. Representatives of Russian speakers argued for a delay in the law's implementation to permit more time to learn the language. In practice, Russian speakers were not subject to discrimination, and the law has not been used to deny them work as state officials.

The Constitution provides parents with the right to choose the language of instruction for their children.

In September, the Department for Interethnic Relations organized a minorities festival in a downtown Chisinau park in which dozens of minority NGOs participated and the Department and the Parliamentary Commission for Interethnic Relations sponsored a two-day seminar on the application of the European Framework Convention for the Protection of Minorities.

Authorities in the separatist Transnistrian region continued to discriminate against Romanian speakers. They refused to observe the country's language law, which requires the use of Latin script, and the region's schools were required to teach Romanian using the Cyrillic alphabet. Many teachers, parents, and students objected to this requirement, believing that it disadvantaged pupils who wished to pursue higher education opportunities in the rest of the country or in Romania, where the Latin script was used.

During the year, Transnistrian authorities moved towards closing eight schools in the region that used the Latin script under an agreement between the Government and separatist authorities. The Transnistrian "education ministry" decided to seek court approval to disband the schools if they failed to adopt use of the Cyrillic alphabet for instruction. Despite OSCE intervention, Transnistrian authorities blocked the re-opening of the schools in the new academic year by using ultimatums and by cutting electricity to a Tiraspol school, ostensibly because of outstanding debt. In September, the OSCE brokered an interim solution to register the Latin-script schools, but Transnistrian authorities continued to impose logistical problems that hindered regular operation of the schools.

Section 6 Worker Rights

a. The Right of Association

The Constitution and law provide for the right to establish or join trade unions, and workers exercised this right in practice.

There were two unions—the Trade Union Confederation of Moldova (TUCM) and "Solidaritate" (Solidarity). The TUCM had approximately 80 percent of all union members, with the rest in "Solidaritate."

The law prohibits discrimination against workers for union membership or activities, and there were no reports that employers took action against union members for their activities. The law provides that employers may not fire union leaders from their jobs without the consent of their superior union; there were no reports of such firings during the year.

Unions could freely affiliate and maintain contacts with international bodies; the TUCM was a member of the International Labor Organization (ILO) and was affiliated with the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining and the right to organize unions, and the Government generally respected these rights in practice.

The Government, management, and unions negotiated national minimum wages in tripartite talks. Branch unions for particular industries negotiated with management and the government ministries responsible for that industry. Tripartite negotiations could, and often did, set wages higher than the national minimum, particularly in profitable industries. At the enterprise level, union and management negotiated wages directly and could set wages higher than negotiators at the industry level. Arbitration committees typically settled workplace labor disputes. If an arbitration committee failed to settle a dispute, it could be taken to the Courts of First Appeals. Court decisions involving the restitution of salary or a position were not implemented in all cases.

Government workers and workers in essential services such as health care and energy do not have the right to strike. In practice, unions in other sectors may strike if two-thirds of their members vote to do so by secret ballot. During the year, there were no general or country-wide strikes, although teachers and doctors held local strikes in Edinet and Chisinau. In March, the Trade Union Confederation organized a 1-day strike by teachers, doctors, and cultural workers in Chisinau.

There is one export processing zone (EPZ) at Ungheni, with others scheduled to open at Chisinau, Taraclia, Tvardita, Otaci, and Vulcanesti over an 8-year period. The law does not exempt EPZs from collective bargaining rights or other labor law provisions.

c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor, including by children; however, there reports that such practices occurred (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The new Criminal Code, which entered into force in June, increases the level of child labor protection, containing provisions specifically regarding the worst forms of child labor. The new Labor Code took effect on October 1.

The minimum age for unrestricted employment was 18 years. Persons between the ages of 16 and 18 were permitted to work under special conditions, including shorter workdays, no night shifts, and longer vacations. Children often were sent to work in the fields or to find other work, and those living in rural areas often assisted in the agricultural sector. The Ministry of Labor and Social Protection has primary responsibility for enforcing these protections but did not do so actively. The Ministry of Health also has a role.

On June 14, ILO Convention 182 on the worst forms of child labor entered into force for the country. The new Criminal Code provides for 10 to 15 years imprisonment for involving children in the worst forms of child labor, as defined in ILO Convention 182. In aggravated circumstances, punishment can amount to a life-term imprisonment.

e. Acceptable Conditions of Work

On July 1, the legal minimum monthly wage was raised to approximately \$23.30 (340 lei) for private sector employees and approximately \$17 (250 lei) for government employees. Minimum wages did not provide a decent standard of living for a worker and family. According to preliminary data from the Department of Statistics, the average monthly salary from January to July was approximately \$57 (818 lei). The average monthly salary was approximately \$66 (941 lei) in the private sector and approximately \$46 (657 lei) in the public sector. Due to severe budgetary constraints, both the Government and private sector employers often did not meet employee payrolls.

The Constitution sets the maximum workweek at 40 hours, with extra compensation for overtime, and the Labor Code provides for at least 1 day off per week.

The Government is required to establish and monitor safety standards in the workplace. Unions may strike and ask a court to impose a fine if safety standards are not met. Workers have the right to refuse to work if working conditions represent a serious threat to their health. In practice, poor economic conditions have led enterprises to economize on safety equipment and show little concern for worker safety. Workers often did not know their rights in this area. According to the Labor Inspection's preliminary data, there were 54 workplace accidents involving 60 persons in the first 9 months of the year, 24 of which resulting in deaths.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in women and girls was a very serious problem. There were reports of involvement by some government officials in this trade; however, no official charges were made.

The law prohibits trafficking and provides for severe penalties, ranging from 7 to 25 years in prison. Sentences for trafficking in children run from 10 years to life imprisonment. The penalty is 15 to 25 years in prison and confiscation of property for repeated or serious offenses, such as trafficking of groups, minors, or pregnant women; through kidnapping, trickery or abuse of power; with violence; or by a criminal organization.

As of September 1, according to the Ministry of Internal Affairs, 290 "trafficking" investigations had been opened, although only 137 were related directly to the current and former trafficking statutes. For the same period of time, there were 9 cases of trafficking in children. Other cases were opened under articles on procurement for prostitution, illegal taking of children out of the country and illegal hiring for work abroad. Statistics on actual arrest were not available. As of October 1, according to the General Prosecutor's office, 125 cases had been filed in court, 83 under trafficking statutes and 42 under pimping. A total of 28 convictions were obtained, 4 for trafficking and 24 for pimping. These convictions resulted in 6 prison sentences and 14 sentences of probation, all of which were pending appeal. Six defendants received fines and two were amnestied.

The country was a major country of origin for women and girls who were trafficked abroad for prostitution and men who were trafficked to Russia and neighboring countries for labor and

begging. The country was also a transit country for victims trafficked from Ukraine to Romania. Women and girls were trafficked to Turkey, Cyprus, Greece, Italy, Hungary, Bulgaria, Slovakia, Bosnia-Herzegovina, Serbia and Montenegro, and the Former Yugoslav Republic of Macedonia for prostitution. There also were reports that women were trafficked to Lebanon, Syria, Israel, Saudi Arabia, the United Arab Emirates, Portugal, France, Thailand, the United Kingdom, Spain, and Australia. Women and girls reportedly were trafficked to Italy and Greece through Romania, Serbia and Montenegro, and Albania. The International Organization for Migration (IOM) reported that the country was the main origin in Europe for the trafficking of women and children for prostitution in the Balkans, Western Europe, and the Middle East and that more than 50 percent of the women working in prostitution in Kosovo were from the country. Turkey annually deported approximately 2,500 Moldovan women for prostitution. A prominent women's rights activist and Member of Parliament stated that more than 10,000 women from the country were working as prostitutes in other countries. However, the basis for this number was unclear, and some NGOs reported that it was a very conservative number.

According to the NGO Partners for Community, the target population for traffickers was young women, often minors, in rural areas. Women and girls typically accepted job offers in other countries, ostensibly as dancers, models, nannies, or housekeepers. In many areas, friends or acquaintances approached young women and offered them help getting good jobs abroad. This "friend of a friend" approach most often was used in the countryside. Save the Children and the Association of Women in Law reported that many of the traffickers were women who targeted young girls in their own localities. Once they arrived at their destinations, traffickers took their passports, required them to "repay" sizeable sums, and forced them into sexual bondage. Traffickers commonly recruited women from rural villages, transported them to larger cities, and then trafficked them abroad.

Another trafficking pattern involved orphans who must leave orphanages when they graduate from school, usually at the age of 16 or 17, and have no source of funds for living expenses or continuing education. Some orphanage directors reportedly sold information on when orphan girls were to be turned out of their institutions to traffickers, who approached them as they left. This pattern became so well known that one foreign adoption service registered as an NGO and organized a "foster-an-orphan" program to help curb the practice. Individuals from abroad send money to support individual orphaned girls from age 16 or 17 until they reach the age of 18 and can work legally (see Section 6.d.). However, this sponsorship program is small compared with the number of orphan girls who become victims of traffickers each year.

Widespread corruption and lack of resources prevent adequate border control and monitoring of traffickers, particularly in Transnistria. Border guard and migration officials' salaries were low and frequently not paid regularly, making them vulnerable to bribery out of the large profits of the trafficking industry.

Critics charged that the Government did not do enough to prosecute traffickers. According to IOM, trafficking was difficult to prosecute because the crime took place in another country and perpetrators could be tried only if victims testified against them. Victims generally refused to testify because traffickers threatened retaliation against them or their families. This was particularly true in rural areas in closer, tight-knit societies where the fear and chances of being identified as well as stigmatized was much greater. The law provides for a witness protection program, and police have placed guards outside of witnesses' homes.

The Government took some steps to prevent the trafficking of women and assist victims, although it only slowly began to address the problem and focused primarily in the area of legislation and prosecution. In September, a government working group, the National Committee on Anti-Trafficking, gained its first full-time staff person and initiated weekly meetings. Local committees were created in each of region of the country, and officials of various ministries and local governments were required to present reports on their anti-trafficking efforts to the National Committee. A special law enforcement unit within the Ministry of Internal Affairs also continued to operate. The Government provided specialized training to trafficking investigators through the Ministry of Internal Affairs and the Ministry of Labor, funded by the OSCE and the Council of Europe. The country also participated in a Southeast European Cooperative Initiative Human Trafficking Task Force. The Government cooperated with Belarus, Ukraine, and Russia in investigating trafficking cases, as well as with Interpol in cases in Serbia and Montenegro. There were no government-operated assistance programs for victims.

With foreign assistance, several NGOs worked to combat trafficking through information campaigns, repatriation assistance, temporary housing and medical care for victims, and job

training. The NGO Save the Children worked with trafficking victims, particularly repatriated girls. Local NGOs operated public school programs to educate young women about the dangers of prostitution. In November, a number of NGOs and international organizations sponsored a conference on combating sex trafficking that drew participants from the National Committee on Anti-Trafficking, the Supreme Court, anti-trafficking prosecutors, police, and regional anti-trafficking committees. In May, the Center for Prevention of Trafficking in Women launched a legal assistance project to represent victims in civil and criminal cases, and the local branch of the NGO La Strada established a toll-free nationwide hotline. During the year, the IOM office in Chisinau began to receive funds from a foreign source which it used for informational programs and training for journalists about the dangers of trafficking. The IOM also educated young women about the dangers of trafficking and operated a women's shelter that provided temporary emergency housing for victims, job training, and medical care (almost all returned victims have a sexually transmitted disease). During the year, the shelter opened a wing for minor victims and victims with minor children.

