

MOLDOVA 2015 HUMAN RIGHTS REPORT

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

EXECUTIVE SUMMARY

Moldova is a republic with a form of parliamentary democracy. The constitution provides for a multiparty democracy with legislative and executive branches, as well as an independent judiciary and a clear separation of powers. Legislative authority is vested in the unicameral parliament. Pro-European parties retained a parliamentary majority in November 2014 elections that met most Organization for Security and Cooperation in Europe (OSCE), Council of Europe, and other international commitments, though local and international observers raised legal and procedural concerns about the inclusion and exclusion of specific political parties. In January authorities announced a ruling minority pro-European coalition, which was in place for the following six months. In July a new majority pro-European coalition formed following the resignation of the prime minister amid controversy over the lack of investigation into banking sector fraud and allegations that he had forged his university diploma. In October the coalition government fell in a no-confidence vote in parliament following political turmoil over the lifting of parliamentary immunity and subsequent arrest of a former prime minister and coalition leader on charges of corruption. Civilian authorities maintained effective control over the security forces.

Widespread corruption continued to be the most significant human rights problem. The embezzlement of almost one billion dollars from the national banking system led to accusations of government complicity in high-level corruption and the arrest and questioning of prominent political figures allegedly involved in the theft. Poor conditions, mistreatment, and abuse in psychiatric and social care homes remained a concern.

Other significant problems included continued monopolization of the media market, which allegedly served the interests of political figures; cases of torture and mistreatment of detainees; harsh and overcrowded prison and detention center conditions; domestic violence; trafficking in persons; discrimination against Roma; harassment of lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals; societal and official discrimination against persons with HIV/AIDS; limited enforcement of workers' rights; and child labor.

While authorities investigated reports of official abuse in the security services and elsewhere, they rarely successfully prosecuted and punished officials accused of human rights violations, complicity in trafficking, or corruption. Impunity was a major problem.

In 1990 separatists declared a “Transdniester Moldovan Republic” (Transnistria) along the eastern border with Ukraine. A 1992 ceasefire agreement established a peacekeeping force of Moldovan, Russian, and Transnistrian units. The central government did not exercise authority in the region, and Transnistrian authorities governed through parallel administrative structures. Transnistrian authorities restricted political activity and interfered with the ability of Moldovan citizens living in Transnistria to vote in the 2014 Moldovan elections. There were regular reports that police engaged in torture, arbitrary arrests, unlawful detentions, and pressure on Latin-script schools.

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

a. Arbitrary or Unlawful Deprivation of Life

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

The government made little progress in holding officials accountable for the security force crackdown on postelection demonstrations in 2009 that resulted in three deaths. In April 2014 parliament adopted a law that cancelled the statute of limitations for abuses committed in 2009. In May 2014 the Constitutional Court declared the cancellation of the statute of limitations unconstitutional. As a result a number of persons who committed minor violations during the 2009 protests escaped criminal liability.

In February the Court of Appeals sentenced the former Chisinau police commissioner Vladimir Botnari to two years in prison with a suspended sentence and the former minister of internal affairs Gheorghe Papuc to four years in prison for their actions during the 2009 riots. The two appealed the ruling, and on June 30, the Supreme Court of Justice acquitted them, reversing both prison sentences but fining Papuc 20,000 lei (\$998). The Supreme Court of Justice decision was final.

In April the European Court of Human Rights found Russia in violation of Article 2 of the European Convention (the right to life) in the case of Vadim Pisari, who

was fatally shot by a Russian peacekeeper in the Transnistrian region in 2012. The court did not consider adequate a Russian investigation into the incident. Furthermore, Russia refused to recognize Vadim's parents as victims. The court ordered Russia to pay 35,000 euros (\$38,500) in damages and 5,580 euros (\$6,140) in legal expenses. The court struck down the component of the application that brought a case against the Moldovan authorities.

In September the Court of Appeals sentenced three police officials from the "Scut" special squad to six years in prison and a two-year ban from holding office within the Ministry of Internal Affairs for beating a man in a police station in 2005, which caused severe injuries and led to his death. The case was a retrial after the courts originally acquitted the defendants in 2009.

b. Disappearance

There were no reports of politically motivated disappearances.

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

While the law prohibits such practices, reports of physical abuse and torture by police continued. Police abuse slightly decreased but remained a problem. Physical abuse, including inhuman and degrading treatment, also reportedly continued in prisons and psychiatric institutions.

Under the criminal code, conviction for torture carries up to a 10-year prison sentence. Persons found guilty of torturing minors, pregnant women, persons with disabilities, or committing acts of torture that lead to death or suicide, may be sentenced to up to 15 years in prison without the possibility of amnesty. A deliberate act by a public official that leads to physical or psychological suffering is punishable by imprisonment of two to six years or a fine of 7,500 to 9,900 lei (\$373 to \$493) and a ban on holding public office. The law prohibits courts from granting suspended sentences to persons convicted of torture.

A report this year by the Prosecutor General's Office showed the lowest number of torture cases within a one-year period in the past four years. According to the report, law enforcement officers perpetrated most alleged acts of torture.

During the first half of the year, the Prosecutor General's Office received 319 allegations of torture and mistreatment, 120 of which involved criminal police, 48

traffic police, and 87 other police units, including the Carabinieri (a special police force responsible for public order and border policing), and customs officers. Prosecutors initiated 53 criminal cases and sent 22 cases to court. In 10 cases the victims were minors. Police officials purportedly applied torture to obtain confessions, punish the victim for an offense or alleged offense, show seniority and authority over the victims, to intimidate, or discriminate. Most of the alleged incidents occurred on the street or in public places, followed by police stations and detention facilities. Psychiatric institutions registered two torture cases, and educational facilities registered another two. Most incidents involved beatings (199 allegations), followed by threats or other forms of psychological abuse (45 allegations), and special methods, such as batons, water bottles, and books (17 allegations). Police continued to use torture methods that did not leave physical traces. Experts noted that psychological torture and humiliating treatment were common in penitentiaries and psychiatric institutions.

The Human Rights Ombudsman made 128 preventive and monitoring visits to penitentiaries, psychiatric institutions, and army facilities during the period of January-November 2014. The main deficiencies found included overcrowding of the detention facilities; insufficient lighting; poor sanitary conditions; insufficient food for those in pretrial detention facilities; and deficient medical care for detainees. The ombudsman alerted the Prosecutor General's Office to four potential criminal cases and issued 22 recommendations to the institutions that committed the violations. The ombudsman reported most allegations of torture and inhuman detention conditions at Penitentiary No. 13 in Chisinau, Penitentiary No. 2 in Lipcani, Penitentiary No. 15 in Cricova, and Penitentiary No. 18 in Branesti.

In January the Supreme Court of Justice sentenced two police officers to five years' imprisonment and a three-year ban from holding office within law enforcement. In 2008 the officers applied torture to obtain confessions from a victim in a police station. The two officers severely beat the victim and made him sign a confession of guilt. Authorities sent the case to court but delayed it for multiple years. In 2013 a lower court acquitted the two defendants. Prosecutors appealed the ruling, and in 2014 the Chisinau Court of Appeals issued a five-year suspended sentence with three years' probation. Prosecutors appealed the decision again, and in January the Supreme Court of Justice issued the final ruling on the case.

Despite a slight decrease in torture cases, impunity for torture and inhuman or degrading treatment remained a norm during the year.

Authorities downgraded to lesser offenses some incidents of alleged police torture, such as abuse of power, for which the penalties are lower and the statute of limitations is only three months. This practice allowed judges to issue suspended sentences based on the “good character” of the offending officers or to dismiss cases if the statute of limitations had expired.

Despite some progress, authorities failed to prosecute high-level officials involved in police abuse related to the 2009 postelection events. On March 30, the Chisinau Court of Appeals sentenced police officer Ion Perju to 10 years in prison for exceeding authority and intentional infliction of serious bodily harm that led to the death of protester Valeriu Boboc in 2009. Police did not immediately take Perju into custody, and he fled the courtroom before the sentence was read, and he remained at large at year’s end. His lawyer filed an appeal to the Supreme Court of Justice, which on December 15 upheld the lower court decision.

In February the Court of Appeals issued a two-year suspended sentence to former Chisinau police commissioner Vladimir Botnari and a four-year prison sentence to former minister of internal affairs Gheorghe Papuc for actions and omissions related to 2009 riots that led to police officers allegedly torturing 91 persons. On June 30, the Supreme Court of Justice acquitted Botnari and fined Papuc for their roles in the events. The Prosecutor General’s Office stated they considered the acquittal of the former officials unjustified and that the Supreme Court of Justice did not act in accordance with procedural law and other relevant requirements, specifically as the court examined the case without summoning the parties involved. Although the Supreme Court of Justice decision is irrevocable, the Prosecutor General’s Office stated they would consider intervening by extraordinary measures.

In May 2014 the Chisinau Appeals Court sentenced police officer Radu Starinschi to two years in prison for the torture of Sergiu Cretu, a protester detained in Chisinau following the 2009 parliamentary elections. In June, however, based on a Constitutional Court ruling, which declared the cancellation of the statute of limitations unconstitutional, the appeals court reviewed its decision and ordered the suspension of the sentence’s execution until a final Supreme Court of Justice ruling.

According to both the ombudsman for psychiatric institutions and international monitors, humiliating and degrading treatment of patients confined in psycho-neurological institutions remained a major problem. Following her most recent

visit to the country in September, Catalina Devandas-Aguilar, the UN special rapporteur on the rights of persons with disabilities, commended the legislative framework on the social inclusion of persons with disabilities but also noted some findings of concern regarding persons with disabilities in institutional settings, including residential psychiatric facilities and psychoneurological residential institutions. The rapporteur noted that authorities locked up children and adults with disabilities--sometimes for their entire lives--in inhuman conditions and also neglected and treated them in inhuman ways. There were also allegations of physical, mental, and sexual abuse perpetrated in these institutions.

An April report by the Legal Assistance Center for Persons with Disabilities noted that psychoneurological residential institutions lacked clear guidelines for resident density. For example, in the Balti psychoneurological hospital, authorities placed only two to three residents in one ward, whereas a similar-sized ward in the psychoneurological hospital in Badiceni hosted up to 20 persons. According to the report, 10 percent of the residents in the psychoneurological residential institutions did not have government-issued identification cards, preventing them from having access to rights such as voting and marriage as well as services such as a bank account. Additionally, the residents did not benefit directly from social monetary benefits, which authorities transferred directly to the accounts of medical institutions instead.

There were credible reports of forced medication, forced abortion, work exploitation, and physical and sexual abuse in psychiatric hospitals under the Ministry of Health. Legal proceedings continued in the case of a doctor at the institution in Balti arrested in 2013 for the serial sexual assault and abuse of patients. An investigation showed that the doctor performed 18 forced abortions on the victims of his sexual assaults, all patients with mental disabilities. Authorities found dead one of the 17 victims identified during the investigations in January 2014, while a second died under unknown circumstances in April 2014. The doctor remained under house arrest.

In 2014, in response to detainee complaints, authorities charged seven employees of Penitentiary No. 5 in Cahul, including the prison director, with torture and the application of inhuman and degrading treatment. According to military prosecutors, the employees used torture against three detainees, including two minors, between 2010 and 2012. The prison director allegedly threatened the detainees with physical reprimand and told them to withdraw their complaint and change their testimony, leading prosecutors to transfer the detainees to other detention facilities. In September the Military Court sentenced the prison director

and four employees to six years and five years imprisonment, respectively. The court issued fines to the other two prison employees. All seven received a five-year ban from holding office within the penitentiary system.

In 2014 military prosecutors recorded 370 offenses in the army and initiated 168 criminal cases, 106 of which on military offenses, and 48 civilian law. Most offenses included hazing (37 cases), followed by desertions (30 cases), violence against conscripts in the army (25 cases), abuse of power (seven cases), and other offenses (seven cases).

In October military prosecutors announced the initiation of six criminal cases against hazing and abuse of power within the armed forces. On December 16, the Chisinau Court of Appeals sentenced a service member from the Chisinau Guard Regiment to two years imprisonment for ill-treating four fellow service members. According to the prosecutors, the service member applied violence to the victims for allegedly not properly saluting, working too slowly, or not reporting when finishing their work.

According to a 2014 report released by the human rights NGO Promo-Lex, the use of torture and inhuman treatment by the representatives of the de facto Transnistrian authorities was the norm, and Transnistrian society's tolerance towards torture contributed to its prevalence. Promo-Lex noted authorities perpetrated most inhuman and degrading treatment in the Transnistrian region to obtain self-incriminating confessions. Another concern Pro-Lex highlighted was the so-called educational/instructive cells, where detainees, instigated by the prison guards, applied physical or sexual abuse against fellow inmates to obtain confessions.

Hazing and humiliating treatment in the de facto Transnistrian army continued during the year. According to deserters who fled the region, hazing was a norm, and authorities constantly subjected younger conscripts to degrading and humiliating treatment. Officers reportedly ignored the phenomenon and did not attempt to remedy the situation.

In June human rights organizations appealed to the authorities to provide for the rehabilitation of torture victims from the Transnistrian region. The NGOs highlighted the lack of monitoring or protection mechanisms for torture victims in the region.

Prison and Detention Center Conditions

Conditions in most prisons and detention centers, including those in Transnistria, remained harsh and did not improve significantly during the year.

Physical Conditions: Prisons and detention centers were overcrowded. As of October the total number of prisoners and pretrial detainees was 7,813, with 5,306 inmates in prisons and 2,507 individuals in pretrial detention centers. The official maximum capacity was 6,019 inmates for prisons and 2,635 for pretrial detention centers, but the human rights ombudsman and human rights monitors asserted that overcrowding in certain prisons and detention centers persisted.

In their 2014 visits to penitentiaries and pretrial detention facilities, representatives from the government's Center for Human Rights noted overcrowding, lack of medical care, poor lighting, deficient meals, and poor hygiene and sanitary conditions. The Human Rights Ombudsman institution noted a decrease in allegations of torture in 2014. The inmates of Penitentiary No. 13 in Chisinau, Penitentiary No. 2 in Lipcani, Penitentiary No. 15 in Cricova, and Penitentiary No. 18 in Branesti sent the most complaints. The inmates complained of overcrowding, insufficient lighting, and lack of minimum sanitary standards.

Observers reported the worst conditions were reported at Penitentiary No. 13 in Chisinau, especially in the cells located in the prison basement. Conditions in these facilities did not meet national or international standards. Cells were overcrowded (in some cells up to 16 inmates were placed in an area measuring 24 square meters, or 258 square feet), unhygienic (toilets separated from the sleeping area only by a curtain; mold and dirt on the walls), and lacked ventilation or permanent access to water for personal hygiene. The human rights ombudsman, Amnesty International Moldova, as well as officials from the Parliamentary Assembly of the Council of Europe (PACE) called again for the closure of the facility.

During visits to police stations in 2014, the ombudsman observed that, while conditions in some pretrial facilities improved, others still were below the required standards. The lack of minimum necessary conditions for food distribution; inadequate sanitary conditions in the showers; inadequate health-care facilities; and lack of pillows, mattresses, and clean bed linen and clothing were the most common problems in pretrial detention facilities. The facilities, located mostly in the basements of police stations, generally lacked access to natural light, adequate ventilation, and sewage systems. Inmates had a daily food budget of approximately 20 lei (\$1). Human rights NGOs also noted that pretrial detainees

were not provided any meals on the days of court hearings. This problem was particularly severe for detainees transported from afar to stand trial, which in some cases meant they received no food for a day. Transportation conditions for pretrial detainees were also deficient.

Health care was inadequate in most penitentiaries. Government regulations require authorities to separate individuals suspected of suffering from tuberculosis from the other detainees. Authorities often co-located individuals with various other diseases with persons with an unconfirmed diagnosis of tuberculosis, potentially exposing them to infection.

Most of the European Court of Human Rights judgments against Moldova in 2014 concerned the inhuman and degrading conditions in prisons (63 in 81 judgments). Observers alleged inhuman detention conditions at the Penitentiary No. 13 in 20 cases. The complainants accused authorities of ignoring the ombudsman's repeated requests to close the penitentiary, which has a capacity of 800 inmates but held more than 1,200 persons, resulting in up to 16 inmates being collocated in a single 33-square-meter (355 square foot) cell.

Police mistreatment of detainees remained a major problem in Transnistria. International reports noted that authorities widely applied torture in prisons and pretrial detention facilities in the region. There are no mechanisms for torture victims to seek remedy, protection, or justice. According to former detainees in Transnistria and human rights NGOs, detention facilities in Transnistria did not conform to international norms and did not meet minimum requirements for long-term detention. Of the de facto Transnistrian authorities' self-reporting of 3,000 detainees held in the three penitentiaries in Transnistria, 118 were women and 135 were minors. Unofficial sources estimated a much higher number of detainees. The cells were overcrowded, and most cells lacked a lavatory and proper ventilation. Tuberculosis and HIV/AIDS were major health problems in the prisons. The mortality rate was high, especially among inmates infected with tuberculosis.

Administration: The main alternative to incarceration in the country was the conditional suspension of the sentence, the equivalent of probation. Sentence suspension was available to both juveniles and adults, provided the crime was not serious and the offender had no prior convictions. Probation was for a fixed term of between one and five years. In many cases public officials and law enforcement officers convicted of various offenses received suspended sentences. Other

alternative sentences included community service and fines. The court may not impose community service on convicted juveniles younger than age 16.

Prisoners in the initial period of their sentences and those serving life sentences do not have the right to long-term visits. Detainees and their relatives reported a burdensome process for obtaining visit permits, which often impeded such visits.

Internal complaints and investigation procedures in the penitentiary system were weak, and detainees continued to have restricted access to complaint mechanisms. While detainees generally had the right to submit complaints to judicial authorities, some detainees reported censorship and punishment by prison personnel or other inmates before or after filing complaints.

Reliable information on the administration of prisons in the Transnistria region was generally not available.

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

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

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but there were cases when authorities failed to observe these prohibitions.

According to Promo-Lex, Moldovan police routinely detained persons sought by the unrecognized Transnistrian authorities and transferred them to Transnistrian law enforcement agencies without due process. Moldovan courts previously ruled the 1999 agreement establishing such cooperation to be unconstitutional, but the practice continued informally.

In Transnistria authorities reportedly engaged in the arbitrary arrest and detention of individuals with impunity. There were cases of Transnistrian authorities detaining individuals on fabricated charges without due process.

Role of the Police and Security Apparatus

The national police force is the primary law enforcement body and is responsible for internal security, public order, traffic, migration, and border enforcement. It is subdivided into criminal and public order police and is subordinate to the Ministry of Internal Affairs. The agencies under the ministry are the General Police Inspectorate, Border Police, Civil Protection Service, Carabineers, and Bureau for Migration and Asylum. The ministry made little progress in implementing reforms to combat abuse and corruption.

The Division to Combat Torture in the Prosecutor General's Office handled cases of alleged torture by security forces. Every territorial prosecutor's office in the country had one or two prosecutors responsible for torture cases, with more than 70 such antitorture prosecutors overall.

The ombudsman's report on the national antitorture mechanism stated that authorities with the power to investigate allegations of police abuse at times failed to do so in a timely fashion.

Arrest Procedures and Treatment of Detainees

The law allows judges to issue arrest warrants based on evidence from prosecutors. Authorities must promptly inform detainees of the reasons for their arrest and describe the charges against them. Authorities may detain suspects without charge for 72 hours. In its most recent study on Safeguarding Procedural Guarantees in the pretrial stage of the criminal process, released during the year, Amnesty International found serious violations of the procedural norms during police apprehension and pretrial detention. According to the study, in most cases, authorities summoned the persons to the police station without a citation or took them into police custody without informing them of the charges against them. In many cases authorities forced the detained individuals or intimidated them into providing confessions for the alleged crime in the absence of a lawyer. In some cases the questioning in police custody exceeded the legally allowed three hours. Other violations included the purposeful altering of protocols, detention in police custody that exceeded the legally required timeframe, and denial of the right to a lawyer or communication with relatives.

Once charged, a detainee may be released pending trial. The law provides for bail, but it authorities generally did not use it due to a lack of practical mechanisms for implementation.

Detainees have the right to a defense attorney, but at times authorities restricted this right. In some cases authorities did not grant detainees access to a lawyer until 24 hours after detention and often informed detainees of the charges against them without a lawyer present. The government required the local bar association to provide representation to indigent defendants, but the government delayed reimbursements to lawyers for legal fees. Indigent defendants often did not have adequate counsel.

Pretrial Detention: The law permits pretrial detention for up to 30 days. The courts may extend pretrial detention upon the request of prosecutors, submitted at the end of each 30-day period, for up to 12 months depending on the severity of the charges. Seemingly unwarranted pretrial detention lasting several months was common.

In Transnistria detentions cannot exceed 18 months during pretrial criminal investigations and six months during the trial period, but limits were not observed. The Transnistrian detention system also included temporary pretrial detention units subordinated to the local “interior ministry.” The number of detainees in these facilities was unknown. The practice of holding detainees for more than six months without a court hearing remained common.

e. Denial of Fair Public Trial

While the law provides for an independent judiciary, instances of government officials failing to respect judicial independence remained a problem. Despite some improvements, official pressure on judges and corruption in the judiciary continued and remained serious problems. Credible reports existed that local prosecutors and judges sought bribes in return for reducing charges or sentences. High-level officials, including the prime minister and the speaker of parliament, admitted in public appearances that corruption in the judiciary was a major problem for the country. Judges often failed to assign cases randomly or use recording equipment in the courtroom. On October 19, parliament adopted amendments to the criminal and contravention code that removed legal inconsistencies on the mandatory audio and video recording of court hearings.

Following his latest visit to Moldova in December, Stefan Schennach, the Chairperson of the Monitoring Committee of PACE, expressed concern about oligarchic influence on state institutions, including the judiciary and law enforcement agencies.

A judicial code of ethics exists, and inspector judges are responsible for investigating and reporting cases of judicial misconduct or ethical breaches to the Superior Council of Magistrates. During the first half of the year, the disciplinary board of the Superior Council of Magistrates initiated 25 disciplinary actions against 23 judges and issued five warnings, three reprimands, and one recommendation for dismissal. In April 2014 the Superior Council of Magistrates stripped four judges of the former Chisinau Economic Court of Appeals of their judicial immunity to allow the Prosecutor General's Office to initiate criminal cases against them. These judges were Aurel Colenco, the former chairman of the Economic Court of Appeals; Ana Nogai and Eugeniu Clim, two judges at Chisinau Court of Appeals; and Valeriu Harmanic, a judge at Balti Court of Appeals. The Superior Council of Magistrates accused the judges of illegally maintaining an "obviously illegal decision of an inferior court, thus prejudicing the parties in the trial" and ignoring "huge legal gaps." In October 2014 by a vote of six to four, the council turned down the prosecutor general's request to launch criminal proceedings against the four judges. Without the council's consent, the criminal investigation against judges could not take place, and in December 2014 the Anticorruption Prosecutor's Office closed the criminal case against the four judges.

In February former deputy chairman of the Chisinau Court of Appeals Gheorghe Cretu received a two-year suspended sentence for the negligent homicide of Sorin Paciu. Additionally, the court ordered Cretu to pay approximately one million lei (\$49,700) in damages to the victim's relatives and a monthly stipend of 1,500 lei (\$75) to the victim's daughter until she is 18. Cretu's appeal was pending in the Balti Court of Appeal at year's end.

According to the current Freedom House *Nations in Transit* report, the government adopted necessary laws for fighting corruption but registered no significant results in practice. The National Anticorruption Center started an integrity evaluation of public servants and the preliminary results confirmed endemic corruption and widespread bribery in the sector.

According to the 2014 Transparency International's Corruption Perceptions Index, bribery rates in the country remained relatively high, and the study perceived the judiciary as the sector most affected by corruption, followed by the political parties and parliament. The report noted that observers saw government interference in the delivery of civil and criminal justice to be among the reasons why corruption levels remained high. The report also noted concerns with numerous allegations brought against judges by the National Anticorruption Center and the fact that 80 percent of citizens perceived the judiciary to be corrupt or extremely corrupt.

While, for the first time, courts convicted several judges for receiving bribes in 2014, these cases were relatively minor, and the general perception remained that the judiciary continued to protect its own members.

In January a law went into effect to introduce disciplinary sanctioning of judges for acts of corruption, limit judicial immunity, and allow authorities to confiscate property in cases involving money laundering and illicit enrichment. Authorities made little progress in enforcing the new law. Authorities made amendments to a number of other laws to bring them in line with the new law.

Military courts have jurisdiction over crimes committed by active duty, reserve, and retired military personnel. Military courts may also try civilians for crimes committed against military personnel.

Trial Procedures

Although the law provides defendants in criminal cases the presumption of innocence, authorities did not always respect this presumption. On occasion judges' remarks jeopardized the presumption of innocence. As part of judicial reforms, the government continued court renovations and initiated the reconstruction of several major courts, including the Chisinau Court of Appeals and the Balti Court of Appeals to provide for adequate court space.

Defendants have the right to be informed promptly and in detail of the charges and a fair and public trial without undue delay. Prosecutors present cases to a judge or to a panel of judges. Defendants have the right to a lawyer and to attend proceedings, confront witnesses, and present evidence. The law requires the local bar association provide an attorney to indigent defendants. The practice of appointing temporary defense lawyers without allowing them to prepare adequately was common and infringed upon the right to legal assistance. The law provides a right to appeal convictions to a higher court.

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

Political Prisoners and Detainees

On September 6, police detained Grigore Petrenco, the leader of the opposition Red Bloc Party, and five other activists during an antigovernment protest that ended in scuffles with security forces. Several police officers were slightly

injured. While under investigation, authorities extended Petrenco's and the others' detention several times. A representative for Petrenco reported that the penitentiary's administration refused to allow a specialized medical exam following his exposure to areas visited by TB-infected inmates. The lawyer also claimed a number of procedural violations occurred prior to and during court proceedings. Representatives of some political parties and some members of the Parliamentary Assembly of the Council of Europe asserted that the arrests were politically motivated, and issued statements calling on the authorities to release the detainees and provide for the freedoms of expression and assembly as well as the right to protest.

On March 18, Transnistrian law enforcement agents detained Transnistrian journalist and outspoken critic of the Transnistrian authorities Sergey Ilchenko on charges of sedition and extremism. Transnistrian "KGB agents" came to his home and confiscated his computer and reporting equipment. A few days after the detention, a court ruled in a secret hearing to extend Ilchenko's detention for two months pending an investigation. Ilchenko received amnesty and set free on July 17. After travelling to Chisinau, Ilchenko stated authorities placed him under "psychological pressure" and forced him to sign a confession after denying all charges for almost four months; otherwise, he alleged he could have faced an even longer jail term on charges of setting up a terrorist organization, an offense that is not covered by the amnesty law.

Civil Judicial Procedures and Remedies

The law allows citizens to seek damages in civil courts for human rights violations. Under the constitution the government is liable when authorities violate a person's rights by administrative means, fail to reply in a timely manner to an application for relief, or commit misconduct during prosecution. Judgments awarded in such cases were often small and not enforced. Once all 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 European Court of Human Rights.

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

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

As of July there were 1,357 cases pending against the country in the European Court of Human Rights. Most complaints concerned detention conditions, torture, inhuman and degrading treatment, failure to carry out judgments, property rights, and the right to a fair trial. In 2014 the court delivered 24 judgments against the state and ordered the government to pay 200,000 euros (\$220,000) in damages. During the first nine months of the year, the court issued 18 rulings against Moldova. The government generally complied with court orders promptly. From 2010-15 the government paid over 48 million lei (\$2.4 million) in damages due to the European Court of Human Rights rulings against the state.

f. Arbitrary 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, public order or prevent crimes. The government generally upheld the law.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the law provides for freedom of speech and press, authorities did not always respect these rights. Individuals could criticize the government publicly and privately without reprisal.

Freedom of Speech and Expression: Freedom House's current assessment categorized the media sector as "partially free."

On several occasions since 2012, the courts convicted public figures and fined them for expressing opinions deemed "hate speech" or "incitement to discrimination." On September 16, however, the Supreme Court of Justice overruled judgments issued by two lower courts in 2014, in which the courts found Bishop Marchel liable for hate speech and incitement to discrimination against LGBTI individuals. The court claimed to have based its decision on the principle of freedom of expression. The LGTBI NGO Genderdoc-M stated it considered the Supreme Court of Justice decision homophobic and discriminatory.

In Transnistria authorities limited freedom of speech and press and the situation worsened during the year, according to local monitoring NGOs. Local human rights activists noted that authorities subjected alternative viewpoints to censorship and reprisals. Most newspapers from the rest of the country did not circulate widely in Transnistria, although they were available in Tiraspol.

After the arrest of journalist Sergey Ilchenko in March (see section 1.d., Political Prisoners), the Transnistrian Committee for State Security (KGB) issued a warning to other activists and published a list of Ukrainian citizens who posted on social networks items the KGB contended were “extremist messages and statements that attack the integrity of Transnistria.” The Transnistrian KGB warned internet users to form their opinions based solely on official sources and to keep in mind the goal of defending the Transnistrian “statehood.”

Press and Media Freedoms: The law prohibits the editing and publishing of literature that contains “denial and defamation of the state and the people; calls for war or aggression; appeals to ethnic, racial, or religious hatred; [or] incitement of discrimination, territorial separatism, or public violence.”

While the print media expressed diverse political views and commentary, the government and political figures owned or subsidized a number of newspapers that expressed clearly defined political views. The government owned the Moldpress News Agency; and local and city governments subsidized approximately 23 newspapers and generally influenced their reporting. Political parties and professional organizations also published newspapers.

Large media outlets, often associated with leaders of political factions or oligarchs, exerted pressure on smaller outlets, which brought several to the brink of closing and prompted prominent journalists to leave key outlets acquired by oligarchs. These oligarchs closely supervised content and maintained editorial control over reporting from the outlets they owned.

The role of online media continued to increase, providing a variety of perspectives on political, economic, and social developments. The number of online visitors to news portals exceeded subscribers to major newspapers with national coverage.

On March 5, parliament adopted amendments to the audiovisual code to make transparent the names of media institutions’ owners. The law entered into effect on November 1 and by November 10, all television and radio stations had to make public the names of their owners. Despite progress increased monopolization of

media and the advertising market, especially in television, adversely affected media freedom. Civil society and media representatives also noted that the advertising distribution company Casa Media was a monopoly.

The election of the public broadcaster Teleradio Moldova's new president on June 4 by its Board of Observers raised the concern of civil society. Major independent media NGOs requested the annulment of the results due to unclear criteria used in the selection process, which they believed resulted in the election of an individual who lacked the requisite knowledge and experience for the position.

NGOs that monitored the media noted lack of pluralism in the coverage of local election campaigns in May. According to monitoring reports, major media outlets, some owned by political leaders with nationwide coverage, promoted certain election candidates and disfavored others. Out of the three nationwide television channels in Moldova, which NGOs monitored during the campaign, two, owned by the same individual, promoted a single political party. News programs provided biased news and did not provide for multiple sources, presenting some candidates only in a positive context and others only in a negative context. In the majority of cases, these media outlets did not provide for the right to reply for the criticized parties or candidates (see section 3, Political Parties and Political Participation).

In Transnistria both of the region's major newspapers, *Pridnestrovie* and *Dnestrovskaya Pravda*, were official publications of the separatist administration. Authorities harassed other small, independent newspapers for publishing reports critical of the regime.

Transnistria's largest commercial entity, Sheriff Enterprises, owned several broadcast networks, including the TSV television station and the INTER-FM radio station. Transnistrian authorities operated the television station Pervyy Pridnestrovskiy. The local press practiced self-censorship and avoided subjects questioning the Transnistrian goal of "independence" or criticizing the pro-Russian "foreign policy."

Violence and Harassment: In October authorities denied entry at the Chisinau Airport to crew members from the Russian television channel Rossiya-24 Ilya Naletov and Andrei Urchuk, who expected to visit the country to cover a soccer match. In September authorities prevented three journalists from the Russian television channel LifeNews from entering the country to cover protests. Similar incidents involving groups of journalists from Russian media outlets occurred throughout the year.

On September 1, Transnistrian “police” detained a television crew from Publika Television while travelling to a school in Corjova village to produce a piece on the first day of school at a Latin script school. Transnistrian police detained the crew on the grounds that they lacked a special authorization from the Transnistrian Security Service. After a few hours of interrogation, police released the crew.

Censorship or Content Restriction: In many cases journalists practiced self-censorship to avoid conflicts with the sponsors or owners of their media outlets. In Transnistria journalists avoided criticizing separatist officials’ goal of independence or their “foreign policy” to avoid official reprisals.

In 2013 a ruling by the Audiovisual Coordinating Council (ACC) went into effect mandating television channels and radio stations to broadcast a minimum of 30 percent locally produced content and 50 percent local content in Romanian language during prime time. Supporters claimed the ruling would spur the local media market, but many media outlets warned authorities designed it to drive smaller broadcasters out of business, since they could not afford to produce the requisite volume of local content and would lose advertising money. These media outlets took the ruling to court, which suspended it for the duration of the trial period. In September 2014 the Supreme Court of Justice decided in favor of the ACC, leaving its ruling in force.

On May 27, the ACC banned the retransmission of Russian channel Rossiya 24 on the country’s territory after its monitoring report concluded that Russia 24 violated the law by misinforming and manipulating public opinion about events in Ukraine. Authorities sanctioned several other channels--Prime, Television 7, RTR Moldova, and Ren Moldova--for rebroadcasting news and analytical programs from Russia that were described as manipulative and propagandistic. The ban of Rossiya 24 came after a six-month suspension of the channel in 2014 for the same rationale.

In Transnistria authorities controlled all publishing houses and at times threatened to stop the printing of independent newspapers, including one based in Bender and another in the northern city of Ribnita. According to Transnistrian journalists, the authorities took control of several media outlets in January, including TSV television, *Profsoiuznie Vesti* newspaper, and Novaia Volna radio.

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

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to statistics published by the Moldovan Agency for Regulation in Electronic Communication and Information Technology, the number of mobile internet users increased by 4.3 percent in the first half of the year, reaching 1.2 million persons.

In August, Shevchuk issued a decree on combating extremism that empowered the Transnistrian KGB to request the prosecutor's office to block internet content. Authorities would take such a determination following a review by a panel appointed by the KGB.

Academic Freedom and Cultural Events

There were no government restrictions on academic or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and the government generally respected this right.

Large-scale antigovernment protests took place during the year. The government did not obstruct the protesters and provided adequate security and crowd control.

On May 17, more than 150 individuals attended the third officially sanctioned march for the rights of LGBTI persons in central Chisinau. There were no reports of significant incidents, but Orthodox Christian groups and Occupy Pedophilia members held a counterdemonstration close to the march's perimeter. Heavy police presence prevented altercations. Counterdemonstrators, among them young men covering their faces, threw eggs at the marchers and set off firecrackers. Police detained at least six persons.

Transnistrian law permits public assemblies but imposes prohibitions, including against spontaneous assemblies, assemblies in certain public places, and the use of sound-amplifying equipment. Authorities mostly limited public assemblies to a

narrow range of activities. Most demonstrations in major cities in the region were limited to the commemoration of historic events (for example, those linked to WWII). Following the November 29 Transnistrian parliamentary and local elections, representatives of the Transnistrian Communist Party and a number of public associations organized a rally in front of the Central Electoral Commission in Tiraspol, carrying placards protesting against alleged vote rigging and supporting fair elections. Media reported that Transnistrian prosecutors initiated administrative cases against some demonstrators.

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. 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.

On February 11, the Supreme Court of Justice rejected the appeal sent by the Falun Dafa and Falun Gong Associations and maintained an earlier decision of the Chisinau Court of Appeals to dissolve the two associations. The Falun Association leaders stated that the decision was unfair and politically motivated. On November 23, the Constitutional Court ruled unconstitutional the provision in the law on fighting extremist activity which qualified as extremist activity the promotion and public display of Nazi symbols or similar designs due to lack of clarity. The ruling removed a previous obstacle to Falun Dafa’s ability to register.

In Transnistria authorities severely restricted freedom of association. Separatist authorities granted the legal right of association only to persons they recognized as citizens of Transnistria. All nongovernmental activities had to be coordinated with local authorities. Groups that did not comply faced harassment, including visits from security officials. Authorities strictly prohibited organizations favoring reintegration with the rest of Moldova.

On April 17, the KGB of the Transnistrian region issued a statement describing civil society organizations that receive funds from abroad as a threat to Transnistrian security. The statement focused particularly on the activities of the human rights organization Promo-Lex and said that a criminal investigation had been opened into what the KGB termed a “distinct threat” posed by the NGO’s activities in Transnistria. Promo-Lex suspended its activities in the region due to

inability to travel there for fear of detention as well as pressure from the authorities on partner human rights organizations.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. The Bureau for Migration and Asylum under the Ministry of Internal Affairs managed refugee and asylum issues.

Transnistrian authorities at times restricted the travel of its residents and other Moldovans to and from the separatist region. Transnistrian authorities often stopped and searched vehicles traveling between the region and the area controlled by the central government.

Short-term visitors to Transnistria from government-controlled areas could remain for up to 60 days. A longer stay required an official letter of invitation and registration at a local passport office. Transnistrian authorities generally allowed diplomats stationed in Chisinau entry into the region for routine visits if they provided advance notification of the visits and disclosed general itineraries and purposes.

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

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government established a system for providing protection to refugees. Refugee recognition was a slow and burdensome process. Authorities issued refugees identity cards valid for five years; beneficiaries of humanitarian protection received identification documents valid for one year; and asylum seekers received temporary identification cards.

UNHCR provided refugees logistical, housing, and financial support. As of September there were 554 persons registered in the national asylum system, including 141 refugees, 138 asylum seekers, and 275 beneficiaries of humanitarian protection. Most asylum seekers came from Ukraine (64) and Syria (19). Most refugees were from Syria (76) and Afghanistan (15). Most beneficiaries of humanitarian protection came from Syria (117), Ukraine (95), and Armenia (15). Of the total number, 40 percent were women and children, and 10 percent were elderly. A temporary accommodation center administered by the Bureau of Migration and Asylum was available for asylum seekers.

Stateless Persons

There were approximately 3,000 stateless persons in the country, most of whom resided in Transnistria. The largest numbers of stateless persons were ethnic Ukrainians, Russians, Romanians, and Turks. The issuance of conventional travel documents by the government was a problem during the year.

Citizenship may be acquired by birth in the country, inheritance from parents, adoption, recovery, naturalization, or on the basis of certain international agreements. The law grants citizenship to persons who resided in the historical regions of Bessarabia, Northern Bucovina, the Hertza region, and the territory of the Moldovan Autonomous Soviet Socialist Republic prior to June 1940 as well as their descendants. The law includes procedures for the determination of statelessness.

Stateless persons and refugees may gain nationality through naturalization. The law allows a stateless person who has resided legally in the country for eight years to seek citizenship. The government issued residence permits for a period of up to one year to stateless persons temporarily residing in the country at a cost ranging from approximately 500 lei to 1,400 lei (\$25 to \$70), depending on the urgency of the permit. Trafficking victims received residence permits free of charge.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government through free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

Elections and Political Participation

Recent Elections: According to international observers, authorities generally well administered the local elections on June 7 and the election runoffs on June 28 and met most OSCE, Council of Europe, and other international standards. Confidence in the electoral process, however, decreased following cases of abuse of temporary voter registration provisions during the first round of elections. Authorities respected voters' rights with the exception of a few clashes over voter lists, instances of misuse of administrative resources for campaign purposes, and isolated vote-buying cases. The media informed the public about candidates and their campaigns but generally failed to provide balanced coverage.

Political Parties and Political Participation: According to a monitoring report on the coverage of local elections issued in May by the Center for Independent Journalism, most media did not provide for sufficient pluralism of opinions, instead promoting a political agenda and certain candidates. A number of media outlets owned by political figures favored certain electoral contenders through a large number of positive news items, while ignoring or discrediting other candidates. OSCE and Promo-Lex election observation missions also reported editorial bias.

Section 4. Corruption and Lack of Transparency in Government

Corruption remained the country's most serious problem. While the law provides criminal penalties for official corruption, the government failed to implement these laws effectively. There was widespread corruption within the judiciary and other state structures. In most cases prosecution for corruption was limited to low-level public officials. On October 15, however, authorities stripped the leader of one of the largest political parties, parliamentary faction head, and former prime minister Vladimir Filat of parliamentary immunity and detained on suspicion of passive corruption and influence-peddling. Some considered the case to be politically motivated due to the timing and procedures followed for the investigation and pre-trial detention.

Corruption: In its *State of Corruption* report this year, Transparency International noted that despite a high number of recently adopted anticorruption laws, bribery rates remained high in the country, and most of the new regulations remained largely ineffective due to the lack of clear sanctions for noncompliance or limited political will to enforce them. The report stated that the decision by the Constitutional Court to limit considerably the applicability of the Law on Professional Integrity Testing was a step back in the country's anticorruption efforts. Observers also reported ineffective checks on government power, impunity of government officials, and government interference in the delivery of justice as reasons for high levels of corruption.

A statement made by Transparency International-Moldova noted that several corruption scandals and the lack of official reaction to them resulted in public disapproval of the government and large-scale protests. The term "a captured state" was widely used by local and international experts to define the scope of corruption in the country during the year. A study released in December by Transparency International-Moldova estimated that the total level of bribes during the year surpassed 1.24 billion lei (\$63 million). Individual households paid most bribes in the healthcare sector, police, and educational institutions. Businesses paid most bribes in tax offices and in courts.

In a joint public appeal sent to parliament and government on September 29, a number of prominent civil society organizations voiced concern over the inefficient investigation of corruption offenses.

In an international conference on fighting corruption in September, the National Anticorruption Center (NAC) director stated that the NAC was doing its utmost in fighting corruption but that political factors and the judiciary were hindering a number of NAC initiatives. Of approximately 500 persons criminally investigated for corruption offenses annually, only 50 persons received prison sentences in the previous few years.

Also in April, NAC officers detained the former minister of health and 15 other senior health officials suspected of tampering with public tenders on procurement of medical equipment and consumables in favor of two leading companies, in exchange for 5 to 10 percent of the profits. Authorities charged the suspects with corruption and abuse of authority. During the investigation the number of suspects in the case increased to 30. In November authorities sent the case to court, and it was pending trial at year's end.

In May, NAC officers detained the head of the Contravention Procedures Section of the Chisinau Customs Office for requesting a bribe of \$600 not to issue a citation to a representative of a transportation company for lacking proper documentation.

In April a prosecutor from Ocnita was sentenced to four years' imprisonment and received a five-year ban from holding office within law enforcement. In 2014 the prosecutor was caught in the act of receiving a bribe of 400 euros (\$440) for adopting a favorable decision in a misdemeanor case.

NAC investigated 448 cases of corruption and connected offenses in 2014. As in past years, investigation registered most corruption offenses in the judiciary (134 cases), local-level public administration (76 cases), state enterprises (68 cases), law offices (22 cases), public health (16 cases), education (16 cases), and tax offices (14 cases). NAC investigated judges, prosecutors, a former minister of internal affairs, former regulatory institution heads, mayors, penitentiary directors, police officers, lawyers, and other public officials. Courts issued 133 sentences for corruption and connected offenses in 2014. No high-level public official served a detention term for corruption during the year.

As of December the case involving 42 customs officials charged with corruption was pending in court. All defendants remained free while under investigation.

The Internal Protection and Anticorruption Division in the Ministry of Internal Affairs registered 84 cases of passive corruption involving 74 ministry employees in 2014. Most corruption offenses involved employees of the Police Inspectorate (76 cases), followed by the Border Police (four cases), the Bureau for Migration and Asylum (two cases), and the ministry's healthcare services (two cases). The division sent 19 cases to court and terminated another 19 for lack of conclusive evidence. In 2014 the courts issued three sentences, including a three-year suspended sentence, and two administrative sanctions for passive corruption. The Ministry of Internal Affairs dismissed 27 employees and issued reprimands to three employees for various offenses in 2014. The Anticorruption Division also reported 21 cases of influence peddling, 37 cases of abuse of power, and 51 cases of excess of power.

Financial Disclosure: A number of laws require financial disclosure by public officials, including state officials, judges, prosecutors, civil servants, and officials holding leadership positions. By law all public officials must make public their

income statements within 20 days of their appointment and before March 31 of each calendar year for the duration of their term in office, but the government enforced this requirement inconsistently.

The National Integrity Commission, an independent body tasked with auditing the income statements and conflicts of interest of public officials, initiated 354 investigations in 2014. The commission found 54 violations in income and property statements, 50 instances of conflict of interest, and 18 cases of incompatibility. It referred 57 cases to the General Prosecutor's Office and 56 cases to the NAC. The commission investigated five members of parliament, two members of the legislature of the Gagauz Autonomous Unit, 39 judges, 12 prosecutors, 19 ministers and deputy ministers, seven district chairmen and deputy-chairmen, 42 mayors and deputy mayors, 28 state enterprises heads, 55 employees of the Ministry of Internal Affairs, as well as employees of the NAC, Customs Service, and Department of Penitentiary Institutions. A number of government officials, including the speaker of parliament, suggested a reform or closure of the National Integrity Commission due to lack of effectiveness and no convictions of public officials since the founding of the institution in 2013.

Public Access to Information: The law provides for free public access to official information. The law contains a narrow list of grounds for nondisclosure, including when information constitutes a state secret, a commercial secret, personally identifiable information, operative criminal investigation data, or the results of scientific and technical research. Authorities have 15 days to present the requested information. Authorities may extend this timeline by five days when the request refers to a large volume of data or additional consultations are necessary for the release of information. Depending on the information requested, institutions may charge processing fees for copying, translating, and delivering. Requesters may legally challenge denials of access to information. The courts established criminal and administrative sanctions for noncompliance.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations 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.

According to local and international experts, authorities in the Transnistrian region subjected the activities of human rights NGOs to extensive monitoring from the authorities and limited them to a narrow segment of human rights. There were credible reports that no human rights NGO in the region dealt with serious human rights violations due to fear of repressions and harassment from the authorities.

Government Human Rights Bodies: As of December the Human Rights Ombudsman was not operational because of administrative and budgetary constraints. In April parliament confirmed only one of the two required ombudsmen. One position is designated for adults, known as the people's ombudsman, and the other one for children. A parliamentary committee selects the ombudsmen in an open competition. A majority vote in parliament results in their appointment to a seven-year, nonrenewable term. The people's ombudsman position examines claims of human rights violations, advises parliament and other state institutions on human rights problems, acts as a mediator, submits legislative initiatives to parliament, submits legislation to the Constitutional Court for review, and files human rights cases with courts. The children's ombudsman position provides for the protection of children's rights without requiring the consent of parents or legal guardians and has authority to initiate legal proceedings in court. The national mechanism to prevent torture is affiliated with this institution in line with the Optional Protocol to the Convention against Torture.

Parliament also had a separate standing committee for Human Rights and Interethnic Relations.

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

The law prohibits discrimination based on race, gender, disability, ethnicity, national origin, citizenship, language, religion, belief, age, opinion, political affiliation, or social status, but the government did not always enforce these prohibitions effectively.

The law prohibits discrimination on 11 characteristics, including gender, race, and disability, as well as employment discrimination on the basis of sexual orientation.

Women

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

Rape remained a problem, and there were no specific government rape prevention activities. During the first seven months of the year, prosecutors initiated 125 criminal cases of rape, a 23 percent decrease from 2014. Of these cases authorities dismissed 21 cases and forwarded 35 to the courts for trial; the rest of the cases remained under investigation or awaited an indictment. According to NGOs many rapes were unreported due to social stigma and a lengthy and often corrupt judicial process. The NGO La Strada noted that victims did not report rapes due to possible derogatory treatment based on past cases when perpetrators bribed police, prosecutors, and judges for a favorable decision. Stigma associated with identification as a victim of rape and victims being seen as complicit were other factors deterring victims from reporting cases of rape. Police reportedly used poor investigative techniques and often mishandled rape cases, which further discouraged victim cooperation.

Rape remained a crime with a low rate of effective police investigation, with charges mainly based on survivor testimony, and law enforcement officers generally used a confrontation (face-to-face interview) with the perpetrator to verify the survivor's statement. The experience frequently traumatized survivors, and few managed to maintain their testimony under such conditions.

In the first seven months of the year, police registered 926 cases of domestic violence, 200 cases fewer than in the same period of 2014. According to police the decrease was due to better prevention and deterrence measures taken by law enforcement against the perpetrators. Of these cases authorities sent 560 to trial and dismissed 34. According to Promo-Lex, one in seven women in rural areas experienced at least one act of physical violence in her lifetime.

Domestic violence investigations remained problematic when police officers themselves were the offenders. In such cases law enforcement officers tended to side with the offender, and the victim would need to appeal to the European Court of Human Rights. The process was lengthy, and authorities did not protect victims from their abusers during the proceedings.

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 maximum punishment for family violence offenses is 15 years' imprisonment.

The law permits excluding an abuser from lodging shared with the victim, regardless of who owns the property. The law also provides for psychiatric evaluation and counseling, forbids abusers from approaching victims either at home or at work, and restricts child visitation rights pending a criminal investigation. Courts may apply such protective measures for a period of three months and may extend them upon the victim's request or following repeated acts of violence.

Progress in protecting women and children against domestic violence improved during the year, compared with previous years, due to increased attention to the issue through training and media campaigns. The Ministry of Internal Affairs continued capacity building in this field including training sessions for police officers handling domestic violence cases. According to various NGOs and the UN Children's Fund (UNICEF), the issuance of protective orders and the effectiveness of their implementation depended on the attitude of authorities. Reports that police officers were not diligent in ensuring either proper protection of victims or proper execution of measures prescribed by protective orders continued. NGOs maintained that authorities relied excessively on NGOs to publicize available remedies and assist victims in requesting protection. The situation improved slightly with an increased number of protective orders issued in a timely manner, with the law requiring issuance within 24 hours. NGOs expressed concern that authorities were insufficiently proactive in combating indifferent attitudes towards domestic violence among police, prosecutors, and social workers. According to NGO reports, in most cases abusers continued their mistreatment undeterred. There were reported cases of authorities issuing protective orders one month after mistreatment allegedly occurred.

Public perception of domestic violence as a private problem persisted. Authorities generally relied on civil society to raise awareness.

NGOs reported cases in which authorities issued conflicting protective orders, providing both the abuser and the victim with protection against the other and resulting in confusion in courts.

In 2014 more than 1,500 police officers, social assistants, and doctors received special training in responding to domestic violence. Additionally, 150 judges and prosecutors received the same training during the year. While courts increased the number of protective orders issued, police did not always implement such orders effectively. Observers stated police approach to domestic violence improved slightly, but judges and prosecutors often failed to take the crimes seriously.

Authorities continued to classify protection order violations continued as administrative infractions, which meant authorities could not open criminal proceedings against offenders unless they violated the order on multiple occasions.

The law provides for cooperation between government and civil society organizations, establishes victim protection as a human rights principle, and allows third parties to file complaints on behalf of victims.

After their release from detention, abusers commonly returned to their homes and continued to abuse. Fines often had the effect of significantly reducing overall household income, further harming the spouses and children of abusers. Victims of domestic violence were frequently reluctant to come forward because of economic dependence on their abusers, particularly if the family had children.

The government supported educational efforts, usually undertaken with foreign assistance, to increase public awareness of domestic violence and to instruct the public and law enforcement officials on how to address the problem. Private organizations provided services for abused spouses, including a hotline for battered women. Access to such assistance remained difficult for some.

The NGO La Strada operated a hotline to report domestic violence, offered victims psychological and legal aid, and provided victims with options for follow-up assistance.

In Transnistria the law does not specifically prohibit violence against women, and the extent of domestic violence was difficult to estimate. According to the most recent survey in Transnistria, approximately 22 percent of women reported having been subjected to physical violence, 36 percent reported experiencing physical violence from their partners at least once, while 60 percent reported instances of psychological violence. Most victims of domestic violence did not file complaints with police.

Sexual Harassment: Sexual harassment remained a common problem. The law provides criminal penalties for sexual harassment ranging from a fine to a maximum of two years' imprisonment. The law prohibits sexual advances that affect a person's dignity or create an unpleasant, hostile, degrading, or humiliating environment in a workplace or educational institution. According to NGOs law enforcement agencies steadily improved their handling of sexual harassment cases, by addressing harassment of students by university professors and several instances of workplace harassment.

Reproductive Rights: Although there were no reports of authorities denying Romani women obstetrical, childbirth, or postpartum care, many Romani women did not take advantage of free government-administered medical care during pregnancy.

Women in psychiatric institutions and social care homes lacked access to contraceptives. These institutions also registered isolated cases of forced abortions.

Discrimination: The law provides for women to enjoy the same legal status as men under family, labor, property, nationality, and inheritance law, and in the judicial system. The law requires equal pay for equal work, which authorities generally respected during the year. The National Bureau of Statistics reported an almost equal proportion of men and women employed, with 51 percent and 49 percent, respectively. An assessment of the National Action Plan on Gender Equality for 2010-15 reported a reduction in the gap between wages for men and women from 28 percent in 2010 to 12.4 percent in 2015. In 2014 a woman received 87.6 percent of a man's wage. The ratio of women in decision-making positions slightly increased during the year. The number of women in law enforcement and in the army also increased. During the year 23 percent of those serving in the army were women.

Children

Birth Registration: Citizenship may be acquired by birth in the country, inheritance from parents, adoption, recovery, or naturalization, or through certain international agreements. Registration of birth is free of charge for all citizens. The lack of registration certificates for a number of children, especially in rural areas and in Romani families, remained a problem. Observers estimated that more than 1,000 children lacked identification documents.

Education: Primary education was free and compulsory until the ninth grade. The Ministry of Education continued the reform process and restructured or closed many schools in rural areas that experienced a drop in population.

Education of Romani children remained a problem during the year, with only half of the children in Romani communities attending school. For example, in the secondary school in Vulcanesti village, Nisporeni raion, only 15 of the 180 Romani students enrolled attended school and only one in five children attended

preschool institutions. According to Romani representatives, absenteeism and school dropout in Romani communities was due to poverty and fear of discrimination.

Child Abuse: Although the law prohibits child neglect and specific forms of abuse such as forced begging, child abuse remained a problem. A special unit for minors and human rights was responsible for ensuring that particular attention and expertise was devoted to child victims or child offenders. According to UNICEF the unit faced organizational difficulties, since its work often overlapped with that of other sections, thus creating conflicting competencies.

During the first six months of the year (second half of the 2014-15 academic year), the Ministry of Education reported 5,987 cases of violence against children, which was a decrease of 1,256 cases compared with the period September-December 2014 (first half of the academic year). The ministry also reported 104 cases of child labor exploitation, 22 cases of sexual abuse, and one case of child trafficking. The number of severe cases of child violence increased from 544 during September-December 2014 to 850 cases in January-June. The reporting was part of a Ministry of Education strategy to prevent and combat violence against children, launched in 2013.

A UNICEF study published in 2014 revealed that 76 percent of children under the age of 14 were subjected to violence at least once during their lives. In 45 percent of the cases, children were subjected to physical violence, while 69 percent reported psychological violence.

According to the Ministry of Labor, Social Protection, and Family, inadequate victim services, a lack of reliable methods to track cases, and insufficient legal mechanisms to prevent abuse or to provide special protection to victims hampered efforts to protect children. The ministry noted that more than 25 percent of minors reported that their parents had beaten them and 15 percent stated they lacked food and care. Approximately 10 percent of parents admitted abusing their children emotionally or physically.

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.

Sexual Exploitation of Children: The Prosecutor General's Office is responsible for investigating and prosecuting child sexual abuse cases. Authorities punished commercial sex with minors as statutory rape. The minimum age for consensual

sex is 16. The law prohibits the production, distribution, broadcasting, import, export, sale, exchange, use, or possession of child pornography, and violators face one to three years' imprisonment.

Observers reported cases of prostitution of children and child sex tourism during the year.

Institutionalized Children: The deinstitutionalization of children continued during the year. Authorities have closed more than 20 boarding schools since 2007, resulting in a 40 percent decrease in the number of institutionalized children. NGOs estimated that 25 percent of the children in orphanages had one or two living parents, but parents abandoned them when they left the country in search of employment. Children in residential institutions were subject to a greater risk of unemployment, sexual exploitation, trafficking, and suicide compared with their peers raised in families.

UNICEF estimated that 50 percent of institutionalized children had disabilities. The Ministry of Labor, Social Protection, and Family maintained boarding schools for children with disabilities and institutions providing temporary (up to one year) shelter, counseling, and other assistance for children from socially vulnerable families.

During the year the Ministry of Education continued to implement the national action plan to reform the residential-care system for children. The ministry reported a decrease by 14.9 percent of the number of children placed in special educational institutions since 2013 and an increase by 70 percent of the inclusion rate of children with disabilities in mainstream schools. The country has a national program for the development of inclusive education for 2011-20 that provided for the closure or reorganization of 23 residential institutions (including boarding schools) by the end of the year.

In September an investigative journalism video report revealed poor conditions and staff use of physical violence at the Orhei State Institution for Mentally Disabled Children, which housed 200 children. As a result of the video, the Ministry of Labor, Social Protection, and Family opened an investigation into the allegations and dismissed the director of the institution.

As of October there were approximately 1,725 children without parental guardianship in Transnistria. Of that number, 1,048 were under some form of

physical guardianship, 643 placed in government institutions, and 34 raised in family-style foster homes.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/content/childabduction/en/legal/compliance.html and country-specific information at travel.state.gov/content/childabduction/en/country/Moldova.html.

Anti-Semitism

The Jewish community numbered between 15,000 and 25,000 persons, including 2,000 living in Transnistria. The Jewish community reported one act of vandalism during the year. On the night of October 26, unknown individuals drew swastikas and wrote offensive messages on the walls of a Jewish school in Chisinau. Investigators opened a criminal case, but authorities had not identified the perpetrators by year's end.

On several occasions, Jewish community leaders criticized the government's efforts to combat anti-Semitism as insufficient. Property restitution continued to be a problem for the Jewish community, and Moldovan legislation does not yet exist to address it.

In an effort to promote tolerance and eradicate anti-Semitism and xenophobia, on November 26, parliament passed a law instituting January 27 as the Day of Commemorating the Victims of the Holocaust.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

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

The law provides protection for persons with disabilities against discrimination in employment, education, health care, and public life. The law prohibits construction companies from designing or constructing buildings without specific access for persons with disabilities and requires transportation companies to equip their vehicles to meet the needs of persons with disabilities. The law also requires that land, railroad, and air transportation authorities provide access for persons with disabilities and adapt public spaces and transportation to provide access for wheelchair users. The airport administration must provide an escort for persons with disabilities. Authorities implemented the provisions of the law only to a limited extent during the year.

A joint report released in July by the Mental Disability Advocacy Center in partnership with the UN Partnership on the Rights of Persons with Disabilities found that despite some progress in advancing the rights of persons with disabilities in the country through expanded inclusive and community-based services, there remained a number of shortcomings. The report noted that more than 1,700 children with mental or intellectual disabilities remained in segregated educational institutions, while authorities deprived an estimated 3,000 to 4,000 persons of their legal capacity and were under the full control of guardians (they could not marry, divorce, sign an employment contract, refuse medication, etc.). Many guardians chose to place persons with disabilities in closed institutions against their will. Observers also recorded violence and abuse, including cases of rape and forced abortion in segregated institutions for mentally disabled persons. In May parliament amended the law to provide equal voting rights for all persons with disabilities, and persons with mental disabilities were able to vote for the first time in years.

The law entitles children with disabilities to home schooling provided by the government, but this service was limited in rural areas. In many cases children with disabilities declined schooling to avoid discrimination. Schools were often ill equipped to address the needs of children with disabilities. Some children with disabilities attended mainstream schools, while authorities placed others in boarding schools, including “special” boarding schools, or were home schooled.

In Transnistria children with disabilities rarely attended school and lacked access to specialized resources.

Official regulations mandate access to buildings for persons with disabilities. While many newly built or reconstructed buildings were accessible, older buildings often were not. More than 70 percent of public institutions lacked access ramps for

persons with disabilities. According to the Motivatie association for persons with disabilities, only 1 percent of buildings in Chisinau were accessible. Even where ramps existed, they frequently did not fit a standard wheelchair, or they were too steep or slippery. Most ramps at street crossings did not provide adequate access for wheelchair users. Persons with limited mobility complained about the lack of access to public transportation and public institutions as well as the shortage of designated parking places. The Social Assistance Division in the Ministry of Labor, Social Protection, and Family and the National Labor Force Agency were responsible for protecting the rights of individuals with disabilities. During the year a young man with a significant mobility disability sued the bus companies because he was repeatedly denied entrance into buses due to his disability. The lawsuit was the first of this kind and, as of October, was under examination in the courts.

On October 30, the Civil Aviation Authority organized for the first time training for air operators, flight attendants, and airport handling personnel on rules for serving passengers with disabilities. The trainings covered such aspects as the rights of the persons with disabilities for the duration of the air travel, efficient nondiscriminatory communication, support for persons with mobility disabilities, and use of wheelchairs.

The range of social services available to persons with disabilities included specialized services, such as social assistance, support, and counseling to foster social inclusion. There were 114 community service centers for persons with disabilities serving approximately 4,700 beneficiaries. There were also 16 mobile support groups providing social assistance, medical, and psychological support to 481 beneficiaries. The government budgeted 9.5 million lei (\$475,000) for services to persons with disabilities during the year. In October 2014 the government adopted a decision to pay a daily allowance of 10 lei (\$0.64), a birthday allowance of 100 lei (\$6.40), and holiday allowances of 70 lei (\$4.50) to at risk children placed in community houses. On December 3, the government earmarked 16 million lei (\$811,000) in allowances for approximately 40,000 persons with disabilities on the occasion of the International Day of Persons with Disabilities.

There were 7,000 persons nationwide with vision disabilities, 3,500 of whom were completely blind. The Central Election Commission tested for the first time a pilot project and provided ballots in Braille in all polling stations for persons with visual disabilities during the local elections in June.

One of the city's biggest stores repeatedly refused a blind man entrance; the guards stated that he had no business being there unless accompanied by seeing persons. The guards physically refused the person entrance, and only threats of police involvement compelled the store administration to let the person enter the store.

According to a study completed in June, only 43 percent of persons with disabilities in Moldova were employed.

Persons with psychosocial and intellectual disabilities in residential institutions and psychiatric hospitals were the most vulnerable to abuse. According to the ombudsman for psychiatry, there were serious violations in many psychiatric and related institutions, including physical, sexual, and psychological abuses, malnutrition, forced medication, forced abortions, and a lack of legal protection for individuals with mental disabilities. Many such individuals were isolated in psychiatric institutions. A June 2014 report by the UN special rapporteur on extreme poverty and human rights noted that authorities continued to commit severe abuses, such as neglect, mental and physical abuse, and sexual violence against persons with psychosocial and intellectual disabilities. The rapporteur raised concerns about unsanitary and unhygienic conditions. Authorities used forced abortions in psychiatric and social care institutions prevent births.

With UN support the government set up a National Health Management Center within the Ministry of Health to handle complaints filed by persons with social, neurological, or intellectual disabilities. At the same time, 13 lawyers provided free legal services to residents in psychiatric institutions.

The mortality rate in mental-health institutions was significantly higher than in other health-care institutions. Authorities conducted no conclusive investigations on deaths in these institutions. The level of treatment in psychiatric facilities was substandard.

Human rights observers criticized the country's guardianship system. A person placed under guardianship loses all standing before the law and cannot engage in social and legal acts, such as marriage, voting, claiming social benefits, consenting to medication, or refusing medication.

Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (with the exception of jobs requiring specific health standards), many employers either failed to accommodate or avoided employing such persons. The law requires that 5 percent of the

workforce in companies with 20 or more employees be persons with disabilities. Persons with disabilities are legally entitled to two months of paid annual leave and a six-hour workday, benefits that made employers less willing to hire them.

Transnistrian legislation provides for protection of the rights of persons with disabilities in the areas of education, health care, and employment. Reliable information about the treatment of persons with disabilities in Transnistria was unavailable.

National/Racial/Ethnic Minorities

Roma continued to be one of the most vulnerable minority groups in the country, but there were fewer reported cases of societal discrimination during the year. Roma had lower levels of education, more limited access to healthcare, and higher rates of unemployment than the general population (see section 7.d.).

While the 2004 census counted 12,271 Roma in the country, independent surveys estimated a total population of between 15,000 and 28,000. NGOs asserted that government census forms allowed persons to identify with only one ethnic group, and many Roma declined to identify themselves as such.

The literacy level of Roma was well below the national average. According to Romani families, both fellow students and teachers subjected their children to discrimination. Authorities lacked an effective mechanism to address vulnerable families whose children did not attend school.

Approximately 60 percent of Romani families lived in rural areas. Some Romani communities lacked running water, sanitation facilities, and heating. Other problems facing Roma included lack of emergency health-care services in secluded settlements, unfair or arbitrary treatment by health practitioners, a gap between Roma and non-Roma in rates of coverage by health insurance, and discrimination against Roma in the job market. The unemployment rate for Roma was 29 percent, compared with 6.7 percent for the non-Romani population. There were only three Roma elected to councils within the local public administration.

In 2013 the government decided to establish local government mediators within Romani communities and allocated 1.6 million lei (\$103,000) to the program. The community mediators acted as intermediaries between the Romani community and local public authorities, mediated disputes, and facilitated the community's access

to public services. In some rural areas, mayors were reluctant to employ Romani community mediators.

In Transnistria authorities continued to discriminate against Romanian speakers. Transnistrian authorities exerted various forms of pressure on the eight Latin-script Romanian-language schools operated by the Moldovan Ministry of Education in the region. While the Transnistrian “constitution” forbids the use of the Latin alphabet, and reading or writing in the Latin script is punishable by a fine of approximately 480 lei (\$30), the extent of enforcement of this rule was unknown.

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

The law prohibits employment discrimination based on sexual orientation. Societal discrimination based on sexual orientation and gender identity continued during the year.

As of October the NGO Genderdoc-M reported nine cases of violations of the rights of the LGBTI persons examined in court, including three hate crimes, three cases of discrimination, two cases of instigation to hatred, and one case regarding the change of identity documents for transsexual persons. Three other cases were under investigation.

Most crimes were perpetrated against gay men, but verbal and physical abuse against lesbians was also reported. In most cases police officers were reluctant to open cases against the perpetrators. In one instance Genderdoc-M reported that it required intervention by its lawyer before police acted.

In June a lesbian, who a neighbor had continually harassed, was beaten and insulted. The perpetrator allegedly stated that persons like her did not deserve to live and claimed that, even if he beat her up, authorities would not hold him accountable. The victim filed a complaint with police, who refused to accept it. According to Genderdoc-M, the intervention of their lawyer compelled police to accept the complaint. When the victim returned home, she was assaulted again. Police were alerted and detained the perpetrator. The case continued at year’s end.

Civil society organizations reported that transgender individuals were unable to change identity documents during or following gender reassignment, and they experienced employment discrimination (see section 7.d.).

On May 17, more than 150 individuals attended the third officially sanctioned march for the rights of LGBTI persons in central Chisinau. There were no reports of significant incidents, but Orthodox Christian groups and Occupy Pedophilia members held a counterdemonstration close to the march's perimeter. Heavy police presence prevented altercations. Counterdemonstrators, among them young men covering their faces, threw eggs at the marchers and set off firecrackers. Police detained at least six persons. Following the march a group from Occupy Pedophilia walked towards the Genderdoc-M premises, but police stopped them before they reached the building.

While authorities allowed individuals to change their names (for example, from a male to a female name), the government did not allow persons to change the gender listed on their identity cards or passports. In 2012 the Supreme Court of Justice issued a nonbinding recommendation to lower courts that transgender individuals be permitted to change the gender on their civil documents. In 2012 the Ministry of Health established a commission to determine gender identity and issue certificates that can be used to apply for new documents.

In Transnistria consensual same-sex activity is illegal, and authorities subjected LGBTI persons to governmental and societal discrimination.

HIV and AIDS Social Stigma

Persons living with HIV continued to face societal and official discrimination. In the most recent demographic and health survey for the country (2005), 89 percent of women and 90.3 percent of men reported discriminatory attitudes towards those living with HIV.

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. The Moldovan Institute for Human Rights and the UN human rights advisor representatives reported instances where health care institutions refused appropriate medical treatment and discriminated against HIV-positive patients because of their status. For example, in August 2014 medical officials refused an HIV-positive patient medical care when the patient sought a doctor's consultation at a hospital in Ceadir-Lunga. The doctor refused to treat the patient and placed a note in the patient's medical records, stating that he did so because of her HIV status and the threat that she posed to his health. The patient complained to the Moldovan Institute for Human Rights, which requested an explanation from the hospital. In a December 2014 letter, the hospital

administration dismissed the allegations, noting that the patient divulged her HIV status. On May 12, the Ceadir-Lunga court determined that the doctor discriminated against the patient based on her HIV status and violated her right to medical treatment. The court ordered the patient be paid 10,000 lei (\$500) in moral damages. The hospital appealed the ruling, and it remained pending at year's end.

During the year there were reports of several cases of HIV-positive children forced to leave school after medical professionals violated confidentiality laws and divulged their HIV status to the educational institutions.

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 legal 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. Restrictions in the law specifically forbid police and members of the armed forces from joining unions. The law does not allow government workers and workers in essential services, such as law enforcement, health care providers and public utility employees to strike. The law prohibits strikes during natural disasters, epidemics, pandemics, as well as in times of state emergency. Authorities may impose compulsory arbitration at the request of one party to a dispute.

The State Labor Inspectorate within the Ministry of Labor, Social Protection, and Family and prosecutors' subordinate to the Prosecutor General's Office have responsibility for enforcing provisions of labor law, but failed to monitor and enforce the right to organize effectively. The law does not provide effective sanctions for violations of freedom of association or stipulate penalties for violating trade union rights.

Resources, inspections, and remediation were generally inadequate. The labor code requires the inspectorate to collaborate with other institutions, including business organizations and trade unions. According to the National Trade Union Confederation of Moldova (CNSM), prosecutors did not initiate any criminal investigations for infringement of the right to organize and bargain collectively during the year. The CNSM maintained there was little cooperation between the Prosecutor General's Office and trade unions. The CNSM leadership believed that

the Prosecutor General's Office was politically affiliated with, and unwilling to initiate cases against, powerful business interests.

The CNSM formed its own labor inspectorate in 2012 to protect employee rights. From January to March, the office carried out 102 inspections, visiting companies with 16, 195 employees and documenting 1, 104 violations, including 840 health and safety standard infringements and 264 labor law infringements. Additionally, 37 violations were related to infringements of trade unions' rights for noncompliance with collective labor agreements at the national, sectoral, or company level. The CNSM does not have a legal right to enforce the law, but regularly consulted employers and employees on the application of labor law, negotiated employer compliance, and advanced worker rights. Some employers refused to negotiate the creation of a trade union organization. Prosecutors may reject appeals by trade unions alleging antiunion behavior, and authorities did not punish alleged violations of the trade union law during the year.

Authorities did not always respect the right to bargain collectively. Unions could acquire legal status only if they were members of national, sectoral, or intersectoral organizations. Employers resisted the creation of new unions. Workers exercised the right to strike by conducting legal strikes during the year.

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. Resources, inspections, and remediation for forced labor were generally inadequate. Penalties for persons who engage workers in forced labor range from five to 20 years' imprisonment and were sufficiently stringent to deter violations but seldom imposed.

The government did not effectively enforce the law. Men and women were subjected to labor trafficking to Ukraine and Russia. Criminals subjected Moldovan women, boys, and girls to sexual exploitation in the country and the region. Official complicity in trafficking was a significant problem in the country.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for unrestricted employment is 18. The law permits juveniles between the ages of 16 and 18 to work under special conditions, including shorter workdays (35 work hours per week), but prohibits their working night, weekend, or holiday shifts or overtime. Only with written permission from a parent or guardian, 15-year-old children may work, and work for children between the ages of 15 and 16 should not exceed 24 hours per week. The law prohibits the worst forms of child labor and provides for three to 15 years' imprisonment for persons engaging children in the worst forms of child labor; under aggravated circumstances courts can increase the sentence to life imprisonment.

Authorities did not effectively enforce legal protections, and child labor remained a problem. Parents who owned or worked on farms often sent children to work in fields or to find other employment. According to a 2010 UNICEF study, an estimated 109,000 children, or 18 percent of children, fell into the category of child laborers, 63 percent of whom were between five and 14 years of age and 91 percent of whom were from rural areas. The vast majority of child laborers worked in family businesses or family farms.

Children were subjected to trafficking within and outside the country for labor, begging, and sexual exploitation. NGOs maintained that authorities officially registered and assisted only a small percentage of cases of human trafficking, and that the actual number of victims was unknown. Criminals subjected boys and girls to commercial sexual exploitation (see section 6, Children).

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

d. Discrimination with Respect for Employment and Occupation

The law prohibits discrimination based on sex, age, race, color, nationality, religion, political opinion, social origin, residence, disability, HIV-positive status, membership or activity in trade unions, as well as other criteria unrelated to the professional qualities such as sexual orientation. The law requires employers to provide for equal opportunity and treatment of all employees without discrimination, to apply the same criteria to assess each employee's work, and to provide for equal conditions for men and women relating to work and family obligations. The law defines and prohibits both direct and indirect discrimination as well as the worst forms of discrimination, which include discrimination based

on two or more protected grounds. The law also provides for a Council to Prevent and Combat Discrimination and Ensure Equality responsible for reviewing complaints of discrimination and making recommendations. The government did not effectively enforce the law. Discrimination in employment and occupation occurred with respect to gender, presence of a disability, minority status, sexual orientation and gender identity, and HIV-positive status (see section 6).

e. Acceptable Conditions of Work

There are separate minimum wages for the public and private sectors. In May the government set the minimum monthly wage for the private sector at 1,900 lei (\$100) per month (based on average 169 work hours per month), while the minimum monthly wage for public sector employees remained unchanged at 1,000 lei (\$52). According to official data, the minimum monthly subsistence level was 1,725 lei (\$96) in the first half of the year. According to CNSM salary arrears were more than 150 million lei (\$8 million) as of August.

The law sets the maximum workweek at 40 hours with extra compensation for overtime and provides for at least one day off per week. The law prohibits excessive compulsory overtime. Foreign and migrant workers have the same legal status as domestic workers.

The labor code requires work contracts for employment. Employers must register these contracts with local officials, with copies sent to the local labor inspectorates. Through August the State Labor Inspectorate reported 648 persons were employed at 281 enterprises without proper documents, including 200 women and 27 minors. There were no reports of work contracts in the agricultural sector, where the central government did not have an effective mechanism to monitor compliance.

The government effectively enforced minimum wage, hours of work, and occupational health and safety standards in the formal sector. Enforcement in the informal sector was inadequate. The law requires the government to establish and monitor safety standards in the workplace, and the State Labor Inspectorate was responsible for enforcing health and safety standards. During the first nine months of the year, the office performed 4,551 inspections, 2,081 of which were health and safety inspections and 2,470 involved labor relations/legislation. The office inspected more than 4,078 companies (enterprises, institutions, and organizations) employing more than 165,100 persons, including 77,500 women and 36 minors. It documented 42,260 infringements, including 19,740 of health and safety standards and 22,520 of labor laws. Penalties for violations ranged from 400 lei (\$20) to

10,000 lei (\$500) and were insufficient to deter violations. Additionally, the inspections were less effective because the inspectorate had to inform businesses prior to inspection, allowing managers to hide violations before the visits.

A thriving informal economy accounted for a significant portion of the country's economic activity. The State Labor Inspectorate is the main agency responsible for monitoring and enforcement of compliance with labor legislation. The inspectorate had 109 employees, 22 of whom worked in the central office and 87 in 10 regional branches. According to union representatives, the informal economy employed approximately 50 percent of the workforce. Workers in the informal economy did not have the same legal protections as employees in the formal sector. There are no government programs providing social protections for workers in the informal economy.

Poor economic conditions led enterprises to spend less on safety equipment and to pay insufficient attention to worker safety. During the first nine months of year, the Ministry of Labor, Social Protection, and Family reported 270 accidents at work. The State Labor Inspectorate investigated 86 accidents, while special committees at the respective companies investigated other cases. State inspectors reported 30 serious accidents that severely injured 30 employees as well as 13 incidents that resulted in 13 deaths; the remaining accidents remained under investigation. According to labor law, workers can remove themselves from situations that endanger health or safety without jeopardy to their employment. State Labor Inspectorate representatives noted severe financial and legal constraints on inspectors' activities, ranging from a lack of internet access, training, and fuel for inspectors to a system of incentives that encouraged employers to pay minimal fines for violations rather than address underlying problems.