

MOLDOVA 2014 HUMAN RIGHTS REPORT

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

EXECUTIVE SUMMARY

Moldova is a republic with a form of parliamentary democracy. The constitution provides for a multiparty democracy with legislative and executive branches, as well as an independent judiciary and a clear separation of powers. Legislative authority is vested in the unicameral parliament. Pro-European parties retained a parliamentary majority in November 30 elections, although a ruling coalition was not announced as of year's end. International observers agreed the elections met most Organization for Security and Cooperation in Europe (OSCE), Council of Europe, and other international commitments. Local and international observers raised legal and procedural concerns about the inclusion and exclusion of specific political parties. Authorities maintained effective control over the security forces.

Corruption, particularly in the judicial sector, continued to be the most significant human rights problem and remained widespread in the judiciary, the Tax Inspectorate, the customs service, and other public institutions. Poor conditions, mistreatment, and abuse in psychiatric and social care homes were major areas of concern.

Other significant problems included alleged torture and mistreatment of detainees; harsh and overcrowded prison and detention center conditions; erosion of media freedom, the opaque ownership of media outlets, and increased monopolization of the media and the advertising market; societal discrimination based on religious affiliation, belief, or practice; violence against women; trafficking in persons; discrimination against Roma; harassment of lesbian, gay, bisexual, and transgender (LGBT) individuals; societal and official discrimination against persons with HIV/AIDS; limited enforcement of workers' rights; and child labor.

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

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

peacekeeping force of Moldovan, Russian, and Transnistrian units. The central government did not exercise authority in the region, and Transnistrian authorities governed through parallel administrative structures. Transnistrian authorities previously restricted political activity and interfered with the ability of Moldovan citizens living in Transnistria to vote in the 2010 Moldovan elections. There were regular reports that police engaged in torture, arbitrary arrests, unlawful detentions, and pressure on Latin-script schools. The human rights situation in Transnistria deteriorated in some respects, including through new restrictions on internet freedom.

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

a. Arbitrary or Unlawful Deprivation of Life

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

The government made little progress in holding officials accountable for the security force crackdown on postelection demonstrations in April 2009 that resulted in three deaths. On April 4, parliament adopted a law that cancelled the statute of limitations for abuses committed in April 2009. On May 27, the Constitutional Court declared the cancellation of the statute of limitations unconstitutional. As a result a number of persons who committed minor violations during the April 2009 protests escaped criminal liability.

b. Disappearance

There were no reports of politically motivated disappearances, abductions, or kidnappings during the year.

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

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

Under the criminal code, conviction for torture carries up to a 10-year prison sentence. Persons found guilty of torturing minors, pregnant women, persons with

disabilities, or committing acts of torture that lead to death or suicide may be sentenced to up to 15 years in prison without the possibility of amnesty. A deliberate act by a public official that leads to physical or psychological suffering is punishable by imprisonment of two to six years or a fine of 7,500 to 9,900 lei (\$620 to \$820) and a ban on holding public office. Courts are not permitted to grant suspended sentences to persons convicted of torture.

A 2013 report by the Prosecutor General's Office showed a decrease in torture cases in police stations but an increase in other forms of mistreatment by law enforcement officers. According to the report, law enforcement officers committed more acts of mistreatment outside of police stations. Observers believed this was due to antitorture measures taken at police stations, including the installation of video and audio-recording equipment and special interrogation rooms.

During the first half of the year, the Prosecutor General's Office received 320 allegations of torture and mistreatment, 145 of which involved the criminal police, 54 traffic police, and 49 other police units, including the Carabinieri, a special police force responsible for public order and border policing. Prosecutors initiated 64 criminal cases and sent 29 cases to court. In 15 cases the victims were minors. Torture was purportedly applied to punish, obtain confessions, intimidate, and show seniority and authority over the victims. Most of the alleged incidents occurred on the street or in public places, followed by police stations and detention facilities. Four torture cases were registered in psychiatric institutions and one case in an educational facility. Most incidents involved beatings (208 allegations), followed by special methods, such as batons, water bottles, and books (27 allegations). In 24 instances the perpetrators allegedly used psychological abuse and threats. Police used torture methods that did not leave physical traces. Experts noted that psychological torture and humiliating treatment were common in penitentiaries.

The antitorture ombudsman made 227 preventive and monitoring visits to penitentiaries, psychiatric institutions, and army facilities in 2013. More than 80 percent of deficiencies found were in prison and detention centers. These included overcrowding of the detention facilities; insufficient lighting; poor sanitary conditions in the canteens, bathrooms, and medical rooms; lack of proper bed linen and clothing for the detainees; and insufficient food for those in pretrial detention facilities. The ombudsman alerted the Prosecutor General's Office to seven potential criminal cases, and the office initiated criminal investigations into a multiple rape case in the psycho-neurological hospital in Balti and a torture case in

Chisinau's Penitentiary No. 13. Authorities dismissed the other five cases as inconclusive. Human rights experts noted that prison authorities and personnel often used psychological pressure on detainees.

In November the Supreme Court of Justice upheld an earlier Court of Appeals decision that sentenced four guards from Penitentiary No.14 in Rezina to imprisonment for exceeding authority. In 2009 the four applied torture to two inmates and beat them with rubber batons. In 2011 prosecutors appealed a military court's decision to acquit the defendants and won the case at the Court of Appeals. The Court of Appeals sentenced two prison guards to three years in prison and two others to two years in prison.

In December the Briceni regional prosecutor's office completed the criminal investigation of a June 2013 torture case in the Lipcani penitentiary, in which the penitentiary director and six other employees allegedly tortured an inmate for insulting the director. The inmate suffered serious bodily injuries as a result of the beatings. Authorities transferred the Lipcani penitentiary head to a lower position in law enforcement but dismissed him after he committed a number of additional abuses in his new position.

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

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

The Prosecutor General's Office released a summary of the results of criminal cases involving police abuse related to the 2009 postelection events. In subsequent years, the Antitorture Section of the Prosecutor General's Office prosecuted 48 police officers, resulting in 15 convictions. Only two police officers were serving prison terms in connection with the events, both for torturing minors. Overall authorities initiated 72 criminal cases against police officers.

Amnesty International released a public statement on the fifth anniversary of the April 2009 abuses, noting that authorities' failure to deliver justice in the cases was evidence that the country had not yet solved the problem of impunity for torture and mistreatment. Only a third of the complaints of torture and other mistreatment

related to the 2009 events reached the courts. In rare cases where authorities prosecuted police officers identified as abusers, penalties were largely symbolic. The courts often convicted police officers accused of torture and other mistreatment under other articles of the criminal code, such as those prohibiting the crime of “exceeding power or official authority.”

In May the Chisinau Appeals Court sentenced police officer Radu Starinschi to two years in prison for the torture of Sergiu Cretu, a protester detained in Chisinau following 2009 parliamentary elections. In December 2013 the Supreme Court ordered the Chisinau Appeals Court to reexamine the case after it upheld Starinschi’s acquittal by a lower court.

According to both the ombudsman for psychiatric institutions and international monitors, humiliating and degrading treatment of patients confined in psycho-neurological institutions was a major problem. The ombudsman visited 10 government-run psycho-neurological residential institutions in 2013 and noted that the risk of serious human rights violations, including the abuse of patients by medical personnel, persisted in these institutions. There were credible reports of forced medication, forced abortion, work exploitation, and physical and sexual abuse in psychiatric hospitals under the Ministry of Health. Legal proceedings continued in the case of a doctor at the institution in Balti arrested in 2013 for the serial sexual assault and abuse of patients. Investigation showed that the doctor performed 18 forced abortions on the victims of his sexual assaults, all patients with mental disabilities. One of the 17 victims identified during the investigations was found dead in January, while a second died under unknown circumstances in April. At year’s end authorities detained the doctor under house arrest. In April the head of the Balti institution resigned following repeated accusations of violations of patients’ rights at the facility.

In December 2013 parliament repealed the law on chemical castration of pedophiles following a decision of the Constitutional Court declaring the law unconstitutional. Parliament had passed the law in 2012 and judges applied the ruling in five pedophilia cases. Constitutional Court decisions do not apply retroactively to court sentences that have already been issued. Consequently, the impact of the Constitutional Court decision on the five persons then serving prison sentences for pedophilia was unclear.

In April, in response to detainee complaints, authorities charged seven employees of Penitentiary No. 5 in Cahul, including the prison director, with torture and the application of inhuman and degrading treatment. According to military

prosecutors, the employees used torture against three detainees, including two minors, between 2010 and 2012. The prison director allegedly threatened the detainees with physical reprimand and told them to withdraw their complaint and change their testimony, leading prosecutors to transfer the detainees to other detention facilities. The case was pending a court decision.

According to the Prosecutor General's Office, in 2013 military prosecutors recorded 200 various offenses in the army and the Carabinieri. Four cases in the army resulted in accidental deaths.

The Prosecutor General's Office reported 27 cases of violence against conscripts in the army during the year. In one case, conscripts reported hazing and constant beatings by superiors in a regiment in Cahul, which in some instances led to serious injuries. Military prosecutors were investigating the case.

Torture and inhuman treatment continued to be a problem in Transnistrian penitentiaries. In July the human rights nongovernmental organization (NGO) Promo-Lex reported that authorities denied adequate medical treatment to hundreds of Transnistrian detainees. At least 17 detainees reportedly died in Transnistrian prisons in 2013.

In an appeal sent to the Transnistrian authorities, the International Secretariat of the World Organization against Torture (OMCT) reported the critical health condition of Vitalii Besleaga and Serghei Bevziuc, detained in Prison No. 3 in Tiraspol. The appeal noted the men lacked adequate medical care and described their detention conditions as "torture." The OMCT requested Transnistrian authorities to provide for the men's physical and psychological well-being and provide adequate conditions of detention and medical services. Besleaga and Bevziuc were businessmen from Varnita who held both Moldovan and Transnistrian registration for their mineral-water production enterprise. Transnistrian law enforcement officers detained them in November 2013 for the alleged economic crime of accepting Moldovan currency in a transaction. Besleaga was also a member of the Varnita local council and involved in the April 2013 dismantling of a Transnistrian customs checkpoint in the village. Human rights NGOs stated their detention was politically motivated.

On March 28, after a number of failed requests to obtain appropriate medical care, Besleaga and Bevziuc filed a complaint with the European Court of Human Rights (ECHR), invoking violations of Articles 3 (prohibition of torture), 13 (right to an effective remedy), and 5 (right to liberty and security). The Moldovan Prosecutor

General's Office initiated a criminal investigation into the actions of the Transnistrian law enforcement officials and others involved in the case. On November 4, following a Transnistrian "supreme court" ruling, Besleaga and Bevziuc were released from prison. Immediately after their release, however, masked persons pushed them into unmarked cars and took them to the Tiraspol pretrial detention facility and charged them with conducting economic activity without a license. On November 28, the Tiraspol "city court" again released Besleaga and Bevziuc under orders not to leave the territory. According to their lawyer, the two immediately departed Transnistria.

Reports of hazing and abuse of conscripts in the Transnistrian "army" continued.

Prison and Detention Center Conditions

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

Physical Conditions: As of October the total number of prisoners and pretrial detainees was 7,103, with 4,710 inmates in prisons and 2,393 individuals in pretrial detention centers. There were 25 juveniles serving prison terms. There were 291 women held at the Rusca penitentiary for women. Officially the maximum capacity was 5,291 inmates for prisons and 2,134 for pretrial detention centers. During the year two detainees committed suicide.

Representatives from the government's Center for Human Rights made 61 visits to penitentiaries and pretrial detention facilities during the first quarter of the year within the framework of the national preventive mechanism against torture. During the visits experts reported an improvement in conditions at the pretrial detention facilities but also noted deficiencies in prisons similar to those cited in previous years, including overcrowding, lack of medical care, bad lighting, deficient meals, bad hygiene and sanitary conditions, and some cases of juveniles detained with adults. They reported the worst conditions at Penitentiary No. 13 in Chisinau and Penitentiary No. 11 in Balti. Detention conditions in both prison basements did not meet national or international detention standards. Cells were overcrowded, unhygienic, lacked ventilation, and authorities did not always provide detainees with permanent access to water for personal hygiene.

The ombudsman made 43 visits to police stations in the first quarter of the year and observed that, while detention conditions in some pretrial facilities improved, others did not meet even minimum standards. For example, the ombudsman noted

a shortage of pillows, mattresses, and linen in pretrial detention facilities in Basarabasca, Comrat, and Drochia. Another problem was the failure of prison authorities to conduct initial medical examinations of incoming detainees. The facilities, located mostly in the basements of police stations, generally lacked access to natural light, adequate ventilation, and sewage systems. Inmates had a daily food budget of around 20 lei (\$1.25) and lacked adequate health care. Human rights NGOs also noted that pretrial detainees were not provided any meals on the days of court hearings. This problem was particularly severe for detainees transported from afar to stand trial, which in some cases meant they received no food for a whole day. Transportation conditions for pretrial detainees were also deficient.

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

Police mistreatment of detainees remained a major problem in Transnistria. International reports noted that torture was widely applied in prisons and pretrial detention facilities in the region. There are no mechanisms for torture victims to seek remedy, protection, or justice. According to former detainees in Transnistria and human rights NGOs, detention facilities in the Transnistria did not conform to international norms and did not meet minimum requirements for long-term detention. Of the 2,840 detainees held in the three penitentiaries in Transnistria, 143 were women and 24 were minors. Unofficial sources estimated a much higher number of detainees. The cells were overcrowded, and most cells lacked a lavatory and proper ventilation. According to a February 2013 report by a UN senior human rights expert, the health situation in Transnistrian detention facilities was alarming and care substandard, particularly in the Hlinaya Prison. The condition of inmates infected with tuberculosis in prisons remained harsh. While Transnistrian authorities took steps to isolate those infected with tuberculosis from other inmates, they did not isolate the inmates from one another, thereby increasing the risk of spreading multidrug resistant infections. Another major health problem in the prisons was HIV/AIDS. The mortality rate in prisons was high, especially among inmates infected with tuberculosis.

Administration: The main alternative to incarceration in the country was the conditional suspension of the sentence, the equivalent of probation. Sentence suspension was available to both juveniles and adults, provided the crime was not

serious and the offender had no prior convictions. Probation was for a fixed term of between one and five years. In many cases public officials and law enforcement officers convicted of various offenses received suspended sentences. Other alternative sentences included community service and fines. Community service may not be imposed on convicted juveniles younger than age 16.

Authorities generally permitted prisoners and detainees religious observance.

By law detainees have the right to at least one short-term visit (from one to four hours) a month and at least four long-term visits (from 12 hours to three days) a year. Prisoners in the initial period of their sentences and those serving life sentences do not have the right to long-term visits. Detainees and their relatives reported a burdensome process for obtaining visit permits, which often impeded such visits.

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

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

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

Although Transnistrian authorities generally did not allow visits to detention facilities, they allowed the UN senior expert on human rights in Transnistria to visit penitentiaries and talk with inmates during his 2012 fact-finding visits to the region. During the year Promo-Lex conducted an independent investigation on detention conditions in the region and reported that detainees in Transnistrian prisons and their relatives were forced to pay unofficial fees for various services. For example, authorities forced detainees to pay \$20 to be allowed to receive a package from relatives, while a 30-minute walk cost \$60 and medical care over \$300. According to the same report, authorities would release an inmate from a Transnistrian penitentiary for between \$100,000 and \$200,000.

Improvements: With financial support from the Council of Europe and the EU, authorities installed video surveillance equipment to prevent torture and mistreatment in all of the country's 38 pretrial detention facilities. Authorities renovated a number of interrogation rooms in pretrial detention facilities to meet international standards. They also fully renovated several pretrial detention facilities, but many still did not conform to basic detention norms.

There were no credible reports of improvements in the Transnistria region.

d. Arbitrary Arrest or Detention

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

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

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

In May the Supreme Court ordered the Ministry of Internal Affairs to pay damages to the family members of Vitalie Eriomenco, a detainee in Transnistria, for illegally transferring their personal information to the Transnistrian "interior ministry" in 2012. In December 2013 Transnistrian authorities sentenced Eriomenco to 12 years in prison for an alleged economic crime.

Role of the Police and Security Apparatus

The national police force is the primary law enforcement body and is subordinate to the Ministry of Internal Affairs. A 2012 law reconfigured the police forces into the General Police Inspectorate, which was subdivided into criminal and public order police. The ministry continued reforms to combat abuse and corruption.

The Division to Combat Torture in the Prosecutor General's Office handled cases of alleged torture by security forces. Every territorial prosecutor's office in the

country had one or two prosecutors responsible for torture cases, with more than 70 such antitorture prosecutors overall.

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

Arrest Procedures and Treatment of Detainees

The law allows judges to issue arrest warrants based on evidence from prosecutors. Authorities must promptly inform detainees of the reasons for their arrest and describe the charges against them. Suspects may be detained without charge for 72 hours.

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

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

In 2013 the ombudsman was notified of 10 instances where authorities did not follow proper detention procedures.

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 several months was common.

In Transnistria detentions cannot exceed 18 months during pretrial criminal investigations and six months during the trial period, but limits were not observed. As of July authorities officially detained 461 persons in pretrial detention units in Transnistria. The Transnistrian detention system also included temporary pretrial detention units subordinated to the local "interior ministry." The number of

detainees in these facilities was unknown. The practice of holding detainees for more than six months without a court hearing remained common.

Amnesty: The law allows amnesty to individuals sentenced to less than four years in prison, with the exception of those convicted of child rape, child abuse, child harassment, or child sexual exploitation, who are not eligible for amnesty. The president did not grant any amnesties during the year.

In contrast to 2013, Transnistrian leader Shevchuk did not grant any amnesties during the year.

e. Denial of Fair Public Trial

While the law provides for an independent judiciary, instances of government officials failing to respect judicial independence remained a problem. Despite some improvements, official pressure on judges and corruption in the judiciary continued and remained serious problems. Credible reports existed that local prosecutors and judges sought bribes in return for reducing charges or sentences. Judges often failed to assign cases randomly or use recording equipment in the courtroom.

A judicial code of ethics exists and inspector judges are responsible for investigating and reporting cases of judicial misconduct or ethical breaches to the Superior Council of Magistrates (SCM). During the first half of the year, the disciplinary board of the SCM initiated 33 disciplinary actions against 31 judges and issued five warnings, three reprimands, and one recommendation for dismissal. In January the council dismissed five judges for serious disciplinary violations of integrity. In April the SCM stripped four judges of the former Chisinau Economic Court of Appeals of their judicial immunity to allow the Prosecutor General's Office to initiate criminal cases against them. These judges were Aurel Colenco, the former chairman of the Economic Court of Appeals; and Ana Nogai and Eugeniu Clim, two judges at Chisinau Court of Appeals; and Valeriu Harmaniuc, a judge at Balti Court of Appeals. The SCM accused the judges of illegally maintaining an "obviously illegal decision of an inferior court, thus prejudicing the parties in the trial" and ignoring "huge legal gaps." On October 7, by a vote of six to four, the SCM turned down the prosecutor general's request to launch criminal proceedings against the four judges. One SCM member argued that the prosecutor's request was illegal given that the statute of limitations in the case involving the judges expired.

In November the SCM ruled to dismiss a judge for passing a judgment without actually holding hearings on the case. The dismissal followed several court hearings, including by the Supreme Court, that revealed the judge forged court documents. In December the Bender Court of Appeals imposed a three-year suspended sentence on Judge Nicolae Nogai for issuing an illegal decision. The court also banned the judge from holding public office for five years.

According to the 2014 Freedom House *Nations in Transit* report, the government made some significant first steps in anticorruption reform, but the judicial system continued to experience serious problems with a high level of corruption and political influence. The report indicated the justice system exhibited abuse of authority, corruption, and inconsistent interpretation of the law, while judicial decisions were inconsistently enforced. According to the 2014 World Economic Forum report on global competitiveness, illegal payments and bribes for favorable court decisions were common.

On August 11, parliament amended the law to introduce disciplinary sanctioning of judges for acts of corruption, limit judicial immunity, and allow authorities to confiscate property in cases involving money laundering and illicit enrichment.

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

Trial Procedures

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

Cases are presented to a judge or to a panel of judges. Defendants have the right to a lawyer, to attend proceedings, to confront witnesses, and to present evidence. The law requires the local bar association provide an attorney to indigent defendants. The practice of appointing temporary defense lawyers without allowing them to prepare adequately was common and infringed upon the right to legal assistance. The law provides a right to appeal convictions to a higher court.

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

Political Prisoners and Detainees

In April a Transnistrian court in Grigoriopol returned Andrey Rezanov to prison to serve the remainder of his sentence for an alleged drug offense. In January he had been released after the same court commuted his sentence. Human rights NGOs stated that Rezanov's reincarceration was politically motivated due to his advocacy on behalf of other detainees. A complaint concerning his initial detention in 2010 was pending before the ECHR.

Civil Judicial Procedures and Remedies

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

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

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

Regional Human Rights Court Decisions

As of June there were 1,233 cases pending against the country in the ECHR. The number of complaints accepted by the ECHR during the year dropped in comparison to previous years. Most complaints concerned detention conditions, torture, inhuman and degrading treatment, failure to carry out judgments, property rights, and the right to a fair trial. In 2013 the court issued 19 decisions against the state. The government generally complied with ECHR orders promptly.

During the year the ECHR issued decisions in a number of cases against the country and the Russian Federation on inhuman and degrading treatment in Transnistrian penitentiaries. In April the ECHR issued a decision in the case of Russian citizen Vadim Pogorletski, who was in Hlinaya prison in Transnistria at year's end. Between 2000 and 2008, Pogorletski authored several publications in Transnistria critical of the regime. In 2010 Transnistrian law enforcement authorities detained him and held him in inhuman conditions in the basement of a jail in Tiraspol for almost two years pending trial. In 2012 a local court sentenced him to seven years' imprisonment. Pogorletski filed a complaint to the ECHR on grounds of illegal detention, inhuman conditions, and lack of medical care while in detention.

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

The constitution prohibits arbitrary interference with privacy, family, home or correspondence, unless necessary to ensure state security, economic welfare, public order or prevent crimes. The government generally upheld the law.

In May anonymous videos smearing Nikolai Buchatski, an opposition journalist in Transnistria, and another Transnistrian opposition figure appeared on the internet. The videos featured his e-mail correspondence with NGOs based in Chisinau which were used as evidence of his activities undermining Transnistrian "sovereignty." In December 2013 Nikolai Buchatski reported his e-mail had been hacked. Both the victim and human rights NGOs accused Transnistrian authorities of systematically pressuring Buchatski for political reasons.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

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

On several occasions since 2012, the courts convicted public figures and fined them for expressing opinions deemed "hate speech" or "incitement to discrimination." For example, in June the Balti court convicted the bishop of Balti and Falesti Marchel of "incitement to hatred against the LGBT" and ordered him to pay 22,000 lei (\$1,500) in moral damages to human rights NGO Genderdoc-M and

to present public apologies to LGBT persons for a discriminatory statement he made during a talk show in 2012.

In Transnistria authorities limited freedom of speech and press and the situation worsened during the year. Local human rights activists noted that authorities subjected alternative viewpoints to censorship and reprisals. Most newspapers from the rest of the country did not circulate widely in Transnistria, although they were available in Tiraspol. Alexandr Nikiforov, a Transnistrian journalist formerly with the Novyi Region agency, fled to Germany after the local KGB reportedly attempted to recruit him to report to the local intelligence service on all international events he attended.

In an open letter addressed to the government and international organizations in December, human rights NGOs voiced concern about the pressures exerted on human rights organizations in Transnistria, and the verbal and physical threats that human rights lawyers and defenders were subjected to in the region, with a number of human rights activists and lawyers reportedly banned from the area.

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

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

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

Despite some progress, a lack of transparency in the ownership of media outlets and an increasing monopolization of media and the advertising market, adversely affected media freedom. Due to ambiguous legislation and the registration of businesses to offshore companies, the ownership of many media outlets was not

transparent. Civil society and media representatives also noted that the advertising distribution company Casa Media was a monopoly.

In its first monitoring report on media coverage of the parliamentary election campaign in October, the Association of Independent Press, the Association of Electronic Press, and the Independent Journalism Center noted bias among numerous television and radio stations associated with political parties, which presented their respective financiers positively while criticizing or ignoring other political parties. Online media faced similar problems in terms of balanced reporting. There was also a discrepancy in gender balance, with fewer women present in the media than men.

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

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

Violence and Harassment: In May 2013 the Supreme Court upheld a court of appeals decision permitting the Audiovisual Coordination Council (ACC) to withdraw the broadcast license of leading pro-opposition broadcaster NIT, originally revoked in 2012 on grounds that NIT did not ensure pluralism of opinions and thus violated the law. Following the revocation, NIT stopped broadcasting. In June 2013 NIT appealed the Supreme Court's decision at the ECHR. NGOs and international organizations criticized the revocation of NIT's license, noting that the sanction was disproportionate and eliminated a key opposition viewpoint.

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

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

In April 2013 an ACC ruling went into effect mandating television channels and radio stations to broadcast a minimum of 30 percent locally produced content and 50 percent local content in Romanian during prime time. Supporters claimed the ruling would spur the local media market, but many media outlets warned it was designed to drive smaller broadcasters out of business, since they could not afford to produce the requisite volume of local content and would lose advertising money. These media outlets took the ruling to court, which suspended it for the duration of the trial period. The case was pending at the Supreme Court.

In early January several cable operators excluded Accent Television, RTR Moldova, and Jurnal Television from cable packages. International organizations and media NGOs expressed concern and noted that the exclusions limited citizens' access to different viewpoints and damaged the media environment. After a series of negotiations between the channels and the cable operators, the latter reinstated the channels in the cable packages. NGOs accused oligarchs associated with the governing coalition of pressuring the cable operators to exclude the channels due to their critical reporting.

On July 4, the ACC suspended the retransmission of Russian channel Russia 24 into the country for a period of six months, until December 3. The decision was based on an ACC monitoring report, which concluded that Russia 24 grossly violated the law by misinforming and manipulating public opinion with regard to the events in Ukraine through its commentaries and editing.

Based on the same report, the ACC penalized several local television channels, notably Prime, TV 7, RTR Moldova, and Ren Moldova, for "tendentious and biased reporting on events in Ukraine and the manipulation of public opinion." The ACC publicly warned Prime and TV 7, while fining RTR Moldova and Ren Moldova 5,400 lei (\$400). The ACC asserted that the channels violated Article 10 (freedom of expression and information) of the European Convention of Human Rights.

In Transnistria, authorities controlled all printing houses and at times threatened to stop the printing of independent newspapers, including one based in Bender and another in the northern city of Ribnita. According to Transnistrian journalists, the

authorities took control of several media outlets in January, including TSV television, *Profsoiuznie Vesti* newspaper, and Novaia Volna radio.

In January, Transnistrian authorities refused to extend the New Region Agency's accreditation for the year; accreditation was pending at yearend. Authorities also tightened the rules for accrediting foreign media on its territory, including media from the rest of the country. The new rules required foreign media seeking to operate permanently in Transnistria to open a local office and register as a legal entity.

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

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to statistics published by the Moldovan Agency for Regulation in Electronic Communication and Information Technology, the number of mobile internet users increased by 6.4 percent in the first half of the year, while the number of other internet users increased by 4 percent. According to the International Telecommunication Union, approximately 49 percent of the population used the internet in 2013.

In May 2013 Transnistrian authorities shut down several popular internet forums which Transnistrian leader Shevchuk called "anonymous trash cans."

On August 5, Shevchuk issued a decree on combating extremism that empowered the Transnistrian KGB to request the prosecutor's office to block internet content. Such a determination would be taken following a review by a panel appointed by the KGB.

Academic Freedom and Cultural Events

There were no government restrictions on academic or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

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

There were 14,810 public assemblies in Chisinau in 2013. On May 17, more than 100 individuals attended an equality march in Chisinau organized by the LGBT community in the country to celebrate the International Day of the Fight against Homophobia and Transphobia. Despite the presence of aggressive counter-demonstrators, there were no reports of violence.

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

Freedom of Association

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

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. Organizations favoring reintegration with the rest of Moldova were strictly prohibited.

c. Freedom of Religion

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

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

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. The Bureau for Migration and Asylum under the Ministry of Internal Affairs managed refugee and asylum problems.

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

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

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

Protection of Refugees

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

The UNHCR provided refugees logistical, housing, and financial support. As of August there were 297 refugees and 109 asylum seekers in country, mostly from Syria (164), Ukraine (44), Armenia, Russia, and Afghanistan. A temporary accommodation center administered by the Bureau of Migration and Asylum was

available for asylum seekers. During the year, despite the UNHCR's intervention, the government refused three Sri Lankan nationals, who claimed to be fearful of returning to their country of origin, admission to the national asylum-processing center at the Chisinau International Airport and returned them to Istanbul the same day.

Stateless Persons

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

There were 2,012 stateless persons registered in the country, most of whom resided in Transnistria. The largest numbers of stateless persons were ethnic Ukrainians, Russians, Romanians, and Turks. The government issued travel documents for stateless persons.

While the law allows a stateless person who has resided legally in the country for eight years to seek citizenship, the UNHCR recommended the government reduce the residency requirement to three or four years. 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 around 500 lei to 1,400 lei (\$30 to \$80), depending on the urgency of the permit. Trafficking victims received residence permits free of charge.

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

The law provides citizens with the ability to change their government peacefully, and citizens exercised this ability through periodic elections based on universal suffrage.

Elections and Political Participation

Recent Elections: According to international observers, parliamentary elections on November 30 were generally well administered and met most OSCE, Council of Europe, and other international standards. Local and international observers, however, raised legal and procedural concerns about the inclusion and exclusion of specific parties from the elections.

Political Parties and Political Participation: Based on a finding by the Moldovan Central Election Commission (CEC), the courts ruled to exclude the “Patria Party” from the November 30 parliamentary electoral list less than a week prior to the election. Observers stated that this action raised concerns about respect for rule of law and a fair and democratic process. The Ministry of Justice also failed to enact a court decision to suspend the “Communist Reform Party,” which the Party of Communists of the Republic of Moldova (PCRM) contended was created to reduce the number of votes cast for the PCRM. In accordance with the Ministry of Justice’s lack of action, the CEC did not review the Communist Reform Party’s registration, and it remained on the ballot.

Participation of Women and Minorities: On December 29, the first day of the newly elected session of parliament, 21 women joined the ranks of the 101-member parliament. Members of ethnic Russian, Ukrainian, Bulgarian, Jewish, and Gagauz communities had representation in parliament alongside the majority Moldovan/ethnic Romanian members. Only one woman was elected to the Gagauz People’s Assembly.

Section 4. Corruption and Lack of Transparency in Government

Despite limited progress, corruption remained the country’s most serious problem. While the law provides criminal penalties for official corruption, the government failed to implement these laws effectively. There was widespread corruption within the judiciary. Prosecution for corruption was limited to low-level public officials and a few representatives of the judiciary.

Corruption: According to the 2014 Freedom House report, there were no tangible improvements in the level of corruption during the year, and authorities were slow in tackling the problem. A recent worldwide Gallup survey showed that 70 percent of respondents were distrustful of the country’s justice system. During the year, for the first time, authorities detained two judges on corruption charges. In April, Glodeni trial court chairman Ion Cazacu was caught accepting a bribe worth 10,000 lei (\$850) from a defendant in a driving under the influence case. In return for the bribe, the judge was to acquit the defendant. The National Anticorruption

Center also found 5,000 euros (\$6,300) and 10,500 lei (\$740) in the office of the judge, who could not explain the source of the money. The case was pending a court decision. Also in April a court convicted a Telenesti judge, Gheorghe Popa for acts of corruption and sentenced him to seven years' imprisonment. Judge Popa accepted a bribe of \$200 in October 2013. A court banned him from holding public office for 10 years and was fined 160,000 lei (\$10,755).

During the year authorities detained three prosecutors for acts of corruption. In February authorities caught a prosecutor from Nisporeni accepting a bribe of 1,000 euros (\$1,250) for terminating a criminal investigation. The Superior Council of Prosecutors suspended the prosecutor and the case was pending a court decision. The judiciary, customs, and tax sectors remained highly corrupt. While ample anticorruption legislation exists, implementation remained weak and enforcement was inconsistent.

In 2013 the National Anticorruption Center (NAC), together with anticorruption prosecutors and the Ministry of Internal Affairs, initiated 879 criminal cases on corruption and related offenses, including 231 cases of passive corruption, 27 of active corruption, 89 of influence peddling, two of accepting bribes, and one for offering a bribe. The NAC investigated 283 instances of abuse of power and influence peddling, and 246 cases of excess of authority. Most corruption offenses were registered in the judiciary (100 cases), local-level public administration (85 cases), education (41 cases), and finance (35). Of the 232 cases sent to courts, 160 were examined. Courts issued 101 convictions against 116 defendants; courts terminated 43 cases against 46 defendants and acquitted 18 defendants.

An October 2013 interagency raid on a customs post on the Romanian border resulted in the detention and investigation of 42 officials on corruption charges, including 24 customs service employees, 13 border police, and five employees of the National Patrol Inspectorate. In February the case was sent to court. An investigative publication alleged the case was intentional dragged out with a goal of securing its dismissal. Authorities transferred the case from the initially assigned Hincesti court to a court in Chisinau. All the defendants were free while under investigation.

The Fraud Investigation Department (FID) in the Ministry of Internal Affairs was responsible for anticorruption activities. The FID investigated serious economic crimes with major social impact, criminal schemes that led to acts of corruption, and other corruption-related offenses. During the first half of the year, the FID

investigated 401 economic crimes, with a special emphasis on smuggling and the production of counterfeit goods.

Following a governmental decision in December 2013, authorities reorganized the Anticorruption Department of the Ministry of Internal Affairs and gave it broader anticorruption responsibilities. Of the 71 passive corruption cases registered in the first third of the year, 23 cases involved employees of the Police Inspectorate and four involved National Traffic Police officers. The department also registered five cases of active corruption, three cases of influence peddling, eight cases of abuse of power, and 12 cases of actions in excess of authority. The department sent five cases on active corruption to the courts, terminated two cases, issued disciplinary sanctions against five employees, and dismissed six police officers.

Financial Disclosure: A number of laws require financial disclosure by public officials, including state officials, judges, prosecutors, civil servants, and officials holding leadership positions. By law all public officials must make public their income statements within 20 days of their appointment and before March 31 of each calendar year for the duration of their term in office, but the government enforced this requirement inconsistently.

In 2012 parliament created the National Integrity Commission, an independent body tasked with auditing the income statements and conflicts of interest of public officials. The commission has a five-year mandate and includes three members appointed by the government, one member proposed by the opposition, and one representative of civil society. During the first half of the year, the commission initiated 121 investigations of five judges, two members of parliament, 10 prosecutors, 12 ministers and deputy ministers, two leaders of central public authorities, two regional (raion) chairmen and deputy chairmen, 16 mayors and deputy mayors, 30 public servants from the local and central government, six managers of state institutions, and two managers of educational institutions. The commission found 27 violations in income and property statements, 23 instances of conflict of interest, and eight cases of incompatibility. In 2013 the commission imposed fines totaling 312,000 lei (\$22,000).

Public Access to Information: The law provides for free public access to official information, and the government made progress in this area. The law provides a narrow list of grounds for nondisclosure, including when information constitutes a state secret, a commercial secret, personally identifiable data, operative criminal investigation data, or the results of scientific and technical research. According to the law, authorities have 15 days to present the requested information. This

timeline may be extended by five days when the request refers to a large volume of data or additional consultations are necessary for the release of information. Depending on the information requested, institutions may charge processing fees for copying, translation, and delivery costs. Requesters may challenge denials of access to information through legal means. Courts of law established criminal and administrative sanctions for noncompliance.

Internet services for the business community, such as electronic invoicing, reporting, licensing, and customs declarations, were available. The government also made available three million digital documents in the archive of the Civil Registry Office.

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

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

Transnistrian authorities often subjected human rights NGOs in the region to harassment and impeded their work.

Government Human Rights Bodies: On April 3, parliament adopted the Law on the People's Ombudsman, reforming the Moldovan Human Rights Center. Under the new law, the ombudsman institution consists of two ombudsmen. A parliamentary committee selects the ombudsmen in an open competition. A majority vote in parliament results in their appointment to a seven-year, nonrenewable term. The people's ombudsman 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 to courts. The children's ombudsman ensures the protection of children's rights without requiring the consent of parents or legal guardians and has the authority to initiate legal proceedings in court. The national mechanism to prevent torture is affiliated with this institution in line with the Optional Protocol to the Convention against Torture. The two ombudsmen are on the seven-member council to prevent torture and oversee its operations. Parliament also had a separate standing committee for Human Rights and Interethnic Relations.

In 2013 the Moldovan Human Rights Center (MHRC) received 1,587 complaints of human rights abuses, most of them concerning free access to justice, individual safety and dignity, the right to social assistance and protection, access to public information, the right to private property, and the right to work. Detainees filed most complaints (37 percent). The MHRC issued 274 decisions, including 74 recommendations to local and central authorities, and 18 recommendations to initiate disciplinary or criminal cases against public officials. As a result, investigators initiated five criminal proceedings, three disciplinary actions, four recommendations were overturned, and four other cases were under examination.

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

The law prohibits discrimination based on race, gender, disability, ethnicity, or social status, but the government did not always enforce these prohibitions effectively.

The law prohibits discrimination on the basis of 11 characteristics, including gender, race, and disability, as well as employment discrimination on the basis of sexual orientation. As of September a council established in October 2013 to prevent discrimination and ensure equality in implementing the law had examined 101 complaints and sent 15 cases to court, all of which were challenged by state institutions accused of discrimination. Based on the council's recommendation, the sides came to an amicable solution in 33 cases. The council has no sanctioning power and its recommendations may only be used in court at the judge's discretion. A plurality of cases involved discrimination against persons with disabilities while other cases involved age and gender discrimination.

Women

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

Rape remained a problem, and there were no specific government rape prevention activities. During the first seven months of the year, prosecutors initiated 197 criminal cases of rape, a 9 percent increase from 2013. Of these, 30 were dismissed and 114 were forwarded to the courts for trial. NGOs maintained that many rapes were unreported due to social stigma and a lengthy and often corrupt judicial process. Police reportedly used poor investigative techniques and often mishandled rape cases, which discouraged survivor cooperation. There was an

increase in reports of gang rapes during the year. In some instances officials involved in prosecutions blamed the survivors, a practice pervasive on all levels of the justice system. Police officers, prosecutors, and judges often blamed the survivor when dismissing a case or acquitting the rapist, often after receiving a bribe. Local authorities engaged in public survivor-blaming on several occasions during the year. In one instance the mayor of the village of Hansca, Ialoveni Region, publicly accused a survivor of a gang-rape of “dressing provocatively” and being “intoxicated” and therefore responsible for the rape.

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

In the first seven months of the year, police registered 1,176 cases of domestic violence, almost twice the number for the same period in 2013. Of these, 679 cases were sent to trial and 36 were dismissed. The increase in domestic violence registered by police reflected an improvement in the law enforcement response to the problem. According to a Promo-Lex report, every seventh woman in rural areas experienced at least one act of physical violence in her lifetime. During the year police registered 22 murders and five suicides stemming from domestic violence. During her April visit, the UN deputy high commissioner for human rights, Flavia Pansieri, noted the country has taken important steps to combat violence against women, including domestic violence, rape, and sex trafficking.

Domestic violence investigations remained problematic when police officers themselves were the aggressors. In such cases law enforcement officers tended to side with the aggressor, and the victim was forced to appeal to the ECHR. The process was lengthy, and authorities did not protect victims from their abusers during the trial.

The law defines domestic violence as a criminal offense, provides for the punishment of perpetrators, defines mechanisms for obtaining restraining orders against abusive individuals, and extends protection to unmarried individuals and children of unmarried individuals. The maximum punishment for family violence offenses is 15 years’ imprisonment.

The law permits an abuser to be excluded from lodging shared with the victim, regardless of who owns the property. The law also provides for psychiatric

evaluation and counseling, forbids abusers from approaching victims either at home or at work, and restricts child visitation rights pending a criminal investigation. Courts may apply such protective measures for a period of three months and may extend them upon the victim's request or following repeated acts of violence.

During the year the Drochia trial court sentenced abusers in domestic violence cases to compulsory rehabilitation and counseling at the local rehabilitation center. The court sent more than 30 abusers to the rehabilitation program.

Progress in protecting women and children against domestic violence was slow. The Ministry of Internal Affairs undertook a series of reforms, including increased training for police officers handling domestic violence cases. According to various NGOs and the UN Children's Fund (UNICEF), the issuance of protective orders and the effectiveness of their implementation depended on the attitude of authorities. There were numerous reports that police officers were not diligent in ensuring either proper protection of victims or proper execution of measures prescribed by protective orders. NGOs maintained authorities relied excessively on NGOs to publicize available remedies and assist victims in requesting protection. The situation improved slowly with the timely issuance of an increased number of protective orders. NGOs expressed concern that authorities were insufficiently proactive in combating indifferent attitudes towards domestic violence among police, prosecutors, and social workers.

Public perception of domestic violence as a private problem persisted. Authorities generally relied on civil society to raise awareness. During the year the Ministry of Labor, Social Protection, and Family organized a public campaign, 16 Days against Violence, to raise awareness.

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

According to NGO reports, authorities issued only 1-2 percent of all protective orders within 24 hours as required by law. In most cases abusers continued their mistreatment undeterred. There were reported cases of protective orders being issued one month after mistreatment reportedly occurred.

According to a Promo-Lex report, social workers and police were not fully aware of domestic violence laws, and 44 percent of social workers and 20 percent of

police officers did not know how to respond to domestic violence. While courts increased the number of protective orders issued, police did not always implement such orders effectively. Observers stated the police approach to domestic violence improved slightly, but judges and prosecutors often failed to take the crimes seriously. Protection order violations continued to be classified as administrative infractions, which meant no criminal proceedings could be opened against offenders unless they violated the order on multiple occasions.

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

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

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

The NGO La Strada operated a hotline to report domestic violence, offered victims psychological and legal aid, and provided victims with options for follow-up assistance. During the first eight months of the year, the hotline received 1,861 calls related to domestic violence.

In Transnistria the law does not specifically prohibit violence against women and the extent of domestic violence was difficult to estimate. According to a 2013 survey in Transnistria, approximately 22 percent of women reported having been subjected to physical violence, 36 percent reported experiencing physical violence from their partners at least once, while 60 percent reported instances of psychological violence. Most victims of domestic violence did not file complaints with police.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C. There were no reports of FGM/C during the year.

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

Reproductive Rights: Couples and individuals could decide freely and responsibly the number, spacing, and timing of their children and had the information and means to do so and the right to attain the highest standard of reproductive care free from discrimination, coercion, and violence. The government adopted laws and implemented policies to ensure free obstetric and postpartum care to all citizens. Mandatory government medical insurance covered all expenses related to pregnancy, birth, and postpartum care. During pregnancy the government provided essential medicines free of charge. Most medical institutions, both state and private, had free booklets and leaflets about family planning and contraception.

Although there were no reports of Romani women being denied obstetrical, childbirth, or postpartum care, many Romani women did not take advantage of free government-administered medical care during pregnancy.

Women in psychiatric institutions and social care homes lacked access to contraceptives.

Discrimination: The law provides for women to enjoy the same legal status as men under family law, labor law, property law, and inheritance law, and in the judicial system. The law requires equal pay for equal work, which was mostly respected during the year. The National Bureau of Statistics reported almost equal proportion of men and women employed by midyear, 50.5 percent and 49.5 percent, respectively.

Children

Birth Registration: Citizenship may be acquired by birth in the country, inheritance from parents, adoption, recovery, or naturalization, or on the basis of certain international agreements. Registration of birth is free of charge for all citizens. Civil registration offices in maternity hospitals issued birth certificates before the mother and newborn were discharged from the hospital. Registration

offices issue birth certificates for all births, including home births. To receive a birth certificate, notification of a birth should be made within a maximum of three months. In exceptional cases, civil registration offices may issue birth certificates within a year of birth. Failure to request birth certificates is administratively sanctioned. The lack of registration certificates for a number of children, especially in rural areas and in Romani families, remained a problem. According to the Ministry of Labor, Social Protection, and Family, parents were responsible for registering their children's births. Due to registration shortfalls, it was estimated that more than 1,000 children lacked identification documents. The Civil Registry Office reportedly identified more than 500 children without documentation each year.

Education: Primary education was free and compulsory until the ninth grade. The Ministry of Education undertook a major reform and restructured or closed many schools in rural areas that experienced a drop in population. According to the National Bureau of Statistics, the number of children enrolled in schools decreased by more than 30 percent in the past decade. The Chisinau mayor provided 700 lei (\$50) per student for 8,000 vulnerable students in Chisinau, allocating a total of 5.6 million lei (\$400,000). The government earmarked nine million lei (\$633,600) for children from disadvantaged families before the start of the new academic year.

A UNICEF study showed that only 50 percent of Romani children attended school, and only one in five were enrolled in kindergartens.

The law requires immunization of children before preschool enrollment and provides for 12 compulsory vaccines. More than 1,000 children could not attend preschool because their parents refused to have them immunized. According to the ombudsman for children's rights, lawyers, and several members of parliament, the law on compulsory immunization limits children's access to preschool education. In 2013 the ombudsman challenged the law in the Constitutional Court, which ruled it constitutional.

Child Abuse: Although the law prohibits child neglect and specific forms of abuse such as forced begging, child abuse remained a problem. During the first seven months of the year, law enforcement agencies initiated 1,245 lawsuits involving crimes against family and children, 705 of which were sent to trial and 37 dismissed. Cases opened during the first seven months of the year included 12 cases of trafficking of children and six of illegally taking a child out of country. A special unit for minors and human rights was responsible for ensuring that special attention and expertise was devoted to child victims or child offenders. According

to UNICEF, the unit faced organizational difficulties, since its work often overlapped with that of other sections, thus creating conflicting competencies.

According to the NGO La Strada, law enforcement officials asked for its assistance in all cases where a minor was the victim. La Strada provided assistance in 530 cases.

A recent study by the Ministry of Education showed that three-quarters of children ages two to 14 had been subjected to some form of violence. According to a February Ministry of Education report, there were 6,332 cases of abuse against children from September 2013 through May. The ministry registered 3,026 cases of physical abuse, 1,940 of psychological abuse, 43 of sexual abuse, 1,164 of neglect, and 159 of labor exploitation. Most abuse cases involved boys (4,154). Authorities referred 384 cases to child protection agencies. The Ministry of Education trained more than 1,600 teaching staff on methods of violence prevention.

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

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

Early and Forced Marriage: The legal minimum age for marriage is 16 for women and 18 for men. There were no official statistics regarding child marriages, but they were uncommon.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C. There were no reports of FGM/C during the year.

Sexual Exploitation of Children: The Prosecutor General's Office is responsible for investigating and prosecuting child sexual abuse cases. Commercial sex with minors is punished 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.

Cases of prostitution of children and child sex tourism were reported during the year.

In 2013 police apprehended members of a criminal group involved in producing and distributing child pornography. Authorities released members of the criminal group (the manager of a shopping center, a student, two businessmen, and a priest), but they remained under investigation. During the year chief cybercrime prosecutor Veaceslav Soltan initially dismissed all criminal charges against child pornographers allegedly involved in two cases, a student and a priest, claiming in the media that "child pornography is not a serious crime." After a public outcry, authorities reopened the cases and filed criminal charges against the perpetrators. The Center for Combating Cybercrime, established in early 2013, was proactive in uncovering and investigating cybercrimes that involved sexual exploitation of children.

Institutionalized Children: The deinstitutionalization of children continued during the year. More than 20 boarding schools were closed since 2007, resulting in a 40 percent decrease in the number of institutionalized children. More than 4,000 children lived in residential institutions, including 300 orphans. The monthly allowance per child in boarding schools was 450 lei (\$31). The Ministry of Labor, Social Protection, and Family increased the allowance by 200 lei (\$13) during the year. The number of alternative family-based and community services increased as well. There were 87 family-type houses for 359 children left without parental care, and 261 professional parental family assistants for 392 children. During the year the government earmarked 13.6 million lei (\$875,000) for the children in family-type houses and 24.1 million lei (\$1.55 million) for beneficiaries of parental family assistance. NGOs estimated that 25 percent of the children in orphanages had one or two living parents but were abandoned when their parents left the country in search of employment. Children in residential institutions were subject to a greater risk of unemployment, sexual exploitation, trafficking, and suicide compared with their peers raised in families. UNICEF estimated that 50 percent of institutionalized children had disabilities.

The Ministry of Labor, Social Protection, and Family maintained two boarding schools for 675 children with disabilities and three asylums providing temporary (up to one year) shelter, counseling, and other assistance to approximately 110

children from socially vulnerable families. The Ministry of Education oversaw 50 boarding schools with 4,843 students. The ministry reported that 35 percent of these children were orphans or abandoned, while the other 65 percent came from socially vulnerable families whose parents could not maintain basic living conditions.

Police and NGOs reported that sex tourists continued to target orphanages, with sexual predators posing as school benefactors and paying off the administration of an orphanage to obtain unsupervised access to children, even taking them for overnight stays in rented apartments.

During the year the Ministry of Education continued to implement a national action plan to reform the residential-care system for children. There was little progress in deinstitutionalizing children with disabilities and children under the age of three. The country has a national program for the development of inclusive education for 2011-20 that provides for the closure or reorganization of 23 residential institutions (including boarding schools) by 2015.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see <http://travel.state.gov/content/childabduction/english/country/moldova.html>.

Anti-Semitism

The Jewish community numbered between 15,000 and 25,000 persons, including 2,000 living in Transnistria. There were no reports of anti-Semitic acts during the year.

In 2013 the Union of Moldovan Authors nominated writer Paul Goma, some of whose writings appeared to justify and deny the Holocaust, for the Nobel Prize in Literature. In August the Union of Writers, the Philology Institute of the Academy of Sciences, and a local theater put forward Goma's candidacy for the National Award, which is presented to the most remarkable personalities in the country; he did not receive the prize. On several occasions, Jewish community leaders criticized the government's efforts against anti-Semitism.

In November 2013 Chisinau municipal authorities reversed a previous decision and permitted the Jewish community to display publicly a Hanukkah menorah. The

community had not been able to do so since 2009, when an extremist group removed a menorah installed in the city center and made anti-Semitic statements.

Trafficking in Persons

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

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 the law was rarely enforced.

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

The country had approximately 183,700 persons with disabilities, including more than 25,000 persons with severe disabilities, and 14,753 children, many of whom often faced discrimination, social exclusion, poverty, unemployment, and lack of access to public services (see section 7.d.). The state paid a monthly allowance of 500 to 1,000 lei (\$32 to \$64) to persons with disabilities. The average disability pension was lower than the average retirement pension of 826 lei a month (\$53). In July the government raised the monthly disability allowance by 100 to 180 lei (\$6.40 to \$11.60), depending on the disability. As of October the state paid monthly pensions of 876 lei (\$56.30) to 133,774 persons with disabilities. In addition, 6,519 persons with disabilities received a monthly allowance of 149 lei (\$9.60), 27,181 individuals with lifelong disabilities received a monthly allowance of 410 lei (\$26.40), and 13,662 children with disabilities received 415 lei (\$26.70) per month.

According to the Ministry of Education, more than 50 percent of children in residential institutions were children with disabilities. The Ministry of Health reported that 27 percent of these were children with congenital diseases, 26 percent had mental disabilities, and 20 percent had neurological disorders.

Children with disabilities were entitled to home schooling provided by the government, but this service was limited in rural areas. In many cases children with disabilities declined schooling to avoid discrimination. Schools were often ill equipped to address the needs of such children. A recent UNICEF study determined that 5,800 children with disabilities did not attend school in 2013. Some children with disabilities attended regular schools, while others were placed in boarding schools, including “special” boarding schools, or were home schooled.

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

Official regulations mandate access to buildings for persons with disabilities. While many newly built or reconstructed buildings were accessible, older buildings often were not. Over 70 percent of public institutions lacked access ramps for persons with disabilities. According to the Motivatie association for persons with disabilities, only 1 percent of buildings in Chisinau were accessible. Even where ramps existed, they frequently did not fit a standard wheelchair, or were too steep or slippery. Most ramps at street crossings did not provide adequate access for wheelchair users. Persons with limited mobility complained about the lack of access to public transportation and public institutions and the shortage of designated parking places. The Social Assistance Division in the Ministry of Labor, Social Protection, and Family and the National Labor Force Agency were responsible for protecting the rights of individuals with disabilities.

The range of social services available to persons with disabilities included specialized services, such as social assistance, support, and counseling to foster social inclusion. There were 102 community service centers for persons with disabilities, including three community houses for 14 children with mental disabilities and two specialized homes for eight individuals with disabilities. There were also nine mobile support groups providing social assistance, medical and psychological support to 614 beneficiaries, and family support services for 155 persons. The government budgeted 9.5 million lei (\$611,000) for services to persons with disabilities during the year. In October the government adopted a decision to pay a daily allowance of 10 lei (\$0.64), a birthday allowance of 100 lei

(\$6.40) and holiday allowances of 70 lei (\$4.50) to at risk children placed in community houses.

There were 9,500 persons nationwide with visual disabilities, 3,500 of whom were completely blind. Ballots were not available in Braille, but the Central Election Commission started a pilot project to provide ballots in Braille for the next parliamentary elections.

According to the State Labor Inspectorate, 123 enterprises allocated 446 jobs for persons with disabilities. There were 632 persons with disabilities employed in 201 companies.

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

With UN support, the government set up a National Health Management Center within the Ministry of Health to handle complaints filed by patients with psychoneurological deficiencies or intellectual disabilities. At the same time, 13 lawyers provided pro bono legal services to patients in psychiatric institutions. During the first nine months of the year, the ombudsman for psychiatry received 5,600 complaints from 1,500 such persons.

During the year the tuberculosis and psychiatric unit of the Balti Psychiatric Hospital in the Briceni District, was a source of serious concern. Instead of closing the hospital, which had previously come under sharp criticism for its substandard conditions, authorities converted it into an institution for palliative care. There were credible reports that the hospital did not transfer the patients with severe mental disabilities to other institutions but continued to detain them in inhuman conditions.

The mortality rate in mental-health institutions was significantly higher than in other healthcare institutions. No conclusive investigations on deaths in these institutions were conducted. The standards of treatment in psychiatric facilities were substandard.

Human rights observers criticized the country's guardianship system. A person placed under guardianship loses all standing before the law and cannot engage in social and legal acts, such as marriage, voting, claiming social benefits, consenting to or refusing medication. One example of problems involved a woman, placed under the guardianship of her husband, who was not allowed to file for a divorce. In rejecting her divorce application, the court requested her husband, as her legal guardian, to file for a divorce himself, which he refused. The case was sent to the ECHR during the year.

Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (with the exception of jobs requiring specific health standards), many employers either failed to accommodate or avoided employing such persons. The law requires that 5 percent of the workforce in companies with 20 or more employees be persons with disabilities. Such individuals are legally entitled to two months of paid annual leave and a six-hour workday, benefits that made employers less willing to hire them.

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

National/Racial/Ethnic Minorities

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

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

The literacy level of Roma was well below the national average. According to Romani families, their children were subject to discrimination from both fellow students and teachers. An investigative report showed that Romani children were segregated even in schools in areas with a predominantly Romani population. For example, in a city in northern Moldova, Romani children studied separately from non-Romani children. This segregation contributed to the isolation and poor academic performance of the Romani children. Authorities lacked an effective mechanism to address vulnerable families whose children did not attend school.

Approximately 60 percent of Romani families lived in rural areas. Some Romani communities lacked running water, sanitation facilities, and heating. Other problems facing Roma included lack of emergency health-care services in secluded settlements, unfair or arbitrary treatment by health practitioners, a gap between Roma and non-Roma in rates of coverage by health insurance, and discrimination against Roma in the job market. The unemployment rate for Roma was 29 percent, compared with 6.7 percent for the non-Romani population. There were no Roma in elected office or senior levels of public administration.

In 2013 the government decided to establish local government mediators with Romani communities and allocated 1.6 million lei (\$103,000) to the program. The community mediators acted as intermediaries between the Romani community and local public authorities, mediated disputes, and facilitated the community's access to public services. There were 25 active Romani community mediators. In some rural areas, mayors were reluctant to employ Romani community mediators. During the year the government earmarked two million lei (\$129,000) for inclusion programs.

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

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

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

In 2013 the NGO Genderdoc M reported 17 crimes committed against individuals due to their sexual orientation. Most crimes were perpetrated against gay men, with the perpetrators targeting victims through social media sites. Prosecutors responded by opening two criminal cases against suspected perpetrators and, in seven other instances, fining or administratively sanctioning perpetrators. One person was dismissed from his position in law enforcement. In six cases, authorities did not take the victim's sexual orientation into consideration or categorize the offense as a hate crime. Investigators determined discrimination based on sexual orientation in only one case.

In June a representative of the extremist Occupy Pedophilia movement threatened a member of the Genderdoc M organization. Following the threats, Genderdoc M alerted the police and took protective measures to enhance security at the organization's headquarters. A second violent incident took place on September 20, when approximately 40 members of the local LGBT community gathered at the Genderdoc M premises prior to departing for a one-day retreat outside Chisinau. A group of eight masked men belonging to Occupy Pedophilia approached the Genderdoc M office and threw eggs, hitting several people. One of the assailants shouted homophobic insults. The group's leader, Stanislav Ghibadulin, was reportedly among the perpetrators. Shortly before the assault, Genderdoc M employees received a telephone call warning of the attack. Police were called to the scene. Authorities administratively sanctioned the group's leader and fined him 1,000 lei (\$64.30). Despite evidence against the same group leader in the earlier harassment case, police failed to punish the perpetrator and closed the case after three months when the statute of limitations expired. While prosecutors initiated a number of court cases against Occupy Pedophilia in years past, no court has issued a judgment against it. Genderdoc M noted that Occupy Pedophilia became more violent and moved from verbal insults and threats to physical assaults during the year.

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

On May 17, more than 100 individuals attended an "equality march" in Chisinau organized by the LGBT Community in Moldova to celebrate the International Day against Homophobia and Transphobia; the march proceeded without significant incidents (see section 2.b.).

While authorities allowed individuals to change their names (for example, from a male to a female name), the government did not allow persons to change the gender listed on their identity cards or passports. A 2012 court of appeals decision allowed transgender persons to change the gender on their official documents without compulsory gender-reassignment surgery, but the court later reversed itself, and the case remained pending. In 2012 the Supreme Court of Justice issued a nonbinding recommendation to lower courts that transgender individuals be permitted to change the gender on their civil documents. In 2012 the Ministry of Health established a commission to determine gender identity and issue certificates that can be used to apply for new documents. Five transgender persons changed their identity papers since 2011, four following a court decision. Two transgender persons changed their identity papers during the year. Genderdoc M was aware of approximately 30 transgender persons living in the country.

In Transnistria, consensual same-sex activity is illegal, and LGBT persons were subject to governmental and societal discrimination.

HIV and AIDS Social Stigma

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

The law prohibits hospitals and other health institutions from denying admission or access to health-care services to persons with HIV or those suspected of being HIV-infected or from requesting additional fees from them for services. The Moldovan Institute for Human Rights and UN representatives reported instances where health institution refused appropriate medical treatment or discriminated against HIV-positive patients because of their status.

While various laws enshrine patient confidentiality as an inherent right and prohibit the unauthorized disclosure of personal medical information, NGOs reported numerous cases of disclosure of an individual's HIV status by physicians or nurses. This occurred primarily in rural areas and smaller communities with relatively few patients. The government took no measures to prevent such abuses. Disclosure of a person's HIV-positive status often resulted in the ostracism of an individual's children in kindergartens and schools and dismissals by employers (see section 7.d.). Patients whose HIV status was disclosed avoided taking action publicly against medical workers due to fear of further discrimination.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides workers the right to form and join independent unions, bargain collectively, and conduct legal strikes. The government generally respected these rights with limitations. The law prohibits antiunion discrimination but does not provide for the reinstatement of workers fired for union activity. Restrictions in the law specifically forbid police and members of the armed forces from joining unions. Government workers and workers in essential services such as law enforcement are not allowed to strike. Health-care providers and public utility employees are not allowed to strike during duty hours. Political strikes are prohibited. Compulsory arbitration may be imposed at the request of one party to a dispute.

The law does not provide effective sanctions for violations of freedom of association or stipulate penalties for violating trade union rights. Resources, inspections, and remediation were generally inadequate. According to the National Trade Union Confederation of Moldova (CNSM), prosecutors did not initiate any criminal investigations for infringement of the right to organize and bargain collectively during the year. The CNSM maintained there was little cooperation between the Prosecutor General's Office and trade unions. The CNSM leadership believed that the Prosecutor General's Office was politically affiliated with and unwilling to initiate cases against powerful business interests.

Labor organizations reported the State Labor Inspectorate and prosecutors' offices failed to effectively monitor and enforce the right to organize. The CNSM formed its own labor inspectorate in 2012 to protect employee rights. In 2013 the office carried out 210 inspections, visiting companies with 34,000 employees and documenting 4,374 violations, including 3,369 health and safety standard infringements and 1,005 labor law infringements. Some employers refused to negotiate the creation of a trade union organization. Prosecutors may reject appeals by trade unions alleging antiunion behavior, and authorities did not punish alleged violations of the trade union law during the year.

The right to bargain collectively and the right to organize were not always respected, and unions could acquire legal status only if they were members of national, sectoral, or intersectoral organizations. Employers resisted the creation of

new unions. Workers exercised the right to strike by conducting legal strikes during the year.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, with exceptions. The law and a government decision allow central and local authorities as well as military bodies to mobilize the adult population under certain conditions, such as in the event of a national disaster, and to employ such labor to develop the national economy. The government did not invoke this provision during the year. Resources, inspections, and remediation for forced labor were generally inadequate. Penalties for persons who engage workers in forced labor range from five to 20 years' imprisonment and were sufficiently stringent to deter violations.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for unrestricted employment is 18. The law permits juveniles between the ages of 16 and 18 to work under special conditions, including shorter workdays, but prohibits their working night, weekend, or holiday shifts or overtime. Fifteen-year-old children may work only with written permission from a parent or guardian. The law prohibits the worst forms of child labor and provides for three to 15 years' imprisonment for persons engaging children in the worst forms of child labor; under aggravated circumstances, courts can increase the sentence to life imprisonment.

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

Children were subject to trafficking within and outside the country for labor, begging, and sexual exploitation. NGOs maintained that only a small percentage of cases of human trafficking were officially registered and assisted and that the

actual number of victims was unknown. Boys and girls were subjected to commercial sexual exploitation (see section 6, Children).

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

d. Discrimination with Respect to Employment or Occupation

Labor laws and regulations prohibit discrimination based on race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce the law. Discrimination in employment and occupation occurred with respect to gender, presence of a disability, minority status, sexual orientation and gender identity, and HIV-positive status (see section 6).

e. Acceptable Conditions of Work

There are separate minimum wages for the public and private sectors. In May the government set the minimum monthly wage for the private sector at 1,650 lei (\$106) per month. In July it raised the minimum monthly wage for public sector employees to 1,000 lei (\$64). According to official data, the minimum monthly subsistence level was 1,668 lei (\$107) in the first half of the year. According to the CNSM, salary arrears were more than 100 million lei (\$6.4 million) as of June.

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

The labor code requires work contracts for employment. Employers must register these contracts with local officials, with copies sent to the local labor inspectorates. Through November the State Labor Inspectorate reported 240 persons were employed at 117 enterprises without such contracts. There were no reports of work contracts in the agricultural sector, where the central government did not have an effective mechanism to monitor compliance.

The government effectively enforced minimum wage, hours of work, and occupational health and safety standards in the formal sector. Enforcement in the informal sector was inadequate. The law requires the government to establish and monitor safety standards in the workplace, and the State Labor Inspectorate was

responsible for enforcing health and safety standards. During the first 11 months of the year, the office performed 6,190 inspections, 2,760 of which were health and safety inspections and 3,430 that involved labor relations/legislation. The office inspected more than 5,500 companies (enterprises, institutions, and organizations) employing more than 194,900 persons, including 91,400 women and 140 minors. It documented 64,612 infringements, including 32,309 of health and safety standards and 32,303 of labor laws. Penalties for violations ranged from 400 lei (\$26) to 10,000 lei (\$640) and were insufficient to deter violations. In addition, the inspections were less effective because the inspectorate had to inform businesses prior to inspection, allowing managers to hide violations before the visits.

A thriving informal economy accounted for a significant portion of the country's economic activity. The State Labor Inspectorate is the main agency responsible for monitoring and enforcement of compliance with labor legislation. The inspectorate had 109 employees, 22 of whom worked in the central office and 87 in 10 regional branches. The labor code requires the inspectorate to collaborate with other institutions, including business organizations and trade unions. According to union representatives, the informal economy employed approximately 50 percent of the workforce. Workers in the informal economy did not have the same legal protections as employees in the formal sector.

Poor economic conditions led enterprises to spend less on safety equipment and to pay insufficient attention to worker safety. During the first 10 months of year, the Ministry of Labor, Social Protection, and Family reported 449 accidents at work. The State Labor Inspectorate investigated 141 accidents, while special committees at the respective companies investigated another 308 cases. State inspectors reported 53 serious accidents that severely injured 54 employees as well as 32 incidents that resulted in 35 deaths; the remaining accidents remained under investigation. State Labor Inspectorate representatives noted severe financial and legal constraints on inspectors' activities, ranging from a lack of internet access, training, and fuel for inspectors to a system of incentives that encouraged employers to pay minimal fines for violations rather than address underlying problems.