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2021 Country Report on Human Rights Practices: Moldova

EXECUTIVE SUMMARY

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

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 November 2020 in which no candidate received a majority of the vote. In the subsequent run-off election later in November 2020, former prime minister Maia Sandu defeated incumbent president Igor Dodon and became the country’s first female president. 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 December 2020 and subsequently failed to form a new government, early parliamentary elections were held on July 11. According to Organization for Security and Cooperation in Europe observers, the July 11 parliamentary elections were well administered and competitive and fundamental freedoms were largely respected. President Sandu’s Action and Solidarity Party won 63 seats in the 101-seat parliament, enough to form a single-party majority government. On August 6, a new government led by Prime Minister Natalia Gavrilita received a vote of confidence in parliament and was sworn in.

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. The agencies under the ministry are the General Police Inspectorate, Border Police, the Emergency Situations Inspectorate, Carabinieri (a quasi-militarized gendarmerie responsible for protecting public buildings, maintaining public order, and other national security functions), the Bureau for Migration and Asylum, the Internal Protection and Anticorruption Service, and the Material Reserves Agency. Civilian authorities maintained effective control over the security forces.

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; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including violence or threats of violence against journalists, and censorship; 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, violence, and threats of violence motivated by anti-Semitism; crimes involving violence or threats of violence targeting persons with disabilities or members of national/racial/ethnic minority groups; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and the existence of the worst forms of child labor.

While authorities investigated reports of human rights abuses and corruption committed by officials, they rarely prosecuted and punished them. Impunity remained a major problem.

Significant human rights issues in the breakaway Transnistria region included credible reports of: forced disappearance by “authorities:” 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, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, 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; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious acts of “government” corruption; serious “government” restrictions on or harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence, including violence against women; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; existence or use of “laws” criminalizing consensual same-sex sexual conduct between adults; and the existence of the worst forms of child labor.

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.

In Transnistria no suspects were identified in the June 2020 killing of Vadim Ceban as of early October. Ceban, a 43-year-old businessman, was found dead near his home in Tiraspol, reportedly beaten to death with a shovel. Ceban had openly criticized Transnistrian "authorities" and Russian officials on social media and was one of several local businessmen trying to push back against oligarch Viktor Gushan and his Sheriff Corporation's monopoly over the region's economy. Ceban posted an image on a popular Transnistrian Facebook group stating, "Sheriff Repent!!!" one week before his death. Transnistrian "authorities" reportedly opened an investigation into Ceban's death, announced that they had no suspects, and closed the case without further action. Civil society activists condemned the killing as politically motivated by Transnistrian "authorities."

b. Disappearance

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

In Transnistria the October 2020 abductions of four Moldovan individuals from the Security Zone by Transnistrian "security forces" were partially resolved. Despite requests from the government and foreign diplomats accredited in the country, two of the four Moldovan individuals abducted remained in Transnistrian custody as of September.

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

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 and the number of prosecutions for torture initiated was far below the number of complaints filed.

The Office of the Prosecutor General's antitorture division reported an increase in mistreatment and torture cases during the year. During the first six months of the year, prosecutors received 305 allegations of mistreatment and torture, which included 290 cases of inhuman and degrading treatment, five torture cases, and eight cases of law enforcement using threats or intimidation, including the actual use or threats of violence, to coerce a suspect or witness to make a statement. All torture cases were registered in police inspectorates, while most mistreatment cases were reported in public spaces, at the victim's home, and at penitentiary institutions. Law enforcement registered 10 mistreatment cases in educational institutions. In comparison, authorities reported 262 allegations of mistreatment and torture during the first six months of 2020.

In September 2020 the Council of Europe's Committee for the Prevention of Torture (CPT) released a report detailing the findings from its January-February 2020 visit to the country. The report noted that the persistence of a prison subculture that fostered interprisoner violence and a climate of fear and intimidation, reliance on informal prisoner leaders to keep control over the inmate population, and a general lack of trust in the staff's ability to guarantee prisoner safety remained serious concerns. The CPT reported several allegations of prison officers at Penitentiary No. 13 in Chisinau punching and kicking inmates, excessive use of force by staff when dealing with agitated inmates at penitentiaries in Chisinau (No. 13), Cahul (No. 5), and Taraclia (No. 1), and excessively tight handcuffing at the Chisinau and Taraclia prisons. In June the European Court of Human Rights (ECHR) ruled on a case regarding a former prisoner who accused the prison staff at Prison No. 2 in Lipcani of mistreatment and humiliation. The ECHR ordered Moldova to pay 9,000 euros (approximately $10,400) in compensation.

Impunity for perpetrators of abuses remained a problem and investigations were often unnecessarily prolonged. In September 2020 a man was reportedly beaten in custody at the Cimislia Police Inspectorate's temporary detention center by one of the facility's officers, including being punched in the face and other forms of physical abuse throughout his detention. As of November the case was still being investigated but no perpetrators were identified.

In June, 13 police officers were convicted of crimes in connection with the 2017 death of Andrei Braguta, who died in pretrial detention in Chisinau after being severely beaten by fellow inmates and subjected to inhuman and degrading treatment by prison authorities. One officer received a sentence of four years in prison for the inhuman treatment and torture of Braguta, while four others received sentences of three years and six months', and eight others received suspended sentences of three years' each. Braguta's parents' attorney appealed the sentences, demanding harsher terms for the offenders. The sentences came after 100 out of 140 scheduled court hearings were postponed or cancelled between 2017 and 2020 and after a press conference held by Braguta's parents in August 2020 expressing concern over the impunity for those involved in their son's death. After almost two years since the first ruling in a second criminal case opened against four inmates who beat Braguta and three police officers who watched the beatings and did not intervene, the Court of Appeals held a hearing in August on an appeal by Braguta's parents requesting harsher sanctions against the perpetrators. In 2019 the court sentenced one inmate who beat Braguta to five years' imprisonment, three other inmates to five-year suspended sentences, one police officer to four years' imprisonment, and a second police officer to a three-year suspended sentence; it acquitted a third officer. A third criminal case against two doctors from the penitentiary where Braguta died, who were accused of workplace negligence and malpractice for failing to properly treat Braguta, has been pending in trial court since 2018 with no ruling as of November.

In Transnistria there were reports of allegations of torture and cruel, inhuman, and degrading treatment in detention facilities, including denial of medical assistance 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 publicly report any investigations or prosecutions for torture or inhuman treatment by Transnistrian "security forces" during the year.

There were continued reports that persons detained in Transnistria were denied access to professional medical assistance and legal representation. Former Transnistrian "minister of internal affairs" Ghenady Kuzmichev has reportedly been in solitary confinement and periodically denied access to visitors, mail, and other outside communications since he was abducted from government-controlled territory in 2017 and transported to Transnistria. In 2019 a Transnistrian "court" sentenced Kuzmichev to 13 years in prison on charges of smuggling and illegal possession of firearms.

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, de facto 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. As of November Horjan's health remained a concern and he announced he was starting a hunger strike in protest of his detention conditions (see Independent Monitoring, below, and Section 1.e., Political Prisoners and Detainees).

Prison and Detention Center Conditions

Conditions in most prisons and detention centers remained harsh, owing to overcrowding, poor sanitation, lack of privacy, insufficient or no access to outdoor exercise, and a lack of facilities for persons with disabilities. During the year COVID-19 related restrictions remained in place in most detention facilities.

Physical Conditions: Prisons and detention centers were overcrowded. According to a Council of Europe report during the year, the country had a high incarceration rate (166.5 detainees per 100,000 persons in 2020), although this represented a 7.5 percent decrease since 2010. The country also had a long average term of incarceration (26 months), which led to prison overcrowding. During the year a Promo-Lex public policy analysis found that the compensatory mechanism introduced by authorities in 2019 to allow detainees to request a reduction of their sentences for poor detention conditions had failed to improve conditions.

In its June assessment of the measures taken to enforce 10 previous European Court of Human Rights (ECHR) judgments related to poor detention conditions and lack of access to adequate health care during detention, the Council of Europe Committee of Ministers expressed concern over enforcement of the preventive and compensatory mechanism by the courts and the small amount ($3 per day) paid in damages for poor detention conditions, the country's high rate of detention, and delays in the construction of a new penitentiary that would allow the closure of the overcrowded Penitentiary No. 13 in Chisinau.

Health care was inadequate at most penitentiaries, a situation exacerbated by the COVID-19 pandemic. According to the 2020/2021 Amnesty International *Annual Report*, conditions in penitentiary institutions were inadequate, including overcrowding and inadequate provision of health care. The lack of medical diagnostic services and denying transfer of inmates to civil medical institutions for necessary treatment remained chronic problems. Most penitentiaries lacked appropriate facilities for persons with disabilities, which led to inhuman and degrading treatment.

There were 16 deaths in penitentiary facilities registered as of July, with the highest number (six) in Penitentiary No.16 in Chisinau, which had the status of a penitentiary/hospital. The National Penitentiary Administration reported COVID-19, heart disease, and cancer as main causes of death among prison inmates. According to the human rights NGO Promo-Lex, the testing and vaccination rate among detainees was very low. Since the start of the pandemic, 1,300 detainees were tested for COVID-19 and 281 were confirmed positive. By June only 15 percent of detainees were fully immunized. Following an intensive vaccination campaign held in November, the National Penitentiary Administration announced the vaccination rate in the system reached 49 percent. 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. The detention facilities' supply of personal protection equipment improved during the year, according to the National Penitentiary Administration.

Independent monitors noted that the public health-care system and the unaccredited health-care system in penitentiaries existed as parallel health-care systems in the country, with little coordination between them.

Temporary detention facilities, located mostly in the basements of police stations, generally lacked natural light, adequate ventilation, and sewage systems. Human rights NGOs also noted facility staff did not feed pretrial detainees on the days of their court hearings, which in some cases meant they received no food for a day. In most cases detainees did not have access to potable water on the days of their hearings.

As in previous years, 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. Cells were overcrowded (up to 16 inmates housed in an area measuring 258 square feet), unhygienic, and lacked ventilation, natural light, or permanent access to water for personal hygiene.

In Transnistria the physical conditions of prisons and detention facilities remained poor, and mistreatment of detainees remained a major problem. Most pretrial detention cells lacked personal beds for detained individuals and toilet facilities, a condition the Transnistrian "ombudsman" qualified as an "infringement against human dignity." The Transnistrian "ombudsman" reported 53 complaints regarding prison conditions from individuals detained in Transnistrian prisons in 2020. Transnistrian "authorities" continued to deny access for independent evaluation of detention center conditions.

On September 28, the ECHR ruled in the 2014 case of *Valentina Drovorub vs. The Republic of Moldova and Russia* that Russia violated the right to life, as provided under the European Convention on Human Rights, of the plaintiff's son, who died in a Transnistrian hospital in 2013, one day after his transfer from a Transnistrian prison. According to the ruling, the cause of death was a foreseeable complication of his medical condition if it were left untreated or treated incorrectly. The court asserted Transnistrian "authorities" were "only able to continue to exist, and to resist Moldovan and international efforts to resolve the conflict and bring democracy and the rule of law to the region, because of Russian military, economic, and political support" and ordered the Russian government to pay damages to the victim's family.

Administration: Internal investigation procedures in the penitentiary system remained weak, and detainees had restricted access to complaint mechanisms. While detainees generally had the right to submit complaints to judicial authorities, they reported censorship and retaliatory punishment by prison personnel or other inmates before or after filing complaints. Prison administrations restricted the inmates' access to visitors during the COVID-19 pandemic and many court hearings of pretrial detainees were held online due to COVID-19 concerns.

There were also reports of prison and detention authorities abusing their power and prison administration involvement in corruption. For example in February, anti-organized crime prosecutors (PCCOCS) and Security and Intelligence Service (SIS) officers detained Viorel Perciun, the director of Penitentiary No.18 in Branesti, in a criminal case involving dozens of penitentiary employees and inmates suspected of illegal withdrawals from bank accounts. The criminal group was allegedly led by prison administrators and two inmates. SIS officers also detained Serghei Demcenco, the deputy head of the National Penitentiary Administration, on charges of abuse of power and involvement in the scheme. PCCOCS asserted that Demcenco used his position to set up and lead, together with a well-known criminal leader, a criminal group that used torture and intimidation to solicit illegal payments from prison inmates. PCCOCS and SIS officers also conducted large-scale searches at Penitentiary No. 15 in Cricova and detained its interim director, Victor Muntean. Law enforcement authorities found contraband such as knives, cell phones and SIM cards, bank cards, and registers with bank account numbers and detainees' names. The officers also found playing cards and chips indicating the existence of a casino within the penitentiary. As of September Perciun faced formal charges, and the investigation continued.

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

Independent Monitoring: The government permitted some independent monitoring of prison conditions by local and international human rights observers, though such visits were limited due to the COVID-19 pandemic. Prison officials generally allowed observers to interview inmates in private. Prison administrations have applied COVID-19 related restrictions on monitoring visits since the start of the pandemic.

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 the de facto "authorities" on a case-by-case basis. The June visit by an OSCE doctor to Oleg Horjan's place of imprisonment occurred after numerous unanswered requests from the OSCE and was the only reported example of such a visit during the year (also see sections 1.c. and 1.e.). Requests by the OSCE for access to other detainees in Transnistria with serious health concerns continued to be ignored, including for Andrei Glijin (see section 1.d. subsection "Arbitrary Arrest"). There were no reports of any independent monitoring of detention facilities in the Transnistrian region.

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. Nonetheless, selective justice remained a problem and lawyers complained of instances in which their defendants' rights to a fair trial were denied.

In Transnistria there were frequent reports of arbitrary arrests and detentions. De facto "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 disproportionally 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 the government frequently delayed reimbursement of legal fees. Indigent defendants often did not have adequate counsel.

According to the CPT report issued in September 2020, despite the law requiring that suspects be granted access to a lawyer from the moment they are detained, some criminal suspects were only granted access to legal counsel after initial questioning by police.

Arbitrary Arrest: Arbitrary pretrial detention continued to be a problem during the year. According to the 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 its earlier reports, the ombudsman noted judges continued to order pretrial detention for persons with serious illnesses, and the National Penitentiary Administration allowed lengthy pretrial detention of persons with worsening health conditions that in some cases led to death. In March media outlets reported the death of businessman and local councilor from Our Party, Sergey Cosovan, due in part to chronic mistreatment of a medical condition in prison. Cosovan was imprisoned from 2017 to 2019 on charges that many viewed as politically motivated. Cosovan suffered from late-stage liver cirrhosis and was repeatedly denied medical treatment, including a liver transplant, during his imprisonment despite constant requests from his lawyers, the Ombudsman's Office, and human rights NGOs. He was released in 2019 and the charges against him were dropped in 2020. Human rights NGO Promo-LEX stated that the justice system was directly responsible for Cosovan's death due to its neglect of his urgent health needs while imprisoned that led to the rapid deterioration of his health.

In Transnistria arbitrary arrests remained a significant problem. For example two Moldovan citizens, Adrian Glijin and Stanislav Minzarari, were arrested by the Transnistrian de facto "authorities" in October 2020 and charged with espionage, a move viewed by civil society and human rights NGOs as politically motivated. As of September they remained in Transnistrian custody.

In a press interview, the Transnistrian "minister of foreign affairs," Vitaly Ignatiev, raised the possibility of a "prisoner swap" for Andrei Samonii, a former Transnistrian militia member, sentenced by a Moldovan court to 15 years in prison for kidnapping and torture, in exchange for Glijin and Minzarari. Glijin was reportedly in poor health, and the OSCE repeatedly asked to visit him with a doctor. At year's end Transnistrian "authorities" had not responded to the request.

Arbitrary arrests, particularly of those who voiced criticism of de facto Transnistrian authorities, also remained a significant problem (see section 1.e., Political Prisoners and Detainees).

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, after serving 10 days under administrative arrest, political prisoner Ghenadie Ciorba was detained for almost a year following his July 2020 arrest before his trial was held behind closed doors. On July 19, he was sentenced to three years and three months imprisonment (see sections 1.e., Political Prisoners and Detainees, and 2.b.).

e. Denial of Fair Public Trial

While the law provides for an independent judiciary, judicial independence remained a problem and the newly elected parliament and government launched a comprehensive justice sector reform to remove judges who serve narrow political or business interests. 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 in an attempt to provide transparency in the assignment of judges to cases. Nonetheless, selective justice swayed by political influence or corruption continued to be a problem, and lawyers complained of violations of defendants' rights to a fair public trial.

A Freedom House-commissioned report on selective justice found that defendants had a "political context or affiliation" in 12 out of 43 criminal and civil cases it monitored in 2020-21. Of these, two cases involved the then-ruling Socialist Party and three involved its coalition partner, the Shor Party. Twenty-two cases were related to fugitive businessman Veaceslav Platon and seven were related to Platon's rivals. The study also found that suspended prosecutor general Alexandr Stoianoglo was biased in favor of Platon, and that prosecutors often failed to

initiate investigations based on media reports and publicly available evidence, such as a widely shared video that appeared to show fugitive former Democratic Party head Vladimir Plahotniuc handing a black plastic bag allegedly containing money for illicit party financing to former President Igor Dodon.

During a November forum on Justice Sector Reform and Fighting Corruption organized by the NGO Legal Resource Center of Moldova, President Sandu stated, "one needs to stop the illegal practices that have become a norm in the judiciary and prosecution service, such as favors, power abuse, use of office for personal gain, unwarranted benefits." Media representatives and NGOs remained concerned over 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, in practice judges' remarks occasionally jeopardized the presumption of innocence.

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

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 to seven-and-a-half years' imprisonment for his involvement in the 2014 billion-dollar bank fraud scandal, were delayed throughout the year. Hearings in the case have consistently been delayed since 2018 on various grounds, and in January the judge examining the case at the court of appeals resigned. In August the Supreme Court of Justice accepted the request of Shor's lawyers to transfer the case from the Cahul Court of Appeals to the Chisinau Court of Appeals. The first hearing at the Chisinau Court of Appeals, scheduled for September 20, was again postponed after one of the judges recused himself.

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 Andrei Glijin (see section 1.d. subsection "Arbitrary Arrest," above for details) was held in secret, and his case classified by Transnistrian "authorities" as a state secret due to accusations of espionage. 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 reports of numerous alleged politically motivated criminal cases opened in previous years at the orders of the former Democratic Party leader Vladimir Plahotniuc. In 2020 the Prosecutor General's Office announced the closure of 19 out of 38 allegedly politically motivated cases initiated by the former ruling Democratic Party of Moldova and reviewed for potential political bias. Investigations in the remaining 19 cases continued throughout the year.

In September the ECHR ruled in the case of Grigore Petrenco, leader of the opposition Our Home Moldova Party, and six other activists who were found guilty of mass riots and issued fines and suspended prison sentences ranging from three to four-and-a-half years in 2017. The ECHR found that the prosecutors and courts arbitrarily detained members of the group following a peaceful protest at the Prosecutor's Office and ordered a large fine for damages. The defendants were detained for more than four months in pretrial detention at Penitentiary No.13, far exceeding the 30-day maximum. The defendants asserted the ruling was illegal and politically motivated, as the courts qualified their participation in a peaceful antigovernment protest as "mass disorder."

The Petrenco case was one of 38 cases declared to be politically motivated by the Prosecutor's Office. As of August 2017, Petrenco and his family resided in Germany, where they received political asylum. Several days following the ECHR ruling, the Prosecutor General's Office apologized to Grigore Petrenco, Alexandr Rosco, Mihail Amerberg, Pavel Grigorciuc, Andrei Druzi, Oleg Buznea, and Vladimir Jurat and announced it had closed their cases.

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 de facto authorities. De facto "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, continues to serve a four-and-a-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. Transnistrian "authorities" denied the Moldovan ombudsman access to his place of detention (also see section 1.c., Prison and Detention Conditions).

Serghei Mirovici, arrested in 2019 for insulting Transnistrian "leader" Vadim Krasnoselskiy on social media, was serving a three-year prison sentence delivered by a Transnistrian "court" in a closed trial until he was pardoned and released in December. Human rights lawyers and NGOs called the charges politically motivated and deemed Mirovici a political prisoner while he was detained. On November 15, Horjan and Mirovici announced they were starting a hunger strike in protest of their detentions and demanded that international organizations and the mass media be provided access to places of detention in Transnistria. On December 29, Mirovici was pardoned by order of the Transnistrian "leader," but Horjan remained imprisoned.

On July 19, Ghenadie Ciorba was sentenced to three years and three months imprisonment on extremism charges connected to his protesting against movement restrictions through the Security Zone. On August 10, Ciorba was released from prison following the approval of his appeal to the Transnistrian "Supreme Court," but remained subject to a suspended sentence of three years and three months imprisonment. Ciorba was arrested in July 2020 for protesting against movement restrictions through the Security Zone. Human rights NGOs regarded Ciorba's case as politically motivated and deemed him a political prisoner (see sections 1.d., Pretrial Detention, and 2.b.).

Civil Judicial Procedures and Remedies

The law allows citizens to seek damages in civil courts for human rights abuses and violations. Under the constitution the government is liable when authorities violate a person's rights by administrative means, fail to reply in a timely manner to an application for relief, or commit misconduct during a prosecution. In practice, human rights abuse complaints were rarely investigated, and detainees rarely reported violations out of fear for retaliation. When judgments 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 1,050 applications against the state pending before the ECHR. The ECHR issued 32 rulings involving Moldova in 2020 and found at least one violation of the European Convention on Human Rights in 28 of those cases. The country was assessed damages amounting to $2.3 million in 2020, a four-fold increase from 2019. 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. While the government declared a zero-tolerance policy toward torture, alleged victims of torture frequently lacked access to effective civil judicial remedies, especially in cases involving alleged mistreatment in penal institutions.

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

Property Seizure and Restitution

The country has endorsed the Terezin Declaration and the Guidelines and Best Practices. Although Moldovan law provides for restitution of private property confiscated during the Communist era, it does not apply to the government, which 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.

While a few properties, such as the Hay Synagogue in Chisinau and the Cahul Synagogue in Cahul, have been returned to the Jewish community by the state, in most cases Jewish organizations have had to purchase or lease communal and religious properties from the government to regain possession. Purchased properties include the Wooden (or Lemnaria) Synagogue and the Rabbi Tsirelson Synagogue and Yeshiva, both in Chisinau. Jewish groups sought a comprehensive restitution solution for communal property instead of the piece-meal approach in which individual buildings have been returned. The World Jewish Restitution Organization reported some legislative changes were needed in the country to facilitate communal and religious property claims.

The Moldovan Orthodox Church (MOC), subordinate to the Russian Orthodox Church, and the Bessarabian Orthodox Church (BOC), under the Romanian Orthodox Church, were engaged in litigation over control of more than 800 churches, monasteries, and monuments designated by the government as national heritage assets, most of which were controlled by the MOC under a 2007 agreement between the MOC and the government. The BOC sued the government to annul the 2007 agreement. In December 2020 the Chisinau Court of Appeals ruled in favor of the BOC and annulled agreements by which the government had transferred the monasteries and churches to the MOC for indefinite "protection and use." The MOC and Ministry of Culture challenged the decision at the Supreme Court of Justice, which canceled the Court of Appeals ruling and sent the case for retrial. BOC lawyers said the ruling was unjustified.

The Roman Catholic Diocese of Chisinau has submitted a case to the ECHR seeking restitution for a Catholic school property seized by Soviet authorities, which is part of the Moldovan Presidency Building complex. The Catholic Diocese of Chisinau and the government agreed to seek an amicable settlement to the ECHR case but did not reach an agreement on the transfer of an alternative state-owned property to the diocese as restitution.

The country's Lutheran community repeatedly petitioned the government for compensatory state-owned land as restitution for the former site of Saint Nicholas Lutheran Church in central Chisinau. The church was seized by Soviet authorities in 1944 and demolished in 1962. The Presidency Building occupies the former site of the church.

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. Government agents often failed to respect these prohibitions.

The government did not take steps to address longstanding arbitrary wiretap and surveillance practices. The NGO Legal Resource Center of Moldova reported that judges approved almost all requests from prosecutors for wiretap authorization, indicating a lack of proper oversight. Such requests for wiretap authorization were reportedly sometimes made in attempt to incriminate political rivals or for political purposes. For example in October, Prosecutor General Alexandru Stoianoglo released intercepted telephonic communications of a former anticorruption prosecutor in an attempt to discredit the Superior Council of Prosecutors the day before their vote to request an investigation into corruption by Stoionaglo.

In July anti-organized-crime prosecutors and SIS agents placed the head of the Moldovan Martial Arts Federation and former police officer Dorin Damir, Balti city police chief Valeriu Cojocaru, and a border police officer under temporary arrest on charges of abuse of power, theft of state funds, illegal border crossing, disclosure of state secrets, and forgery of public documents. The three were former employees of the 5th Division of the National Inspectorate of Investigations under the Ministry of Interior, labelled by many human rights activists as "the political police," which was disbanded in 2019. Damir, Cojocaru, 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 Vladimir Plahotniuc. Former police chief and defense minister Alexandru Pinzari was also detained in the case. In September pictures and excerpts of communications intercepted by the 5th Division were leaked to the media, adding to evidence of the illegal practice. In September anti-organized-crime prosecutors finalized the investigations and sent the cases against Damir, Cojocaru and Pinzari to court. In an official press release, prosecutors confirmed that the 5th Division was in charge of "verifying journalists and employees of diplomatic missions, as well as vetting candidates for judge offices, acted like a state in a state, and was controlled by former PD head Vladimir Plahotniuc." As of December Damir and Cojocaru were detained at Penitentiary No. 13 in Chisinau, while Pinzari was under house arrest.

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. Nonetheless, there were reports that authorities did not always respect freedom of expression for the press. Journalists were subjected to harassment, intimidation, and frequent lawsuits. Concentration of ownership of major media outlets in the hands of a few political figures and oligarchs further limited the independence of the press and other media.

A United Nations study released in August on the impact of the COVID-19 pandemic on human rights in the country stated that although national legislation on access to information and freedom of expression is largely in line with international standards, effective implementation of the law has been problematic. The report specifically pointed to government misuse of privacy exemptions to withhold information requested by journalists.

On August 12, media NGOs in the country issued a declaration calling on the new government led by Natalia Gavrilita to ensure the transparency of public institutions and provide access to information of public interest to journalists.

Freedom of Expression: 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 de facto "authorities" during the year.

According to the human rights NGO Apriori, in November 2020, Transnistrian "authorities" accused Transnistria resident Pavel Dogari of extremist actions for expressing his opinion that the presence of Russian troops was not a positive development for the separatist region. Reportedly, an investigation into charges of extremism was ongoing, but Dogari was not given access to the alleged evidence against him. By June Dogari had fled Transnistria and reportedly requested political asylum in Germany.

On July 20, 70-year-old Mihail Ermurachi was found guilty by a Transnistrian "court" of "offending the Transnistrian leader" and fined 9,200 Transnistrian rubles ($550) for a recorded private conversation in 2019 in which he "insulted" Transnistrian leader Krasnoselskiy. Ermurachi was originally charged with extremism, but those charges were dropped and Ermurachi ordered to pay a fine.

Others such as Oleg Horjan and Serghei Mirovici (see section 1.e., Political Prisoners and Detainees) were sentenced to prison for criticizing "authorities" by "insulting a public official," an act that is prohibited under the region's "criminal code." As of December, Horjan remained imprisoned, while Mirovici was pardoned on December 29 after admitting his "guilt."

Freedom of Expression for Members of the Press and Media, Including Online Media: According to media outlets, NGOs, and international monitors, independent media were active and expressed a plurality of views but were often marginalized by larger outlets owned or controlled by a few politicians and oligarchs. Large media outlets pressured smaller outlets, including by colluding to prevent advertisers from buying advertising space from those smaller outlets. Internal and external propaganda and manipulation, concentration of ownership of mass media in the hands of few politicians and oligarchs, unfair competition within the television advertising market, and limited independence of the broadcasting regulatory authority, the Audiovisual Council, were among the major problems that restricted independent media space. Oligarchs closely supervised content and maintained editorial control over reporting from outlets they owned or controlled. Russian news channels rebroadcast in the country continued to disseminate propaganda and presented distorted information on regional and international events. Channels rebroadcasting Russian content continued to dominate the media market by creating advertising cartels, which limited the revenues for smaller outlets.

Independent media NGOs and watchdogs accused the Audiovisual Council and the public broadcaster, Teleradio Moldova, of progovernment bias. The NGOs also noted the government discriminated against media outlets that were not affiliated with then President Dodon or the Socialist Party during Dodon's presidency by refusing them access to senior officials for interviews. On November 4, the new parliamentary majority amended the Code of Audiovisual Media Services to allow parliament to directly appoint and fire the top management of Teleradio Moldova, taking this responsibility from the Audiovisual Council. The amendments also provide for the dismissal of the Audiovisual Council board if parliament rejects its yearly report. Media watchdogs criticized the amendments, noting that they could increase political control over the public broadcaster and the Audiovisual Council.

On November 11, parliament rejected the Audiovisual Council's yearly activity report and fired all its members in accordance with the Code of Audiovisual Media Services as amended the previous week. Local media watchdogs issued a joint statement asserting that the council's ineffectiveness was not caused by the difficulty in removing politicized members, but by the politicized appointment criteria. The statement said the amendments did not address the main problem of the council, politicization.

Freedom of expression for members of the press and other media, including online media, is restricted during election seasons. Media regulations approved by the Central Electoral Commission provide for equal access to the media and fair coverage of all the electoral competitors, but monitoring reports showed that not all media outlets followed the regulation. International observers from the OSCE Office for Democratic Institutions and Human Rights ODIHR) and the European Network of Election Monitoring Organizations (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 early parliamentary elections and failed to sanction all the television channels that it listed in its first monitoring report as violating the law. The observers noted that, in its first report, the Audiovisual Council found that four television stations – Primul in Moldova, NTV Moldova, TV6, and 10TV – committed violations during the election campaign. Of these the council sanctioned only 10TV. International observers noted that the Audiovisual Council was not perceived as politically independent and did not enjoy public confidence. After its second monitoring report, the council subsequently sanctioned six television channels for breaching the law.

In a January 27 decision, the Supreme Court of Justice rejected a request by the Audiovisual Council to reverse a lower court decision annulling the fine that the council imposed on TV8 in 2020. TV8 had challenged the council's ruling in court, asserting it was "an attack on freedom of expression." In October 2020 the Audiovisual Council fined TV8 7,000 lei ($400) for "not ensuring impartiality" during the talk show *Natalia Morari's Politics*, claiming that the show failed to uphold impartiality and balance of opinion when one of the guests on the show, lawyer Ștefan Gligor, said there were risks of election fraud in the November 2020 presidential election. In October 2020 the Chisinau Court of Appeal struck down the council's fine and ruled that TV8 did not violate the requirement for balance of opinion. In November 2020 the Supreme Court of Justice affirmed the court of appeal ruling cancelling the fine.

Media freedom in breakaway Transnistria remained a concern. During the year, Freedom House again assessed the region's media as "not free." Transnistrian television channels and radio stations are regulated by the "state media service" and "state telecommunications service." The "state media service" oversees "state-run" media and "state" policy in the information sector.

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

Violence and Harassment: There were reports of government and political leaders restricting the media's ability to cover events. Journalists were subjected to harassment, intimidation, and frequent lawsuits. Female journalists in particular were subjected to intimidation.

In one example in February, journalist Alexandra Batanova from the *Newsmaker* outlet was subjected to pressure after she published an article on a criminal case against two police officers. The officers filed a complaint with police, asking that Batalova be sued for libel. The chief of the police section that received the complaint came in person to *Newsmaker's* office to inform Batalova of the case against her. Batalova, who was not in the office at the time, asked for the complaint to be sent to her through official channels. Media NGOs issued a joint statement calling the officer's decision to personally come to *Newsmaker's* office abusive and an attempt to intimidate the press.

There were also reports of local government officials intimidating and threatening journalists in response to their reporting. For example on February 8, Chirsova mayor Serghei Sapunji sent journalist Mihail Sirkeli threatening messages following his February 5 broadcast of the *Nokta Live* talk show, in which Sirkeli commented on a conflict at the Kirsovo village mayor's office involving Sapunji, his son, and some inhabitants of Kirsovo and Vulcanesti. Media NGOs condemned Sapunji's actions and asked the Gagauzia Prosecutor's Office to initiate a criminal case against Sapunji for using his official position to intimidate critics.

On November 18, media NGOs issued a statement expressing concern regarding the verbal attacks and threats from Nicolai Chirilciuc, a candidate for mayor in Balti, against journalist Veaceslav Perunov, the editor and owner of the *Spros i Predlojenia* newspaper and news portal. Chirilciuc, unhappy with the questions addressed to him during an election debate, called Perunov to complain. Chirilciuc threatened Perunov and insisted that *Spros i Predlojenia* should be loyal to him because he paid the outlets for election ads.

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

Journalists voiced concern that a personal data protection law restricted journalists' access to information. In addition, investigating journalists complained of problems accessing websites of legal entities. In Transnistria journalists similarly practiced self-censorship and avoided criticizing de facto "authorities," the separatists' goal of independence, their "foreign policy," or anything that would be deemed "extremist" under the *2020-2026 Strategy for Combating Extremism* in order to avoid "official" reprisals (see section i.e., Political Prisoners and Detainees, and Freedom of Expression in this subsection).

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.

There were also reports of government officials initiating lawsuits against media outlets for their investigative reporting into corruption allegations and the officials' personal assets. For example in January 2020, Deputy Prosecutor General Ruslan Popov filed a defamation lawsuit against the Center for Investigative Journalism in response to two investigative reports implicating him in corruption. As of November the case was still pending.

On October 6, during the seventh hearing into the defamation lawsuit against the *Ziarul de Garda* newspaper by former president Dodon, the Chisinau Court decided to close the case because neither Dodon nor his lawyer attended the hearings without explaining their absence. In May 2020 the *Ziarul de Garda* newspaper was targeted in a defamation lawsuit by then-president Dodon in response to an investigation revealing his wealth and assets.

The "law" in Transnistria criminalizes public insults of the region's "leader," which may be punished by a fine or up to five years in prison. (see section 1.e., Political Prisoners and Detainees, and Freedom of Expression in this section).

Internet Freedom

The government did restrict or disrupt access to the internet or censor online content, but there were no credible reports that the government monitored private online communications without appropriate legal authority.

In April the SIS blocked several news portals, including *todayactual.site; ro.portal-news-24h.xyz*; *jurnalstiri.site*; and *bn-news-romania-365.xyz*, identified as sources spreading "fake news" on the COVID-19 pandemic and prevention and protection measures.

In Transnistria the de facto "authorities'" telecommunication services agency ordered Linkservice, the region's second largest internet service provider (ISP), to cease operations in January 2020 due to violations of ISP "regulations." Linkservice had been operating exclusively in Bender (Tighina) since 2019. Internet users and civil society in Transnistria suggested that the region's largest ISP, Sheriff-controlled Inderdnestrcom, was trying to eliminate its competitors in the ISP market in Transnistria. In April an appellate court blocked the license suspension "at least through the public health emergency." As of October Linkservice remained operational, but only in Bender and Tighina.

Academic Freedom and Cultural Events

The National Extraordinary Public Health Commission restricted public gatherings and cultural events during the year and on September 10, announced a nationwide public health state of emergency that introduced mandatory proof of vaccination or negative PCR or antigen test for persons attending mass outdoor or indoor gatherings. The requirement was inconsistently applied by both public and private entities.

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

In Transnistria Latin-script schools continued to be the subject of a dispute between the government and Transnistrian "authorities." COVID-19 quarantine measures imposed by "authorities" obstructed the free movement of Latin-script schools' staff and students, but starting on September 1, they were allowed to cross the Security Zone with proper identification.

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.

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 state of emergency.

Authorities, with some exceptions, prohibited large public gatherings exceeding 50 persons during the year due to the COVID-19 pandemic. After declaring a state of emergency on September 10, authorities began requiring proof of vaccination against COVID-19 or a negative PCR or antigen test from persons attending indoor or outdoor events.

In Transnistria "authorities" generally refused permits for public protests. For example, Ghenadie Ciorba, a civil society activist and opponent of the Transnistrian regime, was sentenced to three years and three months' imprisonment for organizing a protest on the Ribnita-Rezina bridge in 2020 against travel restrictions imposed by Transnistrian "authorities" under the pretext of combating the COVID-19 pandemic. His sentence was later suspended (see sections 1.d., Pretrial Detention, and 1.e., Political Prisoners and Detainees).

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 and prosecuted several individuals under charges of allegedly organizing or leading an "extremist group," charges that carry a penalty of up to 10 years' imprisonment.

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. During the year, despite the ongoing COVID-19 pandemic, the government lifted foreign travel restrictions and reopened borders to vaccinated travelers or those with a valid negative COVID test.

In Transnistria "authorities" continued to restrict travel to and from the region.

In-country movement: Transnistrian "authorities" resumed allowing normal crossing through their checkpoints in May after they had closed them for more than a year on the pretext of responding to the COVID-19 pandemic.

Foreign Travel: Although citizens generally may depart from and return to the country freely, there were some limitations on emigration and some COVID-19-related travel restrictions. 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.

e. Status and Treatment of Internally Displaced Persons

The law does not define the concept of internally displaced persons (IDPs) and authorities do not report any official data on IDPs as such. 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.

Transnistrian "authorities" continued to deny Moldovan veterans of the 1992 Transnistria conflict access to the region.

f. 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, asylum seekers, stateless persons, and other persons of concern.

Access to Asylum: The law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. 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. Despite the COVID-19 pandemic, the government restarted deportations of asylum seekers whose asylum claims were rejected by the Migration and Asylum Bureau. The law does not allow unemployed asylum seekers to purchase state health insurance, but asylum seekers still had access to health care during the COVID-19 pandemic.

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

Temporary Protection: The government also provided humanitarian protection to individuals who may not qualify as refugees and provided it to approximately 216 persons registered in the national asylum system as of July.

g. Stateless Persons

According to UNHCR, there were 1,471 persons registered as stateless in the country, a majority 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, are not actually stateless, and most have acquired Russian citizenship or another nationality. There were 7,063 Moldovan citizens who 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 1,901 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. The government issued residence permits for a period of up to one year to stateless persons temporarily residing in the country at a cost ranging from approximately 400 to 1,280 lei ($23.40 to $75) depending on the speed of service, with higher prices for expedited processing. 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 with a runoff were held in November 2020, in which former prime minister Maia Sandu defeated the incumbent president, Igor Dodon, making her the country's first female president. 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 manned 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 on July 11. 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. President Sandu's Action and Solidarity Party (PAS) won the elections with 63 seats in parliament, enough to form a single-party majority government. On August 6, a new government led by Prime Minister Natalia Gavrilita received a vote of confidence in parliament and was sworn in.

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, and suspicions of political influence on electoral bodies. While noting that the gender quota for party lists increased the number of elected female members of parliament, the coalition outlined a number of problems, such as 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, under alleged political influence; use of hate speech during the electoral campaign by political parties and candidates; biased media coverage and 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 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.

Political Parties and Political Participation: With some exceptions, opposition parties did not report incidents of intimidation and politically motivated criminal cases against their members by authorities during the year. Several criminal cases from previous years regarding high-level politicians, however, continued during the year (see section 4, Corruption and Lack of Transparency in Government).

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 publicly 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.

In the July 11 early parliamentary elections, 40 women were elected to parliament, the highest number in the country's history. Four political parties that competed in the elections included women at the top of their lists of candidates. More women than men were involved in the organization of the election, and more than 54 percent of District Electoral Councils were led by women.

President Sandu, head of the Constitutional Court Domnica Manole, Prime Minister Gavrilita, and many government ministers were women.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for official corruption, the government failed to implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Despite some improvement, corruption remained a serious problem. Corruption in the judiciary and other state structures was widespread. Addressing corruption was one of the main promises of the new government formed after the July 11 snap parliamentary elections. One of the new government's first steps was to amend the Law on the Prosecutor's Office to allow the dismissal of the prosecutor general for "unsatisfactory performance" or his suspension in the event of a criminal case against him. Opposition parties contested the law, which was upheld by the Constitutional Court on September 30.

The law authorizes the National Anticorruption Center 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. The PAS harshly criticized both the National Anticorruption Center (NAC) and the NIA for lack of action in investigating corrupt officials. Civil society organizations maintained that the NIA and NAC were still ineffective in fighting corruption. In November PAS members of parliament passed a bill that allows parliament to directly appoint or fire the director of the NAC. On November 19,

parliament heard the legal committee's report regarding NAC activity and fired the center's director. Another bill voted by PAS on October 7 more clearly defines the role of NIA and enhances its operational capacity. On September 21, the Constitutional Court struck down the December 2020 law that limited NIA powers.

Corruption: The key anticorruption institutions in the country – the Prosecutor General's Office with its specialized anticorruption and anti-organized-crime units, the NIA, the NAC, and the Criminal Assets Recovery Agency – made limited progress on corruption investigations of illicit enrichment or asset seizures.

The 2020 Transparency International *Corruption Perception Index* report noted that, while the state was no longer considered "captured," authorities were involved in illicit activities and tried to limit the NIA's competencies. Transparency International Moldova also pointed out that the government at the time also attempted unsuccessfully to change the legal definition of "final beneficiary," which would have been a massive setback for the snail's pace investigation of the 2014 banking fraud.

As of July 1, the NIA has published 18 findings of impropriety referring to sitting or former members of parliament and 33 referring to judges and prosecutors. The government did not confiscate assets of any of the officials charged. All charges were challenged in court; the cases were ongoing.

On October 5, Prosecutor General Alexandru Stoianoglo was suspended from office after the appointment of a special prosecutor by the Superior Council of Prosecutors to investigate corruption charges against him based on a request from the head of Parliament's National Security, Defense, and Public Order Committee, Lilian Carp. Stoianoglo was detained that same day on charges of abuse of power in the interest of a criminal group or criminal organization, passive corruption, and false asset declarations. Anticorruption and Intelligence Service officers searched his office and house, and then escorted him to the Chisinau Police Station where he spent 72 hours in pretrial detention. On October 8, the court placed him under 30 days of house arrest, which was extended several times. Stoianoglo's supporters, including the Socialist and Communist Bloc members of parliament, held rallies and called for Stoianoglo's release. On October 10, one of Stoianoglo's deputies, Ruslan Popov, was detained on charges of illicit enrichment and placed under house arrest for 30 days. Stoianoglo's second deputy, Iurie Perevoznic, resigned and called the detention of his colleagues "illegal, and a useless show of force." Per President Sandu's request, on November 23, the Superior Council of Prosecutors set up a commission to conduct Stoianoglo's performance assessment. Stoianoglo was required to be dismissed if the commission's report finds Stoianoglo's activity while in office "unsatisfactory." As of the end of December, the commission had not begun its investigation.

On June 14, a Chisinau court cleared oligarch Veaceslav Platon of all charges related to his role in the billion-dollar banking fraud case at the request of the Prosecutor General's Office. While Platon was still under investigation for a different case, Prosecutor General Stoianoglo refused to request an international travel restriction for Platon. On July 18, Platon fled the country and was last seen in London. Allegations that Stoianoglo was involved in supporting Platon played a role in the initiation of a criminal investigation of Stoianoglo by a special prosecutor in October. In a separate case, in November anticorruption prosecutors accused Platon of a raider attack on Moldova-Agroindbank (MAIB) within a larger money laundering scheme, known as the "Russian Laundromat." According to prosecutors, between 2011 and 2015 Platon used money from the Russian Laundromat scheme to take over 43.11 percent of MAIB's shares (worth approximately 28 million lei, or $1.6 million). The shares were purchased by shell companies whose real beneficiary was Platon. On November 11, a Chisinau court issued an arrest warrant for Platon.

On September 3, Oleg Melniciuc was sentenced to seven years in prison, making him the first judge sentenced to prison for illicit enrichment. Melniciuc challenged the ruling. In 2018 prosecutors accused Melniciuc of inaccurately reporting his income and assets using incomplete or false information. They also argued that the judge had received "suspicious donations" and that his official income did not cover his recorded expenses.

On November 9, the interim general prosecutor Dumitru Robu asked the Superior Council of Magistrates (SCM) members to authorize the criminal investigation of two judges but did not publicly release their names. The SCM agreed to investigate one; according to prosecutors, the judge owned and used goods not included in his declaration of assets and of substantially greater value than the funds he officially acquired. The assets include three luxury cars and a house. The representatives of the Anticorruption Prosecutor's Office and the Intelligence and Security Service searched the judge's office, vehicles, and house. The SCM postponed the decision regarding the second judge, asking Judicial Inspection to clarify information related to the charges.

As of September the prosecutor general did not provide an answer concerning the status of Vladimir Plahotniuc's extradition but confirmed that Plahotniuc was in Turkey. Plahotniuc, the former Democratic Party of Moldova chairman, fled the country in 2019 prior to officially being charged in May 2020 for his role in a billion-dollar banking fraud in 2014-15 and was subject to an arrest warrant. He reportedly has not returned to Moldova.

Justice NGOs noted that courts repeatedly delayed hearings without justification in high-profile cases.

Hearings on a criminal appeal by the Shor Party leader Ilan Shor, who was convicted and sentenced in June 2017 to seven-and-a-half years' imprisonment for his involvement in the 2014 billion-dollar bank fraud scandal, were delayed throughout the year (see 1.e. "Trial Procedures" subsection).

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 somewhat cooperative and responsive to their views.

Authorities in Chisinau did not have full access to or control over the Transnistrian region. According to local and international experts, de facto "authorities" in Transnistria continued to monitor and restrict activities of human rights NGOs. There were credible reports that human rights NGOs in the region conducted limited investigations of serious human rights violations due to fear of repression and harassment by the "authorities."

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 people's ombudsman institution was partially operational during the year after the death of Ombudsman Mihail Cotorobai. On September 23, parliament appointed Natalia Molosag as the new ombudsman. The opposition and prominent NGOs criticized the move for failing to abide by parliamentary procedures in order to install an ombudsman favorable to the PAS-led government. On November 30, more than 100 NGOs requested Molosag resign after revelations surfaced that she had hired Dumitru Godorog, who was convicted in 2017 of crimes related to sex trafficking, for an official position. On December 2, Molosag resigned.

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 lacks the power to enforce decisions, it acted as a monitor of human rights conditions, including in prisons and other places of detention. A separate ombudsman for children's rights operates 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 lacks 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.

Parliament also has a separate standing committee for human rights and interethnic relations, but 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 family violence offenses is 15 years' imprisonment. The law also criminalizes rape, 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.

Civil society organizations set up a platform of 23 NGOs nationwide, including in the Transnistria region, called the National Coalition for Life without Violence, which contributes to the reduction of domestic violence and promotes the human rights of victims of gender-based violence. The international NGO La Strada operated a hotline to report domestic violence, offered victims psychological and legal aid, and provided victims options for follow-up assistance. The Women's Law Center also offered legal, psychological, and social support to domestic violence victims. An additional two centers provided counselling and resocialization services to aggressors.

Rape remained a significant problem, and there were no specific governmental rape prevention activities. 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 revictimized by the system and subjected to negative social stigmas. Legislative gaps, negative social stigma, and fear of revictimization contributed to a culture of impunity for perpetrators of sexual violence. Few survivors of sexual offenses reported the crimes. In 2020 survivors faced additional obstacles in reporting sexual violence due to quarantine measures imposed by the government during the COVID-19 pandemic.

The government did not take sufficient measures to develop 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. In September the General Police Inspectorate's Criminal Investigation Department introduced internal guidelines and procedures for the effective investigation of sexual assault crimes, but enforcement was delayed because of a lack of a relevant legal framework.

Between January and October police registered 1,913 domestic violence cases, including 16 domestic violence cases that resulted in death and 10 cases of marital rape. The General Police Inspectorate issued 4,656 emergency restraining orders, and courts issued 600 protection orders. Police registered 4,690 domestic violence abusers.

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, during the year the agency issued 492 protection orders requiring abusers to wear electronic monitoring devices. Prior to using the devices, the NPI reported a 70 percent recidivism rate among abusers. During the year the NPI reported a 19.65 percent recidivism rate. The NPI also registered and filed cases against 80 abusers who broke protection order rules.

During the year police and human rights NGOs continued to report an increase in domestic violence complaints. COVID-19 quarantine measures, social distancing, restrictions on freedom of movement and other pandemic-related restrictive measures contributed to this increase. According to a 2020 study conducted by La Strada, more than 90.4 percent of persons who experienced domestic violence were women. From January to November, La Strada's Women and Girls' Trust Line received 1,780 calls, including 1,068 complaints of domestic violence, a significant increase over 2020 when 390 calls were received during the same period. According to La Strada, the number of calls from urban areas was 50 percent higher than the number of calls from rural areas. The number of calls was reportedly influenced by the increased effectiveness of police interventions in domestic violence cases. Police interventions were more effective because of the hotline, which routed all calls from women and girls reporting domestic violence to a special office trained to respond to domestic violence cases.

According to La Strada, the subject of sexual violence remained sensitive in the country. The most frequent sexual violence crime was rape. In Transnistria domestic violence without "substantial bodily harm" (such as broken bones or a concussion) remains an administrative, rather than criminal, offense that is only punishable by a fine.

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, which resulted in the absence of official statistics on the number of domestic violence cases. According to local NGOs, as of October 31, the Trustline hotline for preventing domestic violence registered 1,340 calls. According to the NGO Rezonans Center, one in 10 residents in the region believed that a husband has the right to beat his wife. 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, addressing harassment of students by university professors and several instances of workplace harassment. Civil society groups, however, criticized the judicial system for displaying inadequate concern for the safety of victims and for not holding perpetrators accountable for their behavior.

A study on sexual harassment in educational institutions conducted May to November by the Partnership Development Center and East European Foundation found that only 35 percent of students viewed inappropriate looks and gestures, unwarranted hugs, and the use of words with sexual connotations as sexual harassment. The study showed that female students were better informed to identify sexual harassment cases compared to their male counterparts. One in five students interviewed confirmed that he or she was sexually harassed during their lifetime, and more than 40 percent of these students did not report the cases or request support.

According to a 2020 informative note on a bill published by the Ministry of Health, Labor, and Social Protection calling for the review of national legislation on sexual harassment, one in five women in the country experienced sexual harassment in the workplace. Societal attitudes and lack of interest from law enforcement discouraged victims from reporting instances of sexual harassment.

A 2020 study by the Women's Law Center and the Women in Police Association, *Women in police: Perceptions about sexual harassment,* revealed a high number of incidents of women in law enforcement who were victims of sexual harassment. According to the study, 7.9 percent of women in the police force confirmed they were victims of sexual harassment, and every fourth woman experienced unwarranted comments regarding their private life or the way they looked. One in 10 women experienced instances of sexual harassment, such as staring at their bodies, inappropriate looks, or inappropriately sexual conversations. The women reported that 71 percent of the perpetrators of harassing behavior were coworkers, while 22.4 percent of women admitted they received threats, coercion, or the promise of professional benefits from superiors. Every seventh respondent (14.5 percent) answered that she remained silent when she experienced an act of sexual harassment. Nearly one-quarter of respondents (23.2 percent) did not report harassment out of fear they would not be taken seriously. Half of women employed in the police force was not sure if she could safely report an act of sexual harassment.

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

The law provides that minors under the age of 16 must have permission from a parent or legal guardian to obtain reproductive health services; a medical provider may waive this requirement if the minor's life or health are in danger. The state provides contraception free of charge to citizens through primary care providers. Although minors have 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.

As in previous years, women continued to face discrimination and difficulties in accessing health information and health care, particularly women in rural areas, women with special needs, displaced women, ethnic minorities, lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons, sex workers, drug users, HIV-positive women, refugees, undocumented migrants, stateless women, women with disabilities, and single mothers. Marginalized women 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 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.

Victims 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 only provided by family doctors and was not available in emergency centers.

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. During the July parliamentary elections, 46.5 percent of candidates were women, of which 42.7 percent were among the top 10 on the party lists. The 101-member parliament includes 40 women.

While the law strictly forbids discrimination and spells out employers' responsibilities in ensuring that workplaces are free of discrimination and sexual harassment and prohibits sexist and discriminatory language and images in the media and advertising, discrimination remained a significant problem. Women experienced discrimination in the workplace (see section 7.d.). In addition, some political candidates and media outlets used misogynistic rhetoric during the campaign season for the July parliamentary elections.

According to a 2020 report issued by the Union for HIV Prevention and Harm Reduction and Promo-LEX, female drug users, sex workers, and inmates were the most vulnerable to multiple risks, such as HIV or AIDS, human trafficking, harassment, and violence due to discrimination, criminalization, stigmatization, and exclusion from society. Despite such vulnerabilities, authorities did not protect basic rights to health care and justice for women in these categories.

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.).

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 on Ensuring Equality 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.

Roma continued to be one of the most vulnerable minority groups in the country and faced a higher risk of marginalization, underrepresentation in political decision making, illiteracy, and social prejudice. Roma had lower levels of education, more limited access to health care, and higher rates of unemployment than the general population (see section 7.d.). According to a study released in 2020 by the Partnership for Development Center, the employment rate among Roma was only 6.4 percent. The unemployment rate among the Romani community stood at 45 percent. Romani women were particularly vulnerable to social exclusion and discrimination.

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

During a press conference in May, representatives of the National Roma Center and Center for Roma Rights said that the situation of the victims of crimes motivated by hatred, prejudice, or contempt or hate speech had remained unchanged over the past 10 years. Romani leaders accused law enforcement bodies of failing to investigate hate speech and holding discriminatory attitudes towards Roma. In one case investigators refused to launch criminal proceedings into a speech that members of the Romani community stated was "full of hatred, racists and offending statements about the Roma" delivered by former President Igor Dodon. Roma representatives also reported that police failed or refused to investigate cases of discrimination against Roma.

According to a 2019 survey of 476 Romani women from 48 localities conducted by the Roma Women Network in Moldova, the most serious problems reported were limited access to education, the job market, medical services, and information on health and hygiene. The survey showed that only 36.6 percent of Romani women attended some form of state-guaranteed education, while 57.8 percent said they did not have an opportunity to continue their studies. Some 84.7 percent of respondents were unemployed, and many of them alleged that they were subject to discrimination when trying to get a job. According to the survey, one-third of Romani women reported discrimination when consulting a doctor, and 70 percent reported not having access to information on health and hygiene.

According to Romani leaders, the community faced a high rate of emigration, and the state did not provide financing for Romani 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. The lack of registration certificates for many children, especially in rural areas and in Romani families, remained a problem.

Education: Primary education was free and compulsory until the ninth grade. Education of Romani 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 Romani communities stemmed from poverty and fear of discrimination.

During the year the authorities introduced a hybrid system with some schools, and educational institutions switching to partial or full-time online schooling, depending on the number of COVID-19 infections among students and teaching staff. Most kindergartens remained operational but worked at half-capacity, which drew criticism from some parents. During the year authorities and several international organizations provided technical support for online schooling.

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 Health, Labor, and Social Protection has noted that social norms created a permissive environment for violence against children at home and at school.

The Ministry of Education 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 General Police Inspectorate, law enforcement bodies documented 212 cases of child sexual abuse in 2020, including 69 cases of sexual abuse by members of their families. A total of 440 children subjected to violence at home were removed from their biological families and placed in family-type centers. In 2020 police initiated 1,880 cases against parents who subjected their children to neglect, abuse, or violence or barred their access to education.

A 2020 study by the Ministry of Education, Culture, and Research and the National Center for the Prevention of Child Abuse noted that children were exposed to more risks during the COVID-19 pandemic due to increased psychosocial stress, a sense of fear and panic generated by the pandemic, the suspension of school activity, infection with coronavirus or quarantine, access to and improper use of disinfectants and alcohol, increased vulnerability to exploitation for child labor, social discrimination, and the limited availability of services for children with disabilities. 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. There were no official statistics regarding child marriages.

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 sexual violence in the previous year.

The Prosecutor's Office to Combat Organized Crime and Special Cases is responsible for investigating and prosecuting child sexual abuse cases, and the Antitrafficking Bureau of the Prosecutor General's Office is responsible for investigating and prosecuting child trafficking and child sexual exploitation. During the first 10 months of the year, law enforcement officials identified 49 victims of child online sexual exploitation and other child sexual abuse crimes, ranging in age from eight to 17 years old. La Strada's Child Safeguarding Team registered 76 new cases of child sexual exploitation and sexual abuse that included nine cases of rape, eight cases of child pornography, three cases of child trafficking for the purpose of sexual exploitation, and 17 cases of other forms of sexual abuse. Law enforcement bodies referred 63 cases for assistance.

According to La Strada, from February to May, 855 children requested counseling on various aspects related to child safety online and 22 children reported cases of online child sexual abuse. The reported cases increased three times during the COVID-19 pandemic.

Institutionalized Children: The government, with support from civil society organizations, continued the deinstitutionalization of children, though this process was slow because of the pandemic. 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.

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

Anti-Semitism

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

According to the Jewish community, anti-Semitic discourse and hate speech online and in the media against members of the Jewish community remained a systemic problem. Online publications related to the community's activities often received hateful and insulting comments, some of which blamed the Jewish community for the spread of COVID-19. The Jewish community reported multiple instances of anti-Semitic and offending comments to news with a Jewish component posted on the private news portal *point.md*. In response to an article regarding the last Jewish citizen who was evacuated from Afghanistan by fellow citizens, anonymous authors posted anti-Semitic comments, such as "as always, there is no Holocaust for them" or "plus, minus one (Jewish citizen), not a great loss." The news portal did not take any action to remove the anti-Semitic content. The Jewish community reported one case of vandalism at the Jewish memorial in Cosauti during the year, in which unknown individuals vandalized the monument honoring the memory of more than 6,000 Jews killed in the Cosauti forest during the Holocaust. Police opened an investigation but had not identified the perpetrators as of November.

In June the president signed legislation that introduced administrative and criminal liabilities for Holocaust denial and insulting the memory of the Holocaust. The amendments to the criminal code and the Law on the Freedom of Expression adopted by parliament in 2020 provide for punishment, including criminal, for Holocaust denial and xenophobic, racist, and fascist propaganda.

Trafficking in Persons

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

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in education and employment and demands equal access to public facilities, health services, public buildings, and transportation. Authorities rarely enforced the law, and discrimination against persons with disabilities persisted.

The law requires new construction and transportation companies' vehicles to be accessible to persons with disabilities. Authorities implemented the provisions of the law only to a limited extent. While many newly built or reconstructed buildings were accessible, older buildings 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 the 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.

An experiment organized in November in Chisinau by the disability rights NGO Motivation featured several public officials who each simulated common visual, hearing, and mobility impairments attempting to navigate public spaces. The participants confirmed the difficulty of accessing public infrastructure for persons with disabilities, and the lack of knowledge among service providers on the needs of persons with visual or hearing 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. Media reported several cases against discrimination of children with disabilities by teaching staff. For example in November the mother of a 15-year-old minor with Marfan syndrome reported frequent discrimination and verbal abuse by a physics teacher at a school in Chisinau. According to the minor, the teacher used such words as “handicapped or stupid,” gave lower grades and often discriminated against the student in front of his classmates. The teacher rejected the allegations. The school administration promised to investigate the case.

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.

According to NGOs providing services for persons with impaired mobility, the COVID-19 pandemic negatively affected persons with disabilities, particularly those in wheelchairs. Authorities suspended the provision of most health-care rehabilitation and social services during the public health emergency, negatively affecting the physical and psychological condition of persons with disabilities.

Investigation of degrading treatment of patients in psychoneurological institutions was deficient. In most cases prosecutors refused to investigate complaints submitted by patients, questioning the accuracy of allegations made by persons with mental disabilities. According to Promo-LEX, most prosecutors and investigators lacked technical skills to investigate acts of violence or torture in psychiatric institutions. 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 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.

Following the suspicious death of a 34-year-old resident in the temporary placement center for persons with disabilities in Cocieri, the NMPT monitored the institution from July to September and found serious deficiencies in the treatment of its residents. While the NMPT did not find any physical violence that might have led to the death, it noted that the lack of an appropriate medical investigation and care. In another case it reported neglect being used as a form of punishment for a woman with a personality disorder due to epilepsy, which led to the worsening of the patient’s health and ultimately her death because of untreated pneumonia. The NMPT also reported pervasive neglect of patients’ health situation by the center’s staff, inadequate administration of medicine, and lack of professionalism when dealing with patients with mental disabilities. The NMPT concluded that the staff did not properly monitor and treat common illnesses of its residents, which often led to deaths.

A July visit by NMPT to the Psychiatric Hospital in Orhei which hosted 117 patients revealed a number of serious deficiencies, including hospital wards hosting up to six patients with mental disabilities conducive to a hostile environment and aggression between patients and lack of privacy; lack of a ventilation system; lack of artificial light (most wards did not have electric power, limiting patients’ activities to daylight hours); limited access to water due to deficiencies in the old water-supply pipes; inappropriate sanitary facilities (a shower with no doors for 30 patients); lack of hygiene products for female patients; lack of access ramps or accommodations for persons with impaired mobility; lack of appropriate material conditions or minimum interior design that might improve the patients’ well-being; and a lack of any nonmedical activities (at the start of the visit most patients were sleeping and not reacting to NMPT questions). Patients often were not allowed outside walks and were limited to getting “some fresh air” on a joint balcony because the hospital was not fenced and there were no personnel to accompany patients on walks. Monitors also identified cases of labor exploitation, where institutions assigned housekeeping duties to patients in lieu of hiring staff.

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, and restrictions imposed during the COVID-19 pandemic generated new abuses in these institutions. 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-service 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 housed and treated alongside civilly committed and voluntarily committed patients. Persons with different types of disabilities and widely different ages were sometimes lodged in 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.

An audit on the accessibility of polling stations conducted by the Central Electoral Commission and the UN Development Program in 2019 found that only 1 percent of 612 stations assessed were fully accessible for wheelchair-bound persons. 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.

According to the ENEMO preliminary findings on the July 11 snap parliamentary elections, while the Central Electoral Commission prepared voter education materials for promoting the involvement of persons with disabilities in the elections, provided precinct electoral bureaus with magnifying lenses, ballot frames in braille and special booths, and trained polling station staff, the measures taken were insufficient. According to ENEMO observers, on election day, 31 percent of observed polling stations were accessible; 31 percent required minor assistance, and 38 percent were inaccessible. ENEMO also noted that the extensive use of mobile ballot boxes for persons with disabilities did not contribute to more active involvement in elections. The same report noted that electoral contestants did not address the needs and problems of persons with disabilities during the electoral campaign and that only two electoral contenders (the Action and Solidarity Party and National Unity Party) published electoral programs and materials in braille.

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.

HIV and AIDS Social Stigma

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

The law prohibits hospitals and other health institutions from denying admission or access to health-care services or requesting additional fees from persons with HIV or suspected of being HIV-positive. Prison inmates with HIV 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 also reported to the patient's family physician, a practice to which many HIV-positive individuals objected.

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

The law does not criminalize consensual same-sex sexual conduct between adults. The Criminal Code, however, criminalizes homosexuality.

Police frequently condoned or tolerated violence against LGBTQI+ individuals. According to NGO Genderdoc-M, in most cases law enforcement bodies failed to identity and hold to account persons who perpetrated acts of violence against LGBTQI+ individuals.

During the year the Socialist Party criticized activists who spoke out in favor of LGBTQI+ rights and advocated for the adoption of "antigay propaganda" laws. On May 13, members of the Socialist Party in parliament held a press conference to propose several legislative initiatives, including amending the constitution to "prohibit marriage of same-sex partners and include a provision that states that the parents of a child represent a father (male parent) and a mother (female parent)." In May leaders of the party proposed criminal penalties for public expressions of support for LGBTQI+ rights. The party also sought to introduce criminal liability for "propaganda of homosexualism." The proposed laws, however, were not introduced in parliament's agenda.

Hate speech and discrimination based on sexual orientation and gender identity remained a problem. In January the newspaper *Komsomoliskaya Pravda v Moldove* published an article, "Let these bastards be punished as an example! How Stalin declared war on gays." The article favorably portrayed actions by Stalin and the Soviet government to

criminalize and punish homosexuality. As of September, Genderdoc-M reported 20 cases of violations of the rights of LGBTQI+ individuals. In most cases parents applied physical and psychological violence against their minor children after they disclosed their gender identity or sexual orientation. Insults against LGBTQI+ representatives on social media were also frequent.

Civil society organizations reported that, although transgender individuals were allowed to change their names (e.g., from a male to a female name) on legal identity documents, including passports, the government did not permit them to update gender markers to reflect their gender identity. The Public Services Agency continued to refuse to change identity documents for transgender individuals, despite court orders. Transgender individuals also experienced employment discrimination.

The law prohibits employment discrimination based on sexual orientation, but societal discrimination based on sexual orientation and gender identity continued. The LGBTQI+ community reported verbal and physical abuse and attacks. As in in previous years, police were reluctant to open investigations against perpetrators of abuse. In November a soldier from Moldova, while on vacation overseas, posted a video message online in which he declared that he would not return to the army because he was mistreated after his sexual orientation was disclosed. Subsequently, the Ministry of Defense stated that an internal investigation had been launched, but simultaneously requested the Prosecutor General's Office investigate an alleged offense committed by the soldier who was in a relationship with a 17-year-old minor. Genderdoc-M noted that the age of consent in Moldova is 16 and called the investigation "a tool for intimidation" designed to transfer responsibility "from the aggressors to the victim of discrimination." On November 19, 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. In a November 25 response to the soldier's lawyer, the Ministry of Defense stated it had found no evidence of abuse or mistreatment of the individual.

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides workers the right to form and join independent unions, bargain collectively, and conduct strikes. The government generally respected these rights with limitations. The law prohibits antiunion discrimination but does not provide for the reinstatement of workers fired for union activity. The law does not allow government workers and workers in essential services, such as law enforcement, judges, holders of public administration offices, health-care providers, and public utility employees, to strike. The law prohibits strikes 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.

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.

There is a mechanism to monitor and enforce labor laws through the State Labor Inspectorate (SLI) and the Prosecutor General's Office, but it failed to monitor effectively and enforce the rights to collective bargaining and to organize. The law does not provide effective sanctions for violations of freedom of association, or stipulate penalties for violating trade union rights. Penalties for violations were not commensurate with those of other laws related to civil rights.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, with exceptions. The law and a government decision allow central and local authorities as well as military bodies to mobilize the adult population under certain conditions, such as in the event of a national disaster, and to employ such labor to develop the national economy. The government did not invoke this provision during the year.

The government did not effectively enforce the law. Resources, inspections, and remediation for forced labor were generally inadequate. Penalties for persons who engage workers in forced labor were commensurate with those for other serious crimes. 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 the government authorities attempted to curb by prosecuting those involved.

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

report/.

c. Prohibition of Child Labor and Minimum Age for Employment

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

The penalties for violations were commensurate with those for other serious crimes. The government did not effectively enforce legal protections, and child labor remained a problem, especially in the agriculture, construction, service, and industrial sectors. The government was unable to make unannounced inspections and could only act on a violation directly related to a complaint. If child labor violations were observed during a complaint-based inspection, the government did not have the authority to act.

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

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

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in respect to employment and occupation based on sex, age, race, color, nationality, religion, political opinion, social origin, residence, disability, HIV-positive status, and membership or activity in trade unions, as well as other criteria. The law requires employers to provide for equal opportunity and treatment of employees without discrimination, to apply the same criteria to assess each employee's work, and to provide equal conditions for men and women relating to work and family obligations. The law defines and prohibits both direct and indirect discrimination. The government did not uniformly enforce the law, but 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 on the basis of sex 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 HIV-positive status. Gender-based violence and harassment in the workplace is common in the country. 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. As of September the council had made decisions on 193 cases of alleged discrimination, 3.2 percent more than in 2019.

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 October salary arrears were at 39.6 million lei ($2.2 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.

The SLI is responsible for enforcing wage and hour laws. The number of inspectors was insufficient to enforce compliance. Labor inspectors were generally required to give advance notice before conducting labor investigations and were generally prohibited from conducting onsite inspections if the information sought could be obtained in writing, which undercut their enforcement ability. In January parliament reversed changes that delegated responsibility for occupational safety and health inspections to the 10 sectoral inspection agencies and returned it to the SLI. Stringent requirements for initiation of unannounced inspections remained a problem in detecting and addressing labor violations. Inspectors did not have authority to initiate sanctions without concurrence from a superior and court certification. In the first 10 months of the year, the SLI reported 436 unplanned inspections in

areas defined by law as "labor relations," "salary payments" and "occupational safety and health." Labor inspectors could not confirm that any of these unplanned inspections were unannounced. The government did not effectively enforce wage and hour laws. Penalties for violations were not commensurate with those for similar crimes.

Occupational Safety and Health: The government sets occupational safety and health 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.

Effective January 1, responsibility for occupational safety and health inspections returned from the 10 sectoral inspectorates to the SLI.

Government efforts to enforce occupational health and safety standards were limited and ineffective. The law required 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.

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. In the first 10 months of the year, the SLI registered 471 work accidents involving 502 victims. The SLI also reported 61 work-related deaths. Enterprise committees investigated 340 cases of temporary incapacitation resulting from work accidents that involved 356 persons.

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. 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. No government social programs targeted workers in the informal economy who were hardest hit by the COVID-19 lockdowns during the year.

The labor code requires work contracts for employment, but the government did not have an effective mechanism to monitor compliance. In the agricultural sector, approximately 63 percent of workers were employed informally, according to the National Trade Union Confederation.

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