



Trafficking in children for sexual exploitation in the Republic of Moldova

**Centre for the Prevention of Trafficking in Women
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Contents

Introduction	3
Methodology	4
Chapter I. Trafficking of Children in Moldova	
1. Background on children's lives	5
Chapter II.	
2.1 Trafficking in Children. Relevant factors	6
2.2 Statistics	6
2.3 Who are the victims/potential victims?	7
Chapter III. Trafficking Stages	
3.1 Moldova – country of origin and transit?	10
3.2 Ways in which children are recruited	10
3.3 Purposes of recruitment	11
3.4 Routes and methods	13
3.5 Destinations and routes	15
3.6 The price of a minor victim	16
3.7 What happens on arrival?	16
3.8 Who are the clients?	17
3.9 The relationship between child sex tourism, child pornography and the local sex industry	18
3.10 How do children escape?	18
3.11 What happens to the victims when they come back home?	18
Chapter IV. National Legislation	
4.1 Definition of trafficking in human beings according to Moldavian law	18
4.2. National legislation on trafficking in children	19
4.3. Legal implications for repatriation of minors	20
4.4 Penalties for traffickers	20
4.5. Conviction rates	20
4.6. How can the conviction rate be improved?	20
4.7. Weaknesses in Moldavian Law	20
Chapter V. Measures taken	
5.1. National policies and legislative enforcement	21
5.2 The impact of the National Plan on combating trafficking in children	23
Chapter VI. Victim Assistance	
6.1. Identification	24
6.2 Assistance to victims, rehabilitation	25
6.3 Legal assistance to victims, including minors	25
6.4. International cooperation for ensuring legal assistance to victims, including minors	26
6.5. Reintegration of the victims	27
6.6. Network of agencies implementing projects to combat trafficking	28
Chapter VII. Other studies concerning trafficking in women and children	31
Chapter VIII Recommendations and conclusions	32
8.1. Institutional Framework	33
8.2. Legal Framework	33
8.3 Specialised social services	34
8.4. Training of specialised personnel	34
8.5. International co-operation	34
IX. Case studies	35
Bibliography	37

Introduction

The following report is the product of research conducted by the Association of Women Lawyers of Moldova on trafficking in children for various purposes (sexual exploitation, begging, etc). The information which we obtained in the course of the research served to confirm the picture which has emerged over the last decade that the trafficking of children from Eastern Europe for sexual purposes has reached alarming proportions, with a level of complexity hitherto unequalled.

The research has also confirmed that despite the increase in the number of victims, the multiplication of trafficking routes and the growth in criminal networks, there is little detailed knowledge on the situation where the sex slaves are children.

The objective of the report was to investigate the causes of child trafficking, to estimate the size of the problem, and to evaluate the actions taken for prevention, prosecution of the perpetrators and rehabilitation of victims. The objective was also to formulate proposals and recommendations which could reduce the problem in Moldova and in other regions.

Our organization's attention to this issue is neither new nor sporadic; as a result of growing alarm about the sexual trafficking of children, we have been actively involved for three years in collecting material and documentation, and participating in national and international discussions and activities. Since February 2001, the Centre for the Prevention of Trafficking in Women (CPTW) has been set up as a project by the Association of Women in Legal Careers (AWLC) under the aegis of the United Nations Development Programme. The objective of this project is to coordinate and implement information, educational, and preventive activities in the area of trafficking in women and children so as to increase awareness about this problem in the Republic of Moldova.

During the last three years the project collected and disseminated data on trafficking, increased public awareness about the risks of trafficking through media campaigns, and informed the victims of trafficking about the assistance and rehabilitation sources available in the country and abroad. These actions were accomplished using a wide variety of tools, including a telephone help-line, youth volunteer training seminars, seminars for youth and schoolchildren, publications for young people, and public media awareness campaigns.

In order to implement the project successfully and to coordinate the anti-trafficking efforts in Moldova, CPTW agreed and signed Memoranda of Understanding with the most active state agencies, including: the State Service for Migration, the Department of Social Assistance of the Ministry of Labour and Social Protection, the Division for Combating Organized Crime of the Ministry of Internal Affairs, the Department of Youth and Sport of the Ministry of Education, the Department of Information Technologies, and the Border Police.

CPTW also signed a memorandum of understanding with the International Organisation for Migration (IOM) in order to be able to document and process identity papers and other lost documents of repatriated victims through the IOM.

The CPTW also has significant collaboration with representatives of law enforcement bodies, with local NGOs working in the field, and with national and local media channels.

The main current objectives of the CPTW are:

- To facilitate access to justice for victims of trafficking, including special provisions for minors,
- To promote and develop specialized legal knowledge and practices for the application of the international and national laws and norms against trafficking in human beings (THB),

- To monitor and encourage activities related to strengthening the judicial system's capacity to combat THB,
- To create and maintain a network of communication among all the local, national, and international partners interested in strengthening legislative capacities for combating THB.

The project has many target groups: Victims of trafficking, representatives of the judicial community, representatives of public local authorities, civil society, NGOs involved in anti-trafficking activities, specialized agencies (La Strada, IOM, etc.)

The experience already gained by the CPTW in its activities directed towards the prevention of trafficking in women, including minors, has been an important source for this research and for the formulation of proposals and recommendations. We have also prepared a bibliography, which includes the few existing studies on the subject and a press review of court cases in Moldova.

Our aim is not only to construct a faithful image of the situation, but also to disseminate the results of our research amongst NGOs, relevant institutions, the police forces, and the general public, in the belief that knowledge of the situation is the first step in the battle against trafficking.

Methodology

The data and information for this report have been collected from the following sources:

- From the small amount of literature available on the subject;
- Data accumulated from the personal experiences of the CPTW in its prevention work and in the social/judicial assistance it offered to victims and potential victims from February 2001 to date, including information obtained from other returnees who were provided with assistance;
- Analysis of existing reports concerning trafficking in human beings prepared by public institutions, and international and local non-governmental organizations;
- Interviews conducted with people who know about the problem through their professional work. The following groups were interviewed: public officials, key persons in international organizations, magistrates, prosecutors, lawyers, members of the police forces, journalists and staff of NGOs.

The survey covered the following areas: A) children, B) the trafficking routes and organized crime, C) the clients, D) Moldavian laws and their application, E) assistance and protection for the victims, F) general remarks. Some questions from the common questionnaire - especially those concerning laws – were adapted to the Moldavian context, and others, necessary for a more complete knowledge of the situation, were added.

Almost all the interviews planned at the outset of the research were carried out. Only three out of twenty people contacted refused to answer, on the basis of a lack of information on the subject, or they were not available. Except for one interviewee, who preferred to send a written response, the replies to the questionnaire were made orally, with the interviewer making notes. A mini report was written up of each interview, in preparation for the writing of the final research document. It should be noted that after the first few interviews, the questionnaire was adapted to cover the professional experience of the interviewee. For example, with magistrates we paid particular attention to the laws and their application, with NGOs we gave special consideration to protection programmes, and so forth.

An essential support during the study was provided by Italian colleges from ECPAT, who provided us with case studies, and explained research methodology to us. Alessia Altamura, from ECPAT Italia, made a study visit to Moldova during which she provided us with a lot of information concerning child trafficking in Italy.

Chapter I. Trafficking of Children in Moldova

1. Background on children's lives.

The Republic of Moldova is a country situated in Eastern Europe with a land surface of 33,700 square km that is undergoing a drastic economic decline.¹ Although Moldova's Constitution and laws are generally in accordance with the principles of non-discrimination, the fundamental rights of children are still violated by low incomes, lack of opportunities and the slow pace of social reform. The level of GDP per capita has decreased by 25% from 426 USD in 1996 to approximately 350 USD in 2000², and is currently the lowest of all the European countries.

More than half the population lives below the poverty level. Using 120 Lei per month (11.50 USD)³, as the poverty index, it was calculated that in 1999, 58% of the population lived in poverty. Accordingly to other sources, 66% of Moldova's population lives below the poverty level.⁴

Poverty mostly affects large families or single-parent families, peasants, and the rural population.

Moldova's population is the youngest and densest in Europe. Almost 30% of the 4,281,500 people⁵ are children and teenagers under 18 years of age. At the moment one in six inhabitants is aged between 15 and 24 (637,000). If we also take into account the young people between 10 and 14 years of age, the number of young people is over a million (1,004,000).⁶

The unemployment rate among young people is high, representing almost a third of the total number of unemployed. The situation is especially difficult for children who live in institutions and/or detentions centers and are in search of employment.

37% of children are working in unpaid jobs. Almost all children (86%) are working in households. Only 2% of children have an income. Working children are very vulnerable to early school leaving and of falling into the cycle of poverty. Working conditions are mostly unregulated, and expose children to serious risk of exploitation and abuse.

Legal and illegal migration continuously increases. Accordingly to unofficial estimates, the number of Moldavian citizens who work abroad is between 600,000 and 1,000,000⁷, which is the highest level of illegal migration from Turkey and the countries of Southern and Central Europe. A very high number of migrants are from rural areas; some 50-100 persons from each rural community (1%) of 1,000-2,000 inhabitants are working abroad. In some communities only half the former population is left.⁸ In some of the villages in the region of Gagauzia in the south, which has autonomous status and a Turkish minority population, 70% of the women have already migrated. The majority of them go to Turkey but many also go to Italy, Spain and Portugal.

Official polls show that 80% of the population wants to migrate. Almost 90% of young people aged 18-29 would like to leave Moldova for at least a little while. Over 37% would leave forever if they had the opportunity, with only 9% of young people wishing to stay in Moldova.⁹ In terms of the number of young migrants, Moldova is in third place among the Central and Eastern/CIS/Baltic

¹ World Bank, *Poverty Assessment Moldova* (2000); *UN Common Country Assessment*, 2000.

² National Bank of Moldova, cited by UN Common Country Assessment calculated for 2000, average gross income 350 USD. According to the Department of Statistics, in 2001 average gross income was 344 USD.

³ UN Moldova, Assessment of independent experts from Marketing Problems Centre, 2000

⁴ UNDP, *National Strategy for Sustainable Development*, 2000

⁵ International Health Organization, *Health for All Statistical Database*. This number refers to the entire country (January 2000). If the population from Transnistria is excluded (631,500 inhabitants), then the total population is 3,650,000. The last census took place in 1989

⁶ UN terminology and practices give different definitions for children and teenagers. Child: every human being below the age of eighteen years; adolescents: 10-19 years; young persons: 15-24 years. MONEE Report nr.7, *Young People in Changing Societies*, 2000

⁷ At the beginning of 2000, it was estimated that more than 600,000 citizens of Moldova were abroad. UNDP National Human Development Report, 2000. IOM Trafficking in Women and Children, 2001

⁸ IOM Trafficking in Women and Children, 2001, Moldova

⁹ Interview with the UNICEF Assistant Representative, Giovanna Barberis, 24 July 2001

countries of Europe. The total number of young people in the age group of 15-24 years who have migrated to other countries is over 130,000¹⁰ since 1989, a number which is only exceeded by Kazakhstan and Bosnia-Herzegovina.¹¹

Many of those who left the country are illegally abroad; in this way they easily become victims of criminal networks, including those of traffickers.

Because of the absence of a family and also because of family instability, children are exposed to abuse, neglect, and exploitation, and they become street children, and easy prey for traffickers. The economic problems that families face are identified as the main reason for children becoming street children. Domestic violence and alcoholism are factors in more than 40% of cases. More than half the street children are either orphans or children who have lost contact with their parents because of migration or for other reasons.

CHAPTER II

2.1. Trafficking in Children. Relevant factors.

Most of the research already carried out into THB refers to the selling of young women from different states of central, west, east and south-eastern Europe for sexual exploitation, without differentiating between young women and minor girls. Many of the persons interviewed said that they knew a lot about trafficking in adults, but less about trafficking in children for sexual exploitation. Until now no attention has been paid to trafficking in children, and that category of victim was always considered in the same way as an adult victim. From the point of view of the interviewees, trafficking is really a phenomenon of migration. However, some interviewees had concrete data about trafficking in children, and knew of cases where both girls and boys had been used for sexual exploitation, specifically for pornography.

The main factors that encourage trafficking of children are:

1. **Economic factors** : poverty, unemployment, lack of opportunities for the younger generation.
2. **Social factors** : a decrease in the level of education, lack of support for the younger generation, the loss of family values, loss of national cultural values in society, the absence of a culture of juvenile justice.
3. **Political factors** : the lack of a strategy on migration; the failure to identify mechanisms for dealing with violations of children's rights, the lack of a social services network.

These are the reasons that children migrate and why they are easy targets for traffickers.

2.2. Statistics.

After doing the interviews and looking into the information available, it is difficult to give exact data on the number of children who have left the country.

The interviewees say that the number of trafficked minors is huge, and that an exact number cannot be estimated. None of the state institutions, including the department responsible for the border guards, have any evidence about the number of trafficked victims, or the number of people who have been deported. Many of the trafficked minors do not want to inform the law enforcement authorities, others remain even today in the brothels of Turkey, Cyprus, Moscow, other Eastern European countries etc. The only evidence on this issue is provided by the Ministry of Home Affairs and refers only to the criminal proceedings that have been taken against traffickers; but there is no information about the victims.

¹⁰ MONEE Report nr.7, Young People in Changing Societies, 2000

¹¹ Barometer of Public Opinion-Republic of Moldova. CSOP/Taylor SOFRES, January 2001

According to the statistics collected by IOM Moldova for the period 2000-2003, 1,074 victims have returned through the IOM offices in other countries. Of these, 30% were recruited as minors and 42% were still minors when they returned to Moldova.

According to IOM's report on the current situation of trafficked women found in Kosovo, which was based on 130 cases for the period February 2000 - February 2001, 61.21% of the victims came from Moldova, none of the other nationalities being represented in a proportion higher than 15%. From the total number of victims, 8.46 % were aged between 14 and 17, and 55.38 % were aged between 18 and 24.¹² It is estimated that 30 % of the repatriated teenagers were re-trafficked because of the lack of employment opportunities in their own country.

Up to January 2000, Save the Children, Moldova, with the assistance of IOM and other international organizations, had ensured the repatriation of 263 victims, of whom 25 were minors.

Although a lot of cases of minors trafficked to Russia were recorded, there is no concrete data about their number in the Commonwealth of Independent States (CIS) countries, including Russia. According to a press release from the Ministry of Internal Affairs about police activity in combating THB for the year 2001, there were 500 cases recorded in that year in which kidnapped minors were forced to beg on the streets of Russian cities, and were occasionally sexually assaulted.

The Temporary Centre for Minors in Moscow (managed under the Ministry of Interior) estimates that at least 50% of the children begging on the streets of Moscow are from Moldova. According to Save the Children, Moldova, the children are kidnapped or taken from their parents by traffickers making false promises, and then trafficked to Russia (Moscow, St. Petersburg), Ukraine and other countries. According to the police, the majority of children leave Moldova with their mothers. Police have information about children from Moldova forced to beg in Russia, Belarus, Ukraine and Poland. Traffickers organize groups of beggars – children, old people, handicapped, as well as young girls. There is also information about children used in agriculture, and working on farms in Ukraine (Odessa).

The Italian Solidarity Committee has conducted research into the family situation of minors from Moldova who left for Italy. In the majority of cases, their own parents paid 1,000-1,500 USD in order to send their children abroad, hoping that they could build a better future, in other words, they allowed the enslavement of their own children.

2.3. Who are the victims/potential victims?

The responses to the questionnaire showed that there is no single region which supplies victims for child trafficking. Minors are recruited from all regions of Moldova, and from both urban and rural areas. However, children from the rural regions represent the majority of victims. The interviewees explain this fact as due to the following causes:

- The vulnerable economic situation of rural families. According to official data, all villagers are below middle-income level;
- The rapid migration of the rural population abroad in search of work has led to family separation;
- Lack of access to the means of mass communication in the rural regions (radio, TV, newspapers).

According to research carried out by the NGO "CIVIS", out of 24 victims interviewed, almost half of them were under the age of 18, and more than half were aged between 18 and 24. Only a few of them were in their 30s. Half of those interviewed knew that girls can be trafficked abroad, but they hoped that this would not happen to them; the other half could not even imagine that women could

¹² IOM Pristina, *Counter-Trafficking Unit Situation Report* (Report of the anti-trafficking unit about the current situation), 2001

be used as commodities. The majority of the girls said that if they had been informed about THB they would have avoided this experience.

The victims of child trafficking can be children of any age. Mostly minors between 12 and 18 are trafficked.

There are fewer risks for traffickers when they deal in children in the age group of 15 to 18, because their papers can be easily falsified by changing the age, and at the same time this category of victim generates the highest income for the traffickers. Minors are easier to convince, influence and manipulate, and bring at the same time an immediate profit for the trafficker. A picture of 'at-risk' children can be drawn from the factors which make them vulnerable to trafficking. They come from socially vulnerable or dysfunctional families, usually with only one parent, or where they are being raised by relatives, neighbours, acquaintances (when the parents are working abroad), or from institutions. Usually they have not completed their education, and some of them are even illiterate. They abandon their studies to go begging or working in order to support their families. As a result, these children fall under the influence of drugs or alcohol, turn to stealing, and become easy prey for traffickers.

From previous studies we can conclude that a significant number of minors are left without supervision because their parents have emigrated, and as a result trafficking in children increased considerably. This exodus of adults has led to violations of the rights and interests of children. According to a recent study by the local public authorities and the Office of the General Prosecutor, there are over 20,000 children left without supervision in the country, because their parents have gone abroad looking for work.

More than 3,000 children have both parents abroad, and are being supervised by their grandparents, relatives or neighbours. It is estimated that, in the context of this migration process, approximately 1,000 children do not attend school. In this way they easily become victims of traffickers, and in some cases even commit crimes (especially crimes against property).

According to information provided by the interviewees, it has been established that in the majority of families of trafficked children the parents do not have a permanent job. The children usually do not have basic necessities, such as food and clothes. The vulnerable economic situation of some of these families is generated by alcohol abuse on the part of the parents. Sometimes alcoholic parents consider their children a burden, and drive them out of home. In such conditions the children are obliged to leave school and to start to work (prostitution, agricultural work, begging, etc.) in order to survive. These parents do not react in any way when they find out that their children have been trafficked, and forced into prostitution or begging. The only thing they care about is whether or not they get any money. 80 % of child victims come from an abusive environment.

According to data from the Ministry of Home Affairs 82 persons have been killed as a result of domestic violence, which is almost 20% of the total number of murders. 95 persons have suffered a severe physical assault, which is 21.2% of the total number of registered cases. It is these kinds of circumstances that push women and teenagers into leaving the country. In the same period there were 171 rapes. As a rule, it is teenage girls between the ages of 13 and 17 who are raped.

Due to the lack of adequate reporting mechanisms, there is no clear image of the level of domestic violence. Between 3% and 9 % of women are victims of serious forms of violence. Many of these women are reluctant to supply information about the violence they endure because of fear or loyalty to the perpetrators. Only 30 % of victims tell a member of their family or a friend about their problems, and only 9% attend a doctor. The police do not record most domestic violence cases, and only 2% of women request psychological help. Girls who have suffered domestic violence are particularly vulnerable to trafficking.

Information about children from vulnerable families is not fully documented. Although only 2% of children under the age of 5 do not have a birth certificate, this is still a sufficiently high percentage to cause worry. Birth registration should be adequately monitored.

There is a tendency not to recognize, document or punish the negligent abuse of children. At the moment there are no studies or registration methods for incidents reported to the authorities, so it is difficult to raise awareness about the problem. Those who commit child abuse are generally not penalised because the law is inadequate on the subject of child abuse, the legal system is not child-friendly, and the social protection system is also inadequate. In Moldova there are no agencies or professionals who specialize in the identification, investigation and resolution of cases where there is child abuse. The lack of a social assistance system means that abused and neglected children do not benefit from treatment or rehabilitation. There are no mechanisms for solving and preventing cases of abuse. This lack of care and support for abused and neglected children increases the trauma they have to deal with. There is no culture of respect for children's rights, and for many children it is difficult to find an adult they can trust and to whom they can speak about their abuse and neglect. Their experiences can lead them to express their isolation and lack of trust in aggressive behaviour, and to turn to delinquency and drop out of school.

The reasons why children become victims of trafficking are multiple:

- Desire to earn money;
- Desire for a decent standard of living;
- Family conflicts;
- The need to support the family;
- Trust in appealing promises;
- Miserable living conditions;
- Lack of money;
- Hope for a better future;
- Hope to become free and independent;
- Immoral behaviour of some girls.

Case study: Elena –a girl aged 14 from the South of Moldova is from a socially vulnerable family. She is one step from total moral and social degradation and has abandoned school. Her parents are addicted to alcohol.

One day Elena met a young man in a bar, who asked her and her friend if they would like to go to Moscow to earn money. He offered to get the identity documents and to book the tickets for the train. Being in a difficult financial situation and without adult supervision, Elena accepted the proposal. Elena was taken to Chisinau, from where she took the train to Moscow. In Moscow Elena was brought to a bar where on the first floor was the bar itself, and on the second floor there were two rooms where sexual services were provided. The bar keepers, husband and wife, kept 25 girls, aged between 11 and 18. Elena had to prostitute herself, as did the other girls. Every night at six p.m. the girls were taken to a street where they had to accost clients. The work lasted until 7 or 8 a.m. If the girls were late the masters hit them. Each girl earned 150 USD a night for her masters. Once a month the girls were sent for a medical check-up, and those infected with a sexually transmitted disease were sent home. Elena and two other girls who were sick did not want to go home, so they disappeared. Elena was found by the police on the streets and was placed in a centre for minors in Moscow. Elena was a witness in a case taken against the barkeepers, after which she came home and was placed in the temporary centre for minors from Chisinau. Learning about their daughter's fate her parents showed no interest in helping her.

Chapter III. Trafficking stages.

3.1 Moldova – a country of origin and transit?

Moldova is a country of both origin and transit. Because of its geographical location and current economic situation, Moldova became a major country of origin for trafficking in human beings. It is also a transit country for traffickers from Ukraine and other countries of the former Soviet Union.

3.2. Ways in which children are recruited

They are recruited both by individuals and by legal entities.

Individuals: These are people who have usually been abroad, have established certain contacts, and have returned home to recruit girls. They may be women who have been blackmailed into such action by their former pimps, who threaten to inform on them if they don't become recruiters. Some of these girls turn recruitment into a business for themselves. Some young women are pressured by their parents or husbands into leaving to work abroad.

Legal entities: Usually these are companies that are officially registered in Moldova (tourist agencies, employment agencies, model agencies, marriage agencies). The girls are recruited through advertisements which promise careers as dancers, hotel workers or tourism workers abroad, or work as waitresses, housekeepers, child-minders. Usually the girls give an undertaking to pay back the expenses associated with their transportation to the destination from the promised salary of US \$800-1000. As soon as they reach the destination country, their passports are taken away and the girls are forced into slavery; they realize that they have been cheated only after they have arrived in the destination country. Most of the time the children are fooled into believing that they will work legally, but this does not happen. There are also cases where children were kidnapped from the streets and they do not know where they are going or what will they do.

According to the "CIVIS" study, the victims interviewed stated that their decision to go abroad was influenced exclusively by traffickers who were acquaintances or close friends, and who told them not to inform their relatives about leaving, in order to surprise them when they came back.

According to a study carried out by the Public Policy Institute of Moldova entitled "Prevention of trafficking in Children in Moldova", in 48% of cases the travel of the child victims was organized by close acquaintances, 13% of the children confirmed that their departure was organized by friends, 13% by members of the Gypsy population, 11% by unknown people (the victims were kidnapped), 5% by relatives, 2% by an employment agency, and only 2% confirmed that they organized their own departure and were recruited at their destination by traffickers.

The majority of the victims stated that the traffickers paid all the necessary expenses, and prepared the documents. All the girls and women went abroad in order to find a well-paid job, the determining factor of their leaving being their vulnerable situation and desire for a decent life.

Pimps also get involved in the process of recruiting girls and women. There are three categories of traffickers:

1. *Occasional traffickers*, in the border regions. They take care of the internal or international transport of the victims. They are usually taxi, boat or truck owners, who can send individuals or small groups of people through border crossings known only to them.
2. *Gangs or smaller groups* of well-organized traffickers, usually specialized in trafficking people out of Moldova using the same routes.
3. *International networks* are the most sophisticated and, as a result, the most dangerous and hard to combat. Members of the networks are present in the origin, transit and destination countries, they have access to false or genuine identification documents, usually stolen or forged by them. They are able to alter the route and form of transport in cases where a traditional route is blocked. They have logistical support and accommodation at their

disposal in the transit and destination countries.¹³

In October 2001, the Romanian police broke up a THB network lead by Gorceac Svetlana, a Moldavian citizen. During 2000-2001, with assistance from Moldavian, Romanian, and Serbian persons, she lured and trafficked a lot of Romanian and Moldavian teenagers to the former Yugoslav countries, promising them well paid jobs and a chance to get to the West. The Moldavian girls were attracted by false advertisements about employment abroad. In the process of gathering evidence about this criminal activity, 33 victims were identified and interviewed.

Starting on 06.08.2001 on the basis of information obtained by the SECI Regional Centre and the Task Force at the Ministry of Internal Affairs and Security, officers from the Task Force monitored the activities of Gorceac Svetlana in Romania, Moldova and Yugoslavia, and registered her at the border with Romania.

It was established that she rented several apartments in the city of Timisoara under different names, where she hosted young girls she had recruited before trafficking them to former Yugoslavia. From the moment Gorceac Svetlana was registered at the border crossing, she disappeared from her home in Timisoara and was being searched for both locally and eventually internationally.

On 22.10.2001, officers from the General Directorate for Combating Organized Crime and Anti-Drugs, based on information obtained, searched an apartment in Arad, and arrested Gorceac and three other accomplices. (Information supplied by the General Directorate for Combating Organized Crime and Anti-Drugs, Romania)

3.3. Purposes of recruitment

The interviewees have stated that the majority of minors, and depending on their age, are recruited for begging and sexual exploitation; some of them are recruited for other jobs (agricultural work, animal husbandry, etc.). In many cases children who are recruited for begging and other occupations are also exploited sexually. Girls are recruited for sexual exploitation in most cases; there are some cases of boys recruited for sexual exploitation

The girls recruited for sexual exploitation are identified in public places (discos, bars). The traffickers gather information about families that are poor or dysfunctional, and seek out the girls who are willing to live abroad for work and prostitution. The pimps attract victims by promising good money abroad. If the girls change their minds, the pimps force them with threats or physical violence.

There have already been some cases where parents, often addicted to alcohol, have sold their own children for a few dollars (20-25 USD). A tendency of poor people to accept begging in a foreign country as a decent job for their children has also been noted. There are a lot of cases where the parents have agreed for their children to live abroad, having been deceived by the traffickers who promise that they will have well-paid jobs. There was information that in Balti representatives of a Russian enterprise came to recruit groups of unskilled workers, including minors, to work in their factory. Strong children were promised salaries of 300 to 100 USD. In one day a group of 15 minor boys was gathered, who all had the consent of their parents to leave. All these children returned with no income and having been physically ill-treated.

¹³ 'Trafficking in Women to the European Union: Characteristics, Trends and Policy Issues', European Conference on Trafficking in Women, (June 1996), IOM, 7 May 1996)

It is very normal for Moldavian children, especially in the rural areas, to work alongside their parents. This is an accepted way to bolster the family income. On the other hand, families are not well informed about the dangers children can run into abroad.

An example is the case of Ion. He is a boy, aged 13, who comes from a family with 4 children; the family lives in a large apartment, which is in need of a lot of repair. Although they were an intact family, they had a lot of financial problems.

A neighbour, who had a boy working in Moscow, approached Ion's mother and suggested that she send her son to work in Moscow. At first Ion's mother turned down the proposal. But the economic situation of the family and the persistence of the neighbour finally convinced her. She accepted the proposal to let Ion go to work for three months, during the summer vacation. She did not know what kind of job her son would have. Anyway she went with her neighbour to a notary who was friendly with the neighbour, where they signed a declaration allowing this woman to take the boy with her.

The boy was sent back home by police 9 months later and he never told his parents what kind of job he had in Russia and how he managed to escape.

During that time, the neighbour had sent 3 more boys abroad.

According to a press release from the Ministry of Internal Affairs (www.mai.md) of the 25.06.2003, children obliged to beg are also suffering sexual harassment.

According to the Directorate for Combating Illicit Trafficking in Human Beings, in the first 5 months of 2003 the number of criminal cases initiated against traffickers doubled, and the number of victims repatriated from different European countries increased to more than 1,000. Twelve networks of international traffickers in human beings were broken up, and their members and leaders were prosecuted. (MIA press release from July 26, 2003, www.mai.md)

According to the interviewees, children are also recruited for the pornography industry. Usually they are sent to CIS countries, usually to Ukraine.

Case study: In 2001 the Moldavian Border Police from Bender discovered, in the train from Chisinau to Odessa, a group of minors between the ages of 13 and 16 (boys and girls) who were accompanied by two Moldavian women. The group claimed to be traveling to the seaside for a month where they would rest and improve their English. In fact, they were to be used in Odessa studios for pornography. These Moldavian citizens recruited the children, with the permission of their parents, who did not know the real reason for the trip; some of them, however, did suspect something, but accepted the offer, considering the trip a good occasion for their children to rest at the seaside. The children came from vulnerable families, the majority of them were from rural areas. Some of the children stated that they had been previously trafficked and agreed to repeat the trip in return for small sums of money – 100 lei (almost \$10). A criminal investigation was started into the two women. The people who were to use the children in the studios were never identified.

There are no statistics about THB for the purposes of organ transplantation. There are some media reports about organs being sold in Turkey. Allegedly persons from Moldova who agreed to sell their kidneys were tested in Moldova and then operated on in Turkish clinics. They disclosed information about the surgery after returning to Moldova when they realized that they had been cheated and did not receive the expected payment. However they are not willing to officially press charges as they are applying for social security on the grounds of disability.

3.4. Routes and methods

In the majority of cases, from the moment of recruitment, the victim is kept temporarily in an apartment, a house that the recruiter has found beforehand, until a group of girls has been gathered and the necessary travel documents are ready. From the victims' descriptions, they are strictly supervised, not having access to a telephone, not allowed out in public, or even to look out the window. Then the recruiter usually gives the victims to a guide whose task is to take the victims across the border 'safely'.

One of the particularities affecting the trafficking of human beings in the Republic of Moldova, including the trafficking of children, is the porous nature of its borders. Moldavian citizens can travel to Romania or the CIS countries without a visa. Due to the fact that a large part of the Moldavian border with Ukraine is not under the control of the Republic of Moldova, being in the area of the self-proclaimed Republic of Transnistria, there is no proper control over migration.

Minors leave the country either legally or illegally.

A legal way for a minor to leave the country is to get a passport in his/her own name, or to be included in a parent's passport, with a photograph. A notarised permission from the parents is necessary to obtain a passport and for presentation at the border, (Article 3, Law on crossing the frontier of the Republic of Moldova operative since 11.02.2000).

For traffickers the safest and simplest method to take a child out of the country is to use legal means. In these cases the victim himself provides the birth certificate or ID to the trafficker in order to get a passport and the necessary visas. Corrupt staff in the Passport Service and foreign embassies of Moldova arrange these documents. The traffickers also bribe notaries to provide parental consent for the child to go abroad, and these consents are mostly false. If the parents are willing for their child to go abroad in the company of another person (the trafficker), the notary only has to certify the consent document.

As a result of the information campaigns, when minors leave the country now, even when their documents are in order, they are interviewed about the purpose of their travel.

Olesea, a girl of 17, was trafficked to Macedonia by crossing the Moldavian and Romanian borders, and had all her documents in order. When the customs officer asked her about her trip, she said she was going to a friend's wedding.

The persons interviewed stated that a large number of trafficked minors have been taken out of the country legally. The best-known method used by the traffickers is the falsification of documents, for example :

- The birth certificate is modified by changing the age to 18, and on the basis of this certificate a passport is issued;
- They use passports stolen from previous victims; the stolen or foreign passports, usually Romanian or Russian, will correspond to the looks of the new victim, or a new photo is glued on.

Case study told by one of the interviewees:

A tourist agency from the RM set up in 1999 by two citizens (husband and wife) advertised jobs for young girls in Cyprus and Spain as dancers and waitresses. In discussion with the girls who were interested in getting more details about the jobs, the couple explained the conditions of the jobs abroad. Depending on the characteristics and personalities of the girls, they told some of them that if they wanted to earn more money they can offer sex, but to others these conditions were not explained. The girls who accepted the agency's services were photographed in bikinis, and the photos were sent to the purchasers, who then made their choices, over the Internet. The couple prepared the documentation for the girls who were chosen. Those who were minors became adults by falsification of their identity documents. Then the girls were brought to Cyprus and Spain, accompanied by the agency's representatives. Sometimes they travelled alone and were met by their 'owners' with translators at the airport. In both countries the girls were forced to work at different jobs for a period of two months with no payment in order to repay their debts to the agency. Some of the girls were forced to have sex in the owners' bars. Their movements were restricted. Some girls managed to escape and complained to the police. There were 22 girls who collaborated with the police on this matter, including 8 minors aged between 15 and 18. In the course of the police search at the residence of the company, over 100 photos and over 100 passports of girls who had not been sent abroad were found. Some of these were found to be forged. Investigations to find other persons involved in this network were not successful. The officials who had issued false passports were not identified; the owners in the destination countries were not arrested. The case is still under judicial examination; the spouses were arrested and a preliminary investigation took place. Currently they are on bail.

Another case happened at the customs post of Cahul where a pimp was trying to bring a group of teenagers (13 girls and 4 boys under the age of 18) across the borders of Moldova into Romania with Russian passports. At the border, the customs officers' suspicions were raised by one of the girls who was in an emotional state, and after a rigorous enquiry they found that all the documents presented by the pimp were false.

Another illegal way used frequently by traffickers is by corruption of the officials of the frontier services, especially in southern parts of Europe and in the CIS countries.

In another case, Turkish customs officers did not enquire into a group of girls who were crossing the border and were being trafficked for sexual exploitation. The bus driver who transported the girls had all their passports. He told the customs officers that he was carrying prostitutes to Turkey (although some of the girls did not know that they would be prostituted) and he offered large sums of money to the officers to be allowed to cross the border. According to the Ministry of Home Affairs, bribery is also often used at the Romanian and Yugoslav border crossings.

Some traffickers, in order to reduce expenses and avoid risks, do not cross the frontiers at the customs points and instead use "green frontiers", (paths known only to guides) across rivers, mountains, and swamps, regardless of the season.

The transportation of trafficked women is effected by various means of transport, including car, mini-van, train or plane.

According to the Regional Centre for Combating Organized Cross-border Crime (SECI), girls from Moldova are sent to the south of Europe (Macedonia, Albania, Bosnia-Herzegovina) and through Belgrade (Serbia) to Macedonia. In Eastern Europe, girls are transported through Budapest (Hungary). Initially girls from Moldova are transported to the frontier cities of Romania with Yugoslavia and Hungary, from where they are taken to Belgrade or Budapest. What is the difference between Belgrade and Budapest? Very young and not very intelligent women are brought to Belgrade. They are used in the sex-business there. Intelligent women who are used as escort ladies and for other sexual services sought by western Europeans are brought to Budapest. Neither group

knows what to expect. Girls who arrive in Belgrade think that they are going to work in Greece or that a well-paid job is waiting for them in Macedonia, Bosnia or Albania. The girls who arrive in Budapest think that they will be hired by a travel agency, or work in a hotel chain, or as secretaries. Unfortunately all of them are sexually exploited.

Another border point is Odessa (Ukraine) from where girls are trafficked to brothels in Turkey.

The frontiers are obstacles only for the police, because their authority ends at the border. The borders are not obstacles for traffickers, because the traffickers and their victims cross these frontiers using the classic methods of corruption or other methods. In many cases, traffickers avoid the regular border crossings and use the "green frontiers" instead.

3.5. Destinations and routes

According to the Ministry of the Interior, girls and women from Moldova are trafficked for sexual exploitation to five destination areas:

- Turkey, Cyprus, Greece, Lebanon, Syria, Israel, the Arab Emirates
- Romania, Hungary, Bulgaria, Slovakia, the Czech Republic, Poland
- Bosnia and Herzegovina, Macedonia, Albania, former Yugoslavia (Kosovo), Montenegro, Serbia
- Italy, France, Portugal, Germany
- Russia

According to cases in which the CPTW assisted victims, in the last year girls were trafficked to Afghanistan, Saudi Arabia, and many were trafficked to Moscow and other places.

The majority of women are trafficked first to Romania, to the city of Timisoara. In Timisoara women often find out if they had been cheated and trafficked. They are sold to new owners and transported to Macedonia, Kosovo, Turkey, Italy, Cyprus and Greece.¹⁴

There is also a well-known route to Turkey through Ukraine (Odessa) and Bulgaria. While there is information about women going to Turkey, there are very few known cases of women coming back from Turkey to Moldova who have received assistance on their return. The explanation given by the NGOs in the field includes information about better working conditions in Turkey and that women are allowed to keep more money for themselves. These reasons are sufficient to make women want to stay in Turkey and not look for any help. But it could also be that very limited assistance is offered in Turkey, and Moldavian women are deported, if found, from Turkey to Odessa. Women who are deported to Odessa have to find their own way back to Moldova. Often they are approached by traffickers and are re-trafficked before they are able to find their way home and get in touch with any assisting agencies.

The ways in which women are transferred to Italy for the sex market:

There are 3 different methods:

- a) Transfer with the woman's agreement. Usually, the trip is organized by an agency. Women leave the country with a tourist visa, which has been forged or may have been properly issued by the Italian Consulate in Bucharest (there is no Italian consulate in Moldova). Victims can also cross the borders illegally.
- b) Transfer first with the woman's agreement and later by using violence against her. In this case, when the initial "transfer contract" made between the person and the trafficker has been broken, the transfer method changes and the woman is sold from one gang to another. Trafficking inside Moldova is managed by local gangs, which then sell the woman to other national criminal groups. The Austrian and Slovenian gangs (for the crossing of the northern border of Italy), the Kosovo gangs (for the

¹⁴ Save the Children Moldova cooperates with a local NGO in Timisoara, which has contact with women coming from Moldova, and with the border police in Romania. Up to now 16 cases of trafficking were referred to Save the Children.

central "sea border" between Bar and Ancona), and Albanian ones (for the southern "sea border" between Valona and Lecce) have total control over the irregular border crossings. Once the women have been sold, the traffickers won't be traced by the police.

- c) Transfer by using violence. There is no agreement on the part of the woman during the whole process. Women are abducted and they are forced into prostitution from the beginning.

3.6. The price of a minor victim

Analyzing the answers to the questionnaires we found that the price demanded for a minor depends on the purpose of the trafficking or the destination country. This is some information we were given about prices:

- In rural areas (recruiting) - \$50-100 per girl
- In Chisinau girls are sold for US\$100-200
- In Romania the price for a girl varies from \$300–400
- In Bosnia-Herzegovina, Macedonia, Albania: Transit and destination countries the price for a Moldavian girl varies from 4000 to 10 DM. The virginity of girls is highly valued.

In Russia a girl can cost \$400, however in the Arab Emirates she can be sold for \$10,000.

According to information provided by the police, in the summer of 1999 the Moscow police discovered two brothels. 15 girls were Moldavian minors who had been sold into slavery for \$400 each, their virginity costing \$150.

3.7. What happens on arrival?

Usually the entry into the destination country is the moment of entry into total captivity. The victims are deprived of their identity papers, and their personal things; they do not have freedom to move or communicate and are continuously threatened.

All trafficked children are obliged to repay their traffickers for the expenses of the journey. Also the owners who provide different commodities (food, clothes, jewelry, cosmetics, drugs, shelter) during the exploitation period force the victims to pay back the value of the goods from their earnings.

In more than half the cases the children stated that they were in debt to their owners for their transport. The period they had to work to pay off their debts lasted from one to two years. Most of the time, the children did not get paid for the work they did. In all cases they were physically abused, suffered malnutrition, and had to endure sexual perversities. The average length of the working period was from 8 to 12 hours per day/night, serving from 6 to 10 clients. In Italy the situation is much more oppressive, and the number of clients varies from 15 to 25. There are also penalties established by the 'owners' (e.g. for not satisfying the client properly, for being reluctant to use alcohol, etc.). The children are forbidden to speak to anyone or to call their parents or to move to any other place. In cases where children were allowed to talk to their parents they were forced to tell them that they had a decent job.

Case Study: E., aged 16, comes from an intellectual family, without financial problems; being in conflict with her parents she accepted a proposal from an acquaintance to leave for Moscow. Trusting this person completely, she left for Moscow in his car. Two other girls left together with them. In Moscow they were hosted in an apartment with other girls from Moldova and the CIS countries. One of these girls told her that she was brought to Moscow for prostitution. Not having realised the purpose of the journey, E. had a nervous breakdown and refused to prostitute herself. The trafficker took her ID and took her to pimps threatening her with a beating. She worked for a few days, her pimp earning 150 USD per client. She tried to escape but she was under permanent surveillance. One day, together with another minor girl from Moscow, she was taken to an apartment where they were to have sex with two Caucasian men. The clients forced them to drink alcohol and were behaving crudely. In the end E. could not bear it anymore, and she jumped from the sixth floor. E. has had several operations and her health is seriously damaged. The children were afraid to go to the police.

Traffickers use private apartments to avoid being found by the police; they use special techniques for approaching clients, special methods of advertising; they only allow regular clients to enter their apartments. Working conditions are set up, and if the women do not fulfill the conditions imposed by their owners, they are abused physically and threatened (even with death). The girls do not receive any money until they have repaid the debt to their owner. The so-called debts relate to transportation costs, illegal entry into the country, securing documents, the money for which they have been bought, etc; but the women are unable to repay the debt. Then they are sold again to another owner.

In the majority of cases repatriated children said that they were held in very poor conditions: they described being hungry, beaten, raped, obliged to practice prostitution and other criminal activities. If the children did not bring back the income set by the owners they were beaten, the girls were raped and forced to consume alcohol and drugs. In conclusion we can say that the living and working conditions were abusive and involved:

From the social aspect:

- Psychological abuse
- Physical abuse
- Rape
- Surveillance
- Unable to choose whether to accept or refuse clients
- Lack of medical services
- Obligatory use of alcohol and drugs
- Forced abortion, malnutrition
- Being treated as commodities
- Being forced to recruit a friend or a relative

From the juridical aspect

- Confiscation of ID
- Possession of false ID

From the economic aspect

- Indebtedness
- No remuneration
- Partial remuneration only
- Retention of payments
- Conditional remuneration

3.8. Who are the clients?

They are different people, and can even be UN Peacekeeping troops.

3.9. The relationship between child sex tourism, child pornography and the local sex industry

According to IOM there are at least 300 brothels in Chisinau (250 in 2001), most of them disguised as saunas and bathhouses. Prostitution is widespread also at hotels and in the areas near train and bus stations. The majority of the women involved are those who came to Chisinau from rural areas seeking employment or training. They work for pimps, are dependant on them, are moved from place to place, are abused and deprived of their earnings, and in many cases they find themselves in the situation of being internally trafficked. There is also information about child prostitution and weekend prostitution of students. The government has no programmes to prevent prostitution of minors and there are no NGOs working on this issue.

3.10. How do children escape?

Children escape from their traffickers in the following ways:

- Police controls in public places
- Common control by the police and specialized agencies
- Victims are deported for visa violation
- Victims complain to the police in the destination countries
- Escaping from the place of exploitation
- The ending of the agricultural season in cases where victims were used for agricultural work
- Escaping with the help of clients
- Help of relatives from home
- INTERPOL
- Local NGOs help in transit or destination countries
- Being sent back home by the owners when the victims are unable to work

3.11. What happens to victims when they come back home?

The girls who survive the beatings, rapes and sexual diseases, drugs, alcohol and emotional abuse suffer emotional trauma. Many of them get pregnant. Other consequences are of a physical and emotional nature, severe trauma, stress, depression, drug abuse, consumption of alcohol and drugs. The victims suffer from post-traumatic stress disorders. The symptoms are anxiety, depression, irritability, flashbacks, emotional and physical hyper-tension and nightmares. Back at home, society refuses to accept them. 91% of the victims return to their homeland. 77% of the victims return to the people they lived with before.

In cases where the parents' attitude had caused their situation, the victims refuse to live with them again and decide to live with their relatives, friends or in special institutions. The government does not support the victims who have returned, and the possibilities for NGOs are limited. 80% of the victims have sexually transmitted diseases and some of them have mental problems. Upon return, many women are very afraid – mostly of the prejudices of their parents and friends, but also of the traffickers.

Chapter IV. National Legislation

4.1 The definition of trafficking in human beings according to Moldavian law

The definition of human trafficking given by different people depended on the experience of the persons interviewed. The Criminal Code of the Republic of Moldova defines trafficking in children as: the recruitment, transportation, transfer, hosting of a child, as well as payments made or received or benefits for obtaining the agreement of a person who controls a child for the purpose of sexual, commercial and non commercial exploitation in prostitution or the pornographic industry; labour exploitation or forced services, slavery, illegal adoption; criminal activities involving the transplantation of organs or tissue transplants.

The old Criminal Code was considered to have a very flawed definition of trafficking in human beings, and it caused a lot of difficulties for prosecuting traffickers. The new criminal code definition is clearer, trafficking in children being described as a crime in a separate article, Article 206.

4.2 National legislation on trafficking in children

The Republic of Moldova has ratified the following United Nations instruments relating to trafficking in children:

UN Convention on the Rights of the Child (23 February 1993)

UN Convention on the Elimination of Discrimination against Women (1 July 1995)

ILO Convention 182 on the Worst Forms of Child Labour (14 February 2002).

It has only signed the following UN instruments:

Optional Protocol to the CRC on sale of children, child prostitution and child pornography (8 February 2002)

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (14 December 2000)

The Republic of Moldova is also committed to eliminate trafficking in human beings, especially women and children, in a number of regional documents:

Council of Europe

Committee of Ministers Recommendation R (2000) 11 to member States on action against trafficking in human beings for the purpose of sexual exploitation, 19 May 2000

OSCE

Istanbul Charter for European Security, 19 November 1999

Parliamentary Assembly Bucharest Declaration, 10 July 2000

Ministerial Council Decision No.1, Enhancing the OSCE efforts to combat Trafficking in Human Beings, MC (8) DEC/1, 28 November 2000

Stability Pact for South Eastern Europe

Stability Pact Task Force on THB, Anti-Trafficking Ministerial Declaration for South Eastern Europe, 13 December 2000

Until 2001 Moldova did not have any legal provisions against trafficking in human beings. In the period between 1995 and 1997, the press and some state institutions alerted public opinion about the illicit transportation of children abroad, especially for the purposes of adoption. As a result, Parliament introduced changes to the Family Code regarding adoption by foreigners. In 2000, the Law on entry to and exit from the territory of the Republic of Moldova was changed with regard to the procedures for taking minors out of the country, so that the notarized consent of parents was required in all cases.

The alarms raised in society and by the international community relating to trafficking in children, as well as the cases that were discovered, have meant that the public authorities now recognize the existence of THB as a phenomenon in Moldova, and are taking action to prevent it.

In 2000 the Ministry of Interior created a new administration responsible for combating trafficking in human beings. In 2002 this agency was enlarged and given responsibility for the whole territory of the Republic.

On April 18, 2002 and April 14, 2003 Parliament adopted a new Criminal Code and Code of Criminal Procedure. The new CC provides for the crime of trafficking in children. The rules concerning THB have been adjusted to meet international standards and norms; also the trafficked victims are no longer responsible for the crimes committed while they were trafficked. This is conditional on the victim collaborating with the police. The new Criminal Code has considerably improved the situation of combating THB, making police action easier.

4.3 Legal implications for repatriation of minors

Unfortunately up to now there are no state institutions or national strategies for combating trafficking in children. At the moment all actions are taken within programmes for combating THB in general. The activities of state organs are limited, and focused on placing street children in Special Temporary Centres; socially vulnerable families are supervised by the local social assistance services. More attention should be paid to the repatriation of and assistance to repatriated children, an activity that is costly. At the moment only a few organizations deal with this: IOM, La Strada, Save the Children, and CPTW.

4.4 Penalties for traffickers

Article 206 of the CC “Trafficking in children” stipulates that trafficking in children is punished with imprisonment for a term of 10 to 25 years, or life imprisonment. Article 207 of the CC “Illegal transportation of children out of the country” is punished with imprisonment for a term of 7 to 12 years. Article 220 of the CC “Procuring” provides for imprisonment for a term of 4 to 7 years.

4.5. Conviction rates

According to statistical data, up to now 120 criminal cases on THB have been started, 76 of them in the first half of 2003. It is impossible to determine how many of them relate to child trafficking, because until June 12, 2003 the system at the Ministry of Interior for keeping data did not distinguish between trafficking in children and trafficking in adults. After the Criminal Code came into force, 5 criminal cases of trafficking in children were initiated. From the total number of criminal cases, namely 120, 40% are under investigation, 60 % are being tried in court. 17 cases were solved. At the moment CPTW’s lawyers represent the interest and rights of four minors in court cases. These children are involved in trials as witnesses and as injured parties, and they benefit from legal assistance offered under protection programmes provided by CPTW.

4.6 How can the conviction rate be improved?

The majority of persons interviewed stated that it is first of all necessary to eliminate the root causes that generate THB. State policies and actions to increase standards of living, and to reduce poverty in the rural areas, should be promoted. Policies on migration, and on improving employment opportunities need to be established. These measures must be taken at both national and international level.

In order to improve the conviction rate it is necessary:

- To train police personnel in specialized units to investigate trafficking cases properly
- To train the police, prosecutors and court professionals in correctly applying the legislation on THB
- To tackle corruption
- Not to deport victims from the destination countries
- To exchange information between countries
- To make bilateral police agreements
- To carry out mutual investigations in the origin and destination countries
- To assist and monitor victims
- To develop victim assistance programmes

4.7 Weaknesses in Moldavian law

Due to the fact that victims and witnesses are not properly protected they refuse to testify against traffickers or to collaborate with the law enforcement agencies. Victims who participate in combating cases of trafficking in human beings can benefit from state protection under the “Law on the state protection of victims, witnesses and other persons who assist during criminal cases”. The following state protection measures can be offered:

- a. Protection of the person, home and property of the victim
- b. Individual protection, communication and information

- c. Temporary placement in places of safety
- d. Protection of the person's personal data
- e. Change of work or study place
- f. Change of ID

The specialized organs of the Ministry of Internal Affairs are responsible for the protection of witnesses. However, lack of procedural mechanisms and of financial resources prevents the police from implementing this law in practice. The new Code of Criminal Procedure provides the mechanisms, means and responsibilities for taking decisions concerning the protection of victims and witnesses (Art. 110-111). In case a witness is in danger, the judge can take evidence outside of the courtroom, and without disclosing personal information about the witness. The procedures provide that evidence from witnesses can be taken by means of teleconference, with the image and voice distorted in such a way that he cannot be recognized.

The old Code of Criminal Procedure had no such provisions, which made it impossible to get convictions.

Chapter V. Measures taken

5.1. National policies and legislative enforcement

As THB has become a real danger to national security, the international community, state agencies and local NGOs have introduced a range of on-going responses in recent years.

One of the relevant activities undertaken in the region has been the creation of specialized Task Forces for tackling the problem of trafficking in women. An action group is part of the Stability Pact, of which Moldova is a member, and has as its goal the strengthening of regional cooperation in combating THB in south-eastern Europe. In response to the obligations assumed under the Stability Pact, in October 2001 the Government of Moldova approved the establishment of a National Committee for Combating Trafficking in Human Beings, the Deputy Prime Minister being appointed as Coordinator of the Committee. The Group includes the heads of the leading ministries and departments (Prime-ministerial level). To date the membership of the National Committee and its three sub-groups include the following agencies: Ministry of Internal Affairs, Ministry of Justice, State Migration Agency, Prosecutor's Office, Border Control Department, Department for Combating Organized Crime and Corruption, Customs Department, Information Technologies Department, Ministry of Education, Ministry of Labour and Social Protection, Ministry of Health, National Tourism Agency, Youth and Sport Department, Information and Security Agency, Ministry of Foreign Affairs, Ministry of Economics, State Chancellery, Supreme Court of Justice, Chamber of Licensing, Lawyers Union of Moldova, Department of Statistics and Sociology. Four groups of experts examine the following matters:

1. Legislative framework
2. Prevention and awareness raising
3. Social rehabilitation and assistance to victims
4. Combating trafficking in children and the illegal removal of children from the country (a recently created group).

Representatives of international organizations and selected NGOs have the status of "partner-observers" and do not actively participate in the work of the Committee. In November 2001 the Committee adopted a National Plan of Action (NPA) for combating trafficking in human beings.¹⁵ The NPA anticipates actions to be undertaken by various ministries and governmental institutions, in cooperation with international organizations and NGOs in the areas of:

- Research and assessment

¹⁵ "Monitorul oficial" no. 136-138/1274 of 15 November 2001

- Awareness raising
- Prevention/addressing social and economic causes of trafficking
- Victim assistance
- Return and reintegration of victims
- Law reform
- Law enforcement
- International cooperation and coordination

While quite comprehensive in scope, the NPA is very general and is more of a general framework for future activities than a detailed plan of action. It doesn't propose any deadlines for the implementation of particular tasks, and doesn't place responsibility for their implementation on any particular institutions. All the ministries are repeatedly mentioned and all the institutions more or less carry out the same tasks. Furthermore, there is no budget for the plan, and no funds have been allocated for the implementation of the proposed activities.

In the areas of awareness raising, prevention (addressing the social and economic causes of trafficking), victim assistance and return, and reintegration of victims, the NPA lists many activities to be undertaken by government agencies. More than a year after the approval of the NPA by the government, all those activities are still being carried out by NGOs and international organizations, with a very limited input from some of the ministries.

A National Coordinator heads the Committee. However due to the unclear structure of the Committee and the Working Groups, as well as to the lack of clarity about the authority of the National Coordinator, there are problems in evaluating his work.

At the beginning there were problems with the functioning of the National Committee, as its members met only twice a year. But since 2003 the activity of the Committee has improved. On the initiative of international agencies, NGOs and some government agencies, Local Commissions for combating trafficking in human beings were set up. The members of these Commissions are representatives of local public authorities and educational institutions, social workers, policemen and lawyers who are obliged to take action in their own territory. At the moment the National Committee meets weekly (on Thursdays) and discusses the most important problems in relation to trafficking. Also every Thursday, members of the Local Commissions for combating THB from the different regions of Moldova report on the situation in their localities, and suggest new measures to be taken. In accordance with a Decision of the National Committee of 16 October 2003, the CPTW, in collaboration with the National Committee, will organize seminars for the representatives of law enforcement bodies and local public authorities in all regions of the Republic of Moldova.

A number of international organizations are partners in the implementation of the National Plan of Action for Combating Human Trafficking: UNICEF, UNDP, IOM, OSCE, ILO, the US Embassy, the Council of Europe, as well as non-governmental organizations from Moldova working in the area of combating human trafficking.

On the initiative of international agencies, NGOs and some of the governmental institutions, three Working Groups were established to work jointly on different aspects of the problem of trafficking in human beings, namely:

1. Awareness raising and education (led by the Ministry of Education)
2. Prosecution and criminality (Ministries of Interior and Justice)
3. Victim Protection and Rehabilitation/Reintegration Assistance (Ministry of Labour)

Due to the unclear status of the Working Groups (there are still no terms of reference and no work plan developed for their activities), they are not really active. Only the group working on the victim assistance issue met twice before the end of 2002.

The Department of Migration was established at the end of 2001 to promote and implement legal means of migration. On 15 January 2003 a new Law on Migration was published. In addition this Department informs the public about the possibilities of legal employment abroad, the risks of being trafficked and the consequences of illegal migration.

In December 2000 there was a special Anti-Trafficking Unit (ATU) established within the Ministry of Interior (as part of the so-called “Moral Police”). In June 2001 the Ministry modified the structure of the ATU, creating a specialized Directorate for Combating Trafficking in Human Beings within the Department for Combating Organized Crime. The new Directorate is based in Chisinau and includes 27 officers (focal points) from all over Moldova. The Directorate has three sections: international trafficking/domestic trafficking, a section on combating illegal migration, and an office for analysis and information. The Directorate has created its own local bodies throughout the country. The Directorate takes part in a joint programme with the Border Police on exchange of information about cases of trafficking and deportations. The programme doesn’t work properly due to lack of cooperation and alleged corruption within the border police.

While the new structure was created within the police, and as a result, police work improved, it has not yet had an impact on the prosecution services. No judicial practice has been developed yet, and there is no knowledge about how to implement the anti-trafficking legislation.

In the Prosecutor’s Office a special Deputy was nominated, and he is responsible for the issue of trafficking in human beings. The Ministry of Interior, together with the Information Department of the Ministry of Justice, is responsible for the creation and keeping of a database of victims of trafficking.

There are a number of international agencies actively involved in anti-trafficking work in Moldova. In June 2001, UNICEF co-coordinated the establishment of a Task Force on Trafficking, an inter-agency initiative for co-operation, common action and exchange of information about anti-trafficking initiatives. To date the group includes UNICEF, IOM, OSCE, UNDP, the US Embassy, French Embassy, German Embassy, the European Commission, and a local NGO, the CPTW. A database is being created of all the actions and responses to trafficking in Moldova.

5.2. The impact of the National Plan on combating trafficking in children

The Working Group for combating trafficking in children was established in August 2002 on the initiative of UNICEF and other international agencies. The group consists of international agencies and NGOs. The activities include: mapping out the existing initiatives to combat child trafficking in Moldova, focus on the most vulnerable groups (children in institutions, children coming back, and children of trafficked women), preparing anti-trafficking curricula for schools and children’s institutions, providing services for children who are returning to Moldova, protection of victims and legal assistance to victims.

After years of ignoring the problem of trafficking, a significant amount of work has been done in Moldova in the last two years, especially in the area of awareness-raising. However, it has to be said that these activities were initiated by international organizations, subsidized by foreign institutions and implemented by NGOs, without any support from the government. NGOs have become the major partners of international agencies and NGOs play a significant role in combating trafficking. Thus, many local NGOs have engaged in a broad range of activities: publications including books, magazines, leaflets and brochures; media campaigns; and documentaries about trafficking.

The public awareness campaigns include the following efforts focused on prevention:

1. Publication and dissemination of booklets, brochures, videotapes, newsletters, magazines, and leaflets about the problem at local, national, and international level.
2. Information on the health consequences of sexual exploitation.
3. Media campaigns targeting young girls both inside and outside of the official school system.

4. Provision of counselling for vulnerable groups, especially the unemployed or victims of domestic violence.
5. Referrals of information for assistance in destination countries (contacts, addresses, telephone numbers, migration laws).
6. Efforts to rid the mass media of pornography, violence, and other forms of violence against human dignity and integrity.

The Association of Women Lawyers implements the project entitled 'Centre for the Prevention of Trafficking in Women'. This project was launched in February 2001 with funding from the US Government. Initially, the Centre concentrated on developing a clear strategy for a multi-media campaign. In addition, it publishes and distributes a monthly newsletter, a quarterly magazine and brochures. The Centre conducts seminars targeting teenagers and distributes materials for raising awareness in schools across the country. Information campaigns about the danger of THB are disseminated by the Centre through four national radio stations, seven national newspapers, monthly newsletters, quarterly magazines, as well as through the documentary film '16-25 Export'.

As a result of the campaigns, trafficking has become a familiar issue, at least in big towns, and is discussed in the media, although the media coverage is not always appropriate. However, the Centre believes that the campaigns can only be effective if they make people afraid about being trafficked, and offer reliable solutions to the trafficking problem.

The Centre organizes seminars targeting teenagers and distributes materials for raising awareness in the schools across the country. In the prevention actions the children themselves take part. The CPTW trained more than 100 child volunteers who disseminate information about child trafficking to children in their communities. La Strada, IOM and Save the Children, also participate in the prevention programmes. Recently in Moldova a free telephone helpline has been set up and operates 24 hours, administrated by La Strada. The line offers complete information about the risks of illegal migration and how to help persons in need in such situations.

Chapter VI. Victim Assistance

6.1. Identification

Moldavian women who have been trafficked abroad return to the country in several ways:

- Sent back to Moldova by the IOM;
- Sent back by Interpol;
- Deported by the police of the country of destination back to Moldova;
- Deported by the police of the country of destination to the border of a neighboring country;
- Sent back by NGOs in the countries of destination;
- Information from the hot-line;
- Sent back while in transit in Romania.

There is no information at all about women deported from Turkey, as they are deported to Ukraine (Odessa) and try to reach Moldova on their own (if they are not re-trafficked in the process).

Only some victims come to the attention of the specialized agencies. There are serious difficulties with identification of the victims; especially those who were deported back to Moldova by the police and met in Moldova by the local border police. In general, only those who are repatriated by the IOM or NGOs are known to the agencies providing assistance and can receive help. The border police and the ATU don't give information about deportations and possible cases of trafficking. According to the ATU, women who are deported back to Moldova are not victims of trafficking. Even in the situation when women were interviewed and provided information about the circumstances of trafficking and about traffickers, the police released them without offering them

assistance and without informing them about existing programmes. The argument given by the police is that the women don't want to be recognized as being trafficked. They just want to go home and forget about their bad experiences. There was a proposal from the OSCE to have a psychologist or a social worker accompany the police during the interviews with deported women, with the aim of identifying victims of trafficking and informing them about existing assistance and reintegration programmes.

6.2 Assistance to victims, rehabilitation

In September 2001, IOM established a Reception and Rehabilitation Centre for the victims of trafficking, in cooperation with the local health authorities. The Centre can provide several services under one roof, including medical examinations (tests and treatment and HIV/AIDS tests), social and psychological support and group therapy, psychiatric support and vocational training. IOM also provides women who are part of their assistance programme with a reintegration grant of US\$150: US\$50 upon arrival, US\$50 after the first month and US\$50 after the second month. Approximately 350 victims of trafficking were assisted by IOM by the end of 2002, the majority being from Macedonia, Kosovo, Bosnia/Herzegovina, Albania and Italy. In approximately 200 cases, the assistance included the return costs, transportation from the airport and a one-night stay in the shelter. All women are informed about the existing assistance and reintegration programmes. As a result approximately 160 women took part in some of the programmes. The programmes include lodging and meals, social and psychological counselling, psychiatric, gynaecological and general medical examinations and treatment. The average stay is 12-15 days. Women with small children go directly back home, but they are placed on a list of beneficiaries for humanitarian aid. The centre can accommodate up to 16 women at a time. The women can also take part in the vocational training subsidized by the shelter (secretarial, manicure, hairstyling, tailoring and computer training). The average duration of the training is between 6 months and one year. As was already mentioned, there is also a programme of apprenticeship initiated in cooperation with the Ministry of Labour. While 100 women took part in the programme, only a few found jobs afterwards.

A new programme for the rehabilitation of minor victims was implemented in the frame work of the victim rehabilitation programmes. Thus, in August 2003 UNICEF and IOM-Moldova opened a special shelter for minors.

There is no government assisted reintegration programme. Only the Ministry of Labour has begun co-operation with IOM and signed an agreement to select enterprises from all over the country that would be willing to employ the returned women. The Ministry of Labour has also signed a contract with IOM to provide the victims of trafficking who return to Moldova with employment opportunities. The plan is for women to attend job skills training and then find employment. IOM is supposed to subsidize the first six months of the salary and the company is to take over the salary payment after that time. 100 women have attended the training, 50% have completed it, but only a few have found jobs.

As was mentioned before, the staff of the shelter do not advise women to give information to the police. Information given to the IOM is confidential and is not shared with the police. At the same time, IOM, in cooperation with the Association of Women Lawyers and in accordance with a collaboration agreement, is supporting training and capacity building for the ATU, and is preparing an anti-trafficking database, which will be used by all the law enforcement agencies.

6.3 Legal assistance to victims, including minors.

SUBSTANTIAL ANTI-TRAFFICKING CRIMINAL PROVISIONS ARE A NECESSARY CONDITION TO COMBAT TRAFFICKING.

There is an imbalance in court between victims and perpetrators, because the victims are often not legally advised and accompanied. The victims rarely have extensive or detailed knowledge about the organizational structure or people behind the trafficking. This may lead to unsuccessful criminal trials and high personal risk for the victims or witnesses.

Even though the Constitution of the Republic of Moldova, the Code of Criminal Procedure and the Law about State protection of witnesses and victims guarantee the protection of their rights and interests, the State did not create any real opportunity for these declared guarantees to be applied in practice. The Government of Moldova encourages victims to testify against traffickers, but without taking any responsibility for their safety. Precisely for this reason, victims refuse to cooperate with the police.

The investigation of victim/ witnesses, or the court hearing must be held under secure and confidential conditions. One possible measure is to use a television link during the hearing, and to distort the image and voice. Such measures presuppose that there are adequate means to provide them, and less complicated possibilities must also be provided. For example, the presentation of evidence through previously recorded statements of the victim/witness, with the agreement of all parties in the criminal process, and the exclusion of the accused from the victim/witness hearing. These measures of criminal procedure have been introduced recently. Mechanisms for their implementation have not yet been developed, and need additional financial support, specialist knowledge, and specially equipped courtrooms.

To enforce the rights of the victim mentioned above and to protect the rights that he/she has as the injured and civil party, it is crucial that the victim has access to legal assistance at the early stages of the investigation and to be legally represented during the entire criminal process.

CPTW provides professional legal assistance, free of charge, to the victims of trafficking, through a team of specialised and professional lawyers, before the courts and other judicial authorities. The legal assistance includes a number of services, such as: legal advice and assistance, especially explaining their status to witnesses, their rights (duties) to give accurate testimony and the need to avoid refusing to give evidence; providing qualified legal assistance in criminal cases, beginning with the investigation and ending with a trial; advice and representation in civil cases before the public administration and judicial bodies; providing legal assistance and representation before state bodies in the matter of lost or confiscated documents; advice and providing access to information about visas, applications for political asylum, obtaining work permits, social insurance, state benefits, etc.

CPTW's main goals and tasks are to prevent, combat and punish trafficking in human beings in collaboration with the state agencies. For this reason, collaboration agreements were signed with the Ministry of Internal Affairs and the General Prosecutor.

6.4. International cooperation for ensuring legal assistance to victims, including minors

THB is very difficult to investigate, as it is a trans-border crime. The Republic of Moldova does not have agreements on providing mutual legal assistance for such cases with many destination countries, and this hinders investigations. It is necessary that bilateral agreements be signed between countries to facilitate access to evidence.

International collaboration in the matter of providing protection for victims has become an important issue, considering the cross-border character of THB. Effective prevention of this offence is impossible without the victims' cooperation, but trafficked persons will collaborate with legal bodies only under conditions where they are offered shelter and are not threatened with deportation.

When women are sure that they will be offered accommodation and will not be deported, they are ready to give evidence against the traffickers. There are exceptions, where traffickers have threatened women and their relatives in the country of origin. For this situation, special procedures for witness protection in a third country should be provided.

The second problem is to provide the THB victims who are to give evidence, with protection in the country of destination. This procedure has not yet been developed, and in this context, the signing of bilateral agreements of collaboration between countries of origin and countries of destination is strongly recommended.

6.5. Reintegration of the victims

10% of the women who come back to Moldova after being trafficked do not have basic social and vocational skills, and do not have contact with their families. Most women don't have any professional skills or training. The majority are from the rural areas. Almost all have mental and psychological problems. They have no education and no survival skills, are very young and traumatized, and not able to make any decisions. 10% are mentally retarded.¹⁶

Until recently women who returned could count only on a very limited support (some social support and financial support), but last year several programmes were developed in Moldova which are trying to address reintegration of victims of trafficking back into society in a more comprehensive way.

At the end of 2001 the Italian Solidarity Committee (ISC), an Italian NGO working in the Balkans in partnership with IOM started a programme providing vocational training to victims and offering them grants to enable them to set up micro-enterprises. A similar project was initiated in July 2002 with the aim of reintegrating victims of trafficking through providing them with opportunities to start a micro-business and small economic activities. ISC selected 25 persons from a group of 250 women. 20 women finished the training and prepared business plans for their future activities. ISC provided those women with grants (up to 800 USD) to start their own business. Proposed activities included sewing, laundry services, processing seeds, farming activities, sweet production, etc.

Similar income generating programmes, for the potential victims of trafficking, are being implemented jointly by the Swiss Agency for Development Cooperation, local authorities and local NGOs in rural areas of Moldova. The aim of the programme is to support income generating activities and to build the capacity of NGOs.

In September 2001, IREX, a US based NGO, started the Regional Empowerment Initiative for Women programme, with USAID funding. The programme is aimed at the empowerment of women. The Moldavian programme started in May 2002. The IREX programme is aimed at women between the ages of 15 and 29, potential victims of trafficking, and includes the provision of small grants to unemployed women who want to start their own business, vocational training for women, and grants to women's NGOs working for the empowerment of women

Despite the low attendance and low success rate of these programmes, they prove that more proactive approaches towards reintegration of the victims of trafficking can bring positive results. However, they also show that it is not possible to integrate women with weaker profiles into such programmes unless much better conditions are created. Reintegration programmes, while possible and necessary, are not suitable for traumatized women, or women with psychological problems. More options are needed for women, more time to explore those options, and better referral systems at country and local level. There is need for a network of co-operating NGOs who can refer cases to each other and for co-operation with the Ministry of Labour so that women can be offered counselling at the employment offices.

There are also some women who, because of the psychological and physical damage caused by trafficking, need long term psychological or psychiatric support, and are not able to attend training or find a job for a long time.

¹⁶ Interview with the IOM shelter staff, Chisinau, 16.01.2003

Reintegration for children should mean family reintegration not institutionalization. However there are currently no mechanisms in Moldova to prevent institutionalization. There are day-care centres for children, but no professionals who can work in them and set up programmes suitable for trafficked children.

6.6. Network of agencies implementing projects to combat trafficking

At the moment, the network of state and international agencies and NGOs for combating THB, consists of:

International Organizations – most of the actions in Moldova to combat THB have been undertaken by international agencies, which provide the financial and logistical support to the state and non-governmental institutions.

Mass media – Increased public awareness about anti-trafficking programmes and services has been brought about by television, radio and press information on the risks and consequences of minors being trafficked. 231 radio programmes broadcast on 4 Radio channels, 9 television programmes broadcast through 15 national and local channels, 100 news articles, 3 billboards, and editorials across the whole spectrum of the Moldavian media.

Judicial system – The courts should examine THB cases in a complete and objective manner, and impose realistic penalties on the criminals.

Customs role – The customs must carry out thorough controls in order to discover well-camouflaged cases of THB.

Education system role – The Ministry of Education, in cooperation with La Strada, has started to develop a curriculum on trafficking for schools, and special programmes to target marginalized youth outside of the formal education system.

The children themselves – Children take part in information activities about child trafficking as volunteers in the frame work of the anti-trafficking programme, which covers the whole of Moldova and is implemented by the CPTW. A team of 100 volunteers, including children between 14 and 18 years of age, who have been trained by the Association of Women Lawyers, inform other children of their age about the dangers of trafficking, identify potential victims, and report the cases they identify to the team of lawyers so that the necessary actions can be taken.

NGOs – Information to groups and society in general about the situation of women: gender discrimination, feminization of poverty, domestic violence, and trafficking in women, is done by NGOs through information campaigns, and collaboration with the state programmes and activities. NGOs inform the at-risk and professional groups, as well as the public; they offer assistance to victims and their families, establish and maintain relationships with international organizations and do lobby work; they offer legal assistance to trafficked victims as well as help them to reintegrate into society.

These NGOs include the following:

Centre for the Prevention of Trafficking in Women

Since February 2001, the project entitled “Centre for Prevention of Trafficking in Women” has been implemented by a local NGO, the Association of Women Lawyers (AWL) under the aegis of the United Nations Development Programme. The project is implemented thanks to the generous support of the US State Department which is the main donor of the project. Other funders of the project are the World Childhood Foundation and the Soros Foundation, Moldova. In July 2002 the CPTW Ungheni Local Branch was launched, and in October 2003, two new Local Branches were opened in Balti and Cahul.

CPTW operates several departments: A Public Relations department, a Media department, a Law Enforcement department, an Educational department, and a Social Assistance department.

The most important goals of CPTW are: Creation of an efficient infrastructure for prevention and prosecution of THB cases; increasing public awareness and sensitizing public opinion regarding THB issues; informing vulnerable categories of teenagers about the risks and consequences of THB; providing free legal and social assistance, as well as useful information about THB through the telephone Hotline for persons in need; assisting law enforcement agencies in the development of prevention and prosecution programmes.

Among the most significant activities we can list:

- Creating and maintaining a partnership network of national and local organizations actively involved in combating THB;
- Producing and implementing a variety of permanent media campaigns across Moldova: radio/TV programmes, articles in national and local newspapers, advertisements and permanent billboards that focus on the THB issue and are directed at sensitizing public opinion;
- Organizing educational campaigns targeting teenagers and other groups that are most vulnerable to trafficking;
- Supporting and operating two telephone information Hotlines;
- Organizing law enforcement programmes for the prevention and eradication of THB.

The principle objective of this project is to coordinate and implement information, educational, and preventive activities in the area of trafficking in women and children so as to create a greater awareness about this problem in society in the Republic of Moldova. During the period 2001-2003 the project collected and disseminated data on trafficking, increased public awareness about the risks of trafficking through media campaigns, and informed victims of trafficking about the assistance and rehabilitation sources available in the country and abroad. This activity is accomplished using a wide variety of tools, including telephone counselling, youth volunteer training seminars, seminars for young people and students, publications for young people, and public media awareness campaigns. Thus since 2001, CPTW has produced and broadcast about 300 radio programmes on 4 radio channels, and produced and broadcast 9 television programmes through 15 national and local channels. In addition, 100 news articles have appeared in the national and local newspapers, 3 billboards have been put up, and editorials have been printed in all the Moldavian media. During this period CPTW printed over 100,000 brochures and leaflets, and promotional materials, newsletters, and magazines designed for potential victims and victims of trafficking, as well as for all its strategic partners; these were distributed in schools, transit areas, on the streets and to strategic partners.

In order to avoid abuses being committed by representatives of the law enforcement agencies, CPTW recruited a team of lawyers that provides legal assistance and represents the rights and interests of victims in courts. At the moment, AWL lawyers participate in several trials. Thus, since May 2003 records were sought on 17 cases: 3 in Turkey, Moscow, Italy, Spain, Dubai (Arab Emirates), and Poland. Information on trafficking operations was transmitted to the Directorate for Combating THB in 18 cases, as well as to the Police, the Department of Information and Security, and the Prosecutor's Office. At the moment, CPTW lawyers are representing the rights and interests of victims in 37 criminal cases and in 42 civil lawsuits in Chisinau as well as in local branches in Balti, Cahul and Ungheni. Since 2001, CPTW, in collaboration with the Department of Information Technologies, assisted 260 returned victims and potential victims of trafficking to secure proper documents. The project assists families and friends in their attempts to locate relatives who have disappeared. Until now CPTW solved 62 of these cases, and 42 cases are in the process of investigation. During the same period, CPTW lawyers provided assistance and advice in 9 trials of suspected trafficking.

The second set of activities is focused on training representatives of the law enforcement bodies and educational institutions, as they do not have enough knowledge on the issue. Another problem identified by CPTW is the lack of permanent links between the representatives of local public authorities in the issue of THB. According to data collected by the CPTW, the majority of trafficked

victims come from villages. More support should be given to increase knowledge and consolidate the capacity of local public authorities to prevent THB. In order to inform and train representatives of local public authorities, CPTW conducts training with and for local public authorities all over the country. The people who have received such training constitute the link between representatives of local public authorities and other NGOs. Following the Decision of 16 October 2003 of the National Committee for combating trafficking in human beings, CPTW started to train the representatives of all local commissions for combating THB on issues related to prevention and prosecution.

In order to ensure the success of the project and the efficiency of its activities, CPTW signed Memoranda of Understanding with the most active agencies, including the State Migration Service, the Department of Social Assistance of the Ministry of Labour and Social Protection, the Division for Combating Organized Crime of the Ministry of Internal Affairs, the General Prosecutor's Office, the Department of Youth and Sport of the Ministry of Education, the Department of Information Technologies, the Border Police, the Council of Ungheni district, IOM, etc. In addition, the CPTW established fruitful collaboration with representatives of the law enforcement agencies, and with local NGOs working in the field, as well as with national and local media companies.

Work with volunteers

Starting in 2001, CPTW trained more than 100 volunteers from more than 15 districts of the Republic of Moldova. Currently the volunteers are taking part in information campaigns, and organizing training in the schools in their regions. So far more than 250 seminars have been organised. CPTW decided to involve the young as volunteers in the project, on the basis of peer "teenager to teenager" support. CPTW believes that pupils better understand the information provided when other teenagers explain it (using methods such as games, brainstorming activities, case studies, working in groups etc.). As a result, the information addressed to pupils is very well received, the volunteers being asked to organise more training. During these seminars CPTW volunteers disseminate information materials and provide assistance as required. Volunteers have the necessary skills to identify potential victims of trafficking, and up to now they have already reported more than 20 cases to the CPTW lawyers.

During these seminars, children are informed about the risks of trafficking and the ways in which to avoid being trafficked. They are encouraged to contact the CPTW lawyers if necessary. CPTW, in partnership with the National High School Debating League, organizes various training events for volunteers on the issue of trafficking in human beings, emphasizing the trafficking in minors as a severe violation of children's rights, and child abuse. In July 2003 a summer school for all volunteers was organised where they gained new skills for working with children, and also learnt debating skills, as they also organize public debates in their regions with the objective of raising awareness.

The objective of this educational campaign is the creation of a legal rights culture among children between 13 and 18 years of age, in the sense of developing their own abilities for self-protection from any form of abuse and violence against them, including trafficking in human beings. Another purpose of the seminars is to identify potential victims of trafficking who are exposed to the risk of being trafficked, most of whom come from abusive families, by offering them free social and legal assistance.

La Strada

La Strada implements three programmes in Moldova: on prevention, education, and social assistance to victims. As part of the social assistance programme, La Strada started an anti-trafficking telephone hotline at the beginning of March 2002. The hotline has a toll free number and can be accessed from all parts of Moldova. La Strada has an agreement with the state institutions providing information on migration to cooperate and spread their information. Separate agreements were signed with the Ministry of Interior and the SECI Centre to cooperate in cases where support in recovery, rescue and repatriation of the victims of trafficking was needed. Usually the information

about trafficking cases comes from the family (70%) or the local police, local NGOs or other sources (30%). La Strada informs the IOM office, the Ministry of Interior and the NGOs working in the country of destination, requesting their assistance.

Save the Children

Save the Children's programme is implemented in co-operation with Pappa Giovanni, and other Italian NGOs working with the victims of trafficking in Italy. SC has prevention programmes in the rural areas of Moldova and a direct assistance programme for victims of trafficking returning to Moldova via NGO channels. A reintegration programme started in May 2002 and by the end of the year, SC had assisted 26 victims of trafficking. NGOs referred 14 persons in destination countries (Russia and Italy), while 10 contacted SC after returning to Moldova. SC has 11 members of staff, most of them specialized in social assistance, and they are using the organizational structure created in Moldova in 1994 to support street children.

Assistance Programmes are implemented individually according to the needs of the women; in the majority of cases they include social assistance and support, and in some cases also psychological counselling. While SC produces statistics about the circumstances and conditions of their clients while being trafficked, the information about the assistance and reintegration services provided is not comprehensive and is difficult to verify. SC doesn't co-operate with any other agencies, does not exchange information, and does not publish any reports or evaluation of its work. Cases where the victims of trafficking are children are registered with the Department of Child Protection of the Ministry of Labour, as SC is taking legal responsibility for the minors it assists.

Chapter VII. Other studies concerning trafficking in women and children in Moldova

The following studies have been carried out in the field of THB.

Prevention of child trafficking in Moldova

Public Policy Institute, 2003.

This report describes the social-economic context, types and procedures of child trafficking in Moldova for labour, begging and sexual exploitation, as well as the factors that generate this phenomenon and the situation of children who have been trafficked.

Collection of material for academics

The International Centre for the protection and promotion of women's rights, "La Strada", 2003
This collection is part of a series of information materials "Trafficking in Human Beings – myth or reality", carried out by the CPTW. The study analyses human trafficking as a violation of human rights and is addressed to the professors and teachers at university and pre-university institutions.

Trafficking in Women in Moldova – myth or reality

Centre for the Prevention of Trafficking in Women, 2002

This report presents the issue of Trafficking in Women from the point of view of prevention. Analyzing the problem, the Centre proposes three ways to solve it, and makes recommendations to improve the existing situation.

Report on Trafficking from Moldova: Irregular labour markets and restrictive migration policies in Western Europe

Author: Shivaun Scanlan, Consultant on Migration, ILO, May 2002

The report provides data concerning the causes of trafficking, prevention strategies, and ways to combat trafficking. The information describes the existing situation in Moldova as well as in other countries of the region.

Recommendations for combating THB

Council of Europe, 12-14 December 2001

This material comprises the conclusions, recommendations and measures for combating human traffic, which were agreed during a regional seminar under the title “Legislative reform in combating human traffic. Application mechanisms”.

Report “Judicial prosecution of THB and victim protection in the Republic of Moldova”

Petra Follmar, Lawyer, Hamburg, Germany, September 2001

The material offers an analysis of national and international legislation on human traffic. The report includes general data concerning this type of crime, with reference to national legislation as well as to proposed legislation, and to international laws that can be applied in the Republic of Moldova.

Report “Trafficking in Women and children for sexual exploitation. Republic of Moldova”

IOM, Chisinau, September 2001

This report is a complete analysis of the trafficking phenomenon, starting with the recruiting methods, border crossings, etc. It also analyses trafficking cases from, through, and in the Republic of Moldova. Special attention is paid to the impact of the state and NGOs on the trafficking phenomenon.

Report “Analysis of existing legislation and of proposed legislation”

Petra Follmar, Lawyer, Hamburg, Germany, July 2001

This document is a standard description of the characteristics of THB, followed by general conclusions for crime control and prevention. The report also gives the definition of trafficking from the UN Convention against trans-national organized crime contained in the Protocol on trafficking.

Report: “Study of the trafficking in women phenomenon” CAISPP CIVIS, Chisinau, 2000.

This study has been done by the NGO “CIVIS” (Centre for Social, Political and Psychological Investigations) together with the Moldavian women’s organization “Civic Initiative”.

The report contains the evidence of 24 Moldavian women who were sold abroad and managed to return home. It also has some useful information concerning trafficking in women.

The entire route traveled by the girls is analyzed – from the promises of a better life to the crude reality. A special part in the book is dedicated to the problems of reintegration into society and trafficking prevention.

Chapter VIII Recommendations and conclusions

Unfortunately, we have to acknowledge that at the moment, despite the large number of declarations and political promises to eradicate trafficking in human beings, there are neither viable mechanisms for the prevention and eradication of this social ill, nor are there joint efforts on the part of appropriate state bodies. Such actions as exist are spontaneous and sporadic.

There are no multilateral studies and analyses in Moldova on the phenomenon of THB. Statistical information is approximate and disparate. State bodies are scarcely involved in the real reduction of trafficking of girls and women. The prevention and rehabilitation services are underdeveloped and are mostly run by the non-governmental sector.

The law enforcement bodies do not have sufficient knowledge on how to apply the legislation to cases of trafficking. Another very important aspect that should be taken into consideration is the new Criminal Code, which contains many articles related to trafficking in human beings. The mechanism for the applicability of these legal provisions supposes the development of some practical capacities in relation to national and international standards.

Another problem identified by CPTW is the lack of a permanent link between the local public authorities on the issue on trafficking in human beings. In Moldova a serious problem is the lack of access to information in the rural areas. According to the statistics from our hotline, the majority of trafficked victims come from villages. The responsibilities of local public authorities for combating THB should be very important, but unfortunately they don't have enough knowledge about it.

The media constitutes an additional source of information for the judicial community regarding legal practices on THB. Nowadays there is a lack of journalistic investigation into THB. A more active journalism would contribute to the identification of corrupt situations related to THB and would show up the inaction of the legal structures in applying existing legislation. On the other hand, judicial practice for this category of case is only in the process of development, and should be monitored both by civil society and the judicial community itself.

At the same time, the existing legislation of Moldova is not adequate for solving the whole of the problems associated with THB. The legislation has no provisions concerning prevention, and no standards for the services to be provided to victims to reintegrate them into society, or mechanisms of co-operation between state organs and the non-governmental organizations at national and international level.

The protection of victims and witnesses in cases of trafficking in children is very important. Moldova does not have agreements regarding the provision of legal assistance in such cases with many destination countries, and this is an impediment to investigations. Bilateral agreements are needed between countries, to facilitate access to the evidence.

In order to improve the situation, the actions undertaken must include the following areas at regional and local level:

- Institutional framework
- Legal framework
- Specialized social services for potential victims of trafficking, as well as for actual victims
- Training of specialized personnel
- International co-operation

8.1. Institutional Framework

- Setting up networks to improve the co-coordinating mechanisms between the various governmental institutions and ministries for the initial implementation and realization of national anti-trafficking strategies and action plans
- Strengthening the capacity of the National Council against trafficking
- Identifying state bodies and appointing contact persons (to be done directly by high-level government officials) with functional powers, who will work on a permanent basis with NGOs on the development and implementation of various anti-trafficking programmes
- Appointing persons in the municipalities who will be responsible for combating trafficking (by giving additional responsibilities to existing employees)
- Developing international and national anti-trafficking networks.

8.2. Legal framework

First of all it is necessary to improve the national legislation, to clarify all forms of trafficking and to develop mechanisms for enforcement. Legislation must include the regulation of prevention activities, and provisions for the rehabilitation of victims of trafficking.

- In most cases, victims are affected psychologically (post-traumatic stress). Therefore, multidisciplinary teams must be available at all stages of the criminal trial.
- If the victim is a minor, special procedures must apply to collect evidence and to carry out investigations. Criminal trials must be closed to the public, and the victim's identity must be

protected. Moreover, the presence of the victim and her defence counsel must be limited as much as possible.

- Various techniques must be used in working with trafficked children. The development of certain rules and sample questions for trafficked children has been suggested, as well as general methodological instructions for the use of police and prosecution officers.
- The procedures should allow for the use of audio and video equipment, which could solve the problems associated with the preservation of evidence.
- The victim must be protected by mechanisms that can improve the victim's situation during the investigation interviews, the legal process, and during the reintegration process.
- Law clinics should be set up to provide free legal assistance to trafficked victims.
- The prosecution of prostitution should be reconsidered, and measures adopted to preserve the confidentiality of victims after their reintegration into society.

8.3 Specialised social services.

The development of specialized social services has to include two aspects: prevention and rehabilitation:

a) Prevention services have to be provided in two ways: formally, by introducing a large package of knowledge on health and life into the school curriculum, and informally, by involving NGOs in the dissemination of information on the hazards of trafficking

Information on how to avoid becoming a victim of THB should be disseminated in rural areas, where access to information and the distribution of information is more difficult. This can be achieved by:

- Involving the relevant actors (police, social workers, health professionals, employment agencies, teachers, the church, local authorities, local NGOs, including youth organisations)
- Promoting the development of a network of local NGOs and a network of "hot lines" throughout the country
- Using the available media, the press, the new information technologies such as television, the Internet, etc.

b) Rehabilitation services

- Victims need special kinds of assistance, which can only be provided by multi-disciplinary teams of specialists.
- Creating a network of rehabilitation centres based on programmes of assistance for victims, developed on an individual basis in accordance with a personal evaluation of the needs of the victim.
- Developing special rehabilitation programmes for minor victims, orphans, pregnant victims or those who have small children.

8.4. Training of specialised personnel

Permanent and periodic training programmes should be organized to develop human resources.

- There is need to develop a plan for the joint training of all those involved in anti-trafficking actions, using a multi-disciplinary approach.
- The training should be specialized and focus on various fields of operation (for example: prosecutors, police, judges, social workers, private lawyers, and NGOs).

8.5. International co-operation

The relevant international treaties for combating THB and ensuring access to justice for minor victims should be ratified and implemented.

IX. Case studies

Case 1

Natalie was born in a village and lived there with her mother and her two sisters. At 14 years of age, Natalie was raped. At 15, she already had a baby. In her family there were frequent difficulties because of lack of money.

Natalie was convinced by a man to go for a job as a waitress in Moscow. He also convinced Natalie to bring her one-year old daughter to Moscow. She accepted to leave her village and go to Moscow in order to have a job, since there were no opportunities for her at home. In Moscow, she met many girls from Moldova, including Diana from her own village. They were brought to one apartment in the centre of Moscow. She was told that she should practice prostitution. She refused, but was beaten, abused physically and threatened with not being able to see her baby.

Tania, the one-year old baby, was taken away by the traffickers. Natalie practiced prostitution for more than a year. This was torture for her. Natalie succeeded in escaping when she was beaten by a client and thrown into the street. It seemed that her anguish would end, but it wasn't like that, because she was thinking that she would never see her child.

Natalie worked for a while on the streets to get money to return back home.

In April 2003, after she returned home, she came to the Centre for the Prevention of Trafficking in Women, accompanied by a regional social worker. At CPTW the social worker and the lawyer interviewed her. The social worker assessed the social situation of the victim, developed an individual plan of social recovery, contacted specialized agencies (Labour Force Office, Social Work Direction, Direction for the Protection of the Children's Rights, IOM), and supervised the case until the complete social rehabilitation of the victim.

The lawyer informed Natalie about her rights. After this, the CPTW lawyer accompanied her to make a request at the Directorate for Combating Trafficking in Human Beings at the Ministry of Interior.

After the CPTW lawyer assisted her, she was recommended for participation in a rehabilitation programme with IOM Chisinau.

The CPTW lawyer assisted the victim during the entire investigation. This included meeting the traffickers, processing the identity documents, and also ensuring accommodation for her and her daughter and Diana, who were repatriated from Moscow when the traffickers were caught and will participate in the trial as injured parties. The injured parties were also under State protection for the duration of the investigation. The lawyer who is undertaking the criminal enquiry (since 2002) has been contacted, and the victims will be assisted until sentenced has been passed after the trial.

Case 2

T. was born in Cantemir in 1982. She lived with her family, composed of her mother, her stepfather and a 10 year old sister. She said that her real father had refused to marry her mother because he could not accept the birth of a female child (herself). Her family had financial problems, but she did not have to work, and had quite a good life.

She attended primary school, but did not get a diploma, because before the end of her last year in school, she decided to leave and get a job.

One day at the beginning of 2000, after leaving a disco, two friends told T. that she could get a job in a restaurant in Romania. She accepted the proposal and decided to leave. When she arrived in Romania, three men, with masks on their faces, abducted her and took her to Serbia. From there she was transferred to Albania, where she was sold to an Albanian man and a Moldovan woman. She stayed there for a short period, during which she thought about escaping and denouncing her exploiters. Eventually she did not do it, because she believed the Albanian police to be corrupt.

When she got to Italy she was forced to work as a prostitute. After a week on the streets, and thanks to the help of two Italian boys from Bari (a city in the south of Italy), she decided to go to the police and to charge her pimps with kidnapping, inducement into prostitution, and exploitation. Her report led to the prosecution of the traffickers.

Being underage, T. was provided with social assistance in Italy, and was issued with a residence permit for unaccompanied minors. She was sent to a shelter for trafficked victims. At the request of the shelter, the Juvenile Court of Bari decided to convert the residence permit into a care placement order until she was 21. While initially T. had wanted to go back home, she later expressed a wish to stay with a family that was collaborating with the shelter. Thanks to her insertion into this family, T. could start a new life, and had the chance to study and to work.

Case 3

E. was born in 1983 in a rural village one hour from Chisinau. She lived there until she was 16, and helped her family (composed of her parents, an older brother and a younger sister) in farming and breeding livestock, which were the family's livelihood.

One day her aunt proposed to E. that she would go to Italy and find work to help her family. E. left Moldova at the beginning of 2000, together with some other people she had met through her aunt. We have no details about how she got to Italy.

When E. arrived in Rome she was sold to some Albanian men who forced her into prostitution. In the group of girls she was living with, E. became close to C., a Moldavian girl who was ten years older than E. and who was responsible for accompanying the girls during their travel and was in charge of them on the streets (so C. was very close to the Albanian clan who were exploiting E.). Since E. could not stand the terrible life she was forced to live, E. proposed to C. that they should both escape. They both went to Perugia (in the centre of Italy) where C. had lived before. They sought help from an organisation providing assistance to victims of trafficking.

BIBLIOGRAPHY

Counter-Trafficking Unit Situation Report

IOM Pristina, (Report of the anti-trafficking unit on the current situation), 2001

Collection of materials for academics

International Centre for the protection and promotion of women's rights, "La Strada", 2003

Prevention of child trafficking in Moldova

Public Policy Institute, 2003

Report on Trafficking from Moldova: Irregular labour markets and restrictive migration policies in Western Europe

International Labour Office, May 2002

Recommendations for combating human trafficking

Council of Europe, 12-14 December 2001

Report "Trafficking in Women and Children for sexual exploitation. Republic of Moldova"

IOM, Chisinau, September 2001

Report "Analysis of existing legislation and proposed legislation"

Petra Follmar, Lawyer, Hamburg, Germany, July 2001

Trafficking in women in Moldova – myth or reality

Centre for the Prevention of Trafficking in Women, 2002

Report "Judicial prosecution of THB and victim protection in the Republic of Moldova"

Petra Follmar, Lawyer, Hamburg, Germany, September 2001

Report: "Study of the phenomenon of trafficking in women", CAISPP CIVIS, Chisinau, 2000

Poverty Assessment Moldova

World Bank, (2000);

UN Common Country Assessment, 2000.

National Strategy for Sustainable Development

UNDP, 2000

Health for All Statistical Database.

International Health Organization,

UNDP National Human Development Report, 2000.

Interview with UNICEF's Assistant Representative, Giovanna Barberis, 24 July 2001

MONEE Report nr.7, Young People in Changing Societies, 2000

Public Opinion Barometer. Republic of Moldova. CSOP/Taylor SOFRES, January 2001