

Research on Child Victims of Trafficking in Moldova

Moldova is addressing child trafficking issues in a constant and coordinated manner, however territorial issues and lack of resources are proving its greatest challenges to providing a full range of protection and prevention measures for child victims of trafficking. Further to specific articles in its Criminal Code on trafficking in children, providing an exhaustive list of exploitative activities inspired by the Palermo Protocol, in 2005 it introduced the human rights-focused Law on Preventing and Combating Trafficking in Human Beings, within which an entire chapter is dedicated to children, and above all the Assistance and Protection of Child Victims of Trafficking in Human Beings. Together with the Criminal Procedure Code which provides for the anonymity of witnesses to trafficking, they create a significant legal framework for combating trafficking, enshrined by a ruling of the Plenum of the Supreme Court on the application of legislation on lawsuits involving victims of trafficking. In order to harmonise the approach by the government and NGOs, further implementing documents are being finalised. Moldova has ratified the UN Convention on the Rights of the Child, and signed its Optional Protocol on the Sale of Children, as well as the Convention against Transnational Organised Crime and its optional protocols, and the Council of Europe Convention on Action Against Trafficking in Human Beings and relevant ILO Protocols.

There is no specialised institution dedicated to combating child trafficking, however they are contemplated within the nationwide Specialised Directorate for Fighting Human Trafficking. There is also a special advisory body for the coordination of anti-trafficking activities, being the National Anti-Trafficking Committee, which was formed in 2001, but only regulated since 2005 when both governmental departments and NGOs became formal members. Finally a Centre for Combating Trafficking in Human Beings in the Republic of Moldova, was opened with experts from government agencies and departments involved in the investigation and prosecution of trafficking offenders. It also has a unit for witnesses and the protection for victims of trafficking crimes.

On a regional level, Moldova has joined the Working Group for Cooperation on Children at Risk (WGCC) instituted by the Council of Baltic Sea States (CBSS), in the context of the WGCC's Plan of Action on Unaccompanied and Trafficked Children for which Moldova has provided a contact point as part of the referral mechanism for child victims of trafficking. Moldova also cooperates on a bilateral level with governments such as Russia and Turkey for the repatriation of victims of trafficking.

Moldova has administered its second National Plan of Action (NPA) covering the 2005-2006 period prompting child-specific counter-trafficking measures in all intervention areas, notably in legislative reform, capacity-building of state and non-state actors, unemployment and poverty-reduction, and the creation of a referral mechanism. International and national organisations are always partners in implementing the NPA, and include UNICEF, UNDP, IOM, OSCE, ILO-IPEC, the Council of Europe, the European Union, the SECI Centre, as well as several Moldovan NGOs active in the field. In actual fact, this collaboration is testimony to the lack of structured funding provided by the government for the implementation of the NPA. Furthermore, the NPA for 2007-2008 is yet to even be approved.

The types of prevention activities recently implemented include a national toll-free hotline run by La Strada, awareness-raising activities common to most NGOs and IGOs, including La Strada, IOM, and the Centre for Prevention of Trafficking in Women (CPTW). The government plans for annual information campaigns. UNICEF and UNDP support educational programs, while ILO-IPEC have conducted studies on child labour leading to the Code of Conduct for Employers on the Elimination of the Worst Forms of Child Labour in Agriculture and the Food Industry launched in December 2007. Smaller NGOs such as Amici dei Bambini work directly with potential victims of trafficking by seeking to reunite children placed in institutions with their families, and through intense psycho-social work, reduce the recognised risk to children in institutions by helping them to stay with their families.

As far as protection and rehabilitation are concerned, Moldova is becoming somewhat of a model for neighbouring countries. Procedures exist between Moldovan diplomatic representatives abroad, law enforcement and single organisations such as IOM and Terre des Hommes for the repatriation of victims of trafficking, and a Tri-Ministerial Agreement on a model procedure for repatriation is also in the works. IOM runs the only shelter for trafficking victims which includes minors, and is working on the formalisation of a national referral system. Amongst other activities, OSCE, IOM and La Strada provide capacity building programs for professionals and seek to improve coordination between NGOs. CPTW work on access to justice for victims. Terre des Hommes (TdH) and Save the Children Moldova are strong in assisting trafficked children particularly through social assistance, healthcare, education and vocational training. In particular, TdH works to provide a link between children and government resources, and seeks to assist the government through support for individual reintegration plans for each victim of trafficking.

Information management on an interdepartmental level in the field of trafficking in persons has not yet become systematic in Moldova. However, in February 2006, the National Anti-Trafficking Committee made a decision to establish a single system to monitor the implementation of the National Plan on Prevention and Suppression of Trafficking in Persons (NPA). The National Committee approved a model report on monitoring anti-trafficking activity, set the periodicity for presenting reports (2 times a year – on July 25 and January 30), and appointed responsible persons for data collection and processing. The single system, however, appears to depend on approval of the NPA for 2007-2008.

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Methodology

This research was conducted principally by desk review, as well as via phone interviews and email communication with non-governmental organisations, international organisations and institutions.