



Global Monitoring

status of action against commercial sexual exploitation of children

MOLDOVA

2nd EDITION

This publication has been produced with the financial assistance of the Swedish Cooperation Agency (SIDA), The Body Shop International, The Oak Foundation and Irish Aid. The views expressed herein are solely those of ECPAT International. The support from these donors does not constitute endorsement of the opinions expressed.

This publication was compiled by Alessia Altamura with the assistance of Francois-Xavier Souchet, Patchareeboon Sakulpitakphon, Anjan Bose, Jerry Nguyen, Olha Shved, Vykintas Lideikis and Mark Capaldi. This report was also developed in collaboration with CCF Moldova.



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Design by: Manida Naebklang

ECPAT International
(End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes)
328/1 Phayathai Road, Bangkok 10400, Thailand
www.ecpat.net
info@ecpat.net

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GLOSSARY OF TERMS AND ACRONYMS

- **CCF:** Children, Communities, Families Migration
- **CCTP:** Centre for Combating Trafficking in Persons
- **CoE:** Council of Europe
- **CRC:** Convention on the Rights of the Child
- **CSEC:** Commercial Sexual Exploitation of Children
- **EC:** European Commission
- **ENP:** European Neighborhood Policy
- **EU:** European Union
- **Europol:** European Police Office
- **GRETA:** Group of Experts on Action against Trafficking in Human Beings
- **ICMEC:** International Center for Missing and Exploited Children
- **ICMPD:** International Centre for Migration Policy Development
- **ICT:** Information and Communication Technology
- **ILO/IPEC:** International Labour Office/ International Programme on the Elimination of Child Labour
- **IOM:** International Organisation for
- **IT:** Information Technology
- **MoU:** Memorandum of Understanding
- **NGO:** Non-Governmental Organisation
- **NPA:** National Plan of Action
- **NRS:** National Referral System
- **OPSC:** Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
- **OSCE:** Organisation for Security and Cooperation in Europe
- **PROTECT CEE:** Project of Technical assistance against the labour and sexual Exploitation of Children, including Trafficking, in countries of Central and Eastern Europe
- **SELEC:** Southeast European Law Enforcement Center
- **UN:** United Nations
- **UNDP:** United Nations Development Programme
- **UNFPA:** United Nations Population Fund
- **UNICEF:** United Nations Children's Fund

FOREWORD

At the First World Congress against Commercial Sexual Exploitation of Children (CSEC) held in Stockholm in 1996, governments from around the world first gave recognition that commercial sexual exploitation of children is a global crime of epidemic proportions. The Stockholm Declaration and Agenda for Action - a strategic framework for actions against CSEC - was adopted by the 122 governments participating in the Congress in order to guide a systematic global response against the sexual exploitation of children.

The outcome document of the First World Congress was soon followed by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC). Adopted in 2000 as a legally binding treaty of the United Nations, the Optional Protocol (and other relevant international treaties) reaffirms the urgent need for political will and concrete actions from governments to ensure that children in their countries can live free from all forms of commercial sexual exploitation.

In 2001, high-level delegates from 136 governments, local and international non-governmental organisations and children and young people, convened in Yokohama for the Second World Congress to review the achievements and challenges in combating CSEC as well as to identify new priorities needed to bolster and enhance action. Seven years later, the World Congress III in Rio de Janeiro provided the largest global platform to date for delegates from 137 governments to renew their state's commitment to protect

children from commercial sexual exploitation. The Rio Declaration and Call for Action strongly urges all stakeholders, including the private sector, to continue their due diligence in taking the necessary follow-up actions to eliminate CSEC. The Rio Call for Action emphasises the obligation to uphold the rights of the child as identified in existing international human rights and child rights instruments. It also offers a framework for the accountability of all duty-bearers of children's rights, particularly governments, in the fight against sexual exploitation of children and re-affirms the continuing relevance of the Agenda for Action, first agreed to in Stockholm twelve years earlier.

This report, as part of the Second Edition series of country monitoring reports produced by ECPAT International, provides a comprehensive baseline of information on all manifestations of CSEC in the country and an assessment of achievements and challenges in implementing counteractions (including the participation of children and young people themselves) to eliminate CSEC. The report, which follows the framework of the Stockholm Agenda for Action, serves as an instrument for the sharing of information and experiences among various stakeholders and duty-bearers within the country as well as internationally. It also suggests concrete priority actions urgently needed to proactively advance the national fight against CSEC. Furthermore, this report enables the monitoring of the implementation of international instruments on child rights, related to commercial sexual exploitation that have been ratified by the concerned state.

The production of this report is achieved through extensive collaboration within the ECPAT global network. ECPAT International would like to thank ECPAT member groups in the countries assessed, local and global experts and other organisations for their invaluable inputs to this report. ECPAT International would also like to express its profound appreciation of all the hard work of its dedicated team from

within the Secretariat and for the generous support of its donors that helped make the finalisation of this report possible. The contributions of all involved have greatly strengthened the monitoring of the Agenda for Action and the heightened collaboration needed to fight the new and evolving complex manifestations of commercial sexual exploitation of children.

METHODOLOGY

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organizations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress II of 2001, the Mid-Term Review meetings held between 2004 and 2005 and the World Congress III in 2008. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this 2nd Edition report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers in their work and to ensure consistency in the gathering, interpreting and analysing of

information from different sources and parts of the world.

Desktop research has shown a continuing lack of information in the areas of Recovery, Rehabilitation and Reintegration. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports thus focus only on those areas of the Agenda for Action where verifiable information can be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; Protection and Child and Youth Participation, and where information on recovery, rehabilitation and reintegration, was available, it has been included under the country overview. These 2nd Edition Reports also reflect a greater focus on integrated and inter-sector collaboration for the realisation of the right of the child to protection from sexual exploitation, including the need nationally for comprehensive child protection systems.

Research of secondary sources, including CRC country and alternative reports, OPSC country and alternative reports, the reports of the Special Rapporteurs, as well as research and field studies of ECPAT, governmental and non-governmental organizations, regional bodies and UN agencies, provided the initial information for each report. This information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on

specialised areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for analysis of the country situation. They also served as a measure for triangulating and

validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all the 2nd Edition reports feature updated information in relation to: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see www.ecpat.net for further details); (vi) overview and analysis of country's efforts incorporate participation of children in youth in the development and implementation of efforts to combat CSEC and (vii) priority actions required.



MOLDOVA

INTRODUCTION

The Republic of Moldova, with a population of 3.6 million, is the second-smallest republic of the former Soviet Union and the most densely populated.¹ The national territory is divided into thirty-two districts, three municipalities and two autonomous regions (Gagauzia and Transnistria). The majority of the population belongs to the Moldovan ethnic group, although there are several minority groups, such as Ukrainians, Russians, Bulgarians and others.²

Since the break-up of the Soviet Union, Moldova has faced major economic difficulties related to the economic transition from a planned to a market economy. This drastic change has resulted in a severe deterioration in living conditions, a sharp rise in inequality and unemployment, and a decrease in public social expenditures. From its opening to the global market in 1991 until 2000, the country suffered its worst economic crisis, leaving most of the population below the poverty line.³ In 2001, a sustained economic recovery began as a result of structural reforms; since then the country has seen a steady annual GDP growth of between 3% and 7%, recently interrupted by the global economic crisis of 2008-2009.⁴ Despite recent progress from its small economic base and efforts to reform the economy in view of the European Union (EU) integration, Moldova remains one of the poorest countries in Europe.⁵ In 2010, Moldova's HDI was 0.649, giving the country a rank of 111 out of 187 countries with comparable data.⁶ More than 26% of

the population live below the poverty line (below \$1.25 per day as measured in 2009), 30 % of whom are reported to be children.

Alongside the significant political uncertainty registered between 2009 and early 2012, one of the main factors having the most negative impact on the country's governance and development is corruption. According to a survey conducted in 2008, there has been a record rise in government bribery, with visa issuing and law enforcement topping the list. Over 76% of the Moldovans are prepared to pay a bribe, including to obtain basic services such as health care and education.⁹ Moldova ranked 112 out of 183 countries in Transparency International's Corruption Perceptions Index for 2011, dropping 7 places compared to the previous year.

Since 2000, Moldova has experienced a considerable growth in migration flows. According to the Moldovan Ministry of Labor, Family and Social Protection, about 500,000 Moldovan citizens work abroad, mostly in Russia and Italy.¹⁰ Observers suggest that this number does not reflect the real size of the phenomenon and that the actual figure is probably between 600,000 and one million people.¹¹ Many of these migrants, including an unknown number of youth, are living abroad illegally and thus become easy prey for criminal networks such as trafficking rings. Whilst migration is a major source of income for the Moldovan economy (accounting for about 30 percent

of the GDP¹²), it has had an adverse impact on family structure and the level of child protection. Moldova has one of the highest proportions of abandoned children in the CIS region.¹³ According to the Information and Documentation Center on Child Rights in Moldova, the number of children with at least one emigrant parent has grown steadily, passing from 94,000 in 2006 to 135,000 in 2009.¹⁴ Data provided by the Municipal Child Protection Department show that as of May 2012, the number of children assisted by the 48 Community Centers for Children and Youth in Chisinau was more than 2,300, 1,648 of whom were children whose one or both parents had left to work abroad.¹⁵ Children without parental care are often undernourished and uneducated and may be particularly vulnerable to sexual exploitation and trafficking.¹⁶

Although education is free, universal and compulsory until age 16, the public education system continues to be insufficiently funded and the number of unschooled children is increasing. Due to persisting high levels of poverty (especially in families with many children), the enrolment rate dropped from 95.1 percent in 2002 to 90.7 in 2009.¹⁷ It has been estimated that almost one in ten Moldovan children does not attend school¹⁸ and of the children who do so, only 80 per cent attend regularly. Many children drop out of school early to start work¹⁹ and some of them may become victims of commercial sexual exploitation (CSE) and trafficking.²⁰

Children in Moldova have traditionally been involved in the family's economic activities, especially in rural areas. It has been reported that two-thirds of rural children have engaged in agricultural work by the age of 14.²¹ Difficult economic conditions have further exacerbated the situation and many families will put the oldest child to work in order to ensure the household's survival.

Despite the country having passed many legislative acts to prohibit child labour, a new study revealed that 17% of Moldovan children aged 5-17 are believed to work for remuneration²² while an unknown number are forced into the worst forms of labour, including trafficking and sexual exploitation.²³

Following implementation of a National Action Plan for the Reform of the Residential Care System for Children, the number of children placed in residential institutions has dropped by 32.6 percent since 2007. According to the Ministry of Education, the number of children living in the 56 institutions run by the Residential Care System for Children was 7,087 in 2010 and, of those children, only 17 percent were orphans. However, conditions for children in orphanages and other institutions remain generally very poor,²⁴ as also attested by the high level of abandonment. Indeed, children in state institutions often run away and end up living on the streets where they can become involved in begging, petty crime²⁵ and sexual exploitation. The CRC Committee has expressed concern that children in residential structures are frequently neglected and ill-treated and, due to a lack of resources, are not provided with proper care and appropriate basic services.²⁶

Children from ethnic minorities are often discriminated against, especially those belonging to the Roma community. Due to their poor living conditions, high levels of illiteracy and unemployment, as well as widespread social stigma, the Roma are at great risk of being marginalised by both state authorities and non-state actors. Roma children in particular do not have access to the same quality of education as their non-Roma peers and may be forced to work at a very early age or be exploited and trafficked, especially for begging.²⁷

Prostitution of children

There are no official statistics, nor estimates of the number of children exploited through prostitution in Moldova. The only available data are those related to criminal complaints and convictions for child prostitution-related offences. Despite the lack of quantitative information, there is enough evidence to prove that this form of sexual exploitation affects a consistent number of Moldovan children and is very often linked to child trafficking.

According to criminal statistics, a total of 458 cases of persons who engaged in prostitution were registered between 2005 and 2007, 178 of which involved minors (16–17 years old).²⁸ Many of the children exploited in commercial sex are actually victims of domestic trafficking. Young girls in particular are recruited from the countryside and transported to the capital, Chisinau, for sexual exploitation in different locations, such as bars, saunas, private apartments, discos, etc.²⁹

Although most of prostituted children are girls, prostitution of boys is also a problem in Moldova. CCF Moldova, the ECPAT member group in the country, has reported cases of 14–17 year-old boys who provided sex services to car owners in city parks. Some of these boys were runaway children living and/or working on the streets while others lived in families with insufficient parental care.³⁰

Child trafficking

Trafficking in children for sexual exploitation is the main manifestation of commercial sexual exploitation in Moldova. According to the International Organization for Migration, Moldova is the primary country of origin of women and children trafficked to the Middle East, the Balkans, and Europe.³¹ Cases where Moldova acts as a country of transit and even a country of destination in human trafficking have additionally been reported but remain very limited, especially as far as child sex trafficking is concerned.³²

Due to the phenomenon's latency and lack of a common system of gathering information on the victims, there are no precise statistics on the number of trafficked children in Moldova both at the transnational level and domestically.³³ However, according to data collected by La Strada Moldova, the percentage of child victims of human trafficking is continuously growing (from 15% in 2004 to 20% in 2009). Also, figures provided by other anti-trafficking organisations have shown a decrease in the number of victims of transnational child trafficking in recent years coupled with a slight increase in the number of victims of child trafficking inside the country. According to state organisations, this decrease is the result of enhanced efforts against child trafficking while representatives of NGOs have pointed to the increasingly hidden character of the phenomenon which has made child victims' identification more difficult.³⁴

A study published in 2010 by La Strada Moldova offers a comprehensive overview of child trafficking in the country, providing detailed information on latest trends, victims' profiles, vulnerability factors, methods of

recruitment, forms of exploitation and other aspects. Based on the analysis of statistical data of different anti-trafficking organisations, 130 real cases of child trafficking and child sex-tourism and

interviews with professionals from different agencies, the research found that most child trafficking victims were first recruited between the age of 14–17.³⁵ Although only 20% of them were male, the share of boys in the total number of victims of trafficking in human beings was reported to be growing.³⁶ Most of the victims came from poor and incomplete families living in rural areas at the time of recruitment. Recruiters were both men and women, most often citizens of the Republic of Moldova, and in the majority of cases, they were acquaintances or people familiar to the victims (neighbours, friends and relatives).³⁷

In the period of 2005–2009, child-victims of trafficking were mainly trafficked to countries that do not have a visa regime

for the citizens of Moldova (e.g. Russia and Ukraine), as well as to countries with a facilitated visa regime (e.g. Turkey). The number of cases of child trafficking to EU countries registered in the same period has in turn drastically decreased.³⁸ According to existing data, children were taken to Ukraine and then onto other countries mainly by transport along country roads through the Transnistria region at the border with Ukraine which, after the armed conflict in the 90s, has remained almost uncontrolled by Moldovan authorities.³⁹ Around 60% of the cases analysed concerned children trafficked for sexual exploitation while an unknown number were subjected to multiple forms of exploitation (e.g. forced begging and sexual exploitation).⁴⁰

International cooperation in the fight against child trafficking

The Ministry of Internal Affairs of Moldova has conducted a number of successful police operations against child trafficking. In one case, a girl with false documents was trafficked to France to be sexually exploited in a night club. IOM Moldova identified the case and asked support for investigation to the Centre to Combat Trafficking in Persons of Moldova. A criminal proceeding was initiated and, thanks to cooperation with the Paris-based special prostitution brigade, the night club was shut down and the French owner and the Moldovan citizens who trafficked the girl were prosecuted.⁴¹

La Strada Moldova's 2010 study also exposed a clear link between child sex trafficking and child sex tourism. Besides reporting cases of organisation of internal child trafficking to cater to foreign sex buyers, the research

revealed the emergence of a new trend whereby foreigners first act as "clients" or "future husbands", and later, when the children reach 18 years of age, they sell them into sexual slavery abroad.⁴²

The U.S. Department of State annually releases a Trafficking in Persons Report which categorises countries into different "tiers" based on the extent of government action to combat human trafficking. Countries that have the highest level of compliance with the Trafficking Victims Protection Act's minimum standards for the elimination of trafficking are placed in **Tier 1**. Those that have made "significant efforts" to meet the standards are placed in **Tier 2** and countries that are not making significant efforts to combat human trafficking are placed in **Tier 3**.

In the 2012 report, Moldova was placed in **Tier 2**.⁴³

Although knowledge on child pornography in Moldova has improved in recent years, the issue remains largely uncovered and only a few cases have been identified, most related to the production and dissemination of child abuse images.⁴⁴ It should be noted that in a number of investigations recently conducted, the making of child pornography has seen the increasing involvement of foreign citizens travelling to Moldova. Limited information is available on the potential dangers that Moldovan children and young people may face when using the Internet, including online sexual grooming, exposure to unwanted and harmful materials and self-victimisation through “sexting”.

Research conducted by ECPAT International, in collaboration with CCF Moldova in 2008, shed light on child sexual abuse images through the use of information and communication technologies (ICTs). The study highlighted that the increasing use of the Web and mobile phones (more than 30 per cent of the Moldovan population was using the Internet as of December 2011⁴⁵) has provided avenues for easy production and distribution of child abuse material.

The making of child pornography for immediate financial profit is mainly run by well-organised international criminal organisations. In a case investigated by the U.S. police, for example, a Moldovan man was the intermediary involved in the distribution and transfer of funds for child abuse images (as part of a network established in Russia and Belarus), disseminating the materials in Europe and North America through emails and

websites.⁴⁶ Individuals, including young people and family members, can also engage in the production of child pornography. In one case, for instance, a mother and son organised a pornographic studio in the mother’s apartment in Chisinau where they shot real-time pornographic videos of young women, including a 17 year-old girl.⁴⁷ In another case, a Moldovan man recorded a 16-year old girl during sexual intercourse and posted the pornographic video on a website belonging to a German citizen.⁴⁸

Fraudulent modeling agencies have been found to play an important role in the production of child abuse images in Moldova. For example, three foreigners reportedly collaborated with a Moldovan citizen to establish a pseudo “modeling agency” in Chisinau, where they produced and distributed child abuse images on the Internet through various websites they had set up.⁴⁹

Moldovan song promoting sex with children banned from Eurovision and YouTube

A song from a Moldovan singer promoting sex with young girls was banned from the 2008 Eurovision contest and the music video, which included suggestive images of minors, was also removed from the video hosting website YouTube for violating the site’s content policies. With explicit and offensive lyrics directly referring to sex with 13-year-old girls, it had openly promoted the sexual abuse of children.⁵⁰

Moldovan children and adolescents are not adequately informed on the potential dangers connected with the use of the ICTs and are thus ill-equipped to navigate the Internet safely. Some Moldovan girls have been posting and sharing sexualised images of themselves or portraying themselves in a sexualised way on dating websites.⁵¹ A study recently undertaken by La Strada Moldova confirms that online behaviour of Moldovan children may result in an increased risk of sexual exploitation. Based on interviews with a sample of 1,347 children-users of the Internet from 59 localities, it was found that there is a direct correlation between the age of children and the risks they are exposed to when communicating with the foreigners who use the Internet for easy access to them. More specifically, 13.4% of 12-year-olds had reported receiving indecent proposals, and 29.3% of 16-year-olds reported such

cases. The children who were most tempted to meet offline someone who they had first met online were 12-year-olds (23%), girls (52%) and children from rural areas (68%).⁵² Particularly concerning is the fact that, according to the survey, children do not tell their parents about cases when they are invited to meet foreigners, when they get indecent proposals, when they discuss online sex-related topics and when they eventually meet offline the people they first communicated with online. The research also found that voluntary and involuntary access to pornography was common among children. According to interviewed specialists, “sometimes the links to porn sites emerge on the pages of online games or on activation of search engines by simply picking common words of the children’s vocabulary.”⁵³

Moldova, a “sex predator’s paradise”

According to a Romanian-Moldovan newspaper, “on some of the most popular social networking sites in the countries of the former USSR space, www.odnoklassniki.ru and www.mail.ru, boys from the Republic of Moldova in the range of ages between 11 and 17 years have in their friends’ lists men aged 30-55 years [living in] Germany, Denmark, Norway, Italy, Russia, even Thailand, wanted by the Chisinau police for child trafficking for the purpose of sexual exploitation, child pornography or sex-tourism. On some pictures posted on the site, children appear in the company of these men in private places drinking alcohol. A well-organised network of foreign paedophiles operated freely on the territory of the Republic of Moldova up until November 2010, when the Chisinau police managed to make some arrests. One of the main suspects whose case reached the desk of the judge was a citizen of the Russian Federation and Norway. He is suspected by the police to be the head and administrator of a site that promoted sex-tourism in Moldova for the purpose of sexual exploitation of children. The site was operational until early April 2011.”⁵⁴

Child sex tourism

A number of media articles and recent research suggests that Moldova is becoming one of the main destinations for travelling child sex offenders in the CIS region. Facilitated by the cheap price of services, lack of counteraction and increased children’s vulnerability (as a result of the financial crisis), the sexual exploitation of children in tourism fuels the criminal business of domestic child sex trafficking while also contributing to the production and dissemination of child abuse images. Despite the emergence of empirical evidence and criminal cases, it was noted that the problem of child sex-tourism, in contrast to child trafficking, is not yet an issue of concern for the authorities in Moldova. As there is no data on its wide-scale manifestation in the country, action against this phenomenon is not considered necessary.⁵⁵

Officially reported cases of sexual crimes committed by foreigners seeking sex with Moldovan children are very limited. According to the Center to Combat Trafficking in Persons, Ministry of Interior, between 2004–2009, a total of 11 children were involved as victims and witnesses in court proceedings related to foreigners that were charged with child sex crimes. Whilst there is no common profile of child sex tourists, they are reported to have a much higher level of income compared to Moldovans and to come from a number of countries, including Turkey, Italy, Germany, Greece, United States and Great Britain.⁵⁶

Travelling sex offenders can establish contacts with children by themselves, both through the Internet and direct contact, or can make use of intermediaries. Besides communicating with each other and getting all the necessary recommendations from pornographic websites on the Internet,

child sex tourists interested in identifying places where they can find children for paid sexual services are often advised to address taxi drivers and other “mediators” regarding this issue.⁵⁷ Child sex-tourists can also use different Internet forums and chats to contact children and get acquainted with them before their travel to Moldova. Alternatively, their meeting with children can occur later upon arrival to Moldova. In this case, contacts can be made at various recreation and amusement places for teenagers (discotheques, bars, Internet cafés, etc.) or places with large gatherings of children (sports stadiums, parks, etc.).⁵⁸

According to an Italian NGO, there are Moldovan travel agencies that organise sex trips to the country. Usually they offer an apartment for rent but the price also includes the provision of sex services, sometimes with the involvement of underage girls.⁵⁹

Sexual exploitation of Moldovan boys

“In early 90s, a citizen of the USA, born in 1962, started actively making sex-tours to Russia. In 2000, he was sentenced by the Russian court to 3 years of imprisonment for sexual abuse against minors in the territory of Russian Federation. However, he was soon granted amnesty and deported from Russia. Between 2001–2005, he broadened his visits to other countries and visited Moldova, Romania, Cambodia, Cuba and a number of other countries, where he sexually exploited dozens of boys.

In Moldova, the American paedophile was actively assisted by a citizen of Moldova, who organised meetings with boys for him and acted as an interpreter. Professionals of the Center to Combat Trafficking in Persons of the Ministry of Interior of the Republic of Moldova, in cooperation with US law-enforcement agencies, conducted an investigation in Moldova and collected evidence of criminal activity against 7 children in Moldova. While there existed grounds to suspect that the number of children that suffered from sexual exploitation by these individuals in Moldova was twice as big, it was not possible to collect proof of sexual crimes for all cases.

The 7 child victims from Moldova testified against the paedophile at an American court in Philadelphia in 2007. Regardless of the skilful actions of his defence (he was defended by a well-known lawyer, who had earlier defended such [stars] as Michael Jackson, etc.), the American paedophile was sentenced to 23 years’ imprisonment in the US. His accomplice from Moldova was sentenced even earlier in Moldova to 20 years of imprisonment.”⁶⁰

In a separate case in May 2012, five men were sentenced to several years in prison after being caught creating and managing a pedophiles’ network in Moldova. Among the arrested were two foreign nationals (a Norwegian and an Italian) and three Moldovans. The network provided sexual

services with Moldovan underage children for two hundred Euros. The Italian national, allegedly a football coach, recruited the young sports enthusiasts to later use them for his personal pleasure. He also regularly attended Internet-café's and promised the children to pay their bill for Internet services. Afterwards, he would invite them over at his house to use his Internet. The police finally arrested him while he was about to have sex with a 13-year-old boy. He was sentenced to 20 years in prison.⁶¹

Following the 1996 Stockholm and the 2001 Yokohama global forums on Commercial Sexual Exploitation of Children (CSEC), the World Congress III against the Sexual Exploitation of Children and Adolescents, in November 2008 in Brazil renewed global commitment and galvanized international resolve to combat sexual exploitation of children and adolescents. Unfortunately, Moldova did not participate in any of the three World Congresses and therefore has not adopted the *Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*.

NATIONAL PLAN OF ACTION

Moldova has not adopted a comprehensive national plan of action (NPA) to address the commercial sexual exploitation of children. Some aspects of CSEC are addressed and dealt with in other NPAs, such as the *National Plan for Combating Trafficking in Human Beings* and the newly approved *National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labour* for 2011-2015. It is, however, concerning that despite specific forms of CSEC (such as sexual exploitation of children in tourism and the production of child abuse images) increasingly emerging in the country, multi-faceted strategies to tackle these serious violations are still lacking.

Moldova's anti-trafficking policy framework is set out in the *National Plan for Preventing and Combating Trafficking in Human Beings* first adopted in 2005 and constantly updated over the years. The National Plan (valid for the period 2010-2011) covered four key areas: management and co-ordination of activities; assistance and protection of victims and witnesses (including identification, repatriation, rehabilitation and reintegration); prosecution of traffickers (including proactive investigation and compensation of victims); and international cooperation (including police cooperation).⁶² The plan also outlined specific actions to be taken to combat child trafficking, including building capacity of those providing services to child victims, developing standards for child interviews and ensuring access to education for those

most at risk.⁶³ The main responsibility for the implementation of the National Plan lies with the National Committee for Combating Trafficking in Human Beings.

A number of challenges have been identified with regard to the existing anti-trafficking policies. According to civil society organisations, whilst a number of international and national agencies are formally partners in implementing the NPA (these include UNICEF, UNDP, IOM, OSCE, ILO/IPEC, the Council of Europe/CoE, the European Union, the SELEC, as well as several Moldovan anti-trafficking NGOs), in practice, this collaboration remains limited due to the lack of structured funding provided by the government for the realisation of the NPA.⁶⁴ Moreover,

in examining efforts promoted by the Government of Moldova in implementing the CoE Convention on Action against Trafficking in Human Beings, GRETA has noted that no external evaluation of the NPA was conducted for assessing the impact of the activities and for planning future policies and measures to combat human trafficking.⁶⁵ The government's national action plan concluded in 2011, but the National Committee for Combating Trafficking in Persons is currently analyzing its results and developing a new plan that it will launch in 2012.⁶⁶

The *National Programme on Ensuring Gender Equality* covering the period 2010-2015 contains a chapter with specific objectives on ending violence and human trafficking, targeting in particular women, girls and boys. Among the actions envisaged in this framework are: capacity building for people involved in rehabilitation of victims and re-socialization of aggressors, through a gender perspective; educational programs, training modules, research and awareness raising campaigns related to the phenomenon of violence and trafficking through human rights and gender equality perspective; collection, analysis and dissemination of sex-disaggregated statistics on violence and trafficking related cases.⁶⁷ To operationalise the programme, an action plan valid for

2010-2012 has been developed while another one will be drafted to cover the period 2013-2015. Regrettably, the first action plan does not detail the cost of each measure foreseen nor does it identify the related funding sources.⁶⁸

In 2011, the Moldovan government adopted the *National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor* for 2011-2015. The national action plan lays out 49 specific actions to be implemented by different stakeholders working against child labour. Main activities under this NPA include training key stakeholders on the prevention of the worst forms of child labour, institutionalising a child labour monitoring system, and developing public information campaigns. The Ministry of Labor, Social Protection and Family is responsible for monitoring the implementation of the plan while the National Steering Committee on the Elimination of Child Labour is in charge of drafting biannual progress reports.⁶⁹ The NPA envisages only general measures against the worst forms of child labour and whilst it does not specify indicators nor funding sources, it is the only policy document that mentions specifically the different manifestations of CSEC and can therefore be used by professionals as an important advocacy tool.⁷⁰

COORDINATION AND COOPERATION

Local and national level

Most of child protection coordinating efforts in Moldova in recent years have continued to revolve around human and child trafficking, with other manifestations of CSEC still being neglected and unaddressed. Whilst a number of joint and coordinated anti-trafficking responses are laudable (especially the creation of a National Referral System for Victims), a number of gaps and shortcomings persist in this area according to GRETA, including limited participation of NGOs in the National Committee for Combating Trafficking in Human Beings, insufficient involvement of some public bodies (particularly the Ministry of Health and the Ministry of Education) and little cooperation and communication between the police and NGOs at the local level, especially in regards to identification of victims of trafficking.⁷¹

Several significant initiatives have been conducted by the Government of Moldova to enhance cooperation against human trafficking, including child sex trafficking. The National Committee for Combating Trafficking in Human Beings established in 2001 continues to coordinate anti-trafficking work conducted by relevant government departments.⁷² Composed of representatives of ministries and other authorities of the central public administration, the National Committee meets at least once a month and is responsible for a number of activities, including evaluating the implementation of the anti-trafficking NPAs, promoting awareness raising campaigns and drafting proposals for legal improvements.⁷³ NGOs and other international organisations dealing with human trafficking are not official members of this coordinating body but may attend the meetings and are usually consulted when adopting anti-trafficking legislation and other important initiatives.⁷¹

In accordance with the anti-trafficking law, a Coordinating Council of Law Enforcement Bodies was established in June 2007 with the aim to supervise the implementation of legislation against human trafficking and submit annual reports to the Prosecutor General and the National Committee.⁷⁵ Coordination against human trafficking also takes place at local level through ad hoc territorial commissions which have been set up in each region and all administrative districts of Chisinau. Subordinated to the National Committee and funded by the local authorities' budgets, the territorial commissions are composed of local representatives of the ministries, other public authorities dealing with human trafficking and NGOs active in this field. Several activities are promoted in the framework

of these local bodies, including awareness-raising campaigns; coordination of victim protection, assistance, and analysis; and collection of statistical data.⁷⁶

In an effort to enhance cooperation between governmental and non-governmental bodies, Moldova has set up a National Referral System for Assistance and Protection of Victims and Potential Victims of Trafficking (NRS). Launched in 2006 in five districts of the country by the Ministry of Labour, Social Protection and Family (in partnership with the IOM), it was later expanded to cover the entire territory of the Republic of Moldova. The functioning of the NRS is ensured by the territorial commissions and the multidisciplinary teams, with the support of the local authorities, international organisations and NGOs.⁷⁷ The multidisciplinary teams have been established at the regional level and include representatives of the local social assistance and family protection departments, medical establishments, the police, offices of the Registry, the National Employment Agency, as well as NGOs and other relevant bodies. They are responsible for identifying persons vulnerable to human trafficking and providing assistance to them.⁷⁸ To ensure their specialization, initial and follow-up trainings of personnel of these multidisciplinary teams have been delivered focusing especially on trafficking, domestic violence, HIV/AIDS and child protection.⁷⁹ Although Moldova has been praised for creating an anti-trafficking NRS, the various coordinating bodies established in recent years do not appear to deal effectively with cases of child trafficking for sexual exploitation, especially as a result of limited specialised capacity building of relevant professionals on CSEC.⁸⁰

The Child's Advocate

In 2008, the office of the Ombudsman for children (the Child's Advocate) was established in Moldova and a specialized service for child rights protection was created within the Human Rights Center. In line with the Paris Principles, the Child's Advocate is empowered to investigate complaints from children and act on his or her own initiative. Whilst welcoming the creation of this body, the Committee on the Rights of the Child in its 2009 concluding observations recommended that Moldova should take the necessary measures to ensure that the Child's Advocate has adequate human and financial resources to exercise his or her mandate effectively.⁸¹ According to Moldovan NGOs however, no visible improvement has been achieved over the last two years to fulfil this recommendation.⁸²

Intergovernmental and civil society organisations have actively engaged to enhance cooperation against human and child trafficking. The OSCE Mission in Moldova supports the Anti-trafficking and Gender Network (<http://www.atnet.md>) and hosts monthly Technical Coordination Meetings in Chisinau and regions including Transnistria to facilitate the exchange of information and good international and national practices between government agencies, civil society and the international community. Although not specifically focused on child trafficking, partners in this initiative include NGOs dealing with CSEC (such as CCF Moldova and La Strada Moldova).⁸³

As part of the Child Protection Safety Net project, Terre des Hommes Moldova has developed a community model of psychosocial, child-oriented protection aimed at mobilising the capacity of local stakeholders in four districts (including Chisinau) to ensure the safeguarding of children at risk of abuse, neglect, exploitation and trafficking. Through the re-activation

of the only committee specifically focused on children (which is legally recognised in each municipality), the so-called "Local Councils of the Protection of Child Rights", is currently promoting the creation of a functional referral system composed of various professionals (social services, schools, etc.). These coordinating mechanisms will allow better identification and monitoring of children in vulnerable situations and will also organise preventive community activities for children and parents.⁸⁴

Since 2010, La Strada Moldova (a member of the Network of National Organisations fighting against Child Prostitution and Trafficking) has devoted increasing attention to the different manifestations of CSEC. La Strada has conducted a series of activities to better prevent and counteract the phenomenon and ensure adequate protection to child victims through more active and coordinated involvement of different stakeholders, including the private sector (for more details, see sections on "Prevention" and "Support Services").

Regional and international level

With support from UN agencies and regional institutions such as the European Union and the Council of Europe, Moldova has actively participated in regional and international forums and initiatives to address human and child trafficking. The government has also undertaken to enhance cooperation with other countries to detect, investigate and prosecute these crimes while also paying attention to child victims' assistance and safe repatriation. Despite this progress, GRETA has recently noted that cooperation in identifying trafficking victims and their subsequent repatriation to Moldova remains problematic in the case of the United Arab Emirates, Cyprus and the Russian Federation, the main destination countries for trafficked children. With regard specifically to children, GRETA has also suggested that Moldova needs to improve the practical application of the existing framework for the repatriation of victims of human trafficking, paying special attention to the needs and best interests of child victims.⁸⁶

In light of the current lack of efforts to address emerging CSEC manifestations, especially child sex tourism and child pornography, it is also recommended that the Government of Moldova actively pursue and enhance regional and international judicial, police and victim-oriented cooperation activities with other states in order to better counteract these specific sexual crimes against children.

Moldova has enhanced existing regional cooperation with the EU. The European Commission (EC) is providing assistance in the expansion of Moldovan policies, particularly related to regional security. Although it has no specific focus on child sex trafficking, this close relationship has beneficial effects, particularly in the development of anti-trafficking policies and capacities.⁸⁷ As part of this cooperation, in 2004, the EU – Moldova ENP (European Neighborhood Policy) Action Plan was adopted, which includes provisions on combating human trafficking. The Plan places emphasis on the need to ensure the respect of children's rights and calls for measures to prevent and fight sexual exploitation of children.⁸⁸ Progress towards the achievement of objectives under the plan are assessed through annual monitoring reports. With regard to children's rights, the progress report for 2011 found that “the vulnerability of children to trafficking and sexual exploitation is still a significant problem” in Moldova.⁸⁹

Moldova has also joined the Working Group for Cooperation on Children at Risk (now Expert Group for Cooperation on Children

at Risk), established by the Council of Baltic Sea States. In the context of the WGCC's Plan of Action on Unaccompanied and Trafficked Children, it has provided a contact point as part of the referral mechanism for child victims of trafficking.⁹⁰

Significant efforts have been spearheaded to enhance law enforcement cooperation in counteracting human and child trafficking. In 2007, Moldova signed a strategic agreement with the European Police Office (Europol) to enhance collaboration on preventing, detecting, suppressing and investigating serious international crimes, including human trafficking and production, sale or distribution of child pornography material.⁹¹ The Ministry of the Interior undertakes joint investigations to identify and safely return victims of trafficking and prosecute traffickers. In 2009, for example, a total of 17 international operations involving law enforcement agencies from a number of countries were conducted to dismantle human trafficking networks.⁹²

Moldova has signed bilateral cooperation agreements on combating human trafficking or legal assistance on civil and criminal

matters with several countries (including, inter alia, Austria,⁹³ Turkey, Belarus, Bulgaria, Czech Republic, Estonia, Hungary and Italy).⁹⁴ In 2011, the Republic of Moldova concluded a Memorandum of Understanding (MoU) with Bosnia and Herzegovina, Croatia, Montenegro, Serbia, Slovenia and “the former Yugoslav Republic of Macedonia” to enhance anti-trafficking work in South-Eastern Europe. The MoU envisages the creation of joint investigation teams and a new mechanism for investigating trafficking cases at the regional level.⁹⁵ In May 2012, the IOM in partnership with the Government of Moldova organised the Bilateral Workshop on International Cooperation in the field of Combating Human Trafficking, bringing together representatives from Cyprus and the Republic of Moldova. The outcomes of the workshop will be used for streamlining procedures to allow for more direct contact between investigators and prosecutors in Moldova and their counterparts in Cyprus.⁹⁶ Moreover, the government is currently negotiating an agreement with the Russian Federation regarding cooperation on repatriating trafficking victims, combating migrant smuggling and assisting unaccompanied children.⁹⁷

The border between Moldova and Ukraine is particularly weak and is one of the major crossing points in the region for traffickers in human beings. The European Commission funded a project, which lasted from 2006 to 2009, with the specific task of tackling the problem, addressing gaps in the national policies and providing the victims with social and financial assistance. The project saw the direct involvement of the ILO, the International Centre for Migration Policy Development (ICMPD), the Ministry of Economy and Trade in Moldova and the Ministry of Labour and Social Policy in Ukraine.⁹⁸

Since August 2008, Moldova has been implementing the *Regulation on the procedure for repatriation of child and adult victims of*

human trafficking, trafficking of illegal migrants, and unaccompanied children. Besides outlining general principles applicable to repatriation and provisions related to cooperation with the authorities of the sending country, the regulation details the special procedures that must be applied in cases involving children.⁹⁹ According to this Regulation, upon completing a risk assessment, the Ministry of Labour and Social Protection coordinates the repatriation of the child in cooperation with the Ministry of the Interior, the Border Guard Service and the Ministry of Health. Assistance and protection is provided to the child after his/her return to the country through the existing national referral mechanism, with support from IOM and Terre des Hommes Moldova. According to the Moldovan authorities, based on this Regulation, a total of 153 Moldovan children were repatriated between 2008 and 2010, with the majority being returned from the Russian Federation.¹⁰⁰

The Moldovan government participated in a number of international and regional events organised by NGOs. In 2008, Moldova took part in the seminar entitled “Cooperation of border police services and NGOs from Moldova, Belarus, Ukraine and Russia” organised in Kiev, Ukraine, by the La Strada-Ukraine. The event involved representatives of border police services and militia from the above-mentioned countries as well as non-governmental and international organisations (ECPAT and IOM) working in the field of prevention of trafficking in people.¹⁰¹ In 2010, government representatives from Moldova attended the “Regional consultative forum and training workshops on the protection of children from sexual exploitation through the use of Information and Communication Technologies in the Baltic Region and the Commonwealth of Independent States”, which was organised in Kiev by ECPAT International together with the All-Ukrainian network against CSEC. The forum gathered together sixty-one participants from Belarus, Estonia,

Kyrgyzstan, Moldova, the Russian Federation and Ukraine, and provided an opportunity to share experiences, knowledge and good practices in the area of Internet safety for children.¹⁰¹ During the training, participants

from Moldova expressed a strong interest in setting up a reporting hotline, given the rapid proliferation of ICT-based abuse of children in Moldova.

The CoE project “Eastern Partnership – Cooperation against Cybercrime”

In December 2010, the Government of Moldova attended the Regional Seminar “Protecting children from sexual exploitation and sexual abuse through the Internet”, organised in Kiev by the Council of Europe and the European Union. Besides Moldovan police officers, participants included law enforcement representatives from Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia. Many specialists from different organisations were invited as speakers, including Microsoft, ICMEC, ECPAT International, Interpol, National Police of Italy, eContent@Safer Internet of the European Commission, and eNACSO.¹⁰³

During this event, Ms. Cristina Schulman, Head of Cybercrime Unit, Director-General of Human Rights and Legal Affairs of the Council of Europe, shared information on the upcoming CoE project “Eastern Partnership – Cooperation against Cybercrime (Cyber@EAP),” which is being implemented in Armenia, Azerbaijan, Belarus, Georgia, Moldova and the Ukraine. The goal of the project is to strengthen the capacities of criminal justice authorities of Eastern Partnership countries to cooperate effectively against cybercrime in line with European and international instruments and practices.¹⁰⁴ As part of this initiative, a “Regional seminar on international cooperation against cybercrime” was held in Chisinau, Moldova, on 5-6 September 2011. Participants in this workshop discussed key issues preventing efficient international cooperation against cybercrime, including slow or no response to mutual legal assistance requests, gaps in legal frameworks and insufficient training or equipment.¹⁰⁵

PREVENTION

Despite the fact that the knowledge base on the different manifestations of CSEC has significantly expanded in recent times (allowing for a better understanding of victims, perpetrators and the dynamic and characteristics of these illegal activities), government efforts to reduce children’s vulnerability remain ad hoc and insufficient. Most of the initiatives to tackle the causal factors behind CSEC are conducted by UN agencies, civil society organisations and other actors, with limited financial support from state agencies. Issues and actions that should be given priority as part of a comprehensive preventive strategy include online child safety, awareness raising targeting travelling sex offenders and the local demand, private sector involvement and activities to reach out to specific groups of vulnerable children (such as children living in institutions). It is also worth noting that Moldova has not yet established a specialised Internet reporting hotline on child abuse materials and online sexual exploitation of children nor codes of conduct for the ICT industry or systems to block access/remove child abuse images, although cases of production and distribution of abusive materials have considerably increased in the past few years.

A number of initiatives have been recently implemented, mainly by NGOs, to tackle the different forms of CSEC in Moldova. In 2010, La Strada Moldova launched a new direction of activities with a specific focus on CSEC prevention. As a first step, the organisation released and distributed a publication entitled “What we know about the commercial sexual exploitation of children” for teachers and professionals providing services to children. The aim of this informational material was to support prevention efforts and proactive identification of cases of abuse and sexual exploitation of children and to facilitate

the organisation of immediate assistance.¹⁰⁶ La Strada Moldova also organised a public awareness campaign targeting youth, which consisted of more than 500 activities complemented by a broad information package including messages conveyed through television, radio and printed media.¹⁰⁷ As a follow up, in 2011, several training workshops on CSEC and the various forms of sexual abuse (including abuse via information technologies) were held for teachers, policemen, prosecutors, social workers and other representatives of child protection services.¹⁰⁸

In April 2009, the government enacted a new law simplifying birth registration procedures, which enables birth certificates to be issued before the mother and child are discharged from the hospital. This effort should make Moldovan children less vulnerable to trafficking and sexual exploitation because they now have legitimate identification documents.¹⁰⁹

CHILD PORNOGRAPHY

The Network of National Organisations fighting against Child Prostitution and Trafficking has been instrumental in raising awareness of child pornography and sexual exploitation of children through ICTs. After participating in a regional study on “Child Sexual Abuse Images through the Use of Information and Communication Technologies” that also involved Belarus, Russia and the Ukraine, the Moldovan Network organised a number of information and capacity building activities. In 2009, on the initiative of the Network and with support from ECPAT International, the Organisation for Security and Cooperation in Europe (OSCE) Mission to Moldova hosted a roundtable discussion on the “Efforts to Combat Child Pornography in the Republic of Moldova.” As part of this event, CCF Moldova, the lead organisation

of the Network, presented findings from the regional study and La Strada Moldova discussed cases of online abuse of children in the country. The plenary discussions focused on necessary action steps to improve Article 208/1 of the Moldovan penal code on child pornography.¹¹⁰ In the same year, a training session was held by CCF Moldova on risks related to new technologies. The event was attended by 70 participants from Russian-speaking schools in the municipality.¹¹¹ In 2010, CCF Moldova provided additional training to 130 school deputy principals from municipal schools across the country.¹¹² Furthermore, the organisation conducted the “Child in the Web” campaign which involved the production and distribution of materials, namely a TV spot and poster, that were based on the Polish version of the campaign created by the Nobody’s Children Foundation.¹¹³

As part of an EU-funded cross-border project involving Moldova and Romania and implemented by CCF Moldova in 2011-2012, twenty days of training were organised to raise awareness of professionals and public actors (such as mayors, social workers, school principals, police from 4 different rayons, etc.). The training focused on various relevant issues, including child protection, children at risk, CSEC and its consequences, child safety on the Internet and the use of new technologies. The impact of this activity was far-reaching, with selected beneficiaries coming from each rayon.¹¹⁴

La Strada Moldova has also been active in raising public awareness of child pornography. In 2010, a training seminar on the risk of victimization of children through the Internet was delivered to La Strada's volunteers. Subsequently, 64 seminars on online child safety were held in different

summer camps involving over 1,600 children. As part of the festivities held on International Children's Day, in 2011, La Strada's trained volunteers administered a quiz entitled "Stay safe while navigating the web" which was targeted to children and their parents.¹¹⁵

TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

A number of activities to prevent trafficking in children and sexual exploitation were conducted under the anti-trafficking NPA 2010-2011. During 2010, with support of a team of "peer to peer" trainers, central and local government authorities in partnership with civil society (La Strada, Terre des Hommes, etc.) organised several workshops that reached 5,800 young people from secondary schools in 12 districts. Subjects addressed during the workshops included human trafficking and domestic violence prevention as well as promotion of healthy interpersonal relationships. Brochures and information booklets on human trafficking were distributed during the seminars.¹¹⁶ In 2011, the Ministry of Education facilitated an anti-trafficking conference attended by 300 students, a roundtable on prevention for 70 vocational schools and three different classes on trafficking, collectively attended by 750 students.¹¹⁷ Moreover, since 2008, the Ministry of Education has included sessions on human trafficking in the curriculum of civic education courses which are mandatory for students in grades 5 to 12.¹¹⁸

Besides organising lessons about the phenomenon of human trafficking in schools, high schools and universities, the Ministry

of Internal Affairs has conducted several working sessions on the same topic at the "rayon council" level, targeting community actors. The Ministry of Internal Affairs also monitors the situation of children from vulnerable families and runs two shelters offering different types of services and support for street children (legal, medical, psychological, etc.).¹¹⁹

In an effort to improve the wellbeing of children and fight child exploitation and trafficking, in 2008, Terre des Hommes launched the project "MOVE - Psychosocial Development of Children through Games and Sport" involving Moldova, Albania and Romania. As part of this initiative, community sporting events were organised and animators, coaches and primary school teachers were trained in order to improve their competencies.¹²⁰

As part of the project "Additional Measures to Fight Child Trafficking in Moldova" (co-funded by the EU), La Strada Moldova has collaborated with Associazione ITACA to conduct a number of preventive activities, including research on trafficking of Moldovan children to Italy¹²¹ and child trafficking in Moldova,¹²² and several

seminars and trainings for professionals dealing with children victims of trafficking and sexual exploitation.¹²³

IOM Moldova is also active in reducing the risks of human and child trafficking through a wide variety of prevention activities, including awareness-raising campaigns, informational seminars, peer-to-peer education and promotion of safe migration through support of hotlines in both Moldova and the Transnistria Region.¹²⁴ As part of these efforts, a National Video Contest for Youth ('PLURAL + Moldova') has been organised by IOM and UN agencies (such as UNFPA) in partnership with the Moldovan government since 2009. Bringing together young people from across the country, representatives of civil society and embassies, the event encourages young people to express their views on migration and its potential negative consequences, including trafficking.¹²⁵

IOM Moldova and La Strada Moldova implemented the "Danish Programme Against Human Trafficking in Eastern and South-Eastern Europe 2009-2011". Through this initiative, at least 3,000 youth were educated annually on migration realities and empowered to recognise trafficking risks. Additional protection measures via outreach activities and seminars were also

promoted to reduce children's exposure to human trafficking.¹²⁶ Other NGOs such as Amici dei Bambini work directly with potential victims of trafficking by seeking to reunite children placed in institutions with their families, and through intense psycho-social work, reduce the risk to children in institutions by helping them to stay with their families.¹²⁷

As part of PROTECT CEE (PROject of Technical assistance against the labour and sexual Exploitation of Children, including Trafficking), which was implemented in 2003 by ILO-IPEC in Central and Eastern Europe,¹²⁸ several measures have been promoted in Moldova to enhance the prevention of and fight against child trafficking. These include, inter alia, a survey on child labour in Moldova, capacity building on child labour for different professionals, the adoption by the Moldovan Global Compact Network of The Code of Conduct for the Elimination of the Worst Forms of Child Labour for employers in all sectors and a number of activities involving children and young people. Between 2003 and 2010, the project achieved the rescue and protection of a total of 2,158 children from the worst forms of child labour, including trafficking, through a wide range of educational and non-educational services.¹²⁹

SEXUAL EXPLOITATION OF CHILDREN IN TOURISM

Prevention activities against the sexual exploitation of children in tourism have begun only recently on the initiative of the Network of National Organisations fighting against Child Prostitution and Trafficking. In 2010, La Strada Moldova published the study "Overview on child trafficking in Moldova" which, for the first time, shed light on the phenomenon of the sexual abuse of Moldovan children by foreign citizens while also stressing the link between this

CSEC manifestation, child trafficking and the production of child abuse images. The research was followed by a press conference and the realisation of a social advertising spot based on real cases of sexual exploitation of children by foreign citizens collected by the organisation since 2005.¹³⁰ A number of additional initiatives have been planned and implemented to further raise awareness of and counteract child sex tourism, including the active involvement of the private sector.

International conference on promoting child-friendly tourism and ICT industries in Moldova

On 20 March 2012, La Strada Moldova, with the support of the EU, private companies and ECPAT International, organised an international conference themed "Promoting child-friendly tourism and ICT industries in Moldova". The goal of the conference was to encourage the business community of Moldova to join in CSEC prevention efforts. Among the speakers were the Advisor to the Prime-Minister of Moldova, the President of the National Association of Tourism Agencies, the Executive Director of the Moldovan Association of Private ICT Companies, representatives from ECPAT Germany and ECPAT International, tourist companies (TUI from Germany and KUONI Travel from Switzerland), La Strada Ukraine (ECPAT affiliate group in Ukraine) and a representative from the Ministry of Internal Affairs of Moldova. Many speakers valued the work of ECPAT in the promotion of the Codes of Conduct addressing IT and tourism-related businesses.

Guests presented on the worldwide problem of CSEC, the responsibilities of businesses, good practices such as the Code of Conduct for IT providers in Ukraine and the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. The Moldovan government and all attending businesses expressed interest in the development and signing of these important documents for the protection of children from CSEC.¹³¹

PROTECTION

International instruments		
Human rights bodies related to child rights	Comments	
Charter-based bodies		
Working Group of the Universal Periodic Review – Human Rights Council	Last Review: October 2011 Next Review: October 2016	
Special Rapporteur on the sale of children, child prostitution and child pornography	No visit so far	
Special Rapporteur on trafficking in persons, especially in women and children	No visit so far	
Treaty-based bodies		
Committee on the Rights of the Child	January 2009	
Children's rights instruments	Date of ratification	Date of submitted reports
Convention on the Rights of the Child – 1989	1993	2001-2007
Optional Protocol on the sale of children, child prostitution and child pornography – 2000	2007	Pending
ILO Convention on the Worst Forms of Child Labour - 1999 (No. 182)	Ratified in 2002	
UN Convention against Transnational Organised Crime	Ratified in 2005	

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children – 2000 (supplementing the UN Convention against Transnational Organised Crime)	Ratified in 2005
Regional Instruments	Date of ratification
Council of Europe Convention on Cybercrime	2009
Council of Europe Convention on Action against Trafficking in Human Beings	2008
Council of Europe Convention on the protection of Children against Sexual Exploitation and Sexual Abuse	2012

Moldova is a party to the main international instruments protecting children from sexual exploitation. The country acceded to the *Convention on the Rights of the Child (CRC)* and ratified the accompanying *Optional Protocol on the sale of children, child prostitution and child pornography (OPSC)*; however, the OPSC is applicable only to “the territory controlled effectively by the authorities of the Republic of Moldova”¹³² (i.e. not to Transnistria). Moldova has also been a party

to the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* since 2005.

Moldova has been a member of the Council of Europe since 1995 and has ratified all of the relevant CoE Conventions related to trafficking and CSEC, including the *Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse* (entered into force July 2012).

National legislation

The main domestic legal instruments meant to protect children from CSEC are the 2002 *Criminal Code*, subsequently amended,¹³³ and the 1994 Constitution. Moldova also has a reasonably comprehensive *Law on the Rights of the Child* (No. 338 of 15 December 1999), which puts special emphasis on children who lack a temporary or permanent family or live in difficult conditions (i.e. a group particularly vulnerable to CSEC).¹³⁴ The legislation establishes the legal status of children, provides for certain rights and protects minors from various forms of violence, including the compulsion to practice any illegal sexual activity (Art. 6).¹³⁵

In its 2009 Concluding Observations on Moldova, the Committee on the Rights of the Child, though acknowledging progress in the country, criticised the government in a number of areas, including harmonisation

of legislation with the CRC, allocation of resources, data collection, administration of juvenile justice, street children and economic exploitation, and child labour. The Committee also expressed concern over child trafficking and recommended that Moldova “strengthen measures to protect children who are victims of sexual exploitation, including trafficking and prostitution, and bring perpetrators of sexual abuse and exploitation to justice”.¹³⁶ As far as legislation and law enforcement are concerned, Moldova does not appear to have made progress over the past three years to fulfil this recommendation. Main legal loopholes that should be urgently closed comprise a lack of specific provisions that criminalise acts related to child prostitution (including sexual relations with children between 16 and 18 years of age in exchange for money or other consideration), as well as an absence of legal

measures concerning “online grooming”, the knowing access of child pornography and the use of a child in pornographic performances (recruiting, coercing and knowingly attending). In light of the increasing number of child sex tourism cases registered over previous years, Moldova should also consider

reforming national laws to prohibit the advertisement or promotion of child sex tours, the making of travel arrangements for a person for the purpose of engaging in sexual activity with a child at destination and the transportation of a person for the said purpose.

SEXUAL EXPLOITATION AND ABUSE OF CHILDREN

The age of consent for sexual activity is not explicitly specified in Moldovan legislation, but according to the *Criminal Code*, it varies between 14 and 16 years.¹³⁷ According to Article 174, sexual intercourse with a person under 16 is punishable by up to 5 years’ imprisonment¹³⁸ unless the person who committed such acts is close to the level of the victim in terms of age and physical and psychological development.¹³⁹ Rape and

violent sexual actions (including physical or mental coercion) committed knowingly against a juvenile is punishable with a jail sentence of between 5 and 12 years;¹⁴⁰ the punishment can be increased to 10 to 20 years’ imprisonment or detention for life if such acts are committed against a minor who has not reached the age of 14 or if the victim is under the care, protection, education or treatment of the perpetrator.¹⁴¹

New law introduces chemical castration for convicted paedophiles

The Moldovan government recently voted to make chemical castration compulsory for both nationals and foreigners convicted of violently abusing children under 15. The law (in force 1 July 2012) has been criticised by some human rights activists who claim that it is incompatible with human rights and undermines the basic right to physical and mental integrity of the individual.¹⁴²

TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

Although Moldovan criminal law clearly defines and prohibits trafficking in children for sexual purposes, enforcement of trafficking provisions remains very weak. According to the U.S. Department of State, in 2011 the Moldovan government made insufficient progress in law enforcement and demonstrated minimal efforts to investigate, prosecute and convict government officials complicit in trafficking.¹⁴³ Additionally, criminals charged with trafficking offences are commonly charged with less severe sexual procurement offences, or receive lenient penalties.¹⁴⁴

In 2003, child trafficking became a specific offence in the *Criminal Code*. Article 206 punishes the recruitment, transportation, transfer, sheltering or reception of a child, as well as giving or receiving of payments or benefits in order to obtain the consent of the

person who is in control of the child for the purpose of commercial or non-commercial sexual exploitation in prostitution or a pornographic industry. The corresponding punishment is 8 to 12 years’ imprisonment, which increases to 10 to 15 years if the

conduct involves the abuse of authority, the child's vulnerability or sexual abuse and violence. If these actions are committed repeatedly, against two or more children or by a criminal group, or if they result in serious bodily injury, mental illness or death

to the child, the penalty is 15 to 20 years' or life imprisonment.¹⁴⁵ According to Article 206-4, child victims of trafficking are not liable for any crimes committed while they were being trafficked.¹⁴⁶

According to statistical data provided by the Ministry of Internal Affairs, a total of 135 cases of child trafficking (Art. 206 of the Penal Code of Moldova) were registered between 2008 and 2011.¹⁴⁷

In December 2005, Moldova also enacted the *Law to Prevent and Combat Trafficking in Human Beings*. Aligned with obligations under the Trafficking Protocol, it contains an entire chapter on trafficking in children

with specific provisions on preventing and combating the crime, special principles to apply to child trafficking cases, presumption of age, repatriation, assistance and protection of child victims.¹⁴⁸

PROSTITUTION OF CHILDREN

Prostitution of children is currently prosecuted under provisions of the Criminal Code addressing trafficking in children and the prohibition of immoral acts. The current legal framework should be reformed to include a specific provision defining child prostitution as the use of any child below the age of 18 for sexual activity in exchange for remuneration or in-kind compensation. Furthermore, the law should clearly prohibit all acts of obtaining, offering, procuring and providing a child for prostitution and criminalise the "clients" of child prostitution.

Moldovan criminal law does not specifically define child prostitution, which is punished under the umbrella of more general provisions addressing trafficking in children (Art. 206), the involvement of juveniles in criminal activity or encouragement to commit immoral acts and pimping (Art. 208). The "pimping" offence prohibits encouraging, forcing or recruiting someone into prostitution, or making

profits out of another person's prostitution; punishment may be a fine or 2 to 5 years' imprisonment.¹⁴⁹

Luring minors to commit "immoral acts" is punished with up to 5 years' imprisonment (up to 6 years if the perpetrator is a parent, teacher or other legal protector, and between 5 and 10 years if violence or the threat of violence is used).¹⁵⁰

A bill punishing sex buyers

The Moldovan Parliament has recently approved a bill that provides for punishment of those who buy sexual services. The sanction will be a fine of up to 6,000 Moldovan lei (about \$500) or 60 hours of community service work. The bill was proposed by the Liberal Party in hopes that the measure would decrease the number of "sex tourists". However, some lawmakers have rejected this proposal, accusing liberals of populism. According to a survey published this year by a French organisation and fiercely disputed by the Minister of Labour, Social Protection and Family, about 70% of young Moldovan women aged between 15 and 25 years have provided sex for money at least once.⁵¹

With regards to the definition of child pornography and related offences, the Moldovan Criminal Code complies with the Optional Protocol standards but is not yet fully in line with the *CoE Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*. It must also be stressed that the punishment for child pornography-related offences is not commensurate with the gravity of the crime in question.

Moldovan law criminalises the production, distribution, diffusion, importing, exporting, offering, selling, changing, using or possessing of images or other representations of one or more child involved in explicit sexual activities, real or simulated, or images or other representations of a child's sexual organs, represented in a lustful or indecent manner, including in electronic form. These acts are punishable by 1 to 3 years' imprisonment or for a juridical person, a fine of 2,000 to 4,000 conventional units and withdrawal of the right to practice certain activities.¹⁵²

Although the definition of child pornography provided by the Moldovan Criminal Code is consistent with Article 2 of the OPSC, sentences attached to child pornography-related offenses are very low. They should be more stringent in order to have an effective deterrence effect.

Article 21 of *CoE Convention on the*

Protection of Children against Sexual Exploitation and Sexual Abuse calls state members to criminalise the intentional access, through information and communication technologies, to child pornography as well as the solicitation of children for sexual purposes ("grooming"). It also calls for the criminalisation of acts related to the participation of children in pornographic performances such as knowingly attending pornographic performances involving children. Moldova is part of the convention and bound to harmonise this provision into its domestic legislation. However, the current legislation fails to punish the "grooming" of children as well as knowingly accessing child pornography through the use of information and communication technologies.

Furthermore, Moldova has not yet introduced a legal obligation for IT providers to block or remove child pornography hosted on their own servers.

In March 2012, a draft law on protecting children from the negative impact of public information, including online information and audio-written material, was presented. It aims to establish criteria to determine the negative impact of public information on children and the rights, obligations and responsibilities of subjects that prepare and/or broadcast the information, as well as of journalists and authorities that are monitoring their activity.

Moldova should review its legislation to make all acts of sexual exploitation of children and adolescents committed by Moldovan nationals abroad an extraditable offence.

Article 11 of the Moldovan Criminal Code envisages territorial jurisdiction for crimes committed in the territory of Moldova. It also extends active nationality jurisdiction (Moldovan courts have jurisdiction over crimes committed by Moldovan nationals

abroad) over Moldovan citizens and stateless persons with permanent domiciles in Moldova who may have committed offences abroad.¹⁵³ The latter provision applies to all offences under the *Criminal Code*.

It should be highlighted that the Moldovan *Criminal Code* does not require that crimes committed abroad amount to an offence in that country (i.e. no requirement of double criminality), which is very positive as the double criminality requirement often constitutes an obstacle to prosecution.

Regretfully, Article 13.1 of the Criminal Code prohibits extradition of Moldovan nationals to foreign states for offences committed abroad. Article 13.2 only envisages a possibility to extradite foreign citizens and stateless persons under certain conditions. If Moldovan nationals commit CSEC crimes abroad, these offences may go unpunished unless the Republic of Moldova takes steps to prosecute its own nationals. Relevant amendments should be made in the national legislation to ensure that CSEC offenders are extradited or prosecuted, leaving no place for impunity.

Child protection units

Criminal investigations and prosecution of human trafficking cases, including child trafficking, are the responsibility of the Centre for Combating Trafficking in Persons (CCTP) which was established in 2006 under the Ministry of the Interior. Composed of officials assigned by the Prosecutor General's Office, Customs Service, National Migration Bureau, Border Guard Service, Ministry of the Interior, Information and Security Service and Centre for Combating Economic Crimes and Corruption, the CCTP has 40 staff members in Chisinau and one law enforcement officer in each district of the country.¹⁵⁴ Although personnel working for this anti-trafficking agency has increased over the years, according

to the U.S. Department of State, the CCTP remains insufficiently funded.¹⁵⁵ In addition, GRETA has recently noted that whilst "considerable work is being done to reinforce the country's anti-trafficking structures, their functioning often depends on the personal commitment and enthusiasm of a limited number of persons."¹⁵⁶

The Ministry of Interior recently created a special division to prevent and counteract transnational and cyber crimes. Starting August 2012, the department will deal only with Internet-related offences and will increase its staff to include 40 specialised police officers.¹⁵⁷

Towards a more child-friendly justice system for child victims of sexual exploitation

There have been reports that child victims of trafficking and sexual exploitation may often be interviewed multiple times by police without special training and may also have to confront the offenders both at the investigation stage and during court proceedings. In an effort to address this gap, a guide on methods and tactics for hearing victims of trafficking was prepared by the CCTP for territorial units of the Ministry of the Interior.¹⁵⁸ Moreover, in 2011 La Strada Moldova, in collaboration with the National Institute of Justice, developed a practical guide for professionals on "Hearing children victims/witnesses of commercial sexual exploitation". Besides containing an explanation of a number of terms related to CSEC and a package of legal instruments from international and national law, the guide offers a detailed analysis of the entire hearing process from

the planning stage to its completion and evaluation, taking into account present legal requirements and best practices from European and international case law. Furthermore, the guide describes the Child's Hearing Room of the "La Strada" International Centre which was designed to substantially improve the quality of criminal investigations and the judicial examination process, and to avoid the re-victimisation of children who have suffered from sexual abuse and trafficking.¹⁵⁹ The first draft of the guide, developed in 2010, has been validated by law enforcement specialists from different countries (Moldova, United Kingdom, Lithuania and Belarus) in the course of trainings organised by the International Center "La Strada" in 2010-2011.¹⁶⁰ Based on La Strada's recommendations, the Moldovan government has submitted a bill which, once approved, should lead to the introduction of Art. 110-1 of the *Criminal Procedure Code* on "Special cases of hearing the child witness".¹⁶¹

In addition to La Strada's Child's Hearing Room, there is currently another room for interviewing child victims of sexual abuse and trafficking run by the NGO "National Centre for Child Abuse Prevention". However, the units of the Ministry of the Interior outside Chisinau do not have specially equipped rooms for conducting hearings involving children;¹⁶² as a result, some children in rural areas may still be subjected to an unnecessarily large number of interviews and extensive questionings.¹⁶³

Support services for children

In Moldova there are no state-funded/administered recovery programmes that specifically target child victims of commercial sexual exploitation. There are general provisions aimed at supporting children who have suffered from trafficking, but the special needs of children who have been involved in child prostitution and child pornography are not taken into specific consideration as testified by the lack of specialised training for social workers, caregivers, psychologists and other professionals responsible for CSEC victims' assistance.

Moldova has been praised for its National Referral System (NRS) for victims of trafficking;¹⁶⁴ however, besides lacking specialisation on CSEC, this mechanism appears to be affected by a number of significant shortcomings. According to GRETA, current gaps include difficulties in child victims' identification, which hinders access to assistance; high turnover rates of staff in the multi-disciplinary teams due to low salaries, which creates the need to train new staff; limited involvement of local authorities in a number of districts; and inadequate quality of the services provided. In addition, the funds provided for assistance measures are often insufficient and financial support from donors remains crucial for the operation of the NRS.¹⁶⁵ In line with concerns raised by GRETA, in 2009 the CRC Committee recommended that the government "prioritise the rehabilitation of child victims of trafficking and ensure that education and training, as well as psychological assistance and counselling, are provided to them."¹⁶⁶

Assistance for and protection of children victims of trafficking is regulated by Article 29 of the *Anti-Trafficking Law* which provides for a number of specific measures. Children identified or believed to be victims must be immediately safeguarded and referred to the competent services for child protection, assistance and rehabilitation. The tutorship and guardianship bodies must be notified of each child trafficking case in order to secure the protection of the child's

rights, and accommodation must be provided if necessary, taking care to separate children from adults. Assistance and protection should be guaranteed for all victims of human trafficking regardless of their willingness to participate in the prosecution of traffickers, and must be coordinated and implemented in the framework of NRS by the multidisciplinary teams (see section on "Coordination at national and local level") and the territorial commissions

in partnership with local authorities, international organisations and NGOs.¹⁶⁷

Pursuant to government decision n. 847 of 11.07.2008, adult and child trafficking survivors identified abroad are accommodated in the Centre for Assistance and Protection of Victims and Potential Victims of Trafficking in Human Beings (CAP) in Chisinau, operated jointly by the Moldovan government and IOM. Upon completion of a rehabilitation period at the

centre, victims return to their communities where they continue to receive assistance from local services through the NRS. Four additional shelters for trafficked people are available in the regions.¹⁶⁸ Besides secure accommodation, assistance provided under the current anti-trafficking legislation includes translation and interpretation services, advice and information on the rights of and resources available to victims, representation in court proceedings and access to education for children.¹⁶⁹

Reporting hotlines

There are several reporting hotlines and telephone counselling services available for victims of trafficking and CSEC in Moldova. The Center to Combat Trafficking in Persons operates a hotline which provides consultation on migration and human trafficking risks and offers assistance to trafficking survivors, including children who are usually referred to specialized state bodies and NGOs.¹⁷⁰

In 2009, CCF Moldova opened a Children's Hotline, in partnership with the Children's Ombudsman office in Moldova. Focused on child protection, as well as education, health, legal status and other issues that children would want to discuss with the Children's Ombudsman, the toll free service is available throughout the country, open 12 hours a day/5 days a week and located in the Ombudsman's office. The hotlines serves as a tool to communicate with children and intervene in emergencies and/or refer cases to specialised services.¹⁷¹

Since 2001, La Strada Moldova has operated national toll-free hotlines on trafficking in persons and on prevention of violence and protection of children's rights. Specialised operators provide a wide range of information in Romanian, Russian and English. Besides giving advice on how to identify and avoid risky situations that may lead to trafficking, the operators provide counseling on social assistance and reintegration services to returned trafficked persons and/or their relatives. La Strada Moldova also offers online information and counseling via Skype.¹⁷²

According to government information, La Strada expanded the scope of the hotline "77 777 0800" in 2010 to act as a point of contact for all forms of commercial sexual exploitation of children, including prostitution involving minors, child pornography, child trafficking, sex tourism involving minors and solicitation of children through information technologies.¹⁷³

NGOs play a key role in the field of victims' assistance. La Strada Moldova has a multi-field mobile team that assists in identifying the victims of human trafficking and offers direct assistance to survivors, including psychological and legal assistance, education

and training.¹⁷⁴ Terre des Hommes, the National Centre for Child Abuse Prevention and Save the Children Moldova also provide care and support services to child victims of trafficking discovered in the Republic of Moldova or abroad.¹⁷⁵

Capacity building for child protection specialists

As part of the project “Additional Measures to Fight Child Trafficking in Moldova” (co-funded by the EU), in March and May 2011 La Strada Moldova organised 4 training sessions for 60 representatives of child care units/social services and psychologists from all rayons working within the NRS framework. Each seminar lasted 2 days and addressed the issue of identification and protection of children witnesses/victims of commercial sexual exploitation. The objective of the seminars was to create multidisciplinary teams of specialists, trained on how to differentiate the forms of commercial sexual exploitation of children, evaluate the risks associated with children’s participation in the criminal proceeding, hold interviews and apply investigative strategies.¹⁷⁶

Training law enforcement personnel

In cooperation and with support from UN agencies, intergovernmental organisations and NGOs, several capacity building activities for representatives of law enforcement agencies have been conducted in recent years, including counteracting and preventing child trafficking. Despite these efforts, GRETA has stressed that law enforcers who have been trained on human trafficking issues often take up other jobs with the result that qualified staff at both at national and local levels remains insufficient, and training of new staff is required. According to Moldovan authorities, the CCTP will be reformed to improve the efficiency of its functioning, and law enforcement officers from the agency will train and supervise local police officers involved in anti-trafficking work.¹⁷⁷

Very limited training activity has been undertaken to build capacity of law enforcers to investigate and counteract child pornography as well as to interview and assist CSEC victims. As such, the recommendation elaborated by the CRC Committee in 2009 to train law enforcement officials, judges and prosecutors on how to receive, monitor and investigate complaints in a child-sensitive manner remains pertinent.¹⁷⁸

Following the anti-trafficking NPA for 2010-2011, continuous training through seminars, round tables and thematic conferences was conducted for representatives of different government agencies, including the Ministry of the Interior and the Prosecutor General’s Office. According to information provided by the Moldovan authorities, in 2010 and 2011 the government provided anti-trafficking training in the police academy curriculum.¹⁷⁹ A training seminar on the investigation and prosecution of trafficking offences was additionally held for judges and prosecutors.¹⁸⁰

La Strada Moldova and IOM Moldova have engaged in a number of capacity building activities on human trafficking

for law enforcers. Whilst La Strada has held training workshops for “trainers” at the police academy, IOM, in partnership with the OSCE and under the auspices of the Stability Pact, is developing a counter-trafficking curriculum for the Moldovan judiciary. Furthermore, in collaboration with Moldovan law enforcement agencies, IOM has produced a counter-trafficking best practices manual that contains information on interview techniques, undercover investigations and a counter-trafficking legal background.¹⁸¹

Only isolated examples of capacity building activities focused on CSEC have been identified. As part of the 2010-2011 NPA implementation, the government reported

that six seminars on the prevention and identification of cases of sexual exploitation of children and child trafficking were organised for 139 specialists from six regions. Moreover, training sessions on interviewing child victims of trafficking and sexual exploitation were delivered to 162 police inspectors working with children.¹⁸² In 2011, with support from La Strada Moldova,

a study visit to Belarus was organised to acquire knowledge on the experience of law enforcement in this country in combating cyber crime, human trafficking and child pornography. In the same year, Moldovan prosecutors and police officers attended a training seminar organised by the U.S. government on “Combating exploitation of minors over the Internet”.¹⁸³

Regional training workshop on “Combating the Commercial Sexual Exploitation of Children”

On November 28 - December 2, 2011, La Strada Moldova organised the regional training workshop “Combating Commercial Sexual Exploitation of Children. Sharing Best Practices” in Chisinau. The event was a follow-up of the training workshop bearing the same name held by La Strada Centre in cooperation with the Ministry of Internal Affairs in April 2011 for law enforcement officers from Belarus, Ukraine and Moldova. The goal of the regional workshops was to increase the efficiency of the identification and investigation of crimes related to commercial sexual exploitation of children, including through the use of ICTs. Due to the contribution of international experts in this field, over 30 representatives of law enforcement bodies from the three countries acquired knowledge on best practices related to investigating cases of production and online distribution of child abuse images and learned the most advanced techniques for interviewing and profiling cyber offenders.¹⁸⁴

CHILD AND YOUTH PARTICIPATION

The meaningful involvement of children and youth in all issues and matters affecting them, including CSEC, has not been sufficiently encouraged by the Moldovan government. The CRC Committee expressed its concern about the limited consideration given to children’s views in the decision-making process on laws, policies and programmes that are relevant to them.¹⁸⁵ Nevertheless NGOs have provided good examples of successful child and youth participation, as exemplified by the Network of National Organisations fighting against Child Prostitution and Trafficking.

Article 13 of the *Law on the Rights of the Child* stipulates that children have the right to associate and form civil organisations according to the provisions in the legislation. The order exercising this right is described by the Law on Civil Associations No. 837 of 17 May 1996 which stipulates that children who have reached the age of 10 can be members of children’s associations while those aged from 14 to 18 can participate in youth organisations.¹⁸⁶

The Network of National Organisations fighting against Child Prostitution and Trafficking considers child and youth participation a key component of its preventive work against the different forms of CSEC. The Network has a Youth Section composed of young volunteers who engage in several activities, including awareness raising, training, advocacy, lobbying, work with media, etc. Individual members of the Network are also making efforts to enhance child and youth involvement in efforts to

address CSEC. La Strada Moldova, for example, has recently created a “peer-to-peer” programme for young volunteers focusing specifically on commercial sexual exploitation

of children. The programme will involve sensitisation and capacity building activities, some of which will take place during summer camps for children.¹⁸⁷

Theatre performance and festival against human trafficking

To mark the 2008 EU’s Anti-Trafficking Day, the OSCE Mission in Moldova sponsored a special performance of a play about the dangers of human trafficking. Performed in 20 locations across the country by the Association of Young Trainers of Moldova, the play represented the story of a young Moldovan who leaves home to work abroad where she is sexually exploited until she finally escapes. The activity was also interactive as the audience had an opportunity to be involved in the play by asking questions and suggesting alternatives.¹⁸⁸

As part of EU’s Anti-Trafficking Day celebrations, in 2008 and 2009 the Ministry of Social Protection, Family and Child, IOM and local non-governmental organisations with support from the private sector organised the “Taking Small Steps Towards the Future” festival. The event was aimed at raising awareness of the impact of human trafficking on children, upholding children’s rights as well as encouraging the further development and social integration of children by providing a platform to present their artistic talents. As part of this initiative, songs, dances, fashion shows and theatre plays were performed by children from all over the Republic of Moldova.¹⁸⁹

ECPAT International’s Youth Partnership Project (YPP)

In 2009, Moldova joined ECPAT International’s three-year Global Youth Partnership Project against CSEC. The YPP is an innovative initiative to empower children and youth and give them the opportunity to raise their voice against CSEC in safe platforms. YPP members lead projects of advocacy, peer to-peer counseling, awareness raising and victims’ support.

The YPP was very active in Moldova as demonstrated by the several initiatives aimed at ending CSEC in the country which were carried out until 2011. The project was implemented in 15 schools, 5 of which were located in rural areas.

Youth-led advocacy and sensitisation programmes conducted by YPP Moldova made ample use of art forms such as drawings, role-plays and poetry in their outreach efforts. The numerous art contests organised by the group were aimed at increasing awareness of children and teachers through the dissemination of information about the risks and consequences of CSEC and child trafficking, children’s rights, the risks of HIV/AIDS and Internet safety.¹⁹⁰ Besides art contests, the YPP Moldova implemented a wide range of additional activities, including conferences, training and seminars, summer camps, radio reportages, round tables (including with the Children’s Ombudsman Tamara Plamadalea) and media interviews. Moreover, children and young people successfully contributed to collecting signatures for the “Stop Sex Trafficking in Children and Young People Campaign” petition promoted by ECPAT and The Body Shop. Through these combined initiatives, the YPP Moldova achieved great success, reaching out to over 1,400 youth directly and nearly 14,000 indirectly.¹⁹¹



PRIORITY ACTIONS REQUIRED

National plans and policies

- The Government of Moldova should urgently develop a national plan of action (NPA) or a multi-faceted strategy to address emerging forms of commercial sexual exploitation of children, particularly the production and dissemination of child abusive materials and child sex tourism. The NPA should detail objectives to be achieved, measures foreseen, a timetable, budget and funding sources, organisations responsible for the execution of the plan, indicators and monitoring/evaluation.
- Considering that several activities under the anti-trafficking NPA 2010-2011 have not been conducted, the Government of Moldova should further prioritise the fight against human and child trafficking by allocating the necessary resources for the implementation of its anti-trafficking NPA. Participation of all key stakeholders in this process, including children and young people, should also be promoted and independent evaluation be conducted to assess the results achieved thus far.

Coordination and cooperation

- Civil society organisations, including those specialized in promoting and protecting children's rights, should be involved as full members in the National Committee for Combating Trafficking in Human Beings;¹⁹²
- Allocate adequate financial resources for the functioning of the National Committee for Combating Trafficking in Human Beings;¹⁹³
- Enhance cooperation between the police and NGOs at the local level, especially regarding identification of child victims of trafficking;¹⁹⁴
- Strengthen engagement of all public bodies involved in the implementation of anti-trafficking measures at the national and local levels, and increase the coordination of their activities;¹⁹⁵
- Develop coordinating bodies involving government agencies, NGOs, the IT sector, teachers, association of parents, media and other key stakeholders to address child pornography;
- The Government of Moldova should urgently establish and enhance regional and international judicial, police and victim-oriented cooperation activities with other states in order to better counteract emerging forms of commercial sexual exploitation of children, particularly the production and dissemination of child abuse materials and child sex tourism;
- The Government of Moldova should develop cooperation agreements and establish working contacts with states from which Moldovan nationals are being repatriated with a view of facilitating the identification of potential victims of trafficking among illegal migrants and unaccompanied minors prior to their repatriation, in order to ensure an effective and comprehensive risk assessment and enable their safe return to the Republic of Moldova.¹⁹⁶

Prevention

- Organise training for IT teachers at schools on online safety that would cover topics on the significance of the Internet in the lives of children, related benefits and risks, Internet addiction, etc;¹⁹⁷
- Educate children in order to prevent sexual harassment and intimidation, particularly online, and train teachers and school psychologists on how to prevent these situations, identify potential victims and provide assistance as necessary;¹⁹⁸
- Educate parents to understand the potential as well as the challenges of ICT and the need for parental guidance and control over the use of ICT by children;
- Encourage the use of filters to block inappropriate and harmful images of children in schools;¹⁹⁹
- Develop a national information and counselling/reporting service targeting children, parents and teachers to prevent risk taking online and to provide timely solutions to the children who require support. This service should provide general phone counselling about online risks, links to resources appropriate for certain age groups and blacklists of harmful websites, psychological counselling and referrals to relevant professionals or authorities when required;²⁰⁰
- Encourage Internet service providers and social network managers to promote a code of ethical conduct in cyberspace;²⁰¹
- In collaboration with the IT industry, adopt and implement the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism taking care to also engage actors involved in unregulated tourism (taxi drivers, tourist guides, websites selling travel products, etc.);
- Sensitise public opinion on the problem of child sex tourism and the danger of this phenomenon to call for intolerance and attract mass media for this purpose;²⁰²
- Conduct awareness raising campaigns to reduce the demand for sex with children, targeting both Moldovan citizens and foreigners;
- Undertake sensitisation and information activities and other preventive actions targeting children particularly vulnerable to CSEC, including street children, children living in institutions and Roma children;
- Encourage financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services which facilitate access to child pornography.

Protection

- Introduce specific provisions to define and punish child prostitution-related offences (including sexual relations with children between 16 and 18 years of age in exchange for money or other consideration);
- Introduce specific provisions to criminalise the online solicitation of children for sexual purposes (“grooming”) and knowing access to child pornography through the use of ICTs, as well as offences concerning the participation of a child in pornographic performances (recruiting, coercing and knowingly attending);
- Moldova should also consider criminalising the following offences: the advertising or promoting of child sex tours; the organising/making of travel arrangements for a person for the purpose of engaging in sexual activity with a child at destination; and the transporting of a person for the said purpose;

- Moldova should review its legislation to make all acts of sexual exploitation of children and adolescents committed by Moldovan nationals abroad an extraditable offence; it should also approve the bill which provides for the introduction of Art. 110-1 of the *Criminal Procedure Code* on “Special cases of hearing the child witness” and establish specially equipped rooms for conducting hearings of children all over the national territory;
- Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report, block or remove child pornography websites and child sexual abuse images;
- Introduce an obligation for professionals to report CSEC cases as well as other types of abuse situations (as of today, it is only a recommendation which is rarely implemented by professionals);
- Increase investigation, prosecution, and conviction of all CSEC-related offences, including child sex tourism;
- Enhance efforts to address corruption and investigate, prosecute and convict government officials complicit in child trafficking;
- Develop a clear concept and data collection procedure, and identify a body responsible for centralised data gathering on CSEC victims/crimes;
- The newly created division to prevent and counteract cybercrime should have the necessary human, technical and financial resources to ensure its effective functioning; staff employed within this structure should receive specialised training on child pornography, also with a view to enhance the identification of children depicted in abusive images;
- Organise special training on CSEC for all relevant law enforcement bodies (including the judiciary), focusing on child-sensitive approaches during the legal process and victim identification, protection and assistance; specialised capacity building should also be delivered to social workers, psychologists, child psychiatrists, teachers and other actors that are responsible for prevention, care and rehabilitation of child survivors of sexual exploitation;
- Ensure that the multidisciplinary teams and public bodies involved in the implementation of victim assistance and protection measures have the necessary human and financial resources to ensure their effective functioning;²⁰³
- Develop and ensure the application of specific indicators for the identification of child victims of trafficking and sexual exploitation, and ensure that the multidisciplinary teams, local police officers, social workers and other relevant actors adopt a more proactive approach to victims’ identification and increase their outreach;²⁰⁴
- Prioritise the rehabilitation of child victims of CSEC by establishing dedicated shelters, services and programmes catering to their special needs; in this framework, develop specialised support services for children depicted in abuse images.

Child and youth participation

- Institutionalise the participation of children and young people in the development, implementation and evaluation of programmes and policies against CSEC;
- Ensure adequate funding of child and youth participation initiatives.

ANNEX

The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*

Note: This is a condensed version. The full Rio Declaration and Call to Action also contains: Preamble; A. Review of progress and outstanding challenges; and B. Declaration.

C. Call for Action

We call on all States, with the support of international organizations and civil society, including NGOs, the private sector, adolescents and young people to establish and implement robust frameworks for the protection of children and adolescents from all forms of sexual exploitation, and we call upon them to:

I - International and Regional Instruments

- (1) Continue working towards ratification of relevant international instruments, including as appropriate the United Nations Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Convention on the Elimination of All Forms of Discrimination against Women.
- (2) Continue working towards ratification of relevant regional instruments, including as appropriate the African Charter on the Rights and Welfare of the Child, the ASEAN Charter,

the Inter-American Conventions on International Traffic in Minors and on the Prevention, Punishment and Eradication of Violence against Women, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the Council of Europe Conventions on Action against Trafficking in Human Beings, on Cybercrime and on the Protection of Children against Sexual Exploitation and Sexual Abuse, conventions which can be ratified by States that are non-members of the Council of Europe.

- (3) State Parties should take all necessary measures to implement the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, taking into due accounts the conclusions and the recommendations of the Committee on the Rights of the Child in the context of its review of State Parties' reports. All countries are encouraged to use this as an important reference.

II – Forms of Sexual Exploitation and its New Scenarios

Child pornography/child abuse images

- (4) Criminalize the intentional production, distribution, receipt and possession of child pornography, including virtual

* The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), full text available at: http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf

images and the sexually exploitative representation of children, as well as the intentional consumption, access and viewing of such materials where there has been no physical contact with a child; legal liability should be extended to entities such as corporations and companies in case the responsibility for or involvement in the production and/or dissemination of materials.

- (5) Undertake specific and targeted actions to prevent and stop child pornography and the use of the Internet and new technologies for the grooming of children into online and off-line abuse and for the production and dissemination of child pornography and other materials. Victim identification, support and care by specialized staff should be made a high priority.
- (6) Conduct educational and awareness-raising campaigns focusing on children, parents, teachers, youth organizations and others working with and for children with a view to improve their understanding of the risks of sexually exploitative use of the Internet, mobile telephones and other new technologies, including information for children on how to protect themselves, how to get help and to report incidences of child pornography and online sexual exploitation.
- (7) Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report and remove child pornography websites and child sexual abuse images, and develop indicators to monitor results and enhance efforts.
- (8) Call upon Internet service providers, mobile phone companies, Internet cafes and other relevant actors to develop and

implement voluntary Codes of Conduct and other corporate social responsibility mechanisms together with the development of legal tools for enabling the adoption of child protection measures in these businesses.

- (9) Call upon financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services which facilitate access to child pornography.
- (10) Set up a common list of websites, under the auspices of Interpol, containing sexual abuse images, based on uniform standards, whose access will be blocked; the list has to be continuously updated, exchanged on international level, and be used by the provider to perform the access blocking.
- (11) Undertake research and development, in the realm of the private sector, of robust technologies to identify images taken with electronic digital devices and trace and retract them to help identify the perpetrators.
- (12) Promote public/private partnerships to enhance the research and development of robust technologies to investigate and to trace the victims with a view to immediately stop their exploitation and provide them with all the necessary support for full recovery.
- (13) Make technologies easily available, affordable and usable for parents and other caregivers, including to assist with the use of filters to block inappropriate and harmful images of children.

Sexual exploitation of children and adolescents in prostitution

- (14) Address the demand that leads to children being prostituted by making

the purchase of sex or any form of transaction to obtain sexual services from a child a criminal transaction under criminal law, even when the adult is unaware of the child's age.

- (15) Provide specialized and appropriate health care for children who have been exploited in prostitution, and support child centered local models of recovery, social work systems, realistic economic alternatives and cooperation among programmes for holistic response.

Sexual exploitation of children and adolescents in travel and tourism.

- (16) Encourage and support the tourism, travel and hotel sectors in adopting professional Codes of Conduct, for example by joining and implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism; encourage the use of businesses that put in place appropriate child protection-focused corporate social responsibility strategies; and/or provide other incentives for those participating.
- (17) Ensure that all stakeholders pay specific attention to unregulated tourism to prevent domestic and international travellers from sexually exploiting children and adolescents.
- (18) Cooperate in the establishment of an international travel notification system, such as the Interpol 'green notice' system, in accordance with applicable law and human rights standards.
- (19) Ensure investigation and, where sufficient evidence exists, that appropriate charges are brought and vigorously pursued against the State's nationals who are reported or alleged to have sexually exploited a child in a foreign country.

- (20) Prohibit the production and dissemination of material advertising the sexual exploitation of children in tourism; and alert travellers to criminal sanctions that will apply in cases of sexual exploitation of children.

- (21) Monitor new and emerging tourist destinations and establish proactive measures to work with private sector partners involved in the development of tourism services on measures to prevent the sexual exploitation of children and adolescents, including the use of socially and environmentally responsible strategies that promote equitable development.

Trafficking and the sexual exploitation of children and adolescents

- (22) Mobilize communities, including children and adolescents with a view to engaging them in dialogue on and a critical review of social norms and practices and economic and social conditions that make children vulnerable to trafficking, and establish procedures that involve them in developing strategies and programmes where they participate, where appropriate, in the planning, implementation and monitoring of such programmes.
- (23) Pilot and adapt or replicate successful models of community-based prevention and rehabilitation and reintegration programmes for child victims of trafficking.
- (24) Establish policies and programmes that address not only cross-border but also internal trafficking of children and that include, among other elements, a standard operating procedure for the safe repatriation and return of children based on the child's view and on a careful assessment of the needs and risks to the child of returning to her/his place of origin to ensure that the best interests of the child are taken into account.

- (25) Continue strengthening cross-border and internal cooperation of law enforcement officials, for example by establishing coordinating units with a mandate to issue clear guidelines for child centered investigation of cases of trafficking of children and for treating trafficked children not as criminals but as victims in need of protection.
- (26) Take legislative and other measures to ensure that a guardian is appointed without delay for every unaccompanied trafficked child, that an effective system of registration and documentation of all trafficked children is established, and that every trafficked child is provided with not only short-term protection but also with the necessary economic and psycho-social support for full and long-lasting recovery and social reintegration (in line with the UNICEF

Guidelines on the Protection of Child Victims of Trafficking and UNHCR Guidelines on Formal Determination of the Best Interests of the Child).

- (27) Undertake and/or support, with the involvement of civil society and children, the regular evaluation of programmes and policies to prevent and stop the trafficking of children and of legislation that may have a conducive impact on trafficking, for example laws on marriage, free education, adoption and migration, birth registration, accordance of citizenship, refugee or other status.

III – Legal Frameworks and Enforcement of the Law

- (28) Define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents in their jurisdiction, irrespective of any set age of consent or marriage or cultural practice, even when the adult is unaware of the child's age.
- (29) Establish effective extraterritorial jurisdiction, abolishing the requirement of double criminality for offences of sexual exploitation of children and adolescents, and facilitate mutual legal assistance, in order to achieve effective prosecution of perpetrators and appropriate sanctions. Make all acts of sexual exploitation of children and adolescents an extraditable offence in existing or newly established extradition treaties.
- (30) Designate a lead law enforcement agency, where appropriate to national circumstances, to proactively enforce extraterritorial laws related to sexual exploitation of children and adolescents.
- (31) Ensure that child victims of sexual exploitation are not criminalized or punished for their acts directly related to their exploitation, but are given the status of victim in law and are treated accordingly.
- (32) Establish special gender sensitive units/ children's desks within police forces, involving when appropriate other professionals like health care and social workers and teachers, to address sexual crimes against children, and provide specialized training to judicial and law enforcement personnel.
- (33) Address corruption in law enforcement and the judiciary, as well as other authorities with a duty of care to children, recognizing corruption as a major obstacle to effective law enforcement and protection for children.
- (34) Establish and implement international, regional and national legal mechanisms and programmes for addressing sex offender behaviour and preventing recidivism, including through risk assessment and offender management programmes, the provision of voluntary extended and comprehensive rehabilitation services (in addition to but not in lieu of criminal sanctions

as appropriate), safe reintegration of convicted offenders and the collection and sharing of good practices and establish where appropriate sex offenders registers.

IV – Integrated Cross-Sectoral Policies and National Plans of Action General

- (35) Develop and implement comprehensive National Plans of Action on the sexual exploitation of children and adolescents, or include these in existing relevant planning frameworks, such as National Development Plans and ensure that these Plans are based in a cross-sectoral approach which brings all stakeholders together in a coherent and comprehensive framework for action. These Plans should incorporate gender-sensitive strategies, social protection measures and operational plans, with adequate monitoring and evaluation targeted resources and designated responsible actors, including civil society organizations for implementation of initiatives to prevent and stop the sexual exploitation of children and adolescents and provide support for child victims of sexual exploitation.
- (36) Promote and support multi-sectoral policies and programmes, including community-based programmes, within the framework of a comprehensive national child protection system to address phenomena that contribute to the sexual exploitation of children and adolescents including, for example, discrimination (including on the basis of sex), harmful traditional practices, child marriage and social norms that condone sexual exploitation.
- (37) Promote and fund meaningful child and youth participation at all levels in the design, monitoring and evaluation of policies and programmes, in campaigns and through peer-to-peer youth programmes, aimed at raising

awareness and preventing the sexual exploitation and trafficking of children and adolescents.

- (38) Initiate and support the collection and sharing of reliable information and cross-border cooperation, and contribute to databases on victims and perpetrators, to enhance assistance to children and address the demand for sex with children, in accordance with applicable laws.

Prevention

- (39) Ensure that all children born on their territory are registered immediately and for free after their birth and pay special attention to not yet registered children and children at risk and in marginalized situations.
- (40) Strengthen the role of educational institutions and staff to detect, denounce and help address sexual abuse and exploitation of children in all forms and sources.
- (41) Emphasize prevention of sexual exploitation of children and adolescents, through e.g. awareness raising and educational campaigns, support for parents and eradication of poverty while reinforcing or establishing multi-sectoral referral mechanisms to provide comprehensive support and services to children who have been victimized in sexual exploitation.
- (42) Support children to gain deeper knowledge of their own rights to be free from sexual exploitation, and the options available to help them to address abuse, so that they are empowered, with the partnership of adults, to end sexual exploitation.
- (43) Engage children in meaningful and critical examination of changing contemporary values and norms and their potential to increase vulnerability

to sexual exploitation; and promote education to enhance children's understanding of these issues in relation to sexual exploitation.

- (44) Undertake research on contemporary patterns of socialization of boys and men across different contexts to identify factors that promote and strengthen boys' and men's respect for the rights of girls and women and engage them in action initiatives that inhibit and discourage them from engaging in sexual exploitation of children and adolescents.

Protection of the child

- (45) Increase efforts to address the sexual exploitation of children and adolescents through the development of comprehensive and integrated national child protection systems, including the necessary budget allocations and based on identifications of settings where children are most at risk that aim to protect children from all forms of violence and abuse.
- (46) Establish by 2013 an effective and accessible system for reporting, follow up and support for child victims of suspected or actual incidents of sexual exploitation, for example by instituting mandatory reporting for people in positions of responsibility for the welfare of children.
- (47) Develop or enhance accessibility of existing telephone or web-based help lines, in particular for children in care and justice institutions, to encourage children and require care givers to confidentially report sexual exploitation and seek referral to appropriate services, and ensure that the operators of such reporting mechanisms are adequately trained and supervised.
- (48) Strengthen existing national child protection services or establish new

ones in order to provide all child victims of sexual exploitation, girls and boys, without discrimination, with the necessary economic and psychosocial support for their full physical and psychological recovery and social reintegration, and when appropriate, family reunification and interventions that support and strengthen families to mitigate the risk of further exploitation; such services to be provided by well trained multi-disciplinary teams of professionals.

- (49) Ensure that these services are accessible, appropriately resourced, comprehensive, child- and gender-sensitive, and reach all children without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex (or orientation), and social origin and including children with disabilities, from ethnic minorities, indigenous or Aboriginal children, refugee or asylum-seeking and children in domestic service or living on the streets and children displaced by conflict or emergency situations.
- (50) Develop programs that provide children of sex workers and children living in brothels with support and protection.
- (51) Promote and defend the privacy of the child victims and child perpetrators of sexual exploitation, taking into account relevant national laws and procedures, to protect their identity in investigatory or court proceedings or from disclosure by the media and ensure that these proceedings are child friendly and allow the child to participate in a meaningful way in the process of bringing the perpetrator to justice.
- (52) Ensure that children and adolescents exhibiting acts of sexual violence harmful to others receive appropriate care and attention as a first option through gender-sensitive and child-focused measures and programmes that balance their best interest with

due regard for the safety of others, and ensure compliance with the principle that depriving children of liberty should be pursued only as a measure of last resort, and ensure that those responsible for the care of such children are equipped with relevant and culturally appropriate training and skills.

V – International Cooperation

- (53) Take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts of sexual exploitation of children and adolescents; and for the assistance of child victims in their physical and psychological recovery, social reintegration and, as appropriate, repatriation.
- (54) Establish and/or improve by 2013 concrete mechanisms and/or processes to facilitate coordination at national, regional and international levels for enhanced cooperation among government ministries, funding bodies, UN agencies, NGOs, the private sector, workers' and employers' organizations, the media, children's organizations and other representatives of civil society with a view to enabling and supporting concrete action to prevent and stop the sexual exploitation of children and adolescents.
- (55) Strengthen and improve the effectiveness of existing regional mechanisms for exchange, coordination and monitoring of progress on child protection including against sexual exploitation in order to review progress and strengthen follow-up on the implementation of the recommendations made.
- (56) Provide, when in a position to do so, financial, technical and other assistance through existing multilateral, regional, bilateral and other programmes for addressing the sexual exploitation of children and adolescents; and explore the potential of a fund for child and youth initiatives in this area.
- (57) Develop, where appropriate with the support of UN agencies, NGOs, civil society organizations and the private sector, workers' and employers' organizations, policies and programmes to promote and support corporate social responsibility of enterprises operating inter alia in tourism, travel, transport and financial services, and of communication, media, Internet services, advertising and entertainment sectors; so that child-rights focused policies, standards and codes of conduct are implemented throughout the supply chain and include an independent monitoring mechanism.
- (58) Support and contribute to the Interpol international child abuse images database and nominate a responsible national focal point person or unit to collect and update promptly national data on sexual exploitation of children and adolescents, and systematically share this information with Interpol in order to support cross-border (international) law enforcement action and strengthen its effectiveness, and adopt multilateral agreements especially for police investigation work.
- (59) Undertake national and international coordinated measures to curb and stop the involvement of organized crime

in commercial sexual exploitation of children and bring persons and/or legal entities responsible for this form of organized crime to justice.

VI – Social Responsibility Initiatives

We encourage the private sector, employers' and workers' organizations, to proactively engage in all efforts to prevent and stop the sexual exploitation of children and adolescents, and to use their knowhow, human and financial resources, networks, structures and leveraging power to:

- (60) Integrate child protection, including the prevention of sexual exploitation of children, into new or existing corporate social responsibility policies of enterprises operating inter alia in tourism, travel, transport, agriculture and financial services, and of communication, media, Internet services, advertising and entertainment sectors, and ensure appropriate implementation of such policies and widespread public awareness.
- (61) Incorporate the prevention and protection of children from sexual exploitation in human resources policies, such as Codes of Conduct and other corporate social responsibility mechanisms throughout the supply chain.
- (62) Join efforts with Governments, UN agencies, national and international NGOs, and other stakeholders to prevent the production and dissemination of child pornography, including virtual images and the sexually exploitative representation of children, and stop the use of the Internet and

new technologies for the grooming of children into online and off-line abuse; undertake actions to trace and stop the flow of financial transactions for sexual exploitation of children through the services of financial institutions; support efforts to address the demand for sexual exploitation of children in prostitution and the strengthening of services for children victims and their families, including the establishment of accessible telephone or web-based help lines; and provide support for educational and awareness-raising campaigns targeting children, parents, teachers, youth organizations and others working with and for children, on the risks of sexual exploitation of children, sexually exploitative use of the Internet, mobile phones and other new technologies as well as on protective measures.

VII – Monitoring

- (63) Establish by 2013 independent children's rights institutions such as children's ombudspersons or equivalents or focal points on children's rights in existing human rights institutions or general ombudsperson offices, highlighting the importance for States Parties to the Convention on the Rights of the Child of General Comment No 2 of the Committee on the Rights of the Child; these bodies should play a key role in the independent monitoring of actions taken for the prevention of sexual exploitation of children and adolescents, protection of children from such exploitation and the restoration of the rights of sexually exploited children, in advocating for effective legal frameworks and enforcement and

in ensuring, where necessary, that child victims have effective remedies and redress, including the possibility of filing complaints before these institutions.

We encourage the Committee on the Rights of the Child to:

- (64) Persevere with reviewing progress of States Parties' fulfilment of their obligations to uphold the right of children to protection from sexual exploitation and pay special attention to the recommendations in the Rio Call for Action in its examination of reports under the Convention on the Rights of the Child and its Optional Protocols.
- (65) Adopt as a matter of priority a General Comment on the right of the child to protection from sexual exploitation, trafficking for sexual purposes, and the abduction and sale of children, including detailed guidance to States on the development, implementation and enforcement of national legislation and policies in this regard.
- (66) Continue to work with the Office of the High Commissioner for Human Rights in protecting child rights, and raising awareness of relevant international and regional human rights mechanisms.

We encourage other United Nations human rights treaty bodies, special procedures of the Human Rights Council and special representatives of the United Nations Secretary-General, as well as regional human rights mechanisms, to:

- (67) Pay particular attention to combating the sexual exploitation of children and adolescents, within their respective mandates and during their examination of State Parties' reports, country visits, in their thematic work and/or other activities.

We urge the Human Rights Council to:

- (68) Ensure that the Universal Periodic Review process includes rigorous examination of States' fulfilment of their obligations to children, including preventing and stopping the sexual exploitation of children and adolescents and to respectfully the rights of child victims of such exploitation.

We urge the yet-to-be-appointed Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Special Rapporteur on Trafficking in Persons, especially in Women and Children, together with other appropriate mandate holders and in collaboration with the Committee on the Rights of the Child, to:

- (69) Work together to avoid duplication and to maximise their impact in preventing and stopping the sexual exploitation of children and adolescents and, through their work, map experiences in the area of prevention and response to sexual exploitation of children and assess their effectiveness.

We encourage UN agencies, NGOs and human rights institutions to:

- (70) Support and provide information on the extent of and responses to sexual exploitation of children and adolescents to these bodies.
- (71) Work with the media to enhance their role in education and empowerment, and in protecting children from sexual exploitation, and to mitigate the harmful potential of the media, including

through the sexualization of children in advertising.

We call on international financial institutions such as the World Bank and the International Monetary Fund to:

- (72) Review their current macro-economic and poverty reduction strategies with a view to counteracting any negative social impact on children and their families, including loan conditionality which essentially limits social services and access to rights and minimizing the risk for children to sexual exploitation.

We call on religious communities to:

- (73) Reject, in the light of their consensus about the inherent dignity of every person, including children, all forms of violence against children including sexual exploitation of children and adolescents and establish, in that regard, multi-religious cooperation and partnership with other key stakeholders such as governments, children's organizations, UN agencies, NGOs, media and the private sector using their moral authority, social influence and leadership to guide communities in ending sexual exploitation of children and adolescents.

C. Call for Action

(1) We commit ourselves to the most effective follow-up to this Call for Action:

- At the national level, inter alia, by biennial public reporting on the measures taken for the implementation of the Rio Declaration and Call for Action and promoting/initiating discussions on the progress made and the remaining challenges to named responsible mechanisms for monitoring implementation while also integrating such requirements into State reporting to the Committee on the Rights of the Child.
- At the international level, by encouraging and supporting coordinated actions by the relevant human rights treaty bodies, special procedures of the Human Rights Council and Special Representatives of the Secretary-General of the United Nations with a view to maintaining awareness of the Rio Declaration and Call for Action and promoting its implementation.

- (2) Encourage the private sector to join the United Nations Global Compact and communicate their implementation progress with regard to addressing the sexual exploitation of children and adolescents and supporting the realization of this platform for coordinated corporate efforts and sharing of best practices.

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ECPAT International

328/1 Phayathai Road
Ratchathewi, Bangkok
10400 THAILAND
Tel: +662 215 3388, 662 611 0972
Fax: +662 215 8272
Email: info@ecpat.net
Website: www.ecpat.net