

MOLDOVA 2022 HUMAN RIGHTS REPORT

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

EXECUTIVE SUMMARY

The Republic of Moldova is a parliamentary democracy with competitive, multiparty elections. The constitution provides for executive and legislative branches as well as an independent judiciary and a clear separation of powers. The president serves as the head of state and the prime minister serves as the head of government, appointed by the president with parliament's support. Legislative authority is vested in the unicameral parliament. Presidential elections were held in 2020 and resulted in the election of former Prime Minister Maia Sandu. Elections observers from the Organization for Security and Cooperation in Europe noted in their preliminary findings that fundamental freedoms of assembly and expression were respected, but divisive campaigning and polarizing media coverage hindered voters' access to quality information. After the prime minister and government resigned in 2020 and the president and parliament failed to form a new government, early parliamentary elections were held in July 2021. According to Organization for Security and Cooperation in Europe observers, the 2021 parliamentary elections were well-administered and competitive, and fundamental freedoms were largely respected. The Action and Solidarity Party won 63 seats in the 101-seat parliament, enough to form a single-party majority.

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, border security, and criminal investigations. Several agencies responsible for border management, emergency situations, migration and asylum also report to the ministry. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment by authorities; harsh and life-

threatening prison conditions; serious problems with the independence of the judiciary; serious acts of government corruption; lack of investigation of and accountability for gender-based violence, including domestic and intimate partner violence and sexual violence; crimes involving violence or threats of violence targeting Roma; crimes, violence, and threats of violence motivated by antisemitism; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; crimes involving violence or threats of violence targeting persons with disabilities; and the existence of the worst forms of child labor.

While authorities investigated reports of human rights abuses and corruption committed by officials, the process was slow and burdensome. During the year, authorities indicted and detained several former high-level officials including former President Igor Dodon, former member of parliament Vladimir Andronachi, Shor Party member of parliament Marina Tauber and former director of Moldovan Railways Anatolie Topala. None of these cases resulted in conviction by a court at year's end. Authorities took some steps to identify, investigate, and prosecute officials for human rights abuses, but progress was slow.

Significant human rights issues in the breakaway region of Transnistria in the country included credible reports of: forced disappearance; torture and cases of cruel, inhuman, or degrading treatment or punishment by "authorities;" harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the "judiciary;" arbitrary or unlawful interference with privacy; serious restrictions on free expression and media; and the existence of criminal libel "laws;" serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive "laws" on the organization, funding, or operation of nongovernmental organizations and civil society organizations; serious restrictions on freedom of movement; serious and unreasonable restrictions on political participation; serious "government" corruption; serious "government" restrictions on or harassment of domestic and international human rights organizations; and lack of investigation of and accountability for gender-based violence, including domestic or intimate partner violence.

Section 1. Respect for the Integrity of the Person

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.

There were no reports of arbitrary deprivation of life or politically motivated killings in Transnistria.

b. Disappearance

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

Vladimir Dudnic, a resident of the country, was reportedly kidnapped in Transnistria on April 4. Transnistrian “authorities” refused Chisinau’s request for information on Dudnic’s whereabouts, recommending Dudnic’s relatives talk directly to Transnistrian “authorities.” Two of the four citizens abducted in Transnistria in 2020 remained detained by Transnistrian “authorities” as of November, despite requests from the Moldovan government and foreign diplomats for their release.

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

While the law prohibits such practices, the antitorture prosecution office reported allegations of torture and cruel, inhuman, and degrading treatment, mainly in detention facilities. Reports included cases of mistreatment in pretrial detention centers in police stations, particularly in regional police inspectorates. Impunity persisted, but authorities increasingly initiated prosecutions regarding allegations of torture and inhuman or degrading treatment during the year.

During the year, prosecutors received 485 allegations of mistreatment and torture, including 14 torture cases, 453 cases of inhuman and degrading treatment, 12 cases of hazing in the armed forces, five cases of law enforcement using threats and intimidation to coerce a suspect or a victim to make a statement, and one case of

excessive use of force. Most mistreatment cases reportedly occurred in public spaces, followed by police stations, penitentiary institutions, at the victims' domicile, educational institutions, and military units. Prosecutors initiated 69 criminal cases: 55 on inhuman and degrading treatment, nine on hazing, three on torture, one on coercing to make a statement, and one on excessive use of force. During the year, the courts issued 16 rulings against 23 persons which resulted in two prison sentences against two individuals, eight suspended sentences against 14 individuals, and six fines for seven individuals. The courts also struck down seven cases against nine individuals and acquitted six persons.

On February 3, the Soroca district prosecutor's office initiated an investigation into a case of inhuman and degrading treatment which allegedly occurred on January 31 in Soroca. According to prosecutors, two individuals from Zastinca village stopped at a gas station in Soroca on the night of January 31 to buy cigarettes. They were stopped and physically accosted by the son of a local businessmen and four other accomplices who asked the two "why they were out at that late hour." The victims called the police, but the four officers who came to the scene started to beat the victims and escorted them to the police station. Approximately seven police officers continued to beat the two victims in a closed office at the local police station and forced them to sign documents stating that they had no objections to the police's actions. The victims were released only after signing the paperwork. One of the victims called the emergency police number once he was home and reported the assault. The victims were summoned to the police the next day but were unable to come due to their sustained injuries. The Soroca police station head alerted the local prosecutor's office several days after the incident after one of the victims went to Chisinau for a forensic examination. As a result, the prosecutors initiated a criminal case against three police officers on charges of inhuman and degrading treatment. The officers pled not guilty and refused to make statements. The case was pending in courts at the end of the year.

Impunity for perpetrators of abuses remained a problem and investigations were often unnecessarily prolonged. Prosecutors, however, opened slightly more criminal cases on inhuman and degrading treatment (35 during the first five months of the year compared with 27 during the first six months in 2021) due to improved mechanisms to investigate abuses, more training, and more widespread

compliance with European Court of Human Rights (ECHR) standards.

In Transnistria, there were reports of torture and cruel, inhuman, and degrading treatment in detention facilities, including denial of medical assistance, detention in metal cages during court hearings, and prolonged solitary confinement. There was no known mechanism to investigate alleged acts of torture by Transnistrian “security forces.” The nongovernmental organization (NGO) Promo-LEX noted that “authorities” perpetrated most inhuman and degrading treatment in the region to obtain self-incriminating confessions. Transnistrian “law enforcement” bodies did not report any investigations or prosecutions for torture or inhuman treatment by Transnistrian “security forces” during the year.

The Transnistrian “ombudsman” reported 60 complaints filed in 2021 regarding abuses of human rights by prison guards and other officers by individuals detained in Transnistrian prisons or pretrial detention centers. During the year, only one complaint out of 60 was accepted by “authorities.”

The attorneys and family of political prisoner Oleg Horjan continued to report that Horjan was subjected to abuse while in detention and that his health was deteriorating. After numerous failed requests, Transnistrian “authorities” permitted access by the Organization for Security and Cooperation in Europe (OSCE) to Horjan’s place of detention so he could be seen by an OSCE doctor in June 2021. He completed his sentence in December (see section 1.e., Political Prisoners and Detainees, and section 2.a.).

Prison and Detention Center Conditions

Conditions in most prisons and detention centers remained harsh, due to overcrowding, poor sanitation, lack of privacy, insufficient or no access to outdoor exercise, and a lack of facilities for persons with disabilities. In a June statement on the International Day in Support of Victims of Torture, several human rights organizations, including Amnesty International Moldova, Promo-Lex, and the Legal Resources Center, stated that detention conditions in the country, particularly at Penitentiary No. 13 in Chisinau, did not meet minimum standards to prevent and combat torture and inhuman or degrading treatment.

Abusive Physical Conditions: Some prisons and detention centers were

overcrowded. According to a 2021 Council of Europe report, the country had a high incarceration rate (166.5 detainees per 100,000 persons in 2020). The country also had a long average term of incarceration (26 months), which contributed to prison overcrowding. According to civil society organizations, the excessive use of pretrial detention and the lack of alternative detention measures led to prison overcrowding.

In September, parliament's human rights committee members visited Penitentiary No. 17 in Rezina in reaction to multiple complaints from detainees of poor detention conditions, insufficient food, inadequate healthcare, and illegalities committed by prison staff. On November 7, 11 detainees serving life sentences at the penitentiary announced a hunger strike to protest alleged inhuman detention conditions and aggressive behavior of the prison staff, and to request conditional early release due to poor detention conditions.

Human rights organizations and members of the National Mechanism to Prevent Torture continued to report poor lighting and ventilation, inadequate medical care, and insufficient medical personnel in most detention facilities. During the 13th EU-Moldova Human Rights Dialogue held in Brussels in June, the EU called on Moldova to pursue decisive efforts to bring the conditions of detention in line with international standards and to thoroughly investigate and prosecute, as well as effectively sanction, any act of ill-treatment and torture in detention facilities.

Health care was inadequate at most penitentiaries. According to the 2021/2022 Amnesty International *Annual Report*, overcrowding, unsanitary, and otherwise inadequate detention conditions were regularly reported in adult, juvenile, and mixed penitentiary institutions. Complaints of poor diagnostics and health provisions were commonplace, while medical staff remained part of penitentiary rather than health authorities. The report also highlighted the problem of an informal hierarchy and interprisoner violence, which authorities chronically failed to address.

As of July, there were 10 deaths in penitentiary facilities. The National Penitentiary Administration reported heart disease and cancer as main causes of death among prison inmates. The National Penitentiary Administration reported 41 deaths in penitentiary institutions in 2021. According to the human rights NGO

Promo-Lex, most deaths were registered at Penitentiary No.16 in Chisinau, which had the status of a penitentiary hospital and did not provide adequate medical care. Throughout the year, the Ministry of Justice maintained health restrictions in all penitentiaries due to the COVID-19 pandemic, including limitations on detainees' transfers and visits.

According to the 2021 report of the people's ombudsman, conditions in temporary detention facilities located in police stations improved; 15 such facilities were repaired according to European standards while repair work at the remaining police stations (more than 22) was put on hold. The same report indicated that the number of persons detained with injuries in custody increased and police officers often used unjustified excessive force against detainees. The documentation of injuries also raised concerns, and there was a lack of paramedics in most facilities.

The chronic staff shortage in prisons led to a reliance on informal prisoner leaders to keep control over the inmate population, often through violence.

Conditions at Penitentiary No. 13 in Chisinau were reported the worst in the country. Inmates there complained of being held in basement cells that did not meet national or international standards. Allegations of inhuman treatment persisted. In multiple cases, the ECHR found that detention conditions in Penitentiary No. 13 were contrary to the European Convention on Human Rights. Some cells were overcrowded (up to 16 inmates held in an area measuring 258 square feet), unhygienic, and lacked ventilation, natural light, or permanent access to water for personal hygiene. Authorities called for the closure of the facility and construction of a new penitentiary, but the construction of a replacement was delayed due to insufficient funds.

In Transnistria, physical conditions of prisons and detention facilities remained poor, and mistreatment of detainees remained a major problem. Most pretrial detention cells lacked beds and toilet facilities, a condition the Transnistrian "ombudsman" qualified as an "infringement against human dignity."

There were continued reports that persons detained in Transnistria were often denied access to professional medical assistance.

Administration: Internal investigation procedures in the penitentiary system

slightly improved during the year and detainees had access to complaint mechanisms. Ministry of Justice officials and members of parliament's human rights committee paid several visits to detention facilities during the year to assess whether human rights were respected and encourage better detention conditions.

Independent Monitoring: The government permitted independent monitoring of prison conditions by local and international human rights observers. Prison officials generally allowed observers to interview inmates in private. Human rights NGOs from both Transnistria and government-controlled areas of the country reported being denied access to Transnistrian prisons by Transnistrian "authorities." The OSCE was granted extremely limited access to individual prisoners by Transnistrian "authorities" on a case-by-case basis. For example, after numerous unanswered requests by the OSCE to allow a medical doctor access to Andrei Glijin, human rights NGOs reported that "authorities" permitted a visit by an OSCE medical doctor in July. (See section 1.d., Arbitrary Arrest, and section 1.e., Trial Procedures). Requests by the OSCE for access to detainees in Transnistria with serious health concerns continued to be broadly ignored. There were no reports of any independent monitoring of detention facilities in the Transnistrian region.

Transnistrian "authorities" continued to deny access for independent evaluation of detention center conditions.

Improvements: The Ministry of Justice carried out penitentiary staff personnel training on respect for human rights and dignity, zero tolerance to torture, and improved healthcare for prison inmates.

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, there were frequent reports that Transnistrian "authorities" reportedly engaged with impunity in arbitrary arrest and detention.

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.

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. The government required the local bar association to provide representation to indigent defendants, but frequently delayed reimbursement of legal fees. Indigent defendants often did not have adequate counsel.

Arbitrary Arrest: Arbitrary pretrial detention continued to be a problem during the year, though less frequent than in previous years. According to the NGO Legal Resources Center of Moldova, alternative preventive measures (such as home detention and release on recognizance) were used only to a limited extent and the high rate of arbitrary remand was also due to insufficient judicial independence and prosecutorial bias by many investigative judges as well as a high caseload, which impeded a thorough examination of case materials.

In Transnistria, arbitrary arrests, particularly of those who criticized de facto Transnistrian authorities, remained a significant problem (see section 1.e., Political Prisoners and Detainees). For example, two citizens of the country, Adrian Glijin and Stanislav Minzarari, were arrested by the Transnistrian “authorities” in and charged with espionage, a move viewed by civil society and human rights NGOs as politically motivated. On May 6, Glijin was sentenced to 13 years and six months imprisonment for “treason” (see section 1.c., Prison and Detention Center Conditions, Independent Monitoring, and section 1.e., Denial of Fair Public Trial, Trial Procedures). As of August, both men remained detained in Transnistria.

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.

In Transnistria, lengthy pretrial detention remained a problem. For example, Ruslan Lomaca, a citizen of Moldova, was kidnapped in 2020 while fishing on the Nistru River; he was issued a suspended sentence of three years and six months on June 17 by a Transnistrian “court” and was released from pretrial detention after almost two years.

e. Denial of Fair Public Trial

While the law provides for an independent judiciary, judicial independence remained a problem due to problems stemming from corruption and selective justice, in which the law was not applied equally to all and was often selectively enforced for politically motivated reasons.

Selective justice remained a problem and lawyers complained of instances in which their clients’ rights to a fair trial were denied. Several prominent politicians detained during the year alleged selective justice and abuses of their right to a fair trial.

Media and judicial reform activists noted that it was common for judges to indefinitely postpone hearings for wealthy or well-connected defendants. This practice was believed to be connected to personal corruption of the judges. The government implemented an electronic case management system to provide transparency in the assignment of judges to cases. The system was used by all courts in the country which increased transparency and efficiency in court proceedings.

Media representatives and NGOs remained concerned regarding limitations on access to data on the national courts’ information 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.

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.

The law requires the government to provide an attorney to indigent defendants.

In July, parliament passed amendments to the Criminal Code to allow the state to confiscate assets acquired by corruption. The amendments also allow trial in absentia of criminal defendants who attempt to elude prosecution by fleeing the country.

Justice NGOs noted that courts repeatedly delayed hearings without justification in high-profile cases. Hearings on a criminal appeal by Ilan Shor, the leader of the Shor Party and member of parliament convicted and sentenced in 2017 to seven-and-one-half years' imprisonment for his involvement in a 2014 billion-dollar bank fraud scandal, were again delayed throughout the year.

In Transnistria, "authorities" disregarded fair trial procedures and denied defendants a fair trial. Attorneys in Transnistria reported that "authorities" regularly denied accused individuals the right to an attorney of their choosing and that trials were often held in secret without public announcement of charges. For example, the trial of Adrian Glijin was held in secret and after his May 6 sentencing to 13 years and six months' imprisonment, he was denied access to the court decision due to the "secrecy of the case" (see section 1.d. subsection Arbitrary Arrest and 1.c. subsection Independent Monitoring). Trials for those who were arbitrarily arrested for exercising fundamental freedoms and criticizing the de facto authorities continued to be held behind closed doors.

Political Prisoners and Detainees

There were no independent reports of politically motivated criminal cases opened during the year. Members and supporters of the Socialist Party and Shor Party and authorities from the Russian Federation alleged that the criminal cases opened against former President Igor Dodon and other Socialist Party and Shor Party members of parliament for corruption were politically motivated. Human rights

observers and NGOs disagreed, arguing that these criminal cases did not appear to be politically motivated. Many NGOs and human rights activists have long called for such investigations into large-scale corruption cases, including many in which these defendants were involved.

In Transnistria, several political prisoners remained in custody or served sentences, many of whom were arrested for exercising freedoms of expression and assembly, primarily to criticize the “authorities.” Transnistrian “authorities” continued to use the “2020-2026 Strategy for Combating Extremism” as a pretext to apply additional repressive tools to silence dissent and repress fundamental freedoms (see section 2.a., Freedom of Expression). For example, Oleg Horjan, the leader of the Communist Party and formerly the sole opposition member of the “Supreme Soviet” (“legislature”) of Transnistria, continued to serve a four-and-one-half-year sentence in Hlinaia Penitentiary on assault charges and for insulting Transnistrian “authorities.” Human rights lawyers and NGOs called the charges politically motivated and deemed Horjan a political prisoner. Horjan’s lawyers and family alleged he was subjected to abuse in detention (see section 1.c.). Transnistrian “authorities” denied the Moldovan ombudsman access to his place of detention. Horjan was released in December after serving his full four-year-and-six-month sentence (also see section 1.c. and section 2.a.).

On June 10, Victor Plescanov was sentenced to a five-day administrative arrest for petty hooliganism and subsequently sentenced on September 26 to three years and two months’ imprisonment for alleged “extremism” that occurred when he told a shopkeeper he would fly a Ukrainian flag from his apartment’s balcony. The Transnistrian human rights NGO Apriori argued the charges were politically motivated and that Transnistrian “law enforcement” penalized Plescanov for exercising freedom of expression and condemning Russia’s aggression against Ukraine.

Civil Judicial Procedures and Remedies

The law allows citizens to seek damages in civil courts for human rights abuses. 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. Complaints of human

rights abuses were rarely investigated, and detainees reported abuses to a limited extent due to fear of retaliation. When judgements were awarded in such cases, they 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.

At the beginning of the year, there were 1,038 applications against the state pending before the ECHR. The ECHR issued 68 rulings involving Moldova in 2021 and found 69 violations of the European Convention on Human Rights. The most frequent violations found by the ECHR involved the right to a fair trial, property rights, inhuman detention conditions, and inhuman or degrading treatment. A study released by the NGO Legal Resources Center of Moldova in February showed that from 1997, when the first complaint against the country was submitted to the ECHR, until 2021 the court ruled in 568 cases against Moldova and ordered damages worth almost 22 million euros (\$22.8 million), including 2.6 million euros (\$2.69 million) in 2021.

A mediation law establishes an alternative mechanism for voluntarily resolving civil and criminal cases and sets forth rules for professional mediators. Under the law a nine-member mediation council selected by the minister of justice coordinates the mediators' activity.

The ECHR considers the Republic of Moldova and the Russian Federation the responsible states for cases coming from Transnistria. The decisions of courts on the territory of the Republic of Moldova controlled by the government are not recognized by the Transnistrian "authorities." In Transnistria, de facto courts and the "ombudsman" institution were not sufficiently independent to provide effective remedies for human rights abuses. Individuals and organizations may use the de facto Transnistrian judiciary system to appeal domestic decisions but could face criminal liability if decisions of Transnistrian "courts" are appealed in Moldovan courts or international courts. In May the "authorities" made it a criminal offense to ask Moldovan authorities or international bodies for redress of alleged human rights abuses in Transnistria, with penalties of up to 10 years in prison.

Property Seizure and Restitution

Although Moldovan law provides for restitution of private property confiscated during the Communist era, it does not apply to communal property. The government has not enacted any laws concerning restitution of communal or religious property nor made progress on resolution of Holocaust-era claims, including by foreign citizens.

The state did not return any property to the Jewish community that it bought or is seeking communal and religious properties through litigation. Jewish groups continued to seek a comprehensive restitution solution for communal property instead of the piecemeal approach in which individual buildings have been returned.

In 2021, the ECHR rejected as inadmissible a property dispute case filed by the Roman Catholic Church against the government in 2012. The disputed property, part of the Presidency building complex, was a Roman Catholic school nationalized during the Soviet era. In its ruling, the ECHR said the Roman Catholic Church failed to exhaust all domestic remedies to return the property as required under the 2002 government decision that allowed religious groups to claim the right of ownership of some properties from local authorities.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act* report to Congress, released publicly in July 2020, can be found on the Department's website at: <https://www.state.gov/reports/just-act-report-to-congress>.

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. There were no known reports of government agents failing to respect these prohibitions.

Following Russia's full-scale invasion of Ukraine in February, parliament approved a state of emergency that imposed: special entry and exit rules; special

rules for the use of airspace; limits on public gatherings; rules for evacuating citizens from life-threatening areas; potential rationing of food and other products; special use of telecommunications; and other necessary measures to ensure state security. As of December, the state of emergency had been extended four times.

In June, a Chisinau court released former police officer Dorin Damir, charged with abuse of power, from house arrest and placed him under judicial oversight. Damir and other officers were allegedly in charge of the illegal wiretapping and surveillance of opposition political leaders, journalists, and NGOs at the orders of fugitive oligarch Vladimir Plahotniuc. As of December, Damir's case was ongoing.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, and allows individuals to criticize the government or to discuss matters of public interest. Restrictions apply only in cases when such discussion poses a threat to national security, territorial integrity, public order, or safety. Authorities did not always respect freedom of expression for the press. Some journalists were subjected to harassment, intimidation, and frequent lawsuits.

Freedom of Expression: In May the president signed into law amendments to the Criminal and Misdemeanor Codes to expand protections against discrimination and incitement to discrimination or hate-based violence. Parliament passed the law after multiple delays since its adoption in a preliminary vote in 2016. The new law allows for enhanced sentences for crimes motivated by stereotypes or prejudice based on race, color, ethnic, national, social origin, citizenship, sex, gender, language, religion or religious beliefs, political views, gender identity, sexual orientation, health, age, or civil status. It also defines “genocide propaganda” and “crimes against humanity” and introduces a new term of “incitement to discrimination.” The amendments introduce penalties against individuals for instigating hate or prejudice through intentional actions, public calls, dissemination of information through mass media, and instigation in written form or through

drawings and images.

Hate speech is regulated by the Law on Freedom of Speech and the Audiovisual Code.

In April, the president signed into law a bill passed by parliament banning the “Z” and “V” symbols used by Russia during its invasion of Ukraine, and the Soviet-era Victory Day-linked St. George’s ribbon. Opposition politicians, including from the Socialist and Communist Parties, which did not condemn Russia’s invasion of Ukraine, opposed the bill, challenged it at the Constitutional Court, and wore the ribbon in defiance of the law during the May 9 Victory Day celebrations in various cities throughout the country. Police reported that approximately 340 individuals violated the law on St. George’s ribbon, including 17 members of parliament. Police identified 220 individuals and applied fines worth 600,000 lei (\$31,300). In December, the Commission for Emergency Situations (CSE) suspended the broadcast licenses for six pro-Russian television channels that were accused of spreading disinformation and promoting Russia’s war of aggression against Ukraine.

In Transnistria, freedom of speech continued to be repressed. De facto authorities continued to carry out a “2020-2026 Strategy for Combating Extremism” that provides “authorities” additional tools to silence dissent and further repress freedom of expression, complementing the existing 2007 “law” on fighting extremism activities. Several individuals faced charges pursuant to the “anti-extremism law” for publicly criticizing “authorities” during the year. Public insults of the region’s “leader” may be punished by a fine or up to five years in prison.

For example, Mihail Ermurachi was convicted in July 2021 of “insulting” the de facto leader of Transnistria in a private conversation he had in 2019 and was fined 9,200 rubles (\$600). On May 5, the human rights NGO Promo-Lex requested the Moldovan Bureau for Reintegration to allocate money to pay the fine levied to Mihail Ermurachi. Promo-Lex said if the fine went unpaid, Ermurachi would be subject to a harsher sentence or even imprisonment. Oleg Horjan (see section 1.c. and 1.e., Political Prisoners and Detainees) was imprisoned until December after being sentenced to prison for criticizing “authorities” by “insulting a public

official,” an act that is prohibited under the region’s “criminal code.”

On September 26, Victor Plescanov was sentenced to three years and two months in prison for allegedly calling for “extremist” actions. Human rights defenders argued Plescanov was repressed for expressing his political views condemning Russia’s war against Ukraine.

Violence and Harassment: There were reports of government and political leaders restricting media’s ability to cover events. Some journalists were subjected to harassment, intimidation, and frequent lawsuits.

For example, there were three acts of abuse in Gagauzia by local and regional authorities against journalists from the local independent news agency Nokta. On May 24, Nokta founder and journalist Mihail Sirkeli filed a police complaint against an employee of the Comrat mayor’s office, Anatolie Cobolschi, after Cobolschi threatened Sirkeli on social media, promising to “dismember Sirkeli” in response to the critical story Sirkeli wrote concerning Cobolschi. On July 5, Nokta reporter Slava Radulov was forcibly removed from a Gagauzia People’s Assembly (PA) public meeting by a man in civilian clothing who introduced himself as a “citizen of the country.” PA members also asked Radulov to leave with the justification that his clothes were not up to code. No other journalists were allowed in the room either, although it was not against regulations for journalists to be present during the meeting. Nokta published video footage of the incident. The same journalist was physically assaulted during an August 14 protest rally held in Vulcanesti against consumer price increases. After the rally, local elected officials from the Socialist Party demanded Radulov stop filming the protest and pulled him by the hair and threatened to shave his head.

In Transnistria, abuses against journalists were common. For example, Moldovan-Russian Kommersant news portal journalist Vladimir Soloviov was detained by Transnistrian “authorities” on April 14. He was escorted out of a Joint Control Commission meeting that was discussing the war in Ukraine and brought to a “Transnistrian Security Service” facility where he was detained for not having special accreditation for the meeting. The Moldovan government condemned the detention and called for a full investigation. After five hours, Soloviov was driven to the checkpoint and notified that he was expelled from Transnistria without

documentation.

On May 20, two Romanian journalists from Digi24 were arrested by security forces in Transnistria and held without charges brought against them after they broadcasted from Tighina and Tiraspol. They were subsequently interrogated and then released after approximately six hours, following the intervention of the Romanian Ministry of Foreign Affairs and Moldovan authorities.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: During the state of emergency declared on February 24 following Russia's full-scale invasion of Ukraine, authorities restricted online content deemed threatening to state security, blocked more than 10 websites for "inciting hatred and war," and issued a public warning to online media outlets to refrain from publishing or distributing "fake news" and "biased information" related to Russia's war in Ukraine.

On June 2, parliament approved amendments to the Audiovisual Media Services Code to counter disinformation. The amendments define the notion of disinformation and ban all news, political, and military content from countries other than the member states of the European Union, the United States, Canada, and countries that have ratified the European Convention on Transfrontier Television. NGOs and the press argued that this legislation was aimed at banning broadcasts coming from Russia.

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

In response to longstanding concerns from journalists that a personal data protection law restricted their access to information, the government approved a decision on July 27 allowing journalists to access the databases of the Public Service Agency at no charge and required public entities to provide such information to journalists within five days. Despite this improvement, investigative journalists complained the service was still prone to restrictions and delays, and that some information required a fee.

On July 6, the government approved a decision to create a Coordinating Council

for Information Security. The initiative is part of Moldova's Information Security Strategy for 2019-2024. The Coordinating Council, which was expected to include representatives of government and nongovernment institutions, was designed to focus on cyber and informational security and cases of human rights abuses regarding free access to information.

In Transnistria, journalists regularly practiced self-censorship and avoided criticizing "authorities," the separatists' goal of independence and their "foreign policy," or anything that would be deemed "extremist" under the "2020-2026 Strategy for Combating Extremism."

Libel/Slander Laws: Libel and slander are civil offenses punishable by a fine, community service, being barred from holding certain public offices for a period of months, or a combination of these punishments. Defamation is not a crime, but individuals and organizations can be sued civilly for defamation. Some newspapers practiced self-censorship and avoided controversial topics due to concerns that government officials and other public figures could use slander, libel, or defamation accusations to retaliate against critical news reports.

On July 26, independent media outlet Jurnal TV founder Val Butnaru was found guilty of slander, fined 4,500 lei (\$240), and barred from working in television and radio for six months. The charges of slander stemmed from a Jurnal TV investigation into allegations of the former Dubasari Police Inspectorate chief's involvement in cigarette smuggling. Jurnal TV appealed the decision.

Internet Freedom

During the state of emergency declared on February 24 and extended several times during the year, the government censored online content deemed threatening to state security, including websites that justified Russia's full-scale war in Ukraine or called for civil disobedience. The Intelligence and Security Service blocked more than 10 websites for "inciting hatred and war," including the Russian news service Sputnik.

Under the ordinance of the CSE, the intelligence service issued a public warning to online media outlets to refrain from publishing or distributing "fake news" and "biased information" to incite hatred, public disorder, war, justify military

aggression in Ukraine, provoke conflict, or glorify military aggression.

Internet users and civil society in Transnistria accused the region's largest internet service provider, Inderdnestrcom, believed to be controlled by de facto authorities, of eliminating its competitors in Transnistria. The only other service provider in Transnistria, Likservice, remained operational only in Bender (Tighina).

Restrictions on Academic Freedom and Cultural Events

The National Extraordinary Public Health Commission lifted most COVID-19 related restrictions on public gatherings and cultural events during the year. The State of Emergency announced on February 24 following Russia's full-scale invasion of Ukraine, which was extended several times during the year, however, empowered the CSE to restrict public gatherings and cultural events on a case-by-case basis.

In Transnistria, Latin-script schools continued to be the subject of a dispute between the government and Transnistrian "authorities," who refused to cooperate in identifying buildings with proper conditions for schooling purposes, with indoor and outdoor gyms, and a proper cafeteria. Transnistrian "authorities" continue to demand lists of pupils in Moldovan-controlled Latin-script schools in Transnistria who are eligible for military service.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights. The government did, however, impose restrictions on public gatherings during the public health state of emergency declared in response to the COVID-19 pandemic. Those restrictions were lifted in March and minimally re-imposed in August as cases began to rise again.

Freedom of Peaceful Assembly

The law provides for freedom of assembly. While the government usually respected this right, there were several exceptions connected to the public health COVID-19 related state of emergency and in October, the government moved to

increase the power of authorities to respond to antigovernment protests.

Authorities, with some exceptions, prohibited large public gatherings exceeding 50 persons during part of the year due to the COVID-19 pandemic. After declaring a state of emergency in September 2021 authorities began requiring proof of vaccination against COVID-19 or a negative PCR or antigen test from persons attending indoor or outdoor events. Restrictions on gathering size were lifted in March.

Beginning in June, supporters of the opposition Shor Party began a series of protests against the government in Chisinau. On October 4, the General Inspectorate of Police announced it had applied to the Chisinau court to suspend all Shor Party protests in Chisinau due to the high number of legal violations committed by protesters. Police reported dozens of contravention proceedings were registered concerning violations of the law by Shor party protesters. Despite the request, authorities continued to allow the protests to take place. Anticorruption prosecutors and police conducted several raids of Shor Party offices in October and confiscated cash in several currencies. Prosecutors allege the money was intended for undeclared payments by the Shor Party to protesters.

On October 13, the CSE approved new rules for protests during the ongoing state of emergency. The CSE banned protests which blocked roads or access to public institutions during the week, only allowing such actions for a maximum of four hours on weekends. The CSE empowered authorities to remove protesters who disrupted public order, incited to discrimination or violence, or called for war, aggression, or mass disorder. The rules also provided for immediate suspension of protests without the involvement of local public authorities in the event of serious violations of the rules.

There were several instances in which clashes between police and protesters ensued following protests in Chisinau by the opposition Shor Party. The party staged antigovernment protests every week since September 18 and installed tents in front of the Presidency and Parliament building on September 25. On October 9, Shor Party activists set up tents along Chisinau's main road to protest against the government and call for snap elections, many without permits and disrupting traffic. On October 10, clashes between police and protestors ensued as police

forcibly removed more than 100 tents after protesters refused to move them. During an October 14 protest, Shor Party demonstrators again tried to install tents on Chisinau's main road, but police impeded them, leading to minor skirmishes. On October 16, police prevented bused-in protesters from entering and blocking the National Assembly Square. There were no reported serious injuries.

On October 30, authorities detained approximately 80 protesters participating in the Shor Party-backed antigovernment protests for inciting violence. Most protesters, who accused the police of illegal detention, were released the same day. Police released audio recordings of conversations between the protesters demonstrating that they intended to breach the police line and destabilize the situation. During some Shor-backed anti-government protests, police confiscated dangerous items from protesters, such as illegal fireworks and axes. The party continued large-scale protests at various government buildings and held several flash mobs through December, but no other significant clashes with the police were reported.

There was at least one attempt to disrupt freedom of assembly for the LGBTQI+ community during the year by Chisinau Mayor Ion Ceban. Nonetheless, the Chisinau Pride March proceeded as planned, remained peaceful, and was protected by national police forces (see section 6, Acts of Violence, Criminalization, and other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics, Restrictions of Freedom of Expression, Association, or Peaceful Assembly).

In Transnistria, "authorities" generally refused permits for public protests. The only reported protests were a very small antiwar demonstration in Tiraspol on February 27 and a gathering on March 6 in support of Russia's aggression against Ukraine. In the latter case, Transnistrian "authorities" denounced the gathering as a meeting uncoordinated with the "authorities."

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.

In Transnistria, “authorities” 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 criminal charges and harassment by “security forces.” “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 and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights, with some exceptions. Although citizens generally may depart from and return to the country freely, there were some limitations on emigration and, until March, some COVID-19-related travel restrictions.

In-country Movement: In Transnistria, “authorities” continued to restrict travel to and from the region. Some Transnistria checkpoints established during the COVID-19 pandemic remained, despite objections by the Moldovan government. On April 26, “authorities” declared a 15-day “Code Red” alert for terrorism, citing threats of terrorist attacks following several bomb threats and explosions in Transnistria. Under the “Code Red,” “authorities” created check points in cities throughout the Transnistria region, announced that “law enforcement” would tighten checkpoints and road traffic enforcement, and extended online education for schools until the end of the school year. Further, “authorities” cancelled the simplified procedure for crossing the “internal boundary line” during the Easter holiday and for members of the diplomatic missions and international organizations in Moldova. Moldovan authorities issued a statement condemning limitations by Transnistrian de facto authorities on freedom of movement. The “Code Red” alert was downgraded to a “Code Yellow” alert for terrorism on May

25 and was in place as of November. Jersey barriers installed at various checkpoints in Transnistria and along the administrative line remained in place. The demands of the Moldovan delegation to the Joint Control Commission to remove the additional illegal checkpoints installed after April 26 remained unanswered.

The OSCE stated in July that Transnistrian “authorities” were restricting freedom of movement to and from the territory.

Foreign Travel: The law requires individuals to settle all outstanding financial obligations with other persons or legal entities before emigrating. 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. During the year, the government lifted foreign travel restrictions and reopened borders to travelers regardless of vaccination status. The government partially closed the country’s airspace during the State of Emergency announced on February 24 following Russia’s full-scale invasion of Ukraine, but did not limit entry or exit of persons.

e. Protection of Refugees

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, or asylum seekers, as well as other persons of concern. In Transnistria, “authorities” did the same.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. According to Migration and Asylum Bureau, as of August 2022, 3,515 individuals (mostly Ukrainian nationals) applied for asylum; 184 were offered refugee status. The process for obtaining formal refugee status was slow but conducted in line with international and European standards. 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 continued to provide financial support to

refugees. A temporary accommodation center administered by the Bureau of Migration and Asylum was available for asylum seekers.

The system had procedural safeguards for seeking protection and review and no impediments to access by members of specific populations. Asylum seekers were not sent to countries without adequate laws or systems for providing protection to refugees.

The government and private citizens provided significant support to refugees from Ukraine, the vast majority of whom were women and children, with the country receiving more than 500,000 border crossings into Moldova since Russia's full-scale invasion began in February. Of this group, Transnistrian "authorities" reported 45,000 Ukrainian refugees entered the Transnistrian region since February 24, of whom 37,000 registered as refugees.

Safe Country of Origin/Transit: The country previously accepted Ukrainian asylum seekers but determined that Ukraine's process for protecting and resettling internally displaced persons (IDPs) was sufficient. Most displaced Ukrainians preferred to transit Moldova, then seek asylum in the EU.

Refoulement: There were no reported cases of refoulement in the year. In October, following Russia's partial mobilization against Ukraine, there were reports of conscription-age men with Russian Federation citizenship being refused entry into Moldova, some of whom requested asylum upon arrival. This was not in accordance with the law; parole into the country was reportedly granted for each petitioner for asylum. The airport security forces were retrained, and there have been no reports since that time.

Employment: Under the state of emergency declared at the outset of Russia's further invasion of Ukraine and subsequently extended through October, all those fleeing from Ukraine to Moldova were allowed to reside and work in the country.

Access to Basic Services: Ukrainian refugees were also allowed access to health care and education.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees and provided it to approximately 177

persons (beneficiaries of humanitarian protection) registered in the national asylum system as of August.

f. Status and Treatment of Internally Displaced Persons

The law does not define the concept of IDPs and authorities did not report any official data on IDPs as such. Nonetheless, NGOs such as Promo-LEX and a 2004 Norwegian Refugee Council report estimated that approximately 130,000 persons were displaced by the 1992 conflict in Transnistria, with approximately 51,000 of them residing in government-controlled territory. IDPs may include victims of forced displacement by Transnistrian “authorities,” former combatants, and persons who left the region for political reasons.

g. Stateless Persons

According to the Public Service Agency (PSA), as of January there were 1,909 persons registered as stateless in the country, 1,374 of whom resided in Transnistria. According to immigration law experts, most stateless persons fell into one of two categories: 1) former citizens of the Soviet Union residing in Moldova who are ineligible for Moldovan citizenship and do not hold another country’s citizenship, and 2) Moldovan citizens who renounced their citizenship to acquire another citizenship and have not notified Moldovan authorities of any subsequent acquisition of citizenship. Experts assessed that most persons in the second category, especially Transnistria residents, were not actually stateless, and most acquired Russian or Ukrainian citizenship or another nationality. PSA data shows 6,849 citizens of the country did not possess any valid documentation of their citizenship, but they had Soviet passports endorsed by the Moldovan Public Services Agency, which served as a *prima facie* proof of citizenship. There were an additional 1,400 persons of indeterminate citizenship status.

Stateless persons and refugees may gain citizenship through naturalization. The law allows a refugee or stateless person who has resided legally in the country for eight years to seek citizenship. The family reunion process for naturalized refugees was burdensome. In August, the Public Service Agency changed a number of regulations in order to lower the cost for residence permits and travel documents for stateless persons and individuals seeking humanitarian protection

temporarily residing in the country, as well as making these documents valid for longer periods of time. As of August, PSA charges 130 lei (\$ 6.7) for residence permits valid up to 15 years or longer in some cases and 650 lei (\$33) for travel documents valid up to 10 years (\$21 to \$68). 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: Presidential elections were held in 2020 in which former Prime Minister Maia Sandu defeated the incumbent, Igor Dodon, in a runoff. OSCE election observers noted in their final report that fundamental freedoms of assembly and expression were respected and that the campaign was competitive providing voters distinct political alternatives. While political polarization and control of media remained a concern, contestants were covered in a generally balanced manner that empowered voters to make an informed choice. Local and international election observers noted other irregularities, including allegations of illegal mass transportation and vote buying, particularly targeting voters from the Transnistria region; ineffective campaign finance oversight; and shortcomings in election dispute resolution.

Following the resignation of the prime minister and the government in December 2020 and the failure to confirm a new government, early parliamentary elections were held in July 2021. OSCE election observers noted in their final report that the elections were well administered and competitive and that fundamental freedoms were largely respected. OSCE election observers also concluded that candidates had ample opportunities to campaign, although they noted problems related to Central Electoral Commission impartiality, inadequate regulation regarding electoral dispute resolution, doubts regarding the courts' political neutrality, and insufficient oversight of campaign financing. The Action and Solidarity Party (PAS), founded by President Sandu, won the elections with 63 seats in parliament, enough to form a single-party majority government headed by

Prime Minister Natalia Gavrilita. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) provided an election observation mission that assessed the early parliamentary elections for their compliance with OSCE commitments, other international obligations and standards for democratic elections, and local legislation. The OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, the European Parliament, the CIS Interparliamentary Assembly, and other international organizations and foreign missions also deployed observer delegations for these elections.

In their preliminary reports, international and local observers from ODIHR and local NGO Promo-LEX noted the parliamentary elections generally respected fundamental freedoms and preliminary results reflected voters' will. Observers noted election irregularities, such as allegations of illegal mass transportation and vote buying, particularly in the Transnistria region. The Civic Coalition for Free and Fair Elections, composed of 36 local NGOs, assessed the parliamentary elections as partially free and fair but held in an environment marked by hate speech; biased coverage; suspicions of political influence on electoral bodies; inadequate review of electoral complaints in the absence of clear provisions in the electoral code; a nontransparent and unpredictable process of establishing polling stations abroad and in Transnistria; insufficient information concerning the electoral process and voting methods; and discrimination against persons with special needs, who continued to face barriers to physical and information accessibility.

A pre-election report by the European Network of Election Monitoring Organizations (ENEMO) found that the parliamentary election was generally competitive, administered efficiently and transparently, and fundamental rights were respected overall. Problems observed included: doubts regarding the impartiality of some Central Electoral Commission decisions, including on polling stations abroad and in Transnistria; alleged misuse of administrative resources; illegal financing and vote buying; disinformation by biased and polarized media; and ineffective procedures for adjudicating complaints.

Media regulations approved by the Central Electoral Commission provide for equal access to media and fair coverage of all the electoral competitors, but monitoring reports showed that not all media outlets followed the regulation.

International observers from ODIHR and ENEMO as well as the Civic Coalition for Free and Fair Elections, the National Platform of the Eastern Partnership Civil Society Forum, and media NGOs noted that the Audiovisual Council was ineffective during the 2021 parliamentary elections and failed to sanction all the television channels that it listed in its first monitoring report as violating the law. International observers noted that the Audiovisual Council at the time of the elections was not perceived as politically independent and did not enjoy public confidence.

In March, parliament amended the criminal and misdemeanor codes, providing for harsher sanctions for vote buying, mass transportation of voters, hate speech, and illicit financing of political parties, electoral contenders, and electoral campaigns. In December, parliament passed electoral reform to guarantee the opposition's presence on the Central Electoral Commission, allow two days for overseas voters to cast ballots, make the electoral campaign financing more transparent, and increase sanction use of administrative resources for political gain and corruption of voters.

Political Parties and Political Participation: Opposition parties claimed that several criminal cases opened by authorities against their members during the year were politically motivated. Several high-profile politicians were charged in criminal cases, including former President Igor Dodon, accused of corruption and state treason, and Shor Party member of parliament Marina Tauber, accused of corruption and illicit party financing. Authorities rejected allegations regarding the political nature of the criminal cases, and no prominent legal or human rights experts have concluded the investigations were politically motivated. Several other criminal cases from previous years regarding high-level politicians continued during the year (see section 4, Corruption and Lack of Transparency in Government). In November, the cabinet asked the Constitutional Court to dissolve the Shor Party due to its alleged illegal activities, including illicit campaign financing and working in support of the Russian government's malign influence operations in the country. Civil society expressed doubts that the allegations of illegal financing would be sufficient for the court to outlaw Shor Party.

Participation of Women and Members of Minority Groups: No laws limit the ability of women and members of minority groups to participate in the political

process, and they did participate. The law provides that each gender must have a minimum of 40 percent of candidates on the party lists of candidates for parliamentary and local elections. The law requires that 20 percent of public subsidy allocations to parties and candidates be used to promote women candidates. The law provides for sanctions against political parties that promote discriminatory messages or stereotypes, use discriminatory language in mass media, or fail to meet the required gender quotas. Civil society observers reported the law was not enforced, particularly during the electoral campaign.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally did not implement the law effectively. The government took steps to combat corruption and increase the independence of the judiciary and capacity of anticorruption agencies. Despite some improvement, corruption remained a serious problem. There were numerous reports of government corruption. Corruption in the judiciary and other state structures was widespread. The government, including parliament, continued to prioritize judicial reform and anticorruption efforts, including through removing legislative obstacles to confiscate unjustified assets acquired through illicit means and holding trials in absentia for individuals accused of corruption, increasing transparency, pursuing asset recovery and prosecution of corrupt former officials and oligarchs, and implementing vetting of judicial and prosecutorial oversight bodies.

The law authorizes the National Anticorruption Center (NAC) 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 prolonged delays in selecting integrity inspectors, as required by law. President Sandu and the Party of Action and Solidarity (PAS) majority faction in parliament criticized both the NAC and NIA for lack of action in investigating corrupt officials, and parliament subsequently replaced the head of the NAC in February. In March, NIA head Rodica Antoci was suspended from office and later dismissed due to an ongoing criminal investigation against her for suspected

influence peddling that allegedly caused damage to the institution amounting to 126,570 lei (\$6,750). The government had not appointed a new NIA head as of December.

Corruption: The key anticorruption institutions in the country – the Prosecutor General’s Office and its specialized anticorruption and antiorganized crime units, the NIA, the NAC, and the Criminal Assets Recovery Agency – made some progress on corruption investigations of illicit enrichment and asset seizures. Effective cooperation with relevant authorities from other jurisdictions led to the seizure on August 18 of assets belonging to fugitive oligarch Vladimir Plahotniuc and several other former prominent politicians. The Prosecutor’s Office reopened or continued several criminal cases throughout the year on illicit enrichment of sitting and former political leaders, including former president Igor Dodon, Socialist Party member of parliament Corneliu Furculita, Socialist member of parliament and former Prime Minister Zinaida Greceanii, Shor Party member of parliament Marina Tauber, and others.

Following his October 2021 arrest and suspension from office on corruption charges and for improperly handling conflicts of interest involving personal connections to fugitive oligarch Veaceslav Platon, Prosecutor General Alexandru Stoianoglo remained under judicial control as of December. A commission established by the Superior Council of Prosecutors (SCP) to assess Stoianoglo’s conduct concluded in May that his performance was unsatisfactory, and the SCP recommended that President Sandu dismiss him. Stoianoglo challenged the recommendation in court, and he was not formally removed as of December.

On May 24, former President and honorary chairman of the Socialist Party of Moldova Igor Dodon was detained on charges of corruption, state treason, illegal financing of a political party, and illicit enrichment. On May 26, a Chisinau court placed Dodon under house arrest, which was extended several times and was in force until November 18. Dodon pled not guilty and said his case was politically motivated – a claim rejected by authorities, local NGOs, and human rights groups. Prosecutors said two other suspects in the case had fled the country since Dodon’s arrest. Several members of Dodon’s family, including his mother, his wife, and brother-in-law were also under investigation. In a separate case, in August, anticorruption prosecutors accused Dodon of abuse of office in the interest of

organized crime groups during his tenure as Minister of Economy from 2008 to 2009. Dodon was a suspect in a case of fraudulent electricity purchases, which inflicted damages worth more than \$12 million to the state budget, according to prosecutors. Both cases were pending in court as of December.

On July 22, Shor Party member of parliament and party deputy chair Marina Tauber was stripped of parliamentary immunity and placed in pretrial detention in Penitentiary No. 13 in Chisinau on charges of illicit party financing by an organized criminal group. Tauber's lawyers challenged the decision at the Court of Appeals, which released Tauber under house arrest in September. The arrest measure was briefly changed to judicial control in October, but then reversed by the court back to house arrest in November.

Section 5. Governmental Posture Towards 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 for the most part cooperative and responsive to their views.

Authorities in Chisinau did not have full access to or control over the Transnistria 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 human rights NGOs in the region limited their investigations of serious human rights abuses due to fear of repression and harassment by Transnistrian "authorities."

The United Nations or Other International Bodies: OSCE observers reported that their access to the Transnistria region had been severely restricted since March, such that OSCE personnel must be escorted by Transnistria "law enforcement" within the region, and that during the year they were not permitted to travel in the Transnistria region beyond the jointly administered security zone between Transnistria and the rest of the country.

Government Human Rights Bodies: There are three human rights bodies in the country: the Office of the People's Ombudsman, the Agency for Interethnic Relations, and the Council for the Prevention of Discrimination and Ensuring Equality (Equality Council). The People's Ombudsman and the Equality Council are independent institutions that report to parliament, while the Agency for Interethnic Relations is part of the government. The Office of the People's Ombudsman was fully operational during the year. In February, parliament appointed former member of the Council for the Prevention of Torture and the Institute for Criminal Reforms Ceslav Panico as the ombudsperson following the December 2021 resignation of Ombudsperson Natalia Molosag.

The law provides for the independence of the people's ombudsman from political influence and appointment to a seven-year, nonrenewable term. The Office of the People's Ombudsman may initiate an investigation based on complaints or on its own authority. Although the office lacked the power to enforce decisions, it acted as a monitor of human rights conditions, including in prisons and other places of detention. A separate ombudsperson for children's rights operated under the same framework within the Office of the People's Ombudsman.

The Equality Council is responsible for reviewing complaints of discrimination and making recommendations but lacked enforcement powers and the ability to apply sanctions.

The Agency for Interethnic Relations oversees and implements state policies regarding interethnic relations and the use of languages in the country, but its status as an agency not directly answerable to a cabinet-level officer limited the efficacy of its mandate.

Parliament also has a separate standing committee for human rights and interethnic relations; the committee's powers and areas of oversight were narrow.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: 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 covers five forms of domestic violence: physical, psychological, sexual, economic, and spiritual. The maximum punishment for domestic violence offenses is 15 years' imprisonment. The law criminalizes rape of both women and men, including spousal rape and forcible sexual assault, and establishes penalties for violations ranging from three years to life in prison. It requires, however, that victims prove they were subjected to violence. Domestic violence resulting in "nonsignificant bodily harm" falls under the contraventions code, rather than the criminal code, and may be punished by a fine or community service. 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 survivors.

During the year, authorities pledged to properly punish violence against women, allocate resources to ensure the functionality of crisis centers for victims of violence, maintain emergency telephone lines available 24 hours a day, open and sustain shelters for victims of violence, and provide psychological and legal counseling services, as well as specialized health services for survivors of sexual violence. Public information on forensic bodies examining sexual violence cases was unavailable, which limited survivors' access to specialized services.

Nevertheless, sexual violence, including rape, remained a significant problem. Between January and June, prosecutors opened 236 criminal cases of sexual violence. Marital rape was rarely reported, as 50 percent of women considered that sexual intercourse during marriage was a marital obligation. Survivors of violence were often retraumatized by the system and subjected to social stigmas. Legislative gaps, social stigma, and fear of retraumatization contributed to a culture of impunity for perpetrators of sexual violence. As a result, women's rights advocates believed few survivors of sexual offenses reported the crimes.

Between January and December, police registered 1,483 domestic violence cases, including 19 that resulted in death. The General Police Inspectorate issued 4,535 emergency restraining orders, and courts issued 590 protection orders.

The law authorizes the Ministry of Justice to use electronic devices for monitoring

accused abusers in domestic violence cases. According to National Probation Inspectorate (NPI) official data, between January and June, the agency issued 394 protection orders requiring abusers to wear electronic monitoring devices (for 380 men and 14 women). Prior to issuing the devices, the NPI reported a 70 percent recidivism rate among abusers. As of August, the NPI reported a 19 percent recidivism rate. The NPI also registered and filed cases against 94 abusers who broke protection order rules.

Since June, police were required by law to inform the survivors of domestic violence regarding the release of the aggressor from detention, detention term expiry, or court refusals to extend preventive detention. Prison administrations are also required by law to inform domestic violence survivors concerning the imminent release of their aggressor from the penitentiary institution. Between January and June, 47 survivors of domestic violence were informed concerning the release of their aggressor.

During the year police and human rights NGOs continued to report an increase in domestic violence complaints. From January to December, the NGO La Strada's Women and Girls' Trust Line received 1,457 calls, including 871 complaints of domestic violence, a significant decrease from 2021 when more than 1,780 calls were received during the same period.

Survivors of domestic violence in Transnistria are not protected by the "law," which lacks a definition of domestic violence and does not allow for domestic violence cases to be distinguished from other crimes, creating an absence of official statistics on domestic violence. Domestic violence without "substantial bodily harm" (such as broken bones or a concussion) remains an administrative, rather than criminal, offense that is punishable only by a fine. The NGO-administered Trust Line hotline for preventing domestic violence registered 1,206 calls. Transnistrian "authorities" often did not take any action when women were beaten by male abusers.

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. There are no criminal penalties or civil remedies for sexual harassment in employment. According to NGOs, law enforcement agencies steadily improved their handling of sexual harassment cases. Civil society groups, however, criticized the judicial system for displaying inadequate concern for the safety of survivors and for not holding perpetrators accountable for their behavior.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The government partnered with the United Nations Population Fund to increase the quality and availability of sexual and reproductive health services and ensured these services were available to all persons in the country, including refugees.

The law provides that minors younger than age 16 must have permission from a parent or legal guardian to obtain reproductive health services; a medical provider may waive this requirement if the child's life or health are in danger. The state provided contraception free of charge to citizens through primary care providers. Although children had access to contraception without parental consent through a network of Youth-Friendly Health Centers, many were reluctant to request contraception from family doctors due to social stigma.

Women and girls from historically marginalized communities faced exclusion, stigmatization, and discrimination, which often kept them in poverty and impeded their access to public services. Teenagers and young women in rural areas had particularly limited access to accurate information on reproductive and sexual health.

According to a report released in March 2021 by the Moldovan Institute for Human Rights, the sexual and reproductive rights of women and girls in residential institutions and psychiatric hospitals were not respected. Many of the girls interviewed by the institute in 2020 did not have basic knowledge concerning life skills and their sexual and reproductive rights which would impact their future ability to live independently and set up families following deinstitutionalization. The institute noted that female residents in these institutions did not have knowledge regarding contraceptives or free access to hygiene products. The

personnel were not properly trained to provide qualified medical counsel on sexual and reproductive rights. In addition, these institutions were characterized by a stereotype that women with disabilities did not require sexual-reproductive education because they did not have sex or the capacity to become parents.

Survivors of sexual violence had access to sexual and reproductive health services on the same basis as other citizens. Emergency contraception was not universally available to survivors as part of clinical management of rape. Emergency contraception was provided only by family doctors and was not available in emergency centers.

During the year, the Ministry of Health partnered with humanitarian agencies to respond to the flux of refugees fleeing Ukraine – disproportionately women – seeking assistance. This required ramping up a comprehensive systems response to the sexual, reproductive, and maternal health needs of refugees and troubleshooting a range of access problems like fees coverage of contraception and hospital care within the health insurance scheme to enable Ukrainians to access care and to safely deliver babies.

Discrimination: Women and men have the same legal status in family, labor, property, nationality, inheritance law, and in the judicial system. The law requires that women fill a minimum of 40 percent of decision-making positions in government and political offices, including a minimum quota of 40 percent of candidates for parliament on the electoral lists of political parties, distributed evenly across the entire electoral list, and sanctions for noncompliance. While the law strictly forbids discrimination, spells out employers' responsibilities in ensuring that workplaces are free of gender-based discrimination and sexual harassment, and prohibits sexist and discriminatory language and images in media and advertising, gender-based discrimination remained a significant problem. The government did not enforce the law effectively and women experienced discrimination in the workplace. The law requires equal pay for equal work, but discrimination with respect to employment, pay, and access to pension benefits persisted in the country (see section 7.d.).

Women with disabilities, Roma women, and LGBTQI+ women reported discrimination based on some combination of their protected characteristics.

Systemic Racial or Ethnic Violence and Discrimination

The constitution provides that all citizens are equal before the law and public authorities, regardless of race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, wealth, or social origin. The law governs the equality principles; prevents and combats discrimination; and provides for equality in political, economic, social, cultural life, and other areas regardless of race, color, nationality, ethnic origin, language, religion or belief, sex, age, disability status, opinion, political affiliation, or any other similar criteria. Discrimination and hate-based crime were reported throughout the year, particularly against Roma and the Jewish community.

In May, the president signed into law amendments to the Criminal and Misdemeanor Codes to expand protections against discrimination and incitement to discrimination or hate-based violence. Parliament passed the law after multiple delays since its adoption in a preliminary vote in 2016. The new law allows for enhanced sentences for crimes motivated by stereotypes or prejudice based on race, color, ethnic, national, social origin, citizenship, sex, gender, language, religion or religious beliefs, political views, gender identity, sexual orientation, health, age, or civil status. It also defines “genocide propaganda and crimes against humanity” and introduces a new term of “incitement to discrimination” (see section 2.a., Freedom of Expression).

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. Roma women were particularly vulnerable to social exclusion and discrimination. Some Roma 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.

In August, the government adopted a new Roma Population Support Program for

2022-2025, which provides measures to promote Roma employment, including in the public service, professional development and entrepreneurship, and access to education, healthcare, and other public services without discrimination. The government plans to spend 14 million lei (\$747,000) for the program's implementation in 2022-2025. While official statistics put the number of Roma at 9,000 (2014 census), the most recent (2021) mapping of Roma communities conducted by the German development agency Deutsche Gesellschaft für Internationale Zusammenarbeit reported 27,900 Roma.

Roma leaders continued to accuse law enforcement bodies of failing to investigate hate speech and holding discriminatory attitudes towards Roma. Roma representatives also reported that police failed or refused to investigate cases of discrimination against Roma. According to Roma leaders, the community faced a high rate of emigration, and the state did not provide sufficient financing for Roma community mediators, as prescribed by law.

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. As in previous years, the birth of Roma and children from very rural areas were not registered, which limited their ability to receive public services, including education.

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

The Ministry of Education and Research reported 7,181 cases of violence against children during the 2020-21 academic year. In most cases children were subject to physical violence, neglect, psychological violence, and labor exploitation. 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.

According to the Ministry of Internal Affairs, law enforcement bodies documented 275 cases of child sexual abuse in the first 10 months of the year, including 265 cases of sexual abuse against girls. Out of the total number, 44 crimes were committed through informational technologies (online). A special unit for minors in the Prosecutor General's Office, the Juvenile Justice Unit, is responsible for ensuring that particular attention and expertise are devoted to child abuse victims and child offenders.

Child, Early, and Forced Marriage: The legal minimum age for marriage is 16 for women and 18 for men. Child marriage was most common in Roma communities, where there were reports of girls between the ages of 12 and 14 being married. 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 “matchmakers” arranged for two children to be married in the future. In such 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: The exploitation of a child in a commercial sex act is punishable by 10 to 12 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. These laws were generally enforced. The minimum age for consensual sex is 16. The country was a destination for child sex tourism. According to the International Organization for Migration's *2020 Violence against Children and Youth Survey* report for Moldova, 7.6 percent of girls and 5.4 percent of boys between the ages of 13 and 17 experienced some forms of sexual violence in the previous year.

Institutionalized Children: The government, with support from civil society organizations, continued the deinstitutionalization of children, although this process was slow because of the pandemic. A total of 676 children (307 girls and

369 boys) were placed in the residential care system in 39 state institutions during the year. Of these, two categories of children were the most vulnerable: children younger than age three (more than 10 percent or 69 children) and children with disabilities (more than 38 percent or 259 children). Among those with disabilities, more than 68 percent (177 children) had a severe disability. Approximately one third of children placed in the residential care system have been placed in care for less than one year and 40 percent for more than three years. Children with disabilities were placed in three state-run residential institutions. The government also operated family-type homes, maternal centers, and daycare centers that provided various services for deinstitutionalized children, including children with 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.

Antisemitism

The law includes administrative and criminal liabilities for Holocaust denial and insulting the memory of the Holocaust, as well as xenophobic, racist, and fascist propaganda.

The Jewish community numbered between 1,600 and 30,000 persons (depending on source and definition), including up to 2,000 living in Transnistria.

According to the Jewish community, antisemitic discourse and hate speech online and in media against members of the Jewish community remained a problem. Online publications related to the community's activities received hateful and insulting comments.

Vandalism of Jewish sites and memorials remained a problem. The Chisinau Municipality had limited success in removing a rash of antisemitic graffiti that appeared early in the year on public signage. During the year, the Jewish community reported one case of vandalism of the Jewish monument, "Grieving Mother," in Edinet, on which unknown individuals drew swastikas. The 2021 case of vandalism at the Jewish memorial in Cosauti was not resolved because police did not identify the perpetrators.

Trafficking in Persons

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

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law does not criminalize consensual same-sex sexual conduct between adults. In Transnistria, the “law” does not permit consensual same-sex sexual activity. The laws were not enforced, but there were no credible efforts to rescind discriminatory laws that targeted LGBTQI+ persons.

Violence against LGBTQI+ Persons: While the LGBTQI+ community reported an improvement of respect for their rights during the year, cases of verbal harassment and discrimination by public officials and religious leaders continued. For example, on June 16, Communist and Shor Party members of parliament held a flash mob in parliament against the Pride March. They flew banners which said, “No to homosexual dictatorship, Moldova is against the Pride festival” or “Moldova is not Sodom.” Socialist municipal councilors called the ruling party “a traitor of values and the people” for allowing the Pride march. On June 17, Chisinau Mayor Ion Ceban stated the LGBTQI+ community should choose a different location for its march, such as by way of the presidency, parliament, or other government buildings, as the city administration planned other events on the march route and was initiating repairs to the sidewalks (see section 2.b., Freedom of Peaceful Assembly, and Restrictions of Freedom of Expression, Association, or Peaceful Assembly subsection below).

Religious leaders continued to make homophobic statements against the LGBTQI+ community. For example, on June 12 Bishop Marchel, the Orthodox bishop of Balti and Falesti, called the LGBTQI+ community “bearers of the most unscrupulous sin, sodomites” and the planned Pride march “a parade of shame,” encouraging citizens to counterprotest and stop the scheduled Pride March in Balti. As in previous years, police were reluctant to open investigations against perpetrators of abuse. According to NGO Genderdoc-M, in most cases law

enforcement bodies failed to identify and hold to account persons who perpetrated acts of violence against LGBTQI+ individuals. As of December, Genderdoc-M reported 41 cases of abuses of the rights of LGBTQI+ individuals, including hate speech, discrimination, and hate incidents. Cases of violence in same-sex couples were not regarded as domestic violence cases and the victims, especially male victims, could not benefit of the same state protection mechanisms as heterosexual couples.

Insults against LGBTQI+ representatives on social media by both public officials and private individuals were also frequent. For example, on November 8, former President Igor Dodon wrote on social media, “Maia Sandu’s government gradually destroys faith, family, and economy. This leads to destroying the country! As a parent... I am categorically against homosexual propaganda and debauchery in schools, pushed by the incumbent antinational and anti-Christian leadership. Those from PAS opposed the teaching of Christian religion classes in schools but are now launching campaigns promoting homosexuality... Hate has not reached many schools, as opposed to the LGBT propaganda. Stop! Stop destroying our family! Do not mock faith! Leave Moldova alone. Go away!”

Discrimination: The law prohibits employment discrimination based on sexual orientation, but societal discrimination based on sexual orientation and gender identity continued. Hate speech and discrimination based on sexual orientation and gender identity remained a problem. Transgender individuals also experienced employment discrimination.

In May, the Prosecutor’s Office rejected the Ministry of Defense’s request to open a criminal case for desertion against Marin Pavelescu, a soldier who in November 2021 posted a video message online declaring that he would not return to the army because he was mistreated after his sexual orientation was disclosed. At the same time, the Prosecutor’s Office opened a criminal case against the Ministry of Defense on the “illegal collection of private data” after the ministry disclosed a telephone call between Pavelescu and his 17-year-old boyfriend that led to the soldier’s harassment and intimidation by his peers and superiors. Following the incident, President Sandu, in her role as supreme commander of the armed forces, said that she would discuss this case with Ministry of Defense to ensure that all state institutions respect human rights. Pavelescu was one of the keynote speakers

at the Pride Opening week.

Despite parliamentary approval in February of amendments to the Education Code to introduce the term of “bullying” and ways to prevent and sanction it, school bullying of students in the LGBTQI+ community remained pervasive. In April, representatives of the LGBTQI+ community protested in front of the government’s headquarters requesting more measures from the Ministry of Education to counter homophobia, transphobia, and bullying in schools following the suicide of a transgender teenager who was subject to continuous pressure and humiliation in school. Earlier in the year, the LGBTQI+ community alerted authorities regarding the case, but the school administration took no action.

A study conducted by S.C. Magenta Consulting S.R.L. for Terre des hommes Moldova and GENDERDOC-M in 2021 and released during the year showed that most LGBTQI+ students age 15 to 19 said sexual orientation and gender identity were discussed in school to a limited extent and most teachers had or voiced negative opinions regarding the LGBTQI+ community. The study also showed that in schools, many individuals thought that the LGBTQI+ community was made of “perverse, sick or dangerous” persons.

In Transnistria, LGBTQI+ persons were subjected to “official,” as well as societal discrimination.

Availability of Legal Gender Recognition: Civil society organizations reported that, although transgender individuals were technically allowed to change their names on legal identity documents, including passports, the government did not permit them to easily update gender markers to reflect their gender identity. The Public Services Agency continued to refuse to change identity documents for transgender individuals, despite court orders. Obtaining those court orders remained time intensive and requirements were case-by-case, often requiring applicants to obtain a psychiatric diagnosis of “transsexualism” or “gender identity disorder.” Self-determination is not permitted.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reports during the year of so-called conversion therapy or similar practices.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

During the year, the opposition Socialist Party and representatives of the Moldovan Orthodox Church criticized activists who spoke out in favor of LGBTQI+ rights and advocated for the adoption of “antigay propaganda” laws.

On May 26, the People’s Assembly of the Autonomous Gagauzia region adopted a decision banning media from disseminating information regarding the LGBTQI+ community in Gagauzia. Media NGOs issued a statement expressing their concern for the decision’s intolerant character and its limit of freedom of expression.

In June, Chisinau Mayor Ion Ceban attempted to prevent GenderDoc-M and other organizations supporting the rights of LGBTQI+ persons from holding a Pride March, the first time the event had been held since 2019 due to the pandemic. In May, Ceban stated in a Facebook post that the march would “not be accepted” by the city government because of its content and later announced two days before the planned June 19 march that road construction and a redirection of public transport would prevent the march from taking place. Despite these declarations, the march proceeded as planned on June 19, remained peaceful, and was protected by national police forces (see 2.b., Freedom of Peaceful Assembly). More than 500 persons marched, which made it the largest Pride March in the country’s history. Six members of parliament from the majority Action and Solidarity Party (PAS) and members of the diplomatic community also joined the march. Other members of the ruling party, including more socially conservative members, framed their support of the march as support for the right of public assembly and freedom of expression, although they did not personally attend (see Section 2.b., Freedom of Peaceful Assembly and Association, and the Violence against LGBTQI+ Persons subsection, above).

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The law stipulates equal access to public facilities, health services, public buildings, and transportation. Authorities rarely enforced the law, and discrimination against persons with disabilities persisted. The government did not regularly provide information and communication on disability concerns in accessible formats.

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 some newly built or reconstructed buildings were accessible, older buildings largely remained inaccessible. According to the disability rights NGO Motivation, more than 70 percent of public institutions lacked access ramps for persons with disabilities. Persons with mobility disabilities complained regarding the lack of access to public transportation and public institutions, as well as a shortage of designated parking places. Despite some improvements during the year, city authorities and construction companies often disregarded legal requirements on accessibility for persons with mobility impairments.

Most schools were poorly equipped to address the needs of children with disabilities. Some children with disabilities attended mainstream schools, while authorities placed others in segregated boarding schools, or they were home schooled.

There were reports of violence and abuses against persons with disabilities. 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. Authorities also lacked a regulatory framework for the psychological assessment of victims of torture and inhuman or degrading treatment in psychiatric institutions.

During 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 pervasive problems in such institutions, including: a shortage of personnel in most residential institutions and of qualified medical staff in institutions hosting persons with disabilities; neglect of the special needs of persons with mental 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 complaint mechanisms.

According to the Moldovan Institute of Human Rights, systemic deficiencies

identified in psychiatric hospitals and temporary placement centers for persons with disabilities were not addressed. In particular, the institute noted the lack of qualified medical personnel; patients in psychiatric hospitals with COVID-19 being treated by psychiatrists; initial placement of new patients with existing patients without COVID-19 PCR or antigen testing; and insufficient protective and sanitary equipment or medicines for COVID-19 treatment protocols. 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. The institute also found deficiencies in the documentation, investigation, and management of cases involving persons with mental or psychosocial impairments by police, prosecutors, judges, and health-care providers. According to the Moldovan Institute of Human Rights, the Balti Psychiatric Hospital lacked a separate ward for patients who committed crimes, leaving them to be held and treated alongside civilly committed and voluntarily committed patients. Persons with different types of disabilities and of widely different ages sometimes shared the same rooms, and unjustified restrictive measures were sometimes applied. There was no separation of persons who were civilly committed as presenting a danger to themselves or others from those who voluntarily committed themselves in any of the country's three psychiatric hospitals.

According to Promo-Lex, patients from psychiatric hospitals held under coercive measures were the most vulnerable. Patients with mental disabilities were neglected, wore old clothes, and were held in poor "detention conditions" with no guarantees against their ill-treatment. The general prosecutor's order on the procedures for identification, registration, and reporting of alleged cases of torture, inhuman or degrading treatment was not functional. One of its provisions, according to which the hospital staff must inform the prosecutor's office of any injuries within 24 hours was not enforced, with a few exceptions. A visit by Promo-Lex during the year found that hospital staff did not inform the prosecutor's office concerning patients with injuries.

Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (except for jobs requiring specific health standards), many employers either failed to provide accommodations or

avoided employing persons with disabilities.

Disability rights advocates reported that in the parliamentary election of 2021, fewer than 2 percent of polling stations were accessible to persons with limited mobility. Most polling stations had no ramps or accessible toilets, narrow entrances, and dark hallways, which led many persons with disabilities to request mobile ballot boxes. According to Central Election Commission data, there were 170,000 persons with disabilities of voting age. There were no measurable improvements to accessible voting during the year.

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*. 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 on 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.

Other Societal Violence or Discrimination

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 or AIDS faced high levels of discrimination by both prison staff and other inmates. Official practice requires that positive HIV test results be reported to the public health sector's infectious disease doctor. In some cases, positive test results were reported to the

patient's employer and the HIV-positive person was subsequently subjected to discrimination. For example, an HIV-positive woman who worked as a custodian in a local school was fired by the school administration after the latter received information regarding the woman's HIV-positive status from the healthcare institution during the yearly medical investigation of all school employees.

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, including health-care providers and public utility employees, to strike. The law prohibits strikes when the government declares an emergency, such as during natural disasters, epidemics, and pandemics. Authorities may impose compulsory arbitration at the request of one party to a dispute. There were no groups of workers excluded from or covered differently by relevant legal protections.

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 abuses of freedom of association nor antiunion discrimination, nor stipulate penalties for violating trade union rights. Penalties for violations less than commensurate with those of other laws related to civil rights. Penalties were rarely applied against violators.

The government and employers generally respected freedom of association and the right to collective bargaining. Worker organizations were generally independent of the government, political parties, employers, or employers' associations, although the country's sole national-level trade union confederation has remained largely unreformed since independence in 1991.

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.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of 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.

The government did not effectively enforce the law. Resources, inspections, and remediation for forced labor were generally inadequate, though the government took significant steps to improve enforcement by passing legislation authorizing unannounced labor inspections in case of suspected undeclared work, forced labor, or trafficking in persons. Men and women were subjected to labor trafficking within the country and in other parts of Europe. 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. The alleged complicity of government officials in trafficking continued to be a significant problem that authorities attempted to curb by prosecuting those involved. Forced child labor also occurred (see section 7.c.).

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

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 in respect to employment and occupation based on sex, age, race, color, nationality, religion, political opinion, social origin,

residence, disability, HIV-positive status, sexual orientation or gender identity, refugee or stateless 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. The government sometimes applied penalties against violators. When enforced, penalties for violations were commensurate with those for other crimes related to denial of civil rights.

The law does not mandate equal remuneration for work of equal value.

Discrimination based on gender in access to pension benefits persisted. The age at which men and women can retire with either full or partial benefits is not equal, nor is the mandatory retirement age for men and women.

Discrimination in employment and occupation occurred with respect to gender, disability, minority status, sexual orientation, gender identity and expression, sex characteristics, and HIV-positive status. Gender-based violence and harassment in the workplace was common (also see section 6). Pregnant women reported being denied employment opportunities since such employment was associated with additional benefits payable after childbirth.

The law also stipulates that the Equality Council be responsible for reviewing complaints of discrimination and making recommendations.

In Transnistria, job segregation "laws" ban women from more than 300 jobs. Prohibited occupations include a wide variety of occupations deemed "too dangerous or demanding" for women, including welding, pouring, driving, snow blowing, gas extracting, and climbing.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage that is less than the poverty level. According to the SLI, as of November salary arrears were at 77.5 million lei (\$4.04 million).

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, migrant, and domestic workers have the same wage and hour protections as other workers.

Occupational Safety and Health: The government sets occupational safety and health (OSH) standards, which are appropriate for the main industries. According to labor law, workers can remove themselves from situations that endanger their health or safety without jeopardy to their employment.

Poor economic conditions led enterprises to spend less on safety equipment and to pay insufficient attention to worker safety. There was 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, the SLI reported 562 work accidents involving 580 victims. The SLI also reported 58 work-related deaths.

In December, parliament approved legislation empowering the SLI to make unannounced labor inspections.

Wage, Hour, and OSH Enforcement: The SLI is responsible for monitoring the implementation of labor relations and OSH laws. Government efforts to enforce occupational health and safety standards were limited and ineffective. The government did not effectively enforce minimum wage, overtime, and OSH laws. The number of inspectors was insufficient, and the inspectors were not empowered to make unannounced worksite inspections. The law requires the government to establish and monitor safety standards in the workplace, but inspections could only occur when a complaint was received and not all complaints met the criteria for a workplace inspection. Penalties for violations were not commensurate with those for other similar crimes.

On March 10, parliament passed a law codifying wage equality.

Informal Sector: 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. According to the National Bureau of Statistics, informal/undeclared labor amounted to 6.8 percent in the third quarter in 2022, compared to 8 percent in the third quarter in 2021. Workers in the informal economy did not have the same legal protections under wage, hour, and occupational safety and health provisions as employees in the formal sector.

The labor code requires work contracts for employment, but the government did not have an effective mechanism to monitor compliance. According to the National Bureau of Statistics, 67.7 percent of all informally employed workers were working in the agricultural sector in the third quarter of the year. In the agricultural sector, approximately 63 percent of workers were employed informally, according to the National Trade Union Confederation.