

MOLDOVA 2018 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. The 2014 parliamentary elections met most Organization for Security and Cooperation in Europe (OSCE), Council of Europe, and other international commitments, although local and international observers raised concerns about the inclusion and exclusion of specific political parties. The significant number of parliamentarians switching parties in 2017 amid allegations of political pressure and bribery significantly reshaped parliament's structure and the parliamentary majority. Two rounds of presidential elections in 2016 resulted in the election of Igor Dodon. According to the OSCE election observation mission, both rounds were competitive and respected fundamental freedoms. International and domestic observers, however, noted polarized and unbalanced media coverage, harsh and intolerant rhetoric, lack of transparency in campaign financing, and instances of abuse of administrative resources.

Civilian authorities maintained effective control over the security forces.

Human rights issues included torture at prisons and psycho-neurological institutions; harsh prison conditions; arbitrary arrest or detention by authorities; restrictions on freedom of the media; refoulement of political asylum seekers to a country where they had a well-founded fear of persecution; high-level corruption; cases of forced abortion; rape and other violence against persons with disabilities in state institutions.

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

In 1990 separatists declared a "Transdnister Moldovan Republic" (Transnistria) along the border with Ukraine. A 1992 ceasefire agreement established a

peacekeeping force of Moldovan, Russian, and Transnistrian units. The central government did not exercise authority in the region, and Transnistrian authorities governed through parallel administrative structures. During the year there were reports that police engaged in torture, arbitrary arrests, and unlawful detentions.

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

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

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

b. Disappearance

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

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

While the law prohibits such practices, the human rights ombudsman reported allegations of torture and physical abuse, mainly in detention facilities and psychiatric institutions, continued. There were cases of mistreatment in pretrial detention within police stations, particularly in regional police inspectorates.

During the first half of the year, the antitorture division of the Prosecutor General's Office received 328 allegations of torture and mistreatment, 113 of which involved investigation officers, 72 other police units, including the Carabinieri (a special police force responsible for public order and infrastructure security) and customs officers, 42 employees of the penitentiary system, 26 traffic police, 13 teachers, eight criminal police, two National Anticorruption Center officers, and one person from the military. Prosecutors initiated 49 criminal cases and sent 15 cases to court.

In most cases, police applied violence during detention as a means of intimidation or discrimination, to obtain evidence and confessions, and to punish alleged offenses. Most of the alleged incidents occurred on the street or in public places, followed by police stations, detention facilities, military units, education facilities, and victims' homes. Educational facilities registered 12 cases of alleged torture, while military units registered 11 cases. Most incidents involved beatings,

followed by physical violence following immobilization, other methods, such as beatings using batons, water bottles, and books, and threats or other forms of psychological abuse. The slight decrease in mistreatment complaints during the year was due to harsher sanctions for torture. Humiliating treatment continued to be a problem in penitentiaries and psychiatric institutions.

The human rights ombudsman reported that most allegations of torture and sub-standard detention conditions occurred at Penitentiary No. 13 in Chisinau, Penitentiary No. 11 in Balti, Penitentiaries No. 15 and No. 4 in Cricova. During the first six months of the year, members of the Ombudsman's National Mechanism to Prevent Torture made 10 preventative visits to prisons, pretrial detention facilities, boarding schools for children with mental disabilities, and a foster home for persons with disabilities. Most of their observations concerned poor detention conditions, lack of sufficient medical care, signs of mistreatment of detainees, verbal and physical abuse of persons with disabilities placed in foster homes, and insufficient qualified staff at specialized institutions for children with disabilities.

In August 2017 Andrei Braguta was found dead at Penitentiary No.16 while held in pretrial detention. According to preliminary information, while in detention, several inmates beat Braguta with the tacit approval of prison guards, who ignored his pleas for help and medical assistance. The Prosecutor General's Office detained five persons, including three police officers, on charges of torture, investigated an additional 10 officers suspected of mistreating detainees, and sued 13 police officers. The case was ongoing.

In May the International Secretariat of the World Organization against Torture requested government intervention in the case of Serghei Cosovan, a 46-year-old businessman and former local city councilor, who was put in pretrial detention in Prison No. 16 in Chisinau in September 2017 on charges of fraud and abuse of office. Cosovan was diagnosed with cirrhosis of the liver and underwent several surgeries while in detention. He was transferred to house arrest on April 24, and the next day prosecutors filed a new criminal case on the same offense and reimprisoned him. Experts from the Ombudsman's Office noted Cosovan required an urgent liver transplant and treatment at an accredited public medical institution specializing in severe hepatic disease and liver transplants, but the Department of Penitentiary Institutions was unable to offer the service and had no contracts with an appropriate medical provider to perform the surgery. While in custody, the prison administration refused to pass along the medication provided for Cosovan's condition.

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

According to the Moldovan Institute for Human Rights, residents of residential psychiatric facilities and psycho-neurological institutions continued to be subject to verbal and physical abuse, deprivation of liberty, forced labor, and forced medication. Unconfirmed cases of sexual abuse were reported by persons confined in residential institutions for mentally disabled persons, which are overseen by the Ministry of Health, Labor, and Social Protection.

There were cases of coerced confinement of sane persons in institutions for the mentally ill. In September, the European Court of Human Rights (ECHR) ordered the government to pay 7,000 euros (\$8,050) for moral damages to a man who was placed in a mental health facility after hitting the former Minister of Labor, Social protection, and Family in 2014. The victim claimed he had not hit the minister and had only asked a question about pensions at one of the minister's regional meetings.

Legal proceedings continued in the case of a doctor at an institution in Balti arrested in 2013 for the serial rape, sexual assault, forced abortion, and abuse of patients with mental disabilities. In 2016 a court found the doctor guilty of numerous counts of rape and sentenced him to 13 years in prison. The defendant appealed the ruling, and the case was pending at the Balti Court of Appeal at year's end. The court postponed the hearings at least 15 times at the lawyers' request. The doctor remained free pending trial.

According to a report Promo-Lex, there was no mechanism to investigate alleged acts of torture in Transnistria by Transnistrian security forces. Transnistria established an "investigative committee" in 2012. The committee has not initiated any criminal cases for "providing statements under coercion by means of violence, humiliation, or torture." Promo-Lex noted that authorities perpetrated most

inhuman and degrading treatment in the Transnistrian region in order to obtain self-incriminating confessions.

Prison and Detention Center Conditions

Conditions in most prisons and detention centers, including those in Transnistria, remained harsh and amounted to inhuman and degrading treatment owing to poor sanitation, lack of privacy, barred or insufficient access to outside walks, and a lack of facilities adapted to persons with disabilities. Several detention facilities underwent minor repair during the year.

Promo-LEX noted that the ECHR concluded in an October ruling that courts issuing arrest warrants in the Transnistrian region “were part of a system that did not respect legal provisions,” especially because of detentions going beyond legal norms and examination of appeals to extend detention terms in the absence of the defendants. Quoting detainees from the region, Promo-LEX said detention conditions were dangerous to life and health.

Physical Conditions: Prisons and detention centers were overcrowded. Human rights NGOs asserted that the abuse and increased use of preventative arrests combined with insufficient application of alternative noncustodial measures contributed to the overcrowding of detention facilities. As of January, the total number of persons in incarceration was 7,635, of which 5,539 were inmates in prisons and 2,096 were held in pretrial detention centers. The official maximum capacity was 5,221 inmates for prisons and 1,514 for pretrial detention centers. Human rights monitors asserted that the official maximum capacities exceeded required international standards. Thus, incarceration numbers reflected overcrowding and resulted in access to only a minimum number of sanitation facilities. The obsolete infrastructure in most prisons did not allow for a separation of prisoners according to minimum required standards, which led to continued violence among inmates. Placement of minors with adult inmates, particularly at Prison no.13 continued to be a problem.

During the first nine months of the year, members of the Council for Prevention of Torture, as part of the national mechanism to prevent torture (NMPT), conducted 11 preventive visits to one prison, six pretrial detention facilities, two residential institutions for children with mental disabilities, and one foster home for persons with disabilities. The main deficiencies found included: pretrial detention exceeding the legally required 72 hours (in some cases, up to several months); poor detention conditions in most pretrial detention facilities; deficient food and medical

services; overcrowding and poor detention conditions; poor sanitary conditions; failure to separate minor detainees from adults; insufficient food; deficient medical care for detainees; and a lack of accessibility for persons with disabilities. The NMPT also identified a shortage of personnel in most residential institutions, a lack of specialized personnel including medical staff for the institutions hosting persons with disabilities, deficient healthcare, verbal and physical abuse by personnel against persons with disabilities, involuntary confinement of patients, and a lack of a complaint filing mechanism.

As in previous years, reported detention conditions at Penitentiary No.13 in Chisinau were the worst. Several high-profile detainees held in the penitentiary complained of detention in basement cells that did not meet national or international standards. Allegations of torture and inhuman treatment increased. In multiple cases, the ECHR found that detention conditions in Penitentiary No. 13 were contrary to the European Convention on Human Rights. Cells were overcrowded (in some cells, up to 16 inmates were placed in an area measuring 258 square feet), unhygienic, and lacked ventilation, natural light, or permanent access to water for personal hygiene. Despite numerous calls from the ombudsman and international organizations to close the penitentiary due to inhuman detention conditions, authorities reported they were not able to find an alternative detention facility due to financial constraints.

According to the ombudsman, the situation in police station detention facilities did not change during the year. The office reported inadequate conditions for food distribution; inadequate sanitary conditions in the showers; inadequate health-care facilities; lack of pillows, mattresses, clean bed linen, and clothing; and a lack of a mechanism to file complaints. Detention 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 (\$1.20). Human rights NGOs also noted facility staff did not provide pretrial detainees with meals on the days of their court hearings--a potentially severe problem for detainees transported long distances to stand trial, which in some cases meant they received no food for a day.

Health care was inadequate at most penitentiaries. While government regulations require authorities to separate individuals suspected of suffering from tuberculosis from the other detainees, authorities reportedly co-located individuals with various diseases with persons with an unconfirmed diagnosis of tuberculosis, potentially exposing them to infection. Most penitentiaries lacked appropriate facilities for

persons with disabilities, which led to inhuman and degrading treatment. Promo-Lex asserted that 30 prisoners died each year due to inadequate medical care.

Police mistreatment of detainees remained a major problem in Transnistria. Detention conditions in the region did not improve.

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

Prisoners in the initial period of their sentences and those serving life sentences did not have the right to long-term visits. Access for lawyers to visit their clients in Penitentiary No. 13 improved.

Attorneys for detainees in politically sensitive cases reported difficulties and restrictions in accessing their clients. In one case, attorneys for businessperson Veaceslav Platon, who was sentenced to 30 years in prison for fraud and money laundering, complained of limited access to their client and multiple restrictions imposed by the prison administration. During a September visit to Platon, the attorneys reported their client was bruised from beatings by prison staff and requested the prison administration call an ambulance. They claimed the administration refused and instead had a security squad drag Platon out of the meeting room by force, and masked security guards used physical violence on them when they tried to intervene on their client's behalf. One of the lawyers was seriously injured and taken to the emergency room. The lawyers filed complaints with the prosecutor's office and the National Administration of Penitentiaries. Their requests remain unanswered as of the time of this report. In addition to reported beatings, Veaceslav Platon complained of inhuman and degrading treatment while in detention including denial of access to potable water, restricted access to his lawyers, and no access to his family for the past two years.

Reliable information on the administration of prisons in the Transnistria region was generally not available. Transnistrian authorities reported approximately 3,352 detainees in the region.

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

Amnesty International, the ombudsman, and human rights NGOs to visit detainees held in connection with the country's 2014 high-profile bank fraud case were unsuccessful.

Improvements: During the year the National Administration of Penitentiaries launched a pilot project and installed video-conferencing equipment in two of the 17 detention facilities in the country. The equipment will allow online court hearings of prison inmates within penitentiary institutions, reducing personnel and transportation costs, and ensuring better security of court hearing participants.

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

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but authorities sometimes failed to respect these requirements.

According to Promo-Lex, the police continued the practice of routinely detaining persons sought by unrecognized Transnistrian authorities and transferring them to Transnistrian law enforcement bodies without due process. The country's courts previously ruled the 1999 agreement establishing such cooperation to be unconstitutional, but the practice continued informally.

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

On July 27, in Transnistria, Ghenadie Kuzmiciov, a former head of customs and internal affairs for the region, was abducted. The human rights NGO Promo-Lex and Kuzmiciov's lawyer stated during a press conference that Kuzmiciov's car was stopped by a police unit on his way into Chisinau. According to reports, four unknown persons removed Kuzmiciov from his vehicle and placed him into a separate car without interference from the police. Five days later, Transnistrian authorities confirmed Kuzmiciov was in their custody. Kuzmiciov has been charged by Transnistrian authorities for controlling contraband as part of an organized group and faced 10 years in prison. The case was ongoing at the time of this report.

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. The police force has two divisions, criminal and public order police. It reports to the Ministry of Internal Affairs. The agencies under the ministry are the General Police Inspectorate, Border Police, the Civil Protection Service, Carabinieri, and the Bureau for Migration and Asylum. During the year, customs and border police dismissed several officials for abuse and conducting unwarranted searches at the country's border crossing points.

A 2016 law reformed the structure of the Prosecutor General's Office and governs the activity of two specialized prosecution offices: the anticorruption prosecution office and the prosecutor's office on combatting organized crime and special cases (e.g., terrorism and torture). In line with the law, parliament changed the process for appointing the prosecutor general: the Superior Council of Prosecutors nominates candidates for prosecutor general, and the president appoints one of the candidates to a single seven-year mandate. Previously, parliament had this appointment authority.

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 October, the ECHR ruled that the country violated Article 3 of the convention because the government was slow to investigate and only imposed mild punishments against police officers who tortured protesters in April 2009. The case involved two young women who were forced to strip naked and perform sit-ups in front of a police officer at the General Police Office in Chisinau. Prosecutors initiated a criminal investigation into three police officers allegedly involved in the case nine months after the incident. The criminal investigation of one of the police officers was terminated after his actions were downgraded to an administrative offense. The other two officers received five-year suspensions.

Overall, prosecutors opened 71 criminal cases against security force personnel. The Prosecutor General's Office finalized and sent to court 27 cases against 46 police officers. As of September, the judges issued irreversible decisions in 23 cases against 36 law enforcement employees. The courts acquitted 36 police officers, issued four administrative fines, 10 suspended sentences, and two imprisonment sentences against three police officers. Five criminal cases against 11 law enforcement employees were still pending in courts. In January the Supreme Court of Justice dismissed the prosecutors' appeal of an earlier ruling that

acquitted a former head of the Chisinau Public Order Department and his deputy. The two were accused of abuse of power for allegedly beating a former member of parliament in 2009.

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 a 2016-17 study on procedural guarantees in the pretrial stage of the criminal process, Amnesty International found serious violations of procedural norms during police apprehension and pretrial detention. According to the study, in most cases authorities summoned 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 or intimidated detained individuals into providing confessions in the absence of a lawyer. In some cases, questioning in police custody exceeded the legally allowed three hours. Other violations included purposeful altering of protocols, detention in police custody that exceeded legal time limits, 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 authorities generally did not use it due to a lack of practical mechanisms for implementation. In lieu of confinement, the courts can also implement judicial controls in the form of house arrest or travel restrictions. The law provides safeguards against arbitrary use of pretrial detention and requires noncustodial alternatives wherever possible. Judges disproportionately used noncustodial alternative arrest mechanisms in cases with political implications.

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

In June, representatives from the Union of Lawyers organized a rally in front of the Court of Appeals and criticized violations of the right to freedom and safety, inhuman detention, and excessive arrests applied by prosecutors and judges.

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. Pretrial detention lasting from several months to several years was common. In 2016 the Constitutional Court ruled that law enforcement agencies could not hold citizens in preventative detention for more than 30 days with a warrant or for more than 12 months cumulatively. The court also ruled that court decisions imposing 90 days of preventative arrest at a time were illegal.

According to a Promo-Lex report, police made arrests during the year in violation of domestic law and international norms. Preventative arrest and detention, when detainees are most vulnerable to torture and mistreatment, were applied excessively. The rate of acceptance of prosecutors' requests to apply preventative arrest exceeded 80 percent in 2017.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: The law provides that persons who are arrested or detained are entitled to challenge the legal basis or arbitrary nature of their detention in court and obtain prompt release and compensation if found to have been unlawfully detained. Authorities sometimes failed to respect these provisions.

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. Official pressure on judges and corruption in the justice sector continued to be serious problems. Lack of independence in the judiciary was prevalent with allegations that some judges made rulings based on political orders or out of fear of retaliation. Judges often failed to assign cases randomly, as required by law.

Selective justice continued to be a problem. Lawyers for the former mayor of Chisinau, Dorin Chirtoaca, who was indicted in a 2015 parking lot procurement case, claimed that multiple violations of judicial procedures occurred during his trial throughout the year, including hearings held behind closed doors, barring lawyers' access to case files and evidence, and exceeding the 12-month limit on how long a person can be held in court custody before either their release or receiving a final court sentence.

In June the courts issued a decision invalidating the results of the Chisinau mayoral election won by a political opposition figure, drawing criticism of the judicial

process from civil society, local and international organizations, and EU officials. International and local observers considered the courts' decision politically motivated, nontransparent, and illegitimate.

According to the World Bank report, *Moldova--Improving Access to Justice: From Resources to Results*, released in September, over 60 percent of citizens and businesses believed that ordinary citizens and businesspeople were unlikely to get a fair trial. Many of the respondents also believed that justice was selective and affected by corruption.

During the year the public and the press did not have access to court proceedings in several high-profile cases involving present and former government and city officials, and bank officials. Lawyers complained of violations of defendants' rights to a fair public trial. Following a visit to the country in June, the UN special rapporteur on the situation of human rights defenders, Michel Forst, noted that lawyers faced politically motivated criminal charges or were threatened each time they defended people with opinions dissenting from authorities. A number of lawyers claimed authorities had opened criminal charges against them on fabricated charges.

Inspector judges are responsible for enforcing a judicial code of ethics and investigating cases of judicial misconduct or ethical breaches. They report to the Superior Council of Magistrates. In 2017 the disciplinary board of the council initiated 55 disciplinary actions and applied seven sanctions, including one reprimand, five warnings, and one dismissal. In 47 cases, the board stopped the investigation and dismissed the alleged violations.

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

In 2017 appeals court judge Domnica Manole was dismissed by a presidential decree following a Superior Council of Magistrates decision declaring her unfit to serve, based upon an advisory opinion by the Security and Intelligence Service (SIS). Legal experts asserted that removal of a judge based upon a SIS opinion was illegal and a signal to judges that, should they oppose the government, they could be excluded from the judiciary. In December 2017 the Constitutional Court

ruled the dismissal of a judge based on an SIS opinion unconstitutional, but on November 19, the Supreme Court of Justice rejected Manole's wrongful dismissal claim, finding in favor of the Superior Court Magistrates. Separately, in 2016 Manole faced criminal prosecution on charges of issuing an illegal ruling. She had overturned a Central Electoral Commission decision to block a referendum to amend the constitution. Legal experts criticized the case against her as solely based on her decision later being overturned by a higher court rather than any direct evidence of corruption. The Supreme Court of Justice denied Manole's appeal and allowed the criminal case against her to continue. Throughout the year, the judiciary postponed hearings multiple times, and, as of November, her case was unresolved.

Trial Procedures

Although the law presumes the innocence of defendants in criminal cases, authorities did not always respect this presumption. Judges' remarks occasionally jeopardized the presumption of innocence.

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

The law prescribes high standards for pro bono legal aid attorneys and defendants' access to attorneys. Law enforcement, however, did not always enforce these provisions. Legal experts and defendants said in most cases, pro bono legal aid attorneys were poorly prepared and not motivated to work on cases. Defendants can request postponement of a hearing if attorneys need additional time for preparation. Interpretation is provided upon request and was generally available. Judges can delay hearings if additional time is needed to find interpreters for certain uncommon languages. Defendants may refuse to provide evidence against themselves, unless they plead guilty and the judge reviews and endorses their guilty.

The law provides a right to appeal convictions to a higher court on matter of facts and law.

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

Political Prisoners and Detainees

In 2017 the Riscani court found Grigore Petrenco, leader of the opposition Our Home Moldova Party, and five other activists guilty of organizing and leading mass disorder accompanied by violence. The court fined the defendants and issued them suspended prison sentences ranging from three to four-and-a-half years. The defendants declared the ruling was illegal and politically motivated because the court had qualified participation in peaceful antigovernment protests in 2015 as mass disorder. The group appealed the ruling at the Court of Appeals and remained under judicial review at year's end. Amnesty International Moldova stated the court ruling was biased, violated the right to a free trial, freedom of peaceful assembly, and freedom of association. In August 2017 Petrenco fled to Germany and requested political asylum, which was granted to him and his family.

On June 11, in Transnistria, the leader of the Communist Party and opposition figure, Oleg Horjan, was arrested by the region's de facto authorities after being stripped of his immunity as a member of the Transnistrian "Supreme Soviet," the secessionist region's legislature. Charges against Horjan included: organizing illegal protests; resisting and use of force against Transnistrian law enforcement; and insulting a Transnistrian "official." On November 2, the Tiraspol City Court sentenced Horjan to four years and six months in prison and fined the equivalent of \$394.

Civil Judicial Procedures and Remedies

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

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

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

In April, the Chisinau Court of Appeals ruled in favor of a former detainee who complained of inhuman and degrading treatment while being held at Penitentiary No.13. The Court ordered the Ministry of Justice to pay the plaintiff 120,000 lei (\$7,180) in moral damages. This was one of the few reported cases where a court ordered an equitable remedy for violation of the European Convention on Human Rights.

At the end of 2017, there were 1,348 cases pending against the country in the ECHR. In 2017 the court delivered 16 judgments against the state and ordered the government to pay over 107,348 euros (\$123,000) in damages. The government generally complied with ECHR orders promptly.

Property Restitution

The country endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010. Although the law provides for restitution of private property confiscated during the “successive fascist and Soviet regimes” to politically repressed or exiled persons, it does not apply to property confiscated from minority groups. The government has not enacted any laws concerning restitution of communal property.

In September 2017, the Supreme Court of Justice ruled in favor of the Jewish community in dismissing an appeal by the Agency of Public Property and upholding a Court of Appeals decision, which rejected the agency’s claim on the Rabbi Tzirilson Synagogue and Magen David Yeshiva ruins, both purchased by the Jewish community in 2010. In May the Jewish community submitted a request to renew a building permit with the Chisinau Mayor’s Office to renovate the property.

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

The constitution prohibits arbitrary interference with privacy, family, home or correspondence unless necessary to ensure state security, economic welfare or public order, or to prevent crimes. During the year government agents often failed to respect these prohibitions.

In August, a number of politically affiliated media outlets published excerpts from the private email correspondence of several opposition party leaders. Unconfirmed reports of illegal wiretaps of the telephones of leaders; surveillance; threats against family members; and intimidation against regional representatives of opposition parties increased during the year.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

While the law provides for freedom of expression, including for the press, authorities did not always respect this right. Pressure on independent media continued during the year, and a number of investigative journalists reported being intimidated and harassed after publishing investigative articles on political figures.

Concentration of ownership in media remained a problem. Smaller outlets faced difficulty competing against progovernment enterprises controlled by political figures and oligarchs. Lack of equal access to media advertising funds led to financial constraints for some media outlets.

Freedom House scored media freedom in the Transnistrian region as “not free.”

Freedom of Expression: The law provides for freedom of expression and allows individuals to criticize the government or to discuss matters of general public interest. Restrictions apply only in cases when such freedom poses a threat to national security, territorial integrity, public order or safety. There is no law criminalizing hate speech. During the year, opposition groups reported that authorities restricted their abilities to hold political meetings, especially in the regions. Opposition parties reported cases of monitoring by the authorities of their political and public meetings, cases of illegal wiretaps, confiscation by law enforcement from citizens of newspapers distributed by an opposition party, etc. The opposition also reported multiple cases of threats, intimidation and dismissals for political reasons, particularly in the regions.

Press and Media Freedom: The law prohibits 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] incites discrimination, territorial separatism, or public violence.”

According to Freedom House’s *Nations in Transit* report, the country’s media sector continued to face the same challenges as in previous years: excessive political and oligarchic influence; external and internal propaganda and manipulation; a lack of transparency in media ownership; limited independence for the broadcasting regulatory authority; and unfair competition within the advertising market.

While the print media expressed diverse political views and commentary, oligarch-controlled business groups that distorted information for their benefit controlled most of the country’s media, albeit with some notable exceptions. Information about the owners of private broadcasters, made public in 2015, confirmed the high concentration of media ownership. The government, political parties, and political figures also owned or subsidized a number of newspapers that expressed clearly defined political views. Large media outlets 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. Oligarchs closely supervised content and maintained editorial control over reporting from the outlets they owned.

On October 18, parliament adopted in a third and final reading, a new code for audiovisual media services that will enter into force on January 1, 2019 if signed by the President. The new code regulates editorial independence, protects the national broadcasting environment, calls for the transparency and deconcentration of media ownership, offers distributors for media services, and calls for the protection of journalists, the protection of minors and persons with disabilities, gender balance, freedom of expression, and media access to major events.

In 2017 a monitoring report presented by the Independent Press Association showed that Russian channels rebroadcast in the country disseminated propaganda and presented distorted information about regional and international events. In 2017 parliament amended the audiovisual code to only allow the rebroadcast of news and programs with political, analytical, and military content originating from the United States, Canada, EU member countries, and states that have ratified the European Convention on Transfrontier Television. This provision was preserved in the new code and implemented in 2018.

On January 19, several broadcasters supported by major media NGOs filed a joint complaint to the government's Competition Council and asked it to investigate unfair competition in the media advertising market promoted by two major sales houses, Casa Media and Exclusiv Sales House. Broadcasters stated that as of November, they had not received a response from the Competition Council on its decision.

NGOs monitoring the Chisinau mayoral election campaign reported findings of biased and unbalanced media coverage. Prior to elections, major media outlets affiliated with political parties issued statements refusing to take part in pre-election coverage. Monitors noted, however, that some of these outlets still heavily broadcasted the activities of one candidate over the others.

During the local election campaign, the Audiovisual Coordinating Council fined several smaller television broadcasters, including TV8, Accent TV, NTV Moldova, Exclusiv TV, RTR Moldova, and Jurnal TV, 5,000 lei (\$300) each for violating electoral legislation and the audiovisual code provision requiring "fairness, equity, and impartiality" during election coverage. The Council fined Ren TV Moldova 7,500 lei (\$449) for the same violation.

Two organizations controlled the Transnistrian mass media market: The "Public Agency for Telecommunication," which controlled official news information agencies, newspapers, and one of the two most popular television channels, and Sheriff Holding, a business conglomerate with considerable influence in the Transnistrian "Supreme Soviet." The Transnistrian "Supreme Soviet" passed a law restricting access of journalists to the institution's plenary sessions.

Violence and Harassment: During the year civil society and media advocates raised concerns over intimidation and harassment of prominent investigative journalists.

Journalist Victor Sofrani was indicted for criminal hooliganism and providing false information to a law enforcement official after he reported to police in Rezina and Soldanesti that he had received a threatening telephone call and violent images in December 2017. Sofrani claimed he was intimidated and targeted after publishing an investigative story in May about the misuse of public funds and corruption by local officials.

In July Orhei mayor Ilan Shor posted a video on Facebook verbally attacking journalists from Radio Orhei. On August 5, he prevented the journalists from covering an opposition protest in Orhei. The UN Office in the country condemned Shor's attack as hate speech and incitement to violence against journalists and political opponents and called for an investigation. The Prosecutor's Office initiated an investigation and called for the affected journalists to file complaints. Alexandr Petcov, a journalist and former member of parliament, filed a formal complaint. As of November no action had been taken on the case.

On October 31, the investigative journalism news portal RISE.md reported that law enforcement representatives followed one of its journalists, Liuba Sevciuc, after she published an investigative article on September 5 about vacation properties owned by Democratic Party leader Vlad Plahotniuc. Other investigative news agencies such as Ziarul de Garda also said their reporters had received online threats and had their personal data released on social media by unknown entities.

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.

Journalists voiced concern that a personal data protection law restricted journalists' access to information.

Media NGOs criticized access restrictions that prevented media from fully covering public events. The NGOs expressed concern about the ruling Democratic Party's decision to restrict the access of TV8 and Jurnal TV journalists to its public events. On September 14, a TV8 crew was denied entry to a meeting of the National Political Council of the Democratic Party. Other media outlets had free access to the meeting. On September 18, TV8 news crews were restricted from attending the prime minister's press briefing at the ruling party headquarters where he announced the appointment of two new government ministers. On October 2, JurnalTV was banned access to the Democratic Party's weekly briefing.

NGOs condemned authorities for abuse of power for preventing journalists from several media outlets from covering a planned mass public demonstration in the Great National Assembly Square in the center of Chisinau on August 26 and 27. Journalists from the Radio Free Europe Moldova Service reported being pushed by unlicensed guards affiliated with Shar. Authorities also reportedly barred

journalists from TV8 and the *Ziarul de Garda* newspaper from covering official public events in the main square.

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 user accounts reached 4.43 million. The number of active internet users was 1.7 million.

In 2015 former Transnistrian “president” Shevchuk issued a decree on combating extremism that authorized the Transnistrian “KGB” to request the “prosecutor’s office” to block internet content. Authorities would make 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 freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The government placed some limits on freedoms of peaceful expression and association.

Freedom of Peaceful Assembly

The law provides for freedom of assembly, and the government generally respected this right, with several exceptions during the year.

On August 26, opposition extra-parliamentary parties and their supporters held a large-scale rally to protest the courts’ invalidation of the local elections in Chisinau, the government’s failure to investigate the bank fraud, and mounting

pressure levied against opposition parties. The protest organizers asserted that authorities “took illegal and disproportionate measures to hinder the arrival of protesters in Chisinau, particularly from the rural areas.” Opposition leaders also alleged that law enforcement agencies intimidated local activists before the protest and that regional representatives from the ruling party threatened to withdraw the licenses of local transportation companies if they transported people to Chisinau on the day of the protest. Media outlets reported several incidents of police or transportation regulators stopping drivers to fine them for “unusual illegalities.” In an appeal sent to diplomatic missions and international human rights watchdogs, a number of NGOs claimed that authorities infringed upon the right to free movement and the right to peaceful assembly.

Authorities in Transnistria continued to restrict freedom of assembly and were reluctant to issue permits for public protests organized by the opposition. Transnistrian authorities refused to authorize a protest planned for June 5 by the region’s only allowed opposition group, the Communist Party. Oleg Horjan, the leader of the Communist Party and organizer of the planned protest, instead decided to hold an informal public gathering of his party’s constituents. Transnistrian law enforcement bodies reportedly arrested approximately 40 participants present at the gathering, including Horjan’s son. On June 11, Oleg Horjan was arrested after the plenary of the region’s legislature lifted his legislative immunity. The case was ongoing in court.

Freedom of Association

The constitution provides for freedom of association and states that citizens are free to form parties and other social and political organizations, and the government generally respected this right. The law prohibits organizations “engaged in fighting against political pluralism, the principles of the rule of law, or the sovereignty and independence or territorial integrity” of the country.

During the year government officials and members of the parliamentary majority continued to denigrate the role of civil society in the country, characterizing NGOs critical of government actions as “political actors” who require increased regulation.

In June the UN’s special rapporteur on the situation of human rights defenders, Michel Forst, expressed concern that human rights defenders and journalists were victims of stigmatization campaigns. According to Forst there were allegations of

intimidation and threats towards human rights defenders by public authorities, particularly after defenders expressed criticism of government decisions.

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.

The human rights NGO Promo-Lex, which suspended its activities in the Transnistrian region in 2015 following notification of a criminal case opened against it, did not renew attempts to enter the region.

c. Freedom of Religion

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

d. Freedom of Movement

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

The government generally 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.

A January decree by the Transnistrian leader adopted new migration mechanisms. According to Transnistrian authorities, the new law would “optimize the stay and registration of foreign citizens and stateless persons in Transnistria and improve migration processes.” Transnistrian authorities, however, maintained a travel notification mechanism required for all Moldovan and visiting foreign officials. There was at least one case of a Moldovan journalist being denied access to Transnistria in August. According to the OSCE Mission, since January 1, mission officials and their family members can cross the Transnistrian administrative line without being subject to the Transnistrian travel notification mechanism.

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

Protection of Refugees

Refoulement: Local and international observers, including Amnesty International, criticized the government for forcibly returning seven Turkish educators to Turkey in September where they were held on unclear charges by Turkish authorities. Media reports characterized them as Gulenists. Five of the educators had applied for political asylum and sought protection in the country. On September 13, another Turkish citizen was forcibly returned to Turkey by the Moldovan Intelligence Service, allegedly because of unlawful stay and for spreading of “extremist” ideas. On September 26, Amnesty International Moldova announced there were approximately 48 additional Turkish citizens in the country who were “blacklisted” and at risk of being forcibly returned to Turkey.

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

Temporary Protection: The government provided humanitarian protection to individuals who may not qualify as refugees. As of August, there were 254 beneficiaries of humanitarian protection registered in the national asylum system.

Stateless Persons

There were approximately 2,700 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 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 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 to 1,400 lei (\$30 to \$84), depending on the urgency of the permit. Trafficking victims received residence permits free of charge.

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

Recent Elections: In 2014 the country held parliamentary elections that met most OSCE, Council of Europe, and other international commitments, although local and international observers raised concerns about the inclusion and exclusion of specific political parties.

The country's first direct presidential elections in 20 years took place in 2016. A run-off was required, as no candidate obtained more than 50 percent of the vote in the first round. According to international observers, the elections were conducted in a broadly fair and democratic manner. Coverage of the electoral campaign by some media outlets, however, demonstrated political bias. Observers also raised concerns about the lack of transparency in campaign financing and some election-day irregularities. An unspecified number of citizens abroad or from Transnistria were unable to vote due to an insufficient allocation of ballots to their polling stations.

The government held early mayoral elections in May and June to fill vacant mayoral seats in the towns of Balti, Nemteni, Leuseni, Volovita, Pirlita, and Jora de Miiloc, as well as the capital city Chisinau. According to international and local observers, the elections were held in a broadly fair and democratic manner. Days after the election, however, a lower-court judge ruled the Chisinau mayoral election, which had been won by an opposition candidate, invalid during closed-

door hearings. The Supreme Court later upheld the ruling. Opposition and civil society criticized the judge for reaching a decision based on an argument that neither mayoral candidate made in court. The courts asserted in their ruling that both mayoral candidates had engaged in “illegal campaigning” because both had posted, in violation of election law, videos on social media on election day that called on citizens to vote.

Political Parties and Political Participation: Opposition parties reported intimidation and harassment of their members by local authorities, including threat of loss of employment.

Since 2014 the pro-Russian opposition “Our Party” has been subject to pressure, blackmail and slander campaigns. Following the departure of the party’s leader, Renato Usatii, to Russia in 2015, Our Party mayors and municipal councilors faced continuous threats. Our Party members located in the country’s second largest city of Balti were prone to attacks and harassment of party members and their family members. For example, party members reported threats of forced dismissal, criminal cases, and arrests. In January, the party’s municipal councilors went on a four-day hunger strike against pressure from the ruling Democratic Party to force the city council to organize a referendum to recall Balti mayor and Our Party leader Renato Usatii.

The National Anticorruption Center (NAC) conducted searches in over 20 mayoralities in the country in 2017, allegedly investigating cases of power abuse during public procurement for water and sewage system repairs. The NAC investigated and detained Nicoleta Malai, the mayor of Ghelauza village, and charged her with three criminal cases for corruption and abuse of power in a case of public procurement for water supply. She was detained for 72 hours in November 2017, allegedly for refusing to switch her political affiliation to the ruling Democratic Party. She claimed she was not offered food or water, and was held in a cell with no electricity.

On October 12, news reports stated the head of the opposition Dignity and Truth Party branch in Ungheni, Gheorghe Petic, was detained on charges of rape after harshly criticizing the ruling party’s leadership and nation’s Border Police for allegedly covering up illegal smuggling activities. Petic denied the charges, claiming they were politically motivated.

The electoral code provides for the election of 50 seats in parliament from party lists and 51 from single mandate districts. Civil society and opposition political

parties criticized the district delineation process as biased toward certain political parties due to alleged gerrymandering, a lack of transparency, underrepresentation of the diaspora, and the questionable independence of the commission charged with shaping the districts.

Participation of Women and Minorities: No laws limit the ability of women and members of minorities to participate in the political process, and women and minorities did participate. The law provides that either gender must have a minimum of 40 percent of candidates on the party lists of candidates for parliamentary and local elections.

Two Romani women elected to the local councils in Riscani and Chetrosu in 2015 reported ethnic and gender-based discrimination from their male colleagues on the council. They resigned from their positions due to discrimination and low pay and stated they would not seek re-election in 2019. Within the Romani community, women in rural areas also reported that Romani men discouraged them from running in local elections so men could fill the seats.

The electoral code provides for a 10 percent financial supplement from the state budget for political parties to promote female candidates and establishes a 40 percent quota in single mandate districts. The law applies a multiplier to the financial supplement given to parties for every winning female candidate in districts.

The law provides for sanctions against political parties for publicly promoting discriminatory messages or stereotypes, for using discriminatory language in mass media, and for failing to meet the required gender quotas.

Voter education materials as well as campaign materials of the majority of candidates were available in the state language and in Russian. Although permitted, other minority languages were virtually absent from voter education and campaign activities.

Section 4. Corruption and Lack of Transparency in Government

Corruption remained one of the country's most serious problems. While the law provides criminal penalties for official corruption, the government failed to implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There was widespread corruption within the judiciary and other state structures. The government made some progress in investigating corruption

cases involving public officials and the judiciary, but these actions were mostly perceived as selective justice.

In 2017 passage of the Integrity Law increased the National Anticorruption Center's powers to verify wealth and included language addressing "political integrity, public integrity, institutional integrity, and favoritism." The National Integrity Authority, which was meant to check assets, personal interests, and conflicts of interest of officials, was not fully operational due to reported staffing delays.

Corruption: The country's rating in the 2017 Transparency International *Corruption Perceptions Index* was 31 on a scale of 0 (highly corrupt) to 100 (very clean). In 2017 the government adopted legislation to strengthen the institutional framework to fight corruption, particularly high-level corruption and money laundering. The implementation of the legislation has been delayed. Two key anticorruption institutions, the National Integrity Authority and the Criminal Assets Recovery Agency, were not fully functional and there was no monitoring of the implementation of the National Integrity and Anticorruption Strategy.

Reports noted authorities' attempts to compromise the processes to prevent and fight corruption and to legalize potentially illegally acquired assets intensified during the reporting year. After several previous attempts, the government introduced and adopted capital amnesty legislation in July, which could allow the legalization of unreported assets, tax liabilities, and cash. International financial institutions and local observers have expressed concerns that the amnesty could facilitate the legalization of stolen or otherwise ill-gotten assets by calling the assets unpaid tax debt, possibly including assets derived from money laundering or the 2014 theft of one billion dollars from the banking sector. While the amnesty law prohibits legalization of criminal assets, many observers note there are few safeguards to prevent this. Civil society groups have criticized the government for demonstrating little will to take action against those involved in the 2014 bank theft or to recover the stolen funds. The government also adopted legislation allowing foreigners to obtain citizenship through investment and removed the possibility of criminal punishment for certain economic crimes.

The report by Transparency International noted the government continued to suppress civic activists, whistleblowers, lawyers, and judges; initiated new criminal cases against political opponents at the local level; used the law on the protection of personal data to impede access to information of public interest; and amended electoral legislation to benefit the largest, most organized political

parties. The report concluded these practices were indicative of high level corruption and political corruption, which led to what it labelled “state capture” (i.e., private interests significantly influencing a state’s decision-making processes).

Approximately 40 to 50 percent of citizens admitted to having paid bribes to those working in the public sector.

Unprecedented political “migration” and party defections among parliamentarians demonstrated the extent of corrupt influences in parliament and the buying of political support, with more than one-third of members of parliament no longer representing the party that elected them. The 2017 *Nations in Transit* report indicated that local politicians changed parties presumably for money or possibly due to threats and intimidation. Since the 2015 local elections, hundreds of mayors and local council members have defected from their parties. Local officials complained that central authorities denied state resources to opposition mayors and that law enforcement officials harassed opposition local officials. According to the *Nations in Transit* report, over the previous nine years, the judiciary became less independent, while corruption remained the same. The country’s democracy continued its downward trend and remained “partly free.” Justice reform stagnated, while the political influence remained the greatest challenge for the country’s judicial system. The report noted the political process was negatively affected by the change of the electoral system.

Since 2014 the National Anticorruption Center has initiated 674 criminal investigations into suspected corruption by mayors and other local public officials, according to a study by the NGO IDIS Viitorul. The study determined that most local officials under investigation decided to switch party allegiance to the ruling party, after which most of the investigations stopped. Up to 50 percent of the final decisions issued by the courts sentenced officials for corruption, while the rest resulted in acquittals or cancelled investigations. Many of the cases opening criminal or administrative investigations were criticized for making mayors more vulnerable to political interests.

In March 2017 authorities arrested the minister of agriculture, Eduard Grama, on bribery charges involving illegally renting and selling state public lands. If found guilty, he could face a sentence of 15 years in prison; the case was pending at year’s end.

In October the National Anticorruption Center detained 10 people on corruption charges, including three judges from the Court of Appeals, two judges from the Chisinau Central Court, a prosecutor from the Chisinau prosecutor's office, a lawyer, a legal assistant, a doctor, and a private individual. Of the persons detained, four judges were placed under house arrest and the others were in pretrial detention at year's end. The cases are ongoing.

Financial Disclosure: A number of laws require financial disclosure by public officials, including state officials, judges, prosecutors, civil servants, and officials holding leadership positions. The National Integrity Authority, an independent body tasked with auditing income statements and monitoring conflicts of interest of public officials, has the power to apply sanctions. The law provides for the dismissal of and a ban on holding public office for officials who fail to declare their assets and the institutionalization of an integrity inspector with power to request seizure of illegally acquired assets. The law requires the heads of state enterprises and local councilors to submit income statements provides for an online system for wealth and interest statement submissions. By law, officials must make public income statements within 30 days of their appointment and before March 31 of each year for the duration of their term in office. The government enforced this requirement inconsistently.

In December 2017, the president signed decrees appointing new leadership to the National Integrity Authority. During the year the integrity authority was not fully functional due to delays in selecting the number of integrity inspectors (30) that were required by law.

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

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

According to local and international experts, authorities in the Transnistrian region continued to monitor and restrict activities of human rights NGOs. There were credible reports that no human rights NGO in the region investigated serious human rights violations due to fear of repression and harassment from authorities.

Government Human Rights Bodies: The human rights ombudsman was fully operational. The law provides for the independence of the ombudsman from political influence and for his or her appointment to a seven-year, nonrenewable term. The ombudsman can only be recalled by a vote of two-thirds of parliament, cannot be involved in politics or be a party member, and is not legally responsible for opinions expressed while holding office. Attempts to influence the ombudsman's activity and the intentional refusal to address the ombudsman's appeals and recommendations are subject to legal punishment. The ombudsman 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. A children's ombudsman provides for the protection of children's rights without requiring the consent of parents or legal guardians and has authority to initiate legal proceedings.

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

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

Women

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

Rape remained a problem, and there were no specific governmental rape prevention activities. From January-September, police registered 179 cases of rape, compared to 58 total registered cases in 2017.

In one prominent case, in August, a 15-year-old Romani girl and her mother from Soroca were kidnapped, raped, set on fire, and murdered. The perpetrator pled guilty to committing a hate crime and faces up to 25 years in prison on multiple criminal counts. The case was under investigation at year's end.

A study released in 2017 by the international NGO La Strada noted that the legal system in the country did not provide an effective remedy for victims of sexual abuse. According to the study, in many cases, rape was requalified as sexual intercourse with a person younger than 16, which reduced the potential penalty, and victims' statements on the lack of consent were not taken into account. In one

in three cases, law enforcement officers initiated criminal investigations for less serious offenses than the ones reported by the victims. In 90 percent of the cases, the victims were not present at the preliminary hearings or the first court hearing on the case. Victims were commonly forced to confront their attacker in court.

Sexual violence was the least recognized and reported form of violence. According to police statements, more than 60 percent of cases went unreported. Upon adoption of the new strategy in combating violence against women, police selected officers to attend specialized trainings to improve investigations of sexual violence cases. In addition, community police campaigns distributed informational pamphlets, entitled *Victims Letter of Rights*, to encourage the reporting of sexual violence. Victims of sexual violence continued to experience extremely long delays in their cases due to lengthy evidence collection procedures and prosecutions, while the need for numerous interrogations and confrontations with their rapist added to the trauma they experienced.

The law defines domestic violence as a criminal offense, provides for the punishment of perpetrators, defines mechanisms for obtaining restraining orders against abusive individuals, and extends protection to unmarried individuals and children of unmarried individuals. The law regulates five forms of domestic violence--physical, psychological, sexual, economic, and spiritual. This law served as a platform for the development of legal relationships necessary to ensure access to justice for victims of domestic violence. The maximum punishment for family violence offenses is 15 years' imprisonment.

As of September, police registered 1,742 cases of domestic violence, 604 of which were treated as criminal cases and 1,138 as misdemeanors. There were 15 cases of domestic violence that resulted in death. Police carried out prevention activities on persons who showed violent behavior in family relationships.

One case during the year involved two married former border police officers who had been divorced for three years because of domestic violence and had a five-year-old child. On March 8, after a restraining order on him had expired, the former husband visited his 29-year-old ex-wife, ostensibly to congratulate her on International Women's Day. On March 9, the body of the ex-wife was found in a bag in the trash can. A criminal case was opened and was pending in court.

The law requires victims to prove they were subjected to violence, while the perpetrator is protected by the presumption of innocence. NGOs criticized that there is little chance to obtain protective measures in cases of acts of violence that

do not involve physical violence, that result from physical violence committed for the first time, or that did not leave visible injuries on the victim's body. According to NGOs, judges in the Chisinau Judicial Courts inconsistently applied the law by rejecting several applications requesting to issue a protection order for victims due to lack of evidence of violence. In cases where protective measures were applied, implementation continued to be a problem due to the lack of support networks and counselling services.

The law permits excluding an abuser from lodging shared with the victim, regardless of who owns the property. Law enforcement officials may apply emergency restriction orders requested by domestic violence victims.

A study published in September by the Women's Law Center on domestic violence cases showed a decreasing number of victims received legal representation. The study attributed the decline to the misapplication of the law granting victims state legal support and representation. According to the study, defendants were represented by lawyers in 94 percent of the cases, compared to just 6 percent of cases where victims were represented.

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. The NGO La Strada, for example, operated a hotline to report domestic violence, offered victims psychological and legal aid, and provided victims options for follow-up assistance. La Strada's hotline registered 1,578 calls and assisted with legal and psychological counselling and advice for 545 victims of domestic violence. The Women's Law Center offered legal, psychological and social support to 298 victims of domestic violence.

There was progress in building institutional capacity to protect women and children against domestic violence. The Ministry of Internal Affairs continued training for police officers handling domestic violence cases. According to various NGOs and UNICEF, the effectiveness of protective orders depended on the attitude of authorities. Police protection of victims and proper execution of protective orders improved slightly, with authorities issuing an increased number of protective orders within 24 hours as required by law. NGOs, however, expressed concern that authorities were insufficiently proactive in combating indifference toward domestic violence among prosecutors and social workers. There were cases reported of authorities not issuing protective orders until a month after the alleged mistreatment. NGOs also maintained that authorities relied

excessively on them to publicize available remedies and to assist victims in requesting protection.

The law does not provide criminal penalties for abuse resulting in “nonsignificant bodily harm” (e.g., slapping, hair pulling, pushes) that does not leave marks or result in missed work. Under the law, abuse involving “nonsignificant” harm is punished administratively. According to NGOs, after release from detention, abusers commonly returned to their homes and continued to abuse.

During the year the Women’s Law Center in partnership with National Institute of Justice trained more than 100 judges, criminal investigators, and prosecutors on preventing and combating domestic violence.

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

In one example that received media attention, a university assistant in August accused a professor from the State Medical University of sexual harassment. The professor denied the allegations and demanded damage compensation of a million lei (\$59,800) from the assistant. The ethics commission of the university requested additional evidence from the victim before completing its investigation, but she later refused to go forward with the case.

As of September, police registered 25 cases of sexual harassment, and eight cases were sent to trial. Victims reported that authorities sometimes failed to inform them about the progress and outcome of investigations of sexual harassment.

Coercion in Population Control: Cases of forced abortions and forced use of contraception were reported in prisons, psychiatric institutions, and social care homes.

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

In 2017 the government approved the *Gender Equality Strategy for 2017-2021* to promote a complex approach to gender equality; improve institutional mechanisms for ensuring gender equality; combat stereotypes and promote nonviolent communication; promote gender equality in the security and defense sectors; and provide for gender sensitive budgeting.

The UN Development Program *National Human Development Report 2015/2016*, released in June 2017, noted that, although women represented half the work force of the country, they were mostly employed in low-paying jobs. Women earned on average 12 percent less than men.

Children

Birth Registration: Persons may acquire citizenship through birth in the country, from citizen parents, or after adoption by citizens. 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. Education of Romani children remained a problem; only half of Romani children attended school and only one in five attended preschool. 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 in the Prosecutor General's Office was responsible for

ensuring that particular attention and expertise was devoted to child abuse victims and child offenders.

In June during the launch of a national dialogue for combating violence against children, authorities stated that children in the country continued to be subject to physical and psychological abuse. According to the Ministry of Health, Labor and Social Protection, the number of child abuse cases in 2017 increased by 11,000 over the previous year. Many children remained without parental care and social service authorities lacked effective tools for protection. The ministry also noted that social norms created an environment that is tolerant to violence against children at home and at school, and encouraged discrimination against children, teenagers and other vulnerable groups. According to the ombudsperson for children's rights, many children admitted to experiencing abuse at school, in the family, and in society. Very few, however, had the courage to speak openly about their cases.

The Prosecutor General's Office reported that 1,401 children were victims of various crimes in 2017 and noted an increase of cases of sexual abuse. The Prosecutor General's Office reported the high number of children who were victims of crimes was due to the poor functioning of a social protection integrated system and inefficient tools to protect children at risk.

According to the Ministry of Education, Culture and Research in the first half of the 2017-18 academic year, authorities registered 4,794 cases of violence against children.

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's Office to Combat Organized Crime and Special Cases 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.

Child prostitution is punishable by three to seven years imprisonment. Child pornography is punishable by one to three years imprisonment and fines of 150,000 to 250,000 lei (\$8,970 to \$15,000). Engaging minors in illegal activities is

punishable by up to seven years imprisonment or a fine of 27,500 to 52,500 lei (\$1,640 to \$3,140). Engaging minors in illicit use of drugs, medicines, or other substances with intoxicating effects is punishable by up to six years in prison or a fine of 27,500 to 52,500 lei (\$1,640 to \$3,140).

Observers reported child prostitution and child sex tourism. According to UNICEF, about 10 percent of children in the country were exposed to sexual abuse, and prosecutors announced a high number of cases of sexual abuse of children.

Since January the Cybercrimes Unit of the National Investigation Inspectorate and the Prosecutor's Office to Combat Organized Crime and Special Cases opened 10 criminal cases on charges of child pornography. Over 5,000 child pornography files were found featuring children between the ages of three and 14. From the files, seven victims were identified. The court was examining the criminal cases.

During the year, La Strada assisted 40 children that were victims or witnesses of sexual exploitation or sexual abuse. Four were cases involving child pornography, six involved child sexual exploitation, 23 involved child sex trafficking, four involved child rape, and three were cases of violent actions of sexual nature. Assistance from Child Services ensured measures were taken to protect children during court proceedings, including providing legal and psychological assistance during the investigation and criminal phases.

During the year, law enforcement agencies, in cooperation with civil society organizations, organized a number of events and movie screenings to educate the public on how social networks and the Internet are used to recruit and sexually exploit children. The international center La Strada operated a hotline and an online platform for children, their parents, and teachers to educate them on online safety.

Institutionalized Children: During the year, there were 1,119 children in government residential institutions, including 476 children with mental disabilities, 377 orphans and children without parental care, and 266 children with sensory disabilities. Children in residential institutions were at greater risk of employment, sexual exploitation, trafficking, and suicide compared with their peers raised in families.

Legal protection mechanisms for street children were not functional.

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

Anti-Semitism

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

According to the Jewish community, anti-Semitic discourse and attitudes increased during the year, particularly on social media. No acts of vandalism or Jewish property destruction, however, were reported. The political infighting and participation of people of Jewish descent in domestic politics ignited hate speech in the public space. Property restitution continued to be a problem for the Jewish community and there was no law to address it (see section 1.e., Property Restitution).

In 2016 parliament endorsed the Elie Wiesel Commission's *Report on the Holocaust*. It condemned attempts to deny or ignore the Holocaust and paid homage to its victims and survivors. The government implemented most of the activities included in the Holocaust education and commemoration 2017-19 action plan. During the year the Ministry for Education, Culture, and Research began working on opening a Jewish History Museum at the Jewish Library. The museum will include a permanent exhibit, thematic exhibits, an educational center, and a library. The government also launched an initiative to restore the Jewish cemetery in Chisinau and build a Yad Vashem-style Jewish historical cultural center that will include Jewish historical sites in the country.

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. It 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.

The restructuring of the National Council to Determine Disability and Work Capacity, continued during the year. Under the reform, disability status will be determined based on both medical and psychosocial criteria. The reform was designed to increase transparency and reduce corruption within the system. Persons with disabilities will be able to request determination of their disability status online and special expert committees will examine the requests.

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

Human rights NGOs reported cases of violence, abuse, involuntary confinement, forced labor, forced medication, and humiliating and degrading treatment in segregated institutions for persons with mental disabilities. Most residential institutions had a shortage of medical staff, inadequate housing and sanitation facilities, and lacked proper accommodation for persons with mobility impairments.

According to the Promo-Lex presidential election observation mission, in the 2016 presidential elections, 36 percent of polling stations were not accessible for persons with mobility impairments and 33 percent lacked proper conditions for persons with vision disabilities.

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

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

While many newly built or reconstructed buildings were accessible, older buildings often were not. More than 70 percent of public institutions lacked access ramps for persons with disabilities. Persons with limited mobility complained about the lack of access to public transportation and public institutions as well as the shortage of designated parking places.

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.

In Transnistria, 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 and faced a higher risk of marginalization, under-representation in political decision making, illiteracy, and social prejudice. Roma had lower levels of education, more limited access to health care, and higher rates of unemployment than the general population (see section 7.d.). Romani women were particularly vulnerable to social exclusion and 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, lower rates of health insurance coverage, and discrimination in the job market. According to the most recent statistics, only 21 percent of Roma were actively employed. Throughout the year, Roma groups reported being denied service at restaurants in Soroca and Riscani.

Latin-script schools in Transnistria continued to be a matter of dispute between the Moldovan authorities and the de facto Transnistrian authorities, although a formal

agreement was signed to reduce the rent paid by Moldovan authorities operating Latin-script schools in Transnistria.

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. The lesbian, gay, bisexual, transgender, and intersex (LGBTI) community reported cases of verbal and physical abuse. In most cases, police officers were reluctant to open cases against the perpetrators. In September, President Igor Dodon stated that the LGBTI “phenomenon offended the country’s values and public morality,” and stressed that the organization of festivals, parades, and events contributing to the “dissemination of immoral principles must be strongly condemned and even outlawed.”

The NGO Genderdoc-M reported multiple verbal and physical assaults against LGBTI individuals during the year, including 11 crimes motivated by anti-LGBTI prejudice, 19 cases of discrimination and incitement to discrimination, and 19 cases of hate speech. Genderdoc-M reported 13 cases of discrimination, hate speech, hate crime, infringement upon family rights, and freedom of assembly based on sexual orientation or gender identity were under examination at the ECHR, including two filed during the year.

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

In May Genderdoc-M organized the 17th annual LGBTI festival, culminating in a solidarity (pride) march on May 19. Despite counterprotests organized by anti-LGBTI demonstrators and some religious groups, the event enjoyed a significant level of police protection, which prevented violence and allowed pride march participants to safely complete the route.

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

HIV and AIDS Social Stigma

Persons living with HIV continued to face societal and official discrimination. A 2015 study on equality perceptions and attitudes by the Council to Prevent and Combat Discrimination and Ensure Equality and the Office of the UN High Commissioner for Human Rights reported that persons living with HIV/AIDS represented the second most stigmatized group in the country after LGBTI persons. According to the study, persons with HIV were mostly perceived negatively, labeled as “leading a disordered sexual life” and frequently associated with drug users.

The law prohibits hospitals and other health institutions from denying admission or access to health-care services or requesting additional fees from persons with HIV or suspected of being HIV-positive. Prison inmates with HIV/AIDS faced high levels of discrimination by both prison staff and other inmates.

Hospitals disclosed HIV status without consent to persons not entitled to have such information.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

In 2017 parliament amended 36 articles in the labor code, adopting new provisions requiring employers to consult the trade union within the organization prior to laying off employees who are trade union members; and abrogating provisions related to the legal effect of a collective labor contract after its termination.

There is a mechanism to monitor and enforce labor laws through the State Labor Inspectorate (SLI) in the Ministry of Health, Labor, and Social Protection and the Prosecutor General's Office, but it failed to monitor and enforce the rights to collective bargaining and to organize effectively. The law does not provide effective sanctions for violations of freedom of association or stipulate penalties for violating trade union rights. Under the law, the deliberate failure to negotiate and amend collective agreements or the violation of the negotiated terms is punishable by fines of 1,000 to 1,500 lei (\$60 to \$90), which were not sufficient to deter violations. An employer's groundless refusal to sign a collective labor agreement is punishable by a fine insufficient to deter violations. The law mandates fines insufficient to deter violations for infringements of workers' rights to form or join trade unions.

The labor code requires the inspectorate to collaborate with other institutions, including business organizations/patronages and trade unions. The methods of cooperation are established through agreement between parties. The National Trade Union Confederation (NTUC) of Moldova registered 111 infringements of collective contracts' provisions, collective bargaining, and trade unions rights during the year. According to NTUC, private businesses and companies with foreign investments frequently opposed their employees' right to organize and bargain collectively. NTUC leadership believed that the inspectorate was affiliated with powerful business interests.

The NTUC regularly consulted employers and employees on the application of labor laws, negotiated employer compliance, and advanced worker rights. From January to September, NTUC visited 35,704 employees (including 32,500 trade union members) in the course of 409 workplace visits and documented 7,922 violations, including 6,529 health and safety standard infringements and 953 labor law infringements. NTUC submitted information about these violations to the SLI. In addition, the NTUC labor inspectorate conducted two joint activities with the SLI as requested by trade union members.

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

did not protest against salary arrears that reportedly amounted to almost 100 million lei (\$5.98 million) in 2018. Employees in the education sector protested at least once during the year requesting a 50 percent salary increase. In August the government approved an 8 percent wage increase for education sector employees.

b. Prohibition of Forced or Compulsory Labor

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

The government did not effectively enforce the law. Resources, inspections, and remediation for forced labor were generally inadequate. Men and women were subjected to labor trafficking to Russia, Turkey, Cyprus, and the United Arab Emirates. Internal trafficking occurred in all regions of the country, focused mostly on farms and begging in larger cities.

Internal trafficking for begging and labor exploitation, particularly in the agriculture and construction sectors, was steadily on the rise. Official complicity in trafficking continued to be a significant problem that the government attempted to curb by prosecuting those involved.

As of August, the SLI conducted 1,599 labor inspections, (280 in the public sector and 1,319 in the private sector). The SLI documented 10,506 violations of the labor code and sent 186 cases to courts. In 1,195 cases, the employers corrected the problem. Labor inspectors issued 56 violation notices, and 28 persons were reinstated.

Following a reform in 2017, the SLI no longer has the authority to enforce penalties for violations of workplace health and safety concerns, this was delegated to 10 other state agencies according to their areas of expertise.

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

Authorities did not effectively enforce legal protections, and child labor remained a problem. Authorities were required to give advance notice before conducting any labor investigations, which undercut their enforcement ability.

Penalties for crimes involving the worst forms of child labor were sufficient to deter violations.

Parents who owned or worked on farms often sent children to work in fields or to find other employment. Children, left behind by parents who had emigrated to EU countries, also worked on farms. According to government data, 24.3 percent of children between the ages of five and 14 and 4.6 percent of teenagers between the ages of 15 and 17 fell into the category of child laborers. The vast majority of child laborers worked in family businesses or on family farms.

In September the State Energy Inspectorate reported the deaths of at least three minors who were electrocuted by power lines while picking walnuts from trees during the seasonal harvest.

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, and 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 employees without discrimination,

to apply the same criteria to assess each employee's work, and to provide equal conditions for men and women relating to work and family obligations. The law defines and prohibits both direct and indirect discrimination as well as the worst forms of discrimination, which include discrimination based on two or more protected grounds.

The law also stipulates that the Council for Preventing and Eliminating Discrimination and Ensuring Equality be responsible for reviewing complaints of discrimination and making recommendations. As of September, the council has made decisions on 229 cases of alleged discrimination, double the number in 2017. The council most frequently found grounds for discrimination based on disability, sex, age, race/ethnicity, and language.

The law provides for fines at levels considered sufficient to deter violations.

Discrimination in employment and occupation occurred with respect to gender, disability, minority status, sexual orientation, gender identity, and HIV-positive status. NTUC reported frequent cases of employers denying employment to pregnant women, since such employment was associated with additional benefits payable after childbirth. University or college graduates were frequently denied employment because of an alleged lack of experience.

e. Acceptable Conditions of Work

Legislation on wages is confusing and defines three types of minimum monthly salaries. Under one definition, the minimum monthly wage in the real sector of the economy was set at 2,610 lei (\$156). Under a different definition, "the sum of the minimum salary in the country" was set at 1,000 lei (\$60). Finally, a third definition in the law on wages in the public sector sets the minimum possible wage for state employees at 1,000 lei (\$60). According to official statistics, in the first half of the year, the average minimum monthly subsistence level was estimated at 1,896 lei (\$113).

According to NTUC, as of October, salary arrears were more than 229 million lei (\$13.7 million), with almost half of the sum accounted for by the state railway company.

The law sets the maximum workweek at 40 hours with overtime compensation; provides for at least one day off per week; and mandates paid annual leave of at least 28 calendar days (government holidays excluded). Different paid leave plans

may be used in some sectors, such as education, health care, and public service. The law prohibits excessive compulsory overtime. Foreign and migrant workers have the same legal status as domestic workers.

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

The labor code requires work contracts for employment. Through August the SLI reported that 95 persons were employed without proper documents, including 39 women and one minor. There were no reports of work contracts in the agricultural sector, where the central government did not have an effective mechanism to monitor compliance.

Government efforts to enforce requirements for minimum wage, work hours, and occupational health and safety standards were limited and ineffective. The law requires the government to establish and monitor safety standards in the workplace. In September 2017, the government delegated the functions of safety and health standards enforcement to 10 other state agencies. This has created confusion, as there is no public reporting available on inspections for compliance with health and safety standards. Penalties for violations ranged from 5,000 to 24,000 lei (\$299 to \$1,440), but were insufficient to deter violations.

A thriving informal economy accounted for a significant portion of the country's economic activity. According to a 2016 study conducted by the National Anticorruption Center, the informal economy represented 30 percent of the country's gross national product. According to the International Labor Organization, 30.9 percent of the total employed population had an informal job and 68.7 percent of those jobs were in the agricultural sector. Workers in the informal economy did not have the same legal protections as employees in the formal sector. There were no government social programs targeting workers in the informal economy.

Poor economic conditions led enterprises to spend less on safety equipment and to pay insufficient attention to worker safety. During the first eight months of the year, the SLI documented 256 work accidents involving 299 victims. The SLI also reported 36 deaths in 32 work accidents. Enterprise committees also investigated 211 cases of temporary incapacitation resulting from work accidents involving 245 people. Following a reform of state inspections, the SLI no longer provided a breakdown of accidents by industry.