

MOLDOVA 2020 HUMAN RIGHTS REPORT

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

EXECUTIVE SUMMARY

The Republic of Moldova is a parliamentary democracy with competitive multiparty elections. The constitution provides for executive and legislative branches as well as an independent judiciary and a clear separation of powers. The president serves as the head of state and the prime minister serves as the head of government, appointed by the president with parliament's support. Legislative authority is vested in the unicameral parliament. Presidential elections were held on November 1, and a run off on November 15, in which former prime minister Maia Sandu defeated the incumbent president, Igor Dodon, with 57.7 percent of the vote, making her the country's first female president. Organization for Security and Cooperation in Europe election observers noted in their preliminary findings that fundamental freedoms of assembly and expression were respected, but divisive campaigning and polarizing media coverage hindered voters' access to quality information. Local and international election observers noted other irregularities, including allegations of illegal mass transportation and vote-buying of voters from the Transnistria region. Parliamentary elections in February 2019 met most Organization for Security and Cooperation in Europe, Council of Europe, and other international commitments, although observers noted allegations of vote buying and misuse of administrative resources.

The national police force reports to the Ministry of Internal Affairs and is the primary law enforcement body, responsible for internal security, public order, traffic, and criminal investigations. The agencies under the ministry are the General Police Inspectorate, Border Police, the Emergency Situations Inspectorate, Carabinieri (a quasi-militarized gendarmerie responsible for protecting public buildings, maintaining public order, and other national security functions), the Bureau for Migration and Asylum, the Internal Protection and Anticorruption Service, and the Material Reserves Agency. Civilian authorities maintained effective control over the security forces. Members of the security forces

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committed some abuses.

Significant human rights issues included: torture by government employees; harsh and life-threatening prison conditions; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; criminal libel laws; serious acts of corruption; lack of investigation of and accountability for violence against women; crimes involving violence or threats of violence targeting persons with disabilities, members of national, racial, and ethnic minority groups; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons; and the worst forms of child labor.

While authorities investigated reports of human rights abuses, they rarely prosecuted and punished officials accused of human rights violations or corruption. Impunity remained a major problem.

Significant human rights issues in separatist-controlled Transnistria included: forced disappearance by “authorities”; torture and cases of cruel, inhuman, or degrading treatment or punishment by “authorities”; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the “judiciary;” arbitrary or unlawful interference with privacy; serious restrictions on free expression, the press, and the internet, including violence, threats of violence, or unjustified arrests or prosecutions against journalists, censorship, site blocking, the existence of criminal libel laws, and overly restrictive “laws” on nongovernmental organizations; substantial interference with the freedom of peaceful assembly and freedom of association; serious restrictions on freedom of movement; inability of citizens to change their government peacefully through free and fair elections; restrictions on political participation; serious acts of corruption; lack of investigation of and accountability for violence against women; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons; existence or use of laws criminalizing consensual same-sex sexual conduct between adults; existence of the worst forms of child labor.

Section 1. Respect for the Integrity of the Person, Including

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Freedom from

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

There were no reports that the government or its agents committed arbitrary or unlawful killings. The Prosecutor General's Office is responsible for investigating all killings involving security forces. Both the Ministry of Internal Affairs and the Ministry of Defense have internal audit sections responsible for investigating misconduct and ensuring the professional integrity of its personnel. There is no specialized body specifically tasked with reviewing deaths at the hands of police or security forces to determine if they were justified.

In separatist-controlled Transnistria, there was at least one report of a politically motivated killing. On June 10, a 43-year-old businessman, Vadim Ceban, was found dead near his home in Tiraspol, reportedly beaten to death with a shovel. Ceban had openly criticized Transnistrian "authorities" and Russian officials on social media and was one of several local businessmen trying to fight oligarch Viktor Gushan and his Sheriff Corporation's monopoly over the region's economy. Ceban posted an image on a popular Transnistrian Facebook group saying, "Sheriff Repent!!!" one week before his death. No suspects have been identified in Ceban's killing. Civil society activists condemned Ceban's killing as politically motivated.

b. Disappearance

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

In Transnistria abductions by "security forces" became more common throughout the year. Between October 6 and 8, there were reports of at least four abductions of Moldovan citizens from their homes in the Security Zone, including two Moldovan government employees, by Transnistrian "state security." After initially refusing to acknowledge or comment on the incident, separatist "authorities" acknowledged the "arrest" of the two Moldovan government employees and released them on October 8. The others remained in separatist custody (see section

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1.d.).

There were also reports throughout the year of the disappearances of ordinary Moldovan citizens and Transnistria residents in the Transnistrian region. On August 31, Moldovan citizen Constantin Mamontov disappeared while passing through Transnistria on his way from Ukraine to government-controlled territory in Moldova. After Moldovan government authorities requested information from separatist “authorities” on Mamontov’s whereabouts on September 4, the “authorities” finally confirmed Mamontov’s detention on September 10. The human rights nongovernmental organization (NGO) Promo-LEX reported on September 13 that Mamontov managed to escape from the region after 13 days of illegal detention and having his whereabouts kept secret by separatist “authorities.” Promo-LEX asserted that Mamontov’s disappearance suggested retaliation by members of Transnistria’s “law enforcement” for their comrade, Andrei Samonii, a former Transnistrian militia member, who was arrested by Moldovan government authorities and sentenced to 15 years in prison for kidnapping, illegally detaining, and torturing Constantin Mamontov and his spouse on charges of stealing in 2015.

After defecting from the Transnistrian “army” and fleeing to government-controlled territory in 2015, Alexandru Rjavitin disappeared while visiting family in Transnistria in December 2019. Rjavitin reappeared in the Transnistrian “army” in January but reportedly escaped in June and was presumed to have returned to government-controlled territory.

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

While the law prohibits such practices, the antitorture prosecution office reported allegations of torture and cruel, inhuman, and degrading treatment, mainly in detention facilities. Reports included cases of mistreatment in pretrial detention centers in police stations, particularly in regional police inspectorates. Impunity persisted and the number of prosecutions for torture initiated was far below the number of complaints filed.

The Office of the Prosecutor General’s antitorture division reported a decrease in mistreatment and torture cases during the year. During the first six months of the

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year, prosecutors received 262 allegations of mistreatment and torture, which included 241 cases of mistreatment, eight torture cases, and nine cases of law enforcement using threats or intimidation, including the actual or threatened use of violence, to coerce a suspect or witness to make a statement. In comparison authorities reported 456 allegations of mistreatment and torture during the first six months of 2019.

In September the Council of Europe's Committee for the Prevention of Torture (CPT) released a report detailing the findings from its January-February visit to the country. The report noted that the persistence of a prison subculture that fostered interprisoner violence and a climate of fear and intimidation, reliance on informal prisoner leaders to keep control over the inmate population, and a general lack of trust in the staff's ability to guarantee prisoner safety remained serious concerns. The CPT reported several allegations of physical mistreatment (punches and kicks) by prison officers at Penitentiary No. 13 in Chisinau, the excessive use of force by staff when dealing with agitated inmates at the penitentiaries in Chisinau (No. 13), Cahul (No. 5), and Taraclia (No. 1) and excessively tight handcuffing at the Chisinau and Taraclia prisons.

In September a man was reportedly beaten in custody at the Cimislia Police Inspectorate's Temporary Detention Isolator by one of the facility's officers. The Moldovan Institute for Human Rights (IDOM) noted that during an audit of the facility, its monitor encountered a shirtless man in custody with bruises and injuries covering his face, arms, and torso. The man claimed that during questioning after his initial arrest, he was punched in the face by one of the facility's officers and subjected to further physical abuse throughout his detention. The IDOM monitor conducting the audit reported seeing a laceration on the bridge of the man's nose. The case was reported to the Anti-Torture Prosecutor's Office, which was investigating at year's end.

As of October, two criminal cases continued from the 2017 death of Andrei Braguta. Thirteen police officers are accused of inhuman treatment and torture against Braguta, and two doctors from Penitentiary No. 16, where Braguta died, are accused of workplace negligence. Braguta died in a pretrial detention facility in Chisinau in 2017 after being severely beaten by fellow inmates and being

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subjected to inhuman and degrading treatment by prison authorities. In an August press conference, Braguta's parents expressed concern regarding the impunity of the 13 police officers and two doctors involved in the case. According to them, 100 out of 140 court hearings have either been postponed or canceled since 2017. This claim was independently verified by Promo-Lex.

In Transnistria there were reports of allegations of torture and cruel, inhuman, and degrading treatment in detention facilities, including denial of medical assistance and prolonged solitary confinement. There was no known mechanism to investigate alleged acts of torture by Transnistrian "security forces." Promo-LEX noted that "authorities" perpetrated most inhuman and degrading treatment in the Transnistrian region in order to obtain self-incriminating confessions. Transnistrian "law enforcement" bodies did not publicly report any investigations or prosecutions for torture or inhuman treatment by Transnistrian "security forces" during the year.

In January the European Court of Human Rights (ECHR) ruled in the case, Cazac and Surchician vs. Republic of Moldova and the Russian Federation, holding the Russian Federation responsible for violating articles of the European Convention on Human Rights that prohibit torture and provide the right to liberty and security, the right to a fair trial; the right to respect for private and family life, and the right to an effective remedy. The case stemmed from the 2010 detention of Ilie Cazac by Transnistrian "law enforcement authorities," who subsequently tried, convicted, and sentenced Cazac to 14 years in prison for "high treason." During his time in pretrial detention and in prison after conviction, the ECHR found that Cazac was subjected to inhuman and degrading treatment. Cazac reported being threatened with beating and infection with HIV. He also reported being: drugged; denied food, water, sleep, and the use of a toilet for extended periods; exposed to cellmates with active tuberculosis; and placed in a constant state of psychological stress and intimidation. Cazac was "pardoned" by Transnistrian "authorities" and released in 2011. The ECHR ordered the Russian Federation to pay Cazac and Surchician a total of 42,000 euros (\$50,000) for nonpecuniary damages and 4,000 euros (\$4,800) for costs and expenses.

The Transnistria-based human rights NGO MediaCenter reported continuing

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violations of detainees' rights in Transnistrian prisons, pretrial detention centers, and centers for persons with special needs. Serghey Mantaluta, sentenced in 2018 to 10 years in prison on charges of smuggling and insulting an "official," was denied medical assistance after a bone fracture and kept in solitary confinement without access to a toilet. Children at the Hlinaia residential center for orphans with special needs were reportedly subjected to cruel and inhuman treatment, including beating, dunking in washbasins, and other forms of corporal punishment.

Defense attorney Veaceslav Turcan alleged that his client, Ghenadyi Kuzmiciov, formerly Transnistria's "minister of internal affairs," suffered from inhuman detention conditions throughout the year. Kuzmiciov was abducted from government-controlled territory in 2017 and transported to Transnistria, where in 2019 he was sentenced to 13 years in prison on charges of smuggling and illegal possession of firearms. Turcan stated that Kuzmiciov has been in solitary confinement and denied access to visitors, mail, and other outside communications since 2017.

Prison and Detention Center Conditions

Despite reconstruction work and minor improvements at several detention facilities, conditions in most prisons and detention centers remained harsh, owing to poor sanitation, lack of privacy, insufficient or no access to outdoor exercise, and a lack of facilities for persons with disabilities. During the year additional restrictions and lockdowns were put in place in the prisons for an extended period due to the COVID-19 pandemic.

Physical Conditions: Prisons and detention centers were overcrowded. In a September report following its visit to the country in January-February, the CPT noted the existence of large-capacity dormitories, low staffing levels in prisons, and insufficient health-care personnel.

Health care was inadequate at most penitentiaries and worsened during the COVID-19 pandemic because of a lack of protective equipment. While government regulations require authorities to separate individuals suspected of suffering from tuberculosis from other detainees, authorities reportedly colocated individuals with various diseases with persons with an unconfirmed diagnosis of

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tuberculosis, potentially exposing them to the disease. Most penitentiaries lacked appropriate facilities for persons with disabilities, which led to inhuman and degrading treatment. There were 36 deaths in penitentiary facilities registered as of October, including five pretrial detainees. The National Penitentiary Administration reported heart disease and cancer as main causes of death among prison inmates. According to Promo-LEX, the deficient administration of health services in penitentiaries led to a low quality of medical services provided to prison inmates, which in many cases led to death. Independent monitors noted the existence of two parallel health-care systems in the country: the public health-care system and the unaccredited health-care system in penitentiaries, as well as a lack of coordination between the two.

As of August 25, National Penitentiary Administration officials confirmed 30 cases of COVID-19 among inmates and 68 cases among prison staff since the start of the pandemic. Inmates diagnosed with COVID-19 were generally transferred to the prison medical facility at Penitentiary No. 16 in Pruncul for treatment.

Temporary detention facilities, located mostly in the basements of police stations, generally lacked natural light, adequate ventilation, and sewage systems. Human rights NGOs also noted facility staff did not feed pretrial detainees on the days of their court hearings--which in some cases meant they received no food for a day. In most cases detainees did not have access to potable water on the days of their court hearings.

In February the government applied a six-month moratorium on a compensatory mechanism enacted in January 2019 that allowed detainees to request a reduction of their sentences for poor detention conditions. According to a 2019 National Penitentiary Administration report, over 90 percent of detainees filed requests based on the compensatory mechanism. Courts examined 1,800 requests, reduced sentences by a total of 436,000 days, and released 128 persons from prison. Observers and legal NGOs noted that wealthy and politically connected individuals benefited from this mechanism more often than ordinary prisoners. In December 2019 former prime minister Vlad Filat was released from Penitentiary No. 13 in Chisinau after serving approximately three-and-a-half years of a nine-year sentence after the Chisinau District Court ruled that he had been held in “inhuman and

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degrading conditions.”

As in previous years, conditions at Penitentiary No.13 in Chisinau were reported the worst in the country. Detainees held there complained of detention in basement cells that did not meet national or international standards. Allegations of inhuman treatment persisted. In multiple cases the ECHR found that detention conditions in Penitentiary No. 13 were contrary to the European Convention on Human Rights. Cells were overcrowded (up to 16 inmates housed in an area measuring 258 square feet), unhygienic, and lacked ventilation, natural light, or permanent access to water for personal hygiene.

In separatist-controlled Transnistria, mistreatment of detainees remained a major problem. The Transnistrian “ombudsman” received 53 complaints from individuals detained in Transnistrian prisons. The Transnistrian “ombudsman” noted a slight decrease of complaints from detainees during the year. The “ombudsman” received four complaints about medical care in the prison system, which the “ombudsman” considered unfounded. According to Promo-LEX reports, detention conditions in Transnistria did not improve during the year, despite a 2019 report from the Transnistrian “ombudsman” indicating that detention conditions had improved. Transnistrian “authorities” continued to deny access for independent evaluation of detention center conditions.

Administration: Internal investigation procedures in the penitentiary system remained weak, and detainees had restricted access to complaint mechanisms. While detainees generally had the right to submit complaints to judicial authorities, they reported censorship and retaliatory punishment by prison personnel or other inmates before or after filing complaints. Prison administrations restricted the inmates’ access to visitors during the COVID-19 pandemic, and most court hearings of pretrial detainees were held online.

The CPT noted a chronic shortage of custodial staff in prisons, which led to a reliance on informal prisoner leaders to keep control over the inmate population, often through violence.

According to the Transnistrian “ombudsman,” there are 1,824 individuals serving prison terms in Transnistrian “department of corrections” institutions as of January

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Independent Monitoring: The government permitted some independent monitoring of prison conditions by local and international human rights observers, including the CPT. Prison officials generally allowed observers to interview inmates in private. Prison administrations applied COVID-19 related restrictions on monitoring visits since the start of the pandemic.

Human rights NGOs from both Transnistria and government-controlled areas of the country reported being denied access to Transnistrian prisons by separatist “authorities.” The Organization for Security and Cooperation in Europe (OSCE) was granted extremely limited access to individual prisoners by “authorities” on a case-by-case basis. There were no reports of any independent monitoring of detention facilities in the Transnistrian region. According to the Transnistrian “ombudsman” (an institution which is not independent of the ruling regime), detention conditions slightly improved during 2019. Most pretrial detention cells lacked personal beds for detained individuals and toilet facilities, and was qualified by the Transnistrian “ombudsman” as an “infringement against human dignity.”

Improvements: According to human rights NGOs, the situation in police station detention facilities slightly improved due to renovations. Based on the Ombudsman’s Torture Prevention Division recommendations, some pretrial detention units within police stations ceased operating or underwent repairs in line with minimum detention standards.

The CPT noted improvements of the material conditions at the prisons in Chisinau, Cahul, Taraclia, and several police detention facilities. During the year the National Penitentiary Administration piloted and expanded the use of video conferencing to facilitate inmate participation in court hearings. The country lacks adequate staff for prisoner transport, and increased access to justice via video conferences reduces the physical hardships for inmates to be transferred from prisons to courts, where they must often wait for many hours in difficult

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conditions.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. Nonetheless, selective justice remained an issue and lawyers complained of instances in which their defendants' rights to a fair trial were denied.

In Transnistria there were frequent reports of arbitrary arrests and detentions. De facto "authorities" reportedly engaged with impunity in arbitrary arrest and detention. In January in the case *Cazac and Surchician vs. Republic of Moldova and the Russian Federation*, the ECHR held Russia responsible for violating provisions of the European Convention on Human Rights including the right to liberty and security, the right to a fair trial, and the right to an effective remedy (see section 1.c.).

Arrest Procedures and Treatment of Detainees

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

Once charged, a detainee may be released pending trial. The law provides for bail, but authorities generally did not use it due to a lack of practical mechanisms for implementation. In lieu of confinement, the courts may also impose house arrest or travel restrictions. The Superior Council of Magistrates reported that judges rarely applied alternative arrest measures. The law provides safeguards against arbitrary use of pretrial detention and requires noncustodial alternatives wherever possible. Judges disproportionately used noncustodial alternative detention mechanisms in cases with political implications.

Detainees have the right to a defense attorney. The government required the local bar association to provide representation to indigent defendants, but the government frequently delayed reimbursement of legal fees. Indigent defendants

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often did not have adequate counsel.

According to the CPT report issued in September, despite the law requiring that suspects be granted access to a lawyer from the moment they are detained, some criminal suspects were only granted access to legal counsel after initial questioning by police.

Arbitrary Arrest: Arbitrary pretrial detention continued to be a problem during the year. In April the Legal Resources Center of Moldova (LRCM) submitted a communication to the ECHR on existing protections and authorities' efforts to prevent unjustified detention based on the Sarban group of cases that consists of 14 ECHR judgments against the country for various violations of the European Convention on Human Rights, most related to pretrial detention. The LRCM concluded that the high rate of remand and weak justification for remand orders remained a problem. Even though the number of pretrial detention orders (1,864) in 2019 was lower than in previous years, judges did not properly examine remand requests. In 2019 the approval rate for remand requests reached an all-time high--93.5 percent--compared with 88.4 percent in 2018. According to the LRCM, alternative preventive measures (such as home detention and release on recognizance) were used only to a limited extent and the high rate of arbitrary remand was also due to insufficient judicial independence and prosecutorial bias by many investigative judges as well as a high caseload, which impeded a thorough examination of case materials.

In its earlier reports, the ombudsman noted judges continued to order pretrial detention for persons with serious illnesses and the National Penitentiary Administration allowed lengthy pretrial detention of persons with worsening health conditions which in some cases led to death. During the year five persons died in pretrial detention.

In separatist-controlled Transnistria, arbitrary arrests were common throughout the year. On August 31, Moldovan citizen Constantin Mamontov was apprehended by separatist "law enforcement" while transiting the territory and detained illegally for 13 days (see section 1.b.). A Transnistrian "court" in Camenca had previously twice denied warrants to arrest Mamontov requested by Transnistrian "authorities" for an alleged 2015 theft, and the local militia arrested Mamontov for the third time

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on hooliganism charges. Mamontov escaped and swam across the Nistru River to government-controlled territory after being ordered released for a third time by the “court.” Mamontov was previously abducted from government-controlled territory in 2015 and beaten by Transnistrian local militia. Mamontov’s arrest came two weeks after one of his abusers, militia “officer” Andrei Samonii, was convicted in August by a Moldovan court for kidnapping and torture and sentenced to 15 years in prison. Human rights NGO Promo-LEX believed Mamontov’s arbitrary arrest was intended either as revenge for Samonii’s imprisonment or to facilitate a possible prisoner swap for Samonii.

On October 6, Transnistrian “state security” (“MGB”) abducted a Moldovan police officer, Andrei Amarfi, from his home in Camenca district in separatist-controlled territory. On October 7 and 8, three other Moldovan citizens residing in Camenca--Alexandru Puris, Adrian Glijin, and Stanislav Minzarari--were abducted by the “MGB.” Transnistrian “authorities” later announced espionage and high treason charges against all four. Amarfi was the Moldovan police officer sent in 2015 to retrieve Mamontov and his wife from separatists after they were kidnapped and tortured. Puris, an employee of Moldova’s Public Services Agency, processed Andrei Samonii’s application for a Moldovan passport in January and notified Moldovan police of his presence on government-controlled territory, leading to his arrest. Both Amarfi and Puris testified at Samonii’s kidnapping and torture trial. On October 8, following a telephone call between President Dodon and Transnistrian “leader” Krasnoselsky, separatist “authorities” announced that Amarfi and Puris were released from pretrial arrest but were not permitted to leave the region while charges remained pending. Glijin and Minzarari remained in custody as of November. Separatist “authorities” acknowledged that the arrests were related to Samonii’s conviction and imprisonment and have suggested that the “Camenca Four” could be released if Samonii was returned to separatist-controlled territory.

Pretrial Detention: The law permits pretrial detention for up to 30 days, which the courts may extend, upon the request of prosecutors, in 30-day increments for up to 12 months, depending on the severity of the charges. Pretrial detention lasting from several months to one year was common. In line with the ombudsman’s recommendations, the Prosecutor General’s Office decreed on

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March 19 that, as a COVID-19 preventative measure, pretrial arrests could only be requested in extreme circumstances. As a result the number of pretrial detainees decreased during the state of emergency and the public health state of emergency that followed.

e. Denial of Fair Public Trial

While the law provides for an independent judiciary, government officials' failure to respect judicial independence remained a problem. The establishment of an electronic case management system increased transparency in the assignment of judges to cases. Nonetheless, selective justice continued to be a problem, and lawyers complained of violations of defendants' rights to a fair public trial.

In a September report analyzing ECHR judgments against Moldova since the country joined the European Convention of Human Rights in 1997, the LRCM found that the failure to respect the right to a fair trial was the most frequent human rights violation reported to the court (200 out of 616 human rights violations).

Media representatives and NGOs were concerned about limitations on access to data on the national courts' information portal developed by the Ministry of Justice's Agency for Court Administration. Civil society and journalists complained that, because there was no search option, they could not find the names of those involved in court cases, nor could they determine who adjudicated or prosecuted a case. The courts restricted public access to the final judgement issued in a high-profile case involving a former intelligence service head on national security grounds.

Trial Procedures

The constitution provides for the right to a fair and public trial. Although the law presumes the innocence of defendants in criminal cases, judges' remarks occasionally jeopardized the presumption of innocence.

Defendants have the right to be informed promptly and in detail of the charges against them, and of their right to a fair and public trial without undue delay. Defendants have the right to a lawyer and to attend proceedings, confront witnesses, and present evidence. The law requires the government to provide an

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attorney to indigent defendants. The practice of appointing temporary defense lawyers without allowing them to prepare adequately was common and undermined the right to legal assistance. Defendants can request postponement of a hearing if attorneys need additional time for preparation. Interpretation is provided upon request and was generally available. Judges can delay hearings if additional time is needed to find interpreters for certain uncommon languages. Defendants may refuse to provide evidence against themselves, unless they plead guilty and the judge reviews and endorses their guilty plea. The law provides a right to appeal convictions to a higher court on matters of fact and law.

Justice NGOs noted that courts repeatedly delayed hearings without justification in high profile cases. In one example, hearings on a criminal appeal by Ilan Shor, the leader of the Shor Party, a member of parliament, and the mayor of Orhei, were delayed throughout the year.

In Transnistria, “authorities” disregarded fair trial procedures and denied defendants a fair trial. Attorneys in Transnistria reported that “authorities” regularly denied accused individuals the right to an attorney of their choosing and that trials were often held in secret without public announcement of charges.

Political Prisoners and Detainees

There were reports of numerous alleged politically motivated criminal cases initiated by the former ruling Democratic Party of Moldova. Many of the cases were initiated against political rivals of the former party leader, Vlad Plahotniuc, and some prosecutors reported being pressured to pursue cases selectively of corruption, money laundering, and fraud against certain individuals, while ignoring or dropping charges against others who were tied to Plahotniuc’s network. Many of those involved in these politically motivated cases saw their cases proceed more quickly than others in the justice system. In addition many of those subjected to pretrial detention were held in Penitentiary No. 13 in Chisinau, which was notorious for its poor conditions and violence between inmates. On October 27, the Prosecutor General’s Office announced it had closed 19 out of 38 alleged politically motivated cases. The Prosecutor General’s Office continued to

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investigate the remaining 19 cases through the year.

In Transnistria there were reports of several political prisoners held during the year, many of whom were held for exercising their freedom of expression or criticizing the de facto authorities. Oleg Horjan, the leader of the Communist Party and formerly the sole opposition member of the “Supreme Soviet” (“parliament”) of Transnistria, continued to serve a four-and-a-half year sentence in Hlinaia Penitentiary on assault charges and for “insulting” de facto authorities. Human rights lawyers and NGOs have called the charges politically motivated. Horjan’s lawyers and family alleged that he was subject to abuse in detention. Transnistrian “authorities” denied the Moldovan ombudsman access to his place of detention. In early August, Horjan went on a hunger strike to protest restrictions by the Hlinaia penitentiary administration, including solitary confinement and denial of visits, mail or other outside communications, and reading materials. He was reportedly hospitalized in the prison infirmary on September 10 after his health had rapidly deteriorated and then moved to the Tiraspol Veteran’s Hospital on September 15 in serious condition. Horjan was returned to prison after ending his hunger strike on September 23.

Tatiana Belova and her spouse, Serghei Mirovici, were arrested in August 2019 for insulting Transnistrian “leader” Vadim Krasnoselsky on social media.

Transnistrian “authorities” kept Belova and Mirovici’s arrest, pretrial detention, and trial secret. In March, Belova and Mirovici were sentenced to three years in prison in a closed trial without a defense attorney. On July 14, Belova was released following “an admission of guilt,” request for clemency, and promise to refrain from all political activity. Human rights activists asserted that the actions were coerced. Mirovici remained imprisoned and was reportedly on a hunger strike as of September 10.

Civil Judicial Procedures and Remedies

The law allows citizens to seek damages in civil courts for human rights violations. Under the constitution, the government is liable when authorities violate a person’s rights by administrative means, fail to reply in a timely manner to an application for relief, or commit misconduct during a prosecution. Judgments awarded in such cases were often small and not enforced. Once all domestic avenues for legal

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remedy are exhausted, individuals may appeal cases involving the government's alleged violation of rights provided under the European Convention on Human Rights to the ECHR. Citizens who have exhausted all available domestic remedies may also submit a written communication to the UN Human Rights Committee. As of July there were 1,096 applications filing complaints against the state pending before the ECHR.

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

A mediation law establishes an alternative mechanism for voluntarily resolving civil and criminal cases and sets forth rules for professional mediators. Under the law, a nine-member mediation council selected by the Minister of Justice coordinates the mediators' activity.

Property Restitution

The country has endorsed the Terezin Declaration and the Guidelines and Best Practices. Although the law provides for restitution of private property confiscated during the "totalitarian regimes which controlled Moldovan territory between 1917 and 1992 and for citizens who were subject to reprisals based on political, national, religious, or social grounds," it does not apply to communal or religious property confiscated from minority groups. The law specifically refers to private property restoration for victims of the Soviet regime. The government has enacted no laws concerning restitution of communal property nor made progress on resolution of Holocaust-era claims, including for foreign citizens.

A 2010 report published by the United States Commission for the Preservation of America's Heritage Abroad catalogued 100 Jewish communal properties in Moldova, including cemeteries, monuments, houses, hospitals, colleges, and other buildings, most of which are not owned or controlled by the country's Jewish community. While a few properties, such as the Hay Synagogue in Chisinau and the Cahul Synagogue in Cahul, have been returned to the Jewish community by the state, in most cases Jewish organizations have had to purchase or lease communal and religious properties from the government in order to regain possession.

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Purchased properties include the Wooden (or Lemnaria) Synagogue and the Rabbi Tsirelson Synagogue and Yeshiva, both in Chisinau.

The Moldovan Orthodox Church (MOC), subordinate to the Russian Orthodox Church, and the Bessarabian Orthodox Church (BOC), under the Romanian Orthodox Church, were engaged in litigation over control of approximately 718 churches, monasteries, and monuments designated by the government as national heritage assets, most of which are controlled by the MOC under a 2007 agreement between the church and the government. The BOC also sued the government to annul the 2007 agreement.

The Roman Catholic Diocese of Chisinau has submitted a case to the ECHR seeking restitution for a Catholic school property seized by Soviet authorities which is now part of the Moldovan Presidency Building complex. The Catholic Diocese of Chisinau and the government agreed to seek an amicable settlement to the ECHR case but have not reached an agreement on the transfer of an alternative state-owned property to the diocese as restitution.

The country's Lutheran community has repeatedly petitioned the government for compensatory state-owned land as restitution for the former site of Saint Nicholas Lutheran Church in central Chisinau. The church was seized by Soviet authorities in 1944 and demolished in 1962. The Presidency Building now occupies the former site of the church.

For more information regarding Holocaust-era property restitution and related issues, please see that Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly on July 29, 2020, at <https://www.state.gov/reports/just-act-report-to-congress>.

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

The constitution prohibits arbitrary interference with privacy, family, home or correspondence unless necessary to ensure state security, economic welfare or public order, or to prevent crimes. Government agents often failed to respect these prohibitions. Wiretap and surveillance practices continued during the year,

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although reportedly with fewer cases of politically motivated surveillance operations than during the Democratic Party of Moldova-led government.

Reports of illegal wiretaps of the telephones of political leaders; surveillance; threats against family members; and intimidation against regional representatives of ruling and opposition parties continued during the year and intensified closer to the November 1 presidential elections. In September 2019 the interim prosecutor general announced the initiation of criminal cases against four Interior Ministry employees, three prosecutors, and four judges by the Anticorruption Prosecutor's Office for wiretapping of politicians, civil society activists, and journalists between 2017 and 2019. The investigations continued as of year's end. In July a group of five persons who were under surveillance in 2019, including two civil society leaders, a member of an opposition political party, and two journalists, sent a complaint to the ECHR alleging illegal wiretapping and surveillance by authorities in 2019. Opposition parties reported the unsanctioned use of personal data of citizens abroad during the preliminary registration of voters for the November 1 presidential elections.

Section 2. Respect for Civil Liberties, Including

a. Freedom of Expression, Including for the Press

The law provides for freedom of expression and allows individuals to criticize the government or to discuss matters of general public interest. Restrictions apply only in cases when such discussion poses a threat to national security, territorial integrity, public order, or safety. Nonetheless, there were allegations that authorities did not always respect freedom of expression for the press. Journalists were subjected to harassment, intimidation, and frequent lawsuits. Concentration of ownership of major media outlets in the hands of a few political figures, and oligarchs further limited the independence of the press.

Freedom of Speech: In Transnistria a *2020-2026 Strategy for Combating Extremism* was approved on March 20 that provides “authorities” new repressive tools to silence dissent and further repress freedom of expression, complementing the existing 2007 “law” on fighting extremism activities. There were at least five individuals facing charges pursuant to the “antiextremism” law for publicly

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criticizing the de facto “authorities” during the year.

Larisa Calic, a writer from Transnistria, was charged with extremism after she published a book about violent hazing and corruption in the Transnistrian “army.” Calic fled Transnistria and was in hiding. Alexandr Samonii, a member of the Tiraspol “city council” for the opposition Communist Party, has been under investigation since June 2 for extremism based on social media postings in which he criticized the ruling regime in Transnistria. Samonii reportedly fled Transnistria and remained in hiding. Individuals such as Oleg Horjan, Tatiana Belova, and Serghei Mirovici (see section 1.e., Political Prisoners and Detainees) were sentenced to prison for criticizing “authorities” by “insulting a public official,” an act which is prohibited under the region’s “criminal code.”

Freedom of Press and Media, Including Online Media: According to media, NGOs, and international monitors, independent media were active and expressed a plurality of views but were often marginalized by larger outlets owned or controlled by a few politicians and oligarchs. Large media outlets pressured smaller outlets, including by colluding to prevent advertisers from buying advertising space from those smaller outlets, which brought several to the brink of closing. Prominent journalists left key outlets acquired by oligarchs. Internal and external propaganda and manipulation, concentration of ownership of mass media in the hands of some politicians and oligarchs, unfair competition within the television advertising market, and limited independence of the broadcasting regulatory authority, the Audiovisual Council (CCA), were among the major problems that restricted independent media space.

Oligarchs closely supervised content and maintained editorial control over reporting from outlets they owned or controlled. Russian news channels rebroadcast in the country continued to disseminate propaganda and presented distorted information about regional and international events.

Media outlets supportive of President Dodon and the Party of Socialists of the Republic of Moldova expanded their dominance in the media market, replacing former Democratic Party of Moldova leader Vlad Plahotniuc as having the largest

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media holdings.

On March 24, during the state of emergency that was declared in response to the COVID-19 pandemic, the CCA issued a ruling blocking media outlets from criticizing the government's response to the pandemic or reporting information that contradicted the government or World Health Organization's official statements. The CCA cancelled the order on March 26 after public outcry from NGOs, opposition parties, and diplomatic missions.

On July 9, parliament approved the appointment of three new CCA members; opposition parliamentarians claimed the selection process was not transparent or inclusive.

Independent media NGOs and watchdogs accused the CCA and the public broadcaster, Teleradio Moldova, of progovernment bias. The NGOs also noted the government discriminated against media outlets that were not affiliated with President Dodon or the Socialist Party by refusing them access to senior officials for interviews.

On October 26, the CCA penalized TV8 with a 7,000 lei (approximately \$400) fine for "not ensuring impartiality" during the talk show "Natalia Morari's Politics." The CCA ruled that the show failed to uphold impartiality and balance of opinion when one of the guests on the talk show, lawyer Ștefan Gligor, said there were risks of election fraud in the upcoming November 1 presidential election. The CCA stated that TV8 failed to give airtime to the opposing view. TV8 representatives stated that the channel ensured balance of opinion throughout the show and did not limit the right to freedom of expression. TV8 characterized the CCA's action as an attempt to silence media discussion of possible electoral fraud and "an attack on freedom of expression." On October 31, the Chisinau Court of Appeal struck down the CCA fine and ruled that TV8 did not violate the requirement for balance of opinion. On November 1, the Supreme Court of Justice affirmed the Court of Appeal ruling cancelling the fine.

Media freedom in separatist-controlled Transnistria remained a concern despite the local "authorities'" declarations that they would promote competition and media freedom. During the year, Freedom House again assessed the Transnistrian

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region's media as "not free." Transnistrian television channels and radio stations are regulated by the "state media service" and "state telecommunications service." The "state media service" oversees "state-run" media and "state" policy in the information sector.

Two organizations controlled the Transnistrian mass media market: the "Public Agency for Telecommunication," which controlled official news information agencies, newspapers, and one of the two most popular television channels; and Sheriff Holding, a business conglomerate with considerable influence in the Transnistrian "Supreme Soviet."

Violence and Harassment: There were reports of government and political leaders obstructing freedom of the press by restricting the media's ability to cover events. Journalists were subjected to harassment, intimidation, and frequent lawsuits. Female journalists, in particular, were subjected to intimidation.

On May 20, the *Nordnews.md* portal team was denied access to the headquarters of the Drochia district council where President Dodon met representatives of local public authorities. Employees of the State Protection and Guard Service (SPPS) also prohibited filming of the presidential motorcade.

On May 18, journalist Natalia Cebotari was fined 2,400 lei (approximately \$140) by police for alleged defamation for her coverage of abusive and unhealthy work conditions at a textile factory in the town of Ceadir-Lunga that had also violated COVID-19 safety guidelines. She was charged only after the factory manager filed a complaint with local police. The media community condemned the move as interference with media freedom.

There were also reports of government officials initiating lawsuits against media outlets for their investigative reporting into corruption allegations and the officials' personal assets.

In January, Deputy Prosecutor General Ruslan Popov filed a defamation lawsuit against the Center for Independent Journalism in response to two investigative reports implicating him in corruption.

In May the *Ziarul de Garda* newspaper was targeted in a defamation lawsuit by

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President Igor Dodon in response to an investigation revealing his wealth and assets. The second hearing was scheduled for September but did not take place due to Dodon's refusal to attend. The hearing was postponed to November.

Censorship or Content Restriction: In many cases, journalists practiced self-censorship to avoid conflicts with the sponsors or owners of their media outlets, many of whom are politicians or oligarchs connected to political parties.

Journalists voiced concern that a personal data protection law restricted journalists' access to information. In addition, investigating journalists complained of problems accessing websites of legal entities. Journalists also noted that a March 18 decision by the Emergency Situation Commission's to extend the deadline for authorities to respond to public information requests from 15 days to 45 days during the state of emergency, undermined the public's right to access to information.

In Transnistria journalists similarly practiced self-censorship and avoided criticizing separatists' goal of independence or their "foreign policy" to avoid "official" reprisals.

Libel/Slander Laws: Libel and slander are punishable by a fine, community service, being barred from holding certain public offices for a period of months, or a combination of these punishments. Defamation is not a crime, but individuals and organizations can be sued civilly for defamation. Some newspapers practiced self-censorship and avoided controversial issues due to concerns that government officials and other public figures could use slander or defamation accusations to retaliate against critical news reports (see the Natalia Cebotari case under Violence and Harassment, above).

As modified in March 2019, the "law" in Transnistria criminalizes public insults of the region's "leader," which may be punished by a fine or up to five years in prison.

On April 7, Transnistrian "law enforcement" arrested Irina Vasilachi, a civic activist and opposition politician, after she accused Igor Nebeigolova, a close ally of former Transnistrian "leader" Igor Smirnov, of corruption and criminal activity

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on her YouTube channel, where she posted videos criticizing the Transnistrian leadership and its associates. Vasilachi was found guilty of slander and fined the equivalent of \$170. Irina Vasilachi fled the region for Chisinau with her children on December 20, fearing arrest in a criminal case opened against her in Transnistria on accusations of using force against Transnistrian law enforcement officials on April 7. Tatiana Belova and Serghei Mirovici were similarly arrested and received three-year prison sentences for “insulting” the Transnistrian “leader” online (see also section 1.e., Political Prisoners and Detainees).

Internet Freedom

The government did restrict or disrupt access to the internet or censor online content, but there were no credible reports that the government monitored private online communications without appropriate legal authority.

On March 20, the country’s national intelligence agency, the Information and Security Service, blocked 52 online news portals for the duration of the 60-day state of emergency period, claiming that the sites were spreading “fake news” about the COVID-19 pandemic.

In Transnistria the agency on telecommunication services ordered the second largest internet service provider (ISP), Linkservice in Transnistria, operating in Bender/Tighina, to cease operations on January 12 due to violations of the region’s ISP “regulations.” On April 28, an “appeals court” allowed Linkservice to continue its operations throughout the COVID-19 state of emergency in the region. Internet users and civil society in Transnistria suggested that the region’s largest ISP, Sheriff-controlled Inderdnestrcom, was trying to eliminate its competitors in the ISP market in Transnistria.

Academic Freedom and Cultural Events

The National Extraordinary Public Health Commission restricted public gatherings and cultural events during a state of emergency and public health state of emergency imposed due to the COVID-19 pandemic. There were no other government restrictions on academic freedom or cultural events outside of

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quarantine restrictions.

In Transnistria Latin-script schools continued to be the subject of a dispute between the government and separatist “authorities” in Transnistria. COVID-19 quarantine measures imposed by “authorities” obstructed the free movement of Latin-script schools’ staffs and students across the administrative line from March until September 1. Teachers could not cross the line to receive their salaries from the government. Starting September 1, Latin-script school students and staffs were once again allowed to cross the administrative line with proper identification.

b. Freedoms of Peaceful Assembly and Association

The government limited freedoms of peaceful assembly and association; authorities imposed additional restrictions during the state of emergency declared in response to the COVID-19 pandemic.

Freedom of Peaceful Assembly

The law provides for freedom of assembly. While the government usually respected this right, there were several exceptions.

On July 16, a group of veterans from the 1992 Transnistria conflict protested the government’s failure to improve veterans’ services. Police prevented protesters from erecting tents outside the parliament building, leading to clashes between law enforcement and the protesters. Civil society and opposition claimed riot police violently dispersed the protesters and disproportionately used crowd-dispersing methods, such as batons, Tasers, and tear gas. Several protesters were arrested for allegedly assaulting police, and an opposition member of parliament claimed to have witnessed police beating a protester. Human rights NGOs condemned police actions against the protesters, calling them “disproportionate and unjustified.”

The government also banned public gatherings during the COVID-19 state of emergency, but allowed small-scale gatherings of up to 50 persons during the subsequent public health state of emergency, provided that participants respected social distance.

“Authorities” in Transnistria continued to restrict freedom of assembly and

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generally refused permits for public protests.

Ghenadie Ciorba, a civil society activist and opponent of the Transnistrian regime, was charged with extremism for organizing a July 2 protest on the Ribnita-Rezina Bridge against travel restrictions imposed by the Transnistrian “authorities” under the pretext of combating the COVID-19 pandemic. He remained in pretrial detention at year’s end. Nine other protesters received administrative fines.

Freedom of Association

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

In Transnistria separatist “authorities” severely restricted freedom of association, granting it only to persons they recognized as “citizens” of the region. All activities had to be coordinated with local “authorities”; groups that did not comply faced criminal charges and harassment by “security forces.” “Authorities” strictly prohibited organizations favoring reintegration with the rest of the country and prosecuted several individuals for organizing or leading an extremist group--charges that carry a penalty of up to 10 years’ imprisonment.

c. Freedom of Religion

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

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation and the government generally respected these rights, with some exceptions. Due to the COVID-19 pandemic, the government restricted foreign travel and closed or partially closed international borders with neighboring

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countries.

In Transnistria “authorities” continued to restrict travel to and from the region and imposed additional travel restrictions during the year, citing concerns regarding the COVID-19 pandemic.

In-country movement: Transnistrian “authorities” continued to impose restrictions on travel to and from the region and installed 37 (later reduced to 11) illegal checkpoints in the Nistru Valley Security Zone without Joint Control Commission authorization on the pretext of responding to the COVID-19 pandemic. Movements through separatist checkpoints were subject to prior approval from the Transnistrian “COVID-19 crisis center,” headed by the Transnistrian “minister of interior,” Ruslan Mova. The Moldovan government, Moldovan human rights NGOs, and Transnistria residents condemned the movement restrictions as abusive and a human rights violation.

Foreign Travel: Although citizens generally may depart from and return to the country freely, there were some limitations on emigration and COVID-19-related travel restrictions. The law requires individuals to settle before emigrating all outstanding financial obligations with other persons or legal entities. The government did not strictly enforce this requirement. The law also provides that close relatives who are financially dependent on a potential emigrant must concur before the prospective emigrant may depart the country. Authorities did not enforce this law.

Due to the COVID-19 pandemic, the country’s borders with Ukraine and Romania remained closed or partially closed for most of the year. Moldovan citizens and permanent residents, accredited diplomats, and those with preapproved travel were permitted to enter the country during the state of emergency and there were no restrictions on departing the country.

e. Status and Treatment of Internally Displaced Persons

The law does not define the concept of internally displaced persons (IDPs), and authorities do not report any official data on IDPs as such.

Nevertheless NGOs such as Promo-LEX and a 2004 Norwegian Refugee Council

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report estimated that approximately 130,000 persons were displaced by the 1992 conflict in Transnistria, with approximately 51,000 of them residing in government-controlled territory. IDPs may include victims of forced displacement by the Transnistrian “authorities,” former combatants, and persons who left the separatist-controlled region for political reasons.

Transnistrian “authorities” denied Moldovan veterans of the 1992 Transnistria conflict access to the region. The Moldovan Reintegration Policy Bureau noted three cases during the year in which separatist “authorities” issued three-year expulsion orders for veterans whose permanent domicile was located in separatist-controlled territory.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Refoulement: On July 15, the Buiucani branch of the Chisinau Court found former Security and Information Service director Vasile Botnari guilty of the illegal deportation of seven Turkish teachers (the verdict was sealed until September). The teachers had been forcibly returned to Turkey in 2018, where they were imprisoned. The court ordered Botnari pay a fine of 88,000 lei (\$5,300) and he was given a five-year ban on holding public office. Botnari was also ordered to reimburse the state 125,000 euros (\$150,000) for damages to the teachers’ families as a result of a 2019 ECHR ruling that their human rights had been violated. Botnari was also ordered to pay the 348,432 lei (\$21,000) cost of renting the plane used for the deportation. Prosecutors initially requested a three-year prison sentence for Botnari but did not appeal the court’s July 15 ruling. Opposition parties criticized the judiciary for the unusually lenient sentence and called on prosecutors to reopen the investigation. Prosecutions against the former deputy head of the intelligence service and the head of the Bureau for Migration and Asylum were dropped during the year.

Access to Asylum: The law provides for granting asylum or refugee status, and

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the government has established a system for providing protection to refugees. The process for obtaining formal refugee status was slow, but conducted in line with international and European standards. Authorities issued refugees identity cards valid indefinitely; beneficiaries of humanitarian protection received identification documents valid for three years; and asylum seekers received temporary identification cards. UNHCR provided refugees financial support. A temporary accommodation center administered by the Bureau of Migration and Asylum was available for asylum seekers. During the COVID-19 pandemic, the government halted deportations of asylum seekers but did not formally extend their visas. The law does not allow unemployed asylum seekers to purchase state health insurance, but asylum seekers still had access to health care during the COVID-19 pandemic.

Safe Country of Origin/Transit: The country has a policy of presumptive denial of asylum seekers from Ukraine displaced by the armed conflict in eastern Ukraine. The country had previously accepted Ukrainian asylum seekers but determined that Ukraine's process for protecting and resettling internally displaced persons was sufficient. The majority of displaced Ukrainians preferred to transit Moldova, then seek asylum in the EU.

Temporary Protection: The government also provided humanitarian protection to individuals who may not qualify as refugees and provided it to approximately 246 persons registered in the national asylum system as of July.

g. Stateless Persons

According to UNHCR, there were 1,899 persons registered as stateless in the country, 73 percent of whom resided in Transnistria. According to immigration law experts, the majority of stateless persons fell into one of two categories: 1) former citizens of the Soviet Union residing in Moldova who are ineligible for Moldovan citizenship and do not hold another country's citizenship; and 2) Moldovan citizens who renounced their citizenship in order to acquire another citizenship and have not notified Moldovan authorities of any subsequent acquisition of citizenship. Experts assessed that most persons in the second category, especially Transnistria residents, are not actually stateless and have mostly acquired Russian citizenship or another nationality. There were 7,956 Moldovan citizens who did not possess any valid documentation of Moldovan

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citizenship but who did have Soviet passports endorsed by the Moldovan Public Services Agency, which serve as a prima facie proof of citizenship. There were an additional 1,547 persons of indeterminate citizenship status.

Stateless persons and refugees may gain citizenship through naturalization. The law allows a refugee or stateless person who has resided legally in the country for eight years to seek citizenship. The family reunion process for naturalized refugees was burdensome. The government issued residence permits for a period of up to one year to stateless persons temporarily residing in the country at a cost ranging from approximately 400 to 1,280 lei (\$23.40 to \$75) depending on the speed of service, with higher prices for expedited processing. Trafficking victims received residence permits free of charge.

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

Recent Elections: Presidential elections were held on November 1, with a runoff November 15, in which former prime minister Maia Sandu defeated the incumbent president, Igor Dodon, with 57.7 percent of the vote, making her the country's first female president. Organization for Security and Cooperation in Europe election observers noted in their preliminary findings that fundamental freedoms of assembly and expression were respected, but divisive campaigning and polarizing media coverage hindered voters' access to quality information. Local and international election observers noted other irregularities, including allegations of illegal mass transportation and vote buying of voters from the Transnistria region. Parliamentary elections in February 2019 met most Organization for Security and Cooperation in Europe, Council of Europe, and other international commitments, although observers noted allegations of vote buying and misuse of administrative resources.

Due to challenges stemming from the COVID-19 pandemic, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) provided a limited election

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observation mission that primarily monitored the campaign climate, campaign financing, and media freedom in the lead up to the elections with a limited presence observing election-day procedures. Local observers worked to largely fill this gap. International and local observers from ODIHR and local NGO Promo-LEX released preliminary reports November 2 and 16, noting the elections generally respected fundamental freedoms and preliminary results reflected voters' will. Observers noted some election irregularities, including allegations of illegal mass transportation and vote-buying of voters from the Transnistria region.

A pre-election report by the European Network of Election Monitoring Organizations found some deficiencies and electoral code violations, including: unclear electoral legislation which allowed for varying interpretations of the law; negative campaign tactics and candidates' use of hate speech; candidates making electoral promises which are not within the president's powers to fulfill; and unlawful campaigning during the candidate signature collection process.

On March 15, authorities conducted parliamentary by-elections in single-mandate district No. 38 in Hincesti after the parliamentary seat became vacant. Opposition parties and civil society criticized the government for conducting elections amid COVID-19 outbreaks in two district villages. On March 16, an entire village was quarantined. Promo-LEX reported correct voting procedures were generally followed but that the COVID-19 pandemic and lack of clear health and safety precautions led to low turnout.

Political Parties and Political Participation: Opposition parties reported fewer incidents of intimidation and politically motivated criminal cases against their members by authorities. Some 20 parliamentarians from the Democratic Party of Moldova defected to join the Pro Moldova Party or the Shor Party amid allegations of bribery and intimidation. Pro Moldova parliamentarians complained of alleged intimidation, wiretapping, and illegal surveillance. Political migration resumed on the eve of the November 1 presidential elections. Several days before the election, five Pro Moldova members of parliament announced their defection from the party and their merger with the Shor Party parliamentary faction to create a new "For Moldova" Platform. As of mid-November, the "For Moldova" Platform consisted

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of 16 members.

Several alleged politically motivated cases against members of parliament and political party leaders ensued throughout the year. On July 2, the Prosecutor General's Office launched a criminal investigation into a complaint by parliamentarian Stefan Gatcan alleging he was kidnapped, threatened, and forced to resign from parliament after defecting from the ruling Party of Socialists to join Pro Moldova. After reportedly fleeing the country, Gatcan withdrew his criminal complaint and returned to parliament and the Party of Socialists.

On March 13, the Supreme Court of Justice ordered Shor Party candidate Vitalie Balinschi to be removed from the ballot in the parliamentary by-election for the single-mandate district No.38 in Hincesti two days before the election. Balinschi was removed from the ballot for exceeding the electoral expenditures threshold. The Shor Party complained that the removal was politically motivated, and independent election monitors noted that similar infractions committed by other candidates were not punished.

The criminal case against Gheorghe Petic, the leader of the opposition Dignity and Truth Platform Party branch in Ungheni, was under review at year's end. Petic was sentenced to three years and six months' imprisonment on charges of rape after harshly criticizing the ruling party's leadership and the country's Border Police for allegedly covering up illegal smuggling activities, in what Petic alleged was a politically motivated case. In July 2019, after the Democratic Party of Moldova ceded power, Petic was released from detention and his case was sent for reconsideration to the district court.

After he fled the country in June 2019 due to alleged threats against him and his family, prosecutors in May charged former Democratic Party of Moldova chairman Vladimir Plahotniuc for his role in a \$1 billion banking fraud in 2014-15, issued an arrest warrant, and sought his extradition.

Court hearings in Shor Party leader Ilan Shor's case resumed in September after an almost two-year delay. Shor was appealing his seven-and-a-half year prison sentence for large-scale fraud and money laundering related to the 2014 billion dollar banking fraud. In November the case was put on hold again after the judge

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examining the case resigned, allegedly under pressure, and Shor's lawyers appealed a nonconstitutionality exception clause to the Constitutional Court.

Participation of Women and Members of Minority Groups: No laws limit the ability of women and members of minority groups to participate in the political process, and they did participate. The law provides that each gender must have a minimum of 40 percent of candidates on the party lists of candidates for parliamentary and local elections. As of September, 35 percent of national legislature candidates were women, and 25 percent of the elected positions in the national legislature were occupied by women. The law provides for a 10 percent financial supplement from the state budget for political parties to promote female candidates elected in single-mandate districts. The law requires that 20 percent of public subsidy allocations to parties and candidates be used to promote women candidates. The law provides for sanctions against political parties that publicly promote discriminatory messages or stereotypes, use discriminatory language in mass media, or fail to meet the required gender quotas. Civil society observers reported this law was not enforced.

The president, Maia Sandu, is a woman.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for official corruption, the government failed to implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Despite some improvement, corruption remained a serious problem. Corruption in the judiciary and other state structures was widespread.

The law authorizes the National Anticorruption Center to verify wealth and address “political integrity, public integrity, institutional integrity, and favoritism.” The National Integrity Authority (NIA), which was formed to check assets, personal interests, and conflicts of interest of officials, was not fully operational due to prolonged delays in selecting integrity inspectors, as required by law. The former ruling coalition harshly criticized both the National Anticorruption Center and the

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NIA for lack of action in investigating corrupt officials. For example the National Anticorruption Center detained 10 persons on corruption charges in 2018, including three judges from the Court of Appeals, two judges from the Chisinau Central Court, and a prosecutor from the Chisinau prosecutor's office. During preliminary hearings in April, only seven of the 10 suspects showed up in court; the cases continued at year's end. In December, Socialist and Shor Party members of parliament adopted a law that limited NIA powers and reduced the term for asset reviews for dignitaries from three years to one year following their term in office. The opposition criticized the law and challenged its constitutionality at the Constitutional Court.

Corruption: Two key anticorruption institutions, the NIA and the Criminal Assets Recovery Agency, made limited progress on investigations of illicit enrichment or asset seizures.

The 2019 Transparency International *Corruption Perception Index* report noted that the government hindered anticorruption efforts through stagnant reform of the judiciary, lack of true investigation of banking fraud and state capture, and lack of progress in recovering stolen money. The report concluded that these practices were indicative of high-level corruption and political corruption, which led to what it labelled "state capture" (i.e., private interests significantly influencing a state's decision-making processes).

On June 24, the Prosecutor General's Office decided against opening an investigation into alleged corruption by President Igor Dodon after a video was released showing former Democratic Party of Moldova leader Vladimir Plahotniuc handing Dodon a plastic bag during a private meeting. The Prosecutor's Office stated there was not sufficient evidence that a crime was committed to open an investigation.

In 2016 the Anticorruption Prosecution began a criminal case to investigate 30 million lei (over \$1.3 million) transferred before that year's presidential election from an offshore company in the Bahamas that allegedly ended up on the accounts of some Party of Socialists of the Republic of Moldova members of parliament.

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No progress was reported in the investigation as of year's end.

The criminal investigation of former Supreme Court of Justice president Ion Druta and four other judges accused of money laundering and illicit enrichment that began in September 2019 continued during the year. In July the Anticorruption Prosecutor's Office announced it was still waiting for financial investigation data from the Criminal Assets Recovery Agency before it could send the case to court. In December the Chisinau Court of Appeals canceled the Superior Council of Magistrates decision that allowed Druta's criminal investigation and closed the case.

On October 26, the Superior Council of Magistrates approved a request to reinstate five judges detained in September 2016 on money laundering charges in the "Russian Laundromat" scheme that illegally channeled millions of dollars through the Moldovan banking and legal system. The requests for reinstatement came after the Prosecutor General's controversial September decision to drop the money laundering investigation against 13 judges involved in the scheme. It was also ruled that the five judges would receive approximately five million lei (\$300,000) in damages for back pay from the state budget. The decision drew criticism from anticorruption advocates, opposition parties, and civil society.

Financial Disclosure: Laws require financial disclosure by public officials, including state officials, judges, prosecutors, civil servants, and local officials holding leadership positions. The NIA has the legal power to apply sanctions. The law provides that officials who fail to declare their assets may be dismissed from office and barred from holding public office. NIA integrity inspectors have authority to alert relevant authorities, the Tax Office and the Prosecutor's Office, and request seizure of illegally acquired assets by a court decision. The law requires the heads of state enterprises and local councilors to submit income statements and provides for an online system for wealth and interest statement submissions. By law officials must make public income statements within 30 days of their appointment and before March 31 of each year for the duration of their term in office.

Both opposition and ruling coalition members of parliament sent multiple requests to the NIA to verify assets and incomes of other parliamentarians. Consideration

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of those requests continued at the year's end.

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

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

Authorities in Chisinau did not have full access to or control over the Transnistrian region. According to local and international experts, authorities in Transnistria continued to monitor and restrict activities of human rights NGOs. There were credible reports that no human rights NGO in the region investigated serious human rights violations due to fear of repression and harassment from authorities.

Government Human Rights Bodies: There are three human rights bodies in the country: The Office of the People's Ombudsman, the Agency for Interethnic Relations, and the Council for the Prevention of Discrimination and Ensuring Equality (Equality Council). The People's Ombudsman and the Equality Council are independent institutions that report to parliament, while the Agency for Interethnic Relations is part of the government. All three institutions were fully operational and active in reporting on human rights issues during the year.

The law provides for the independence of the people's ombudsman from political influence and appointment to a seven-year, nonrenewable term. The Office of the People's Ombudsman may initiate an investigation based on complaints or on its own authority. Although the Office of the People's Ombudsman lacked the power to enforce decisions, it acted as a monitor of human rights conditions, including in prisons and other places of detention. A separate ombudsman for children's rights operates under the same framework within the Office of the People's Ombudsman.

The Equality Council is responsible for reviewing complaints of discrimination

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and making recommendations, but lacks enforcement powers.

The Agency for Interethnic Relations oversees and implements state policies in the area of interethnic relations and the use of languages in the country.

Parliament also has a separate standing committee for human rights and interethnic relations, but the committee's powers and areas of oversight were narrowed during the year.

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

Women

Rape and Domestic Violence: The law defines domestic violence as a criminal offense, provides for the punishment of perpetrators, defines mechanisms for obtaining restraining orders against abusive individuals, and extends protection to unmarried individuals and children of unmarried individuals. The law covers five forms of domestic violence--physical, psychological, sexual, economic, and spiritual. The maximum punishment for family violence offenses is 15 years' imprisonment. The law also criminalizes rape, including spousal rape, or forcible sexual assault and establishes penalties for violations ranging from three years to life in prison. It requires, however, that the victim prove they were subjected to violence. Domestic violence resulting in "nonsignificant bodily harm" falls under the Contraventions Code, rather than the Criminal Code, and may be punished by a fine or community service.

The law provides for cooperation between government and civil society organizations, establishes victim protection as a human rights principle, and allows third parties to file complaints on behalf of victims. The international NGO La Strada operated a hotline to report domestic violence, offered victims psychological and legal aid, and provided victims options for follow-up assistance. The Women's Law Center also offered legal, psychological, and social support to domestic violence victims. During the year 10 centers providing assistance to domestic violence victims were operational in the country. An additional two

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centers provided counselling and resocialization services to family aggressors.

In July parliament adopted legislation to improve reporting in domestic violence cases, streamline the victims' referral system and the use of restriction orders, improve access to state-guaranteed legal assistance for domestic and sexual violence victims, and expand the use of electronic monitoring devices in domestic violence cases. Rape remained a problem, and there were no specific governmental rape prevention activities.

In its concluding observations on its sixth periodic report on the country in March, the Committee on the Elimination of Discrimination against Women noted concerns about the high prevalence of gender-based violence against women, including domestic violence and economic and psychosocial violence, and underreporting of gender-based violence against women, in particular domestic violence, due to fear of stigmatization and revictimization. The committee also noted limited financial compensation in gender-based violence cases, a lack of shelters and victims' support services, including psychosocial counselling, legal assistance, and rehabilitation programs, particularly in rural areas and Transnistria.

Police reported a similar number of domestic violence criminal cases during the year with 1,409 cases registered in the first nine months, including 10 domestic violence cases that resulted in death. The General Police Inspectorate issued 3,205 restraining orders. From January to September, the courts issued 534 protection orders.

Police protection of victims and proper execution of protective orders improved slightly; the law requires that authorities issue protective orders within 24 hours. This provision was often not implemented, however, particularly for protection order requests filed on Fridays and examined by the courts the next Monday. A law adopted during the year authorizes the Ministry of Justice to expand the use of electronic devices for monitoring accused aggressors in domestic violence cases.

Police and human rights NGOs reported an increase in domestic violence complaints during the COVID-19 state of emergency and the subsequent state of public health emergency. From January through April, the General Police Inspectorate reported a 24 percent increase in the number of complaints of

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domestic violence received, and the Women's Law Center reported that the number of calls to their domestic violence hotline doubled during the state of emergency. NGOs attributed the increase to domestic violence victims staying in isolation with their abusers for lengthy periods of time without the ability to seek assistance. From March 17 to May 31, the NGO La Strada's Women and Girls' Trust Line received 390 calls, including 247 complaints of domestic violence. During the state of emergency (March 17-May 15), shelters for domestic violence victims did not accept new applicants to reduce the risk of COVID-19 infections. Authorities did not take steps to provide placement for survivors. While police and courts established protection measures for victims of violence, in most cases a lack of coordination between members of local multidisciplinary teams (which are meant to bring together law enforcement, health professionals, social workers, spiritual leaders, and local public officials to assist victims) left victims without the resources and protections the courts intended to provide for them.

According to La Strada, the subject of sexual violence remained sensitive for the country. Societal attitudes affected the behavior and the reticence of sexual violence victims to report incidents. Sexual abusers frequently used information technologies to threaten, frighten, humiliate, or cause the victim not to report abuses to law enforcement agencies. Specialists responsible for intervening in sexual violence cases were affected by prejudice and stereotypes and sometimes contributed to the victimization of or discrimination against victims of sexual crimes. Media outlets sometimes reinforced stereotypes and contributed to social stigma in their reporting on cases of sexual violence.

In Transnistria domestic violence without "substantial bodily harm" (such as broken bones or a concussion) remains an administrative, rather than criminal, offense only punishable by a fine.

Sexual Harassment: Sexual harassment remained a problem. The law provides criminal penalties for sexual harassment ranging from a fine to a maximum of three years' imprisonment. The law prohibits sexual advances that affect a person's dignity or create an unpleasant, hostile, degrading, or humiliating environment in a workplace or educational institution. There are no criminal penalties or civil remedies for sexual harassment in employment. According to

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NGOs, law enforcement agencies steadily improved their handling of sexual harassment cases, addressing harassment of students by university professors and several instances of workplace harassment. Civil society groups, however, criticized the judicial system for displaying inadequate concern for the safety of victims and for not holding perpetrators accountable for their behavior.

According to an informative note on a January bill published by the Ministry of Health, Labor, and Social Protection calling for the review of national legislation on sexual harassment, one in five women in the country experience sexual harassment in the workplace. Similarly, a 2018 Partnership for Development Center survey concluded that one in five women reported being sexually harassed by a teacher. Societal attitudes and lack of interest from law enforcement discouraged victims from reporting instances of sexual harassment.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children; to manage their reproductive health; and to have the information and means to do so, free from discrimination, coercion, and violence. By law minors under the age of 16 must have permission from a parent or legal guardian to obtain reproductive health services; a medical provider may waive this requirement if the minor's life or health are in danger.

The state provides contraception free of charge to citizens through primary care providers. Although minors have access to contraception without parental consent through a network of Youth-Friendly Health Centers, many are reluctant to request contraception from family doctors due to social stigma.

Victims of sexual violence have access to sexual and reproductive health services on the same basis as other citizens.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: Women and men enjoy the same legal status in family, labor, property, nationality, inheritance law, and in the judicial system. The law requires equal pay for equal work, which authorities generally respected. The law requires that women fill a minimum of 40 percent of decision-making positions in

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government and political offices; prohibits sexist and discriminatory language and images in the media and advertising; and spells out employers' responsibilities in ensuring that workplaces are free of discrimination and sexual harassment. The law also establishes a minimum quota of 40 percent female representation on the electoral lists of political parties and sanctions for noncompliance. During the February 2019 parliamentary elections, 41.8 percent of candidates were women on the political parties' electoral lists and over 25 percent of members of parliament were women. During the November presidential elections, only one woman ran for office. While launching his electoral campaign for the second round, incumbent president Igor Dodon made gender-based discriminatory statements against his political opponent in the runoff, Action and Solidarity Party leader Maia Sandu.

According to a report issued in February by the Union for HIV Prevention and Harm Reduction and Promo-LEX, female drug users, sex workers, and inmates were the most vulnerable to multiple risks, such as HIV or AIDS, human trafficking, harassment, and violence due to discrimination, criminalization, stigmatization, and exclusion from society. Despite such vulnerabilities authorities did not protect basic rights to health care and justice for women in these categories.

Discrimination with respect to employment, pay, and access to pension benefits persisted in the country (see section 7.d.).

Children

Birth Registration: Persons may acquire citizenship through birth to a citizen parent, birth in the country to stateless persons, birth to parents who cannot transmit their citizenship to the child, or through adoption by citizen parents. Registration of birth is free of charge for all citizens. The lack of registration certificates for a number of children, especially in rural areas and in Romani families, remained a problem.

Education: Primary education was free and compulsory until the ninth grade. Education of Romani children remained a problem; only half of Romani children attended school and one in five attended preschool. According to Romani representatives, absenteeism and school dropout rates in Romani communities

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stemmed from poverty and fear of discrimination.

All schools, kindergartens, and other educational institutions closed and were replaced with online schooling during the COVID-19 state of emergency that began on March 17. While some schools had the necessary resources and human capacity to hold classes online, most educational institutions, particularly in rural areas, failed to provide proper education through the end of the academic year. At the start of the new academic year on September 1, there were 11 schools out of 1,252 that remained closed due to COVID-19 cases among teachers and students. An additional eight schools closed after the school year started. By September 14, there were over 200 COVID-19 cases in schools in Chisinau; 1,325 students and 57 teaching and technical staff from 21 educational institutions were quarantined and there were 35 active cases in kindergartens.

Child Abuse: Although the law prohibits child neglect and specific forms of abuse, such as forced begging, child abuse remained a problem. The Ministry of Health, Labor, and Social Protection has noted that social norms created a permissive environment for violence against children at home and at school.

The Ministry of Education, Culture, and Research reported 4,738 cases of violence against children in the first half of the 2019-20 academic year. Some 2,171 children reported physical violence and 1,316 children reported neglect, while there were 40 cases of labor exploitation and 17 of sexual abuse. Local public authorities failed to monitor all cases of abuse against children, claiming a lack of experts. The ombudsman for children's rights stated that most child neglect cases were due to alcohol abuse in the family.

An April study by the Ministry of Education, Culture, and Research and the National Center for the Prevention of Child Abuse noted that children were exposed to more risks during the COVID-19 pandemic due to increased psychosocial stress, a sense of fear and panic generated by the pandemic, the suspension of school activity, infection with coronavirus or quarantine, access to and improper use of disinfectants and alcohol, their increased vulnerability to exploitation for child labor, social discrimination, and the limited availability of services for children with disabilities. Following the closure of schools and kindergartens, 32 children who were left home unsupervised died from accidents in

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the first six months of the year.

A special unit for minors in the Prosecutor General's Office, the Juvenile Justice Unit, is responsible for ensuring that particular attention and expertise are devoted to child abuse victims and child offenders.

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

Child marriage was most common in Romani communities, where it was reportedly acceptable to marry off girls between the ages of 12 and 14. This either took the form of a forced marriage, whereby a girl is married off to an adult man against her will, or an arranged marriage, whereby "match makers" arranged for two children to be married in the future. In such cases marriage takes place without official documentation or registration. After marriage, girls commonly dropped out of school to take on household duties.

Sexual Exploitation of Children: The exploitation of a child in a commercial sex act is punishable by 10 to 12 years' imprisonment. Authorities punished commercial sex with minors as statutory rape. The law prohibits the production, distribution, broadcasting, import, export, sale, exchange, use, or possession of child pornography, for which the punishment is one to three years' imprisonment and fines. These laws were generally enforced. The minimum age for consensual sex is 16. The country is a destination for child sex tourism. According to the International Organization for Migration's *2020 Violence against Children and Youth Survey* report for Moldova, 7.6 percent of girls and 5.4 percent of boys between the ages of 13 and 17 experienced sexual violence in the previous year.

The Prosecutor's Office to Combat Organized Crime and Special Cases is responsible for investigating and prosecuting child sexual abuse cases, and the Antitrafficking Bureau of the Prosecutor General's Office is responsible for investigating and prosecuting child trafficking and child sexual exploitation. During the first 10 months of the year, law enforcement officials identified 42 victims of child online sexual exploitation, ranging in age from eight to 17 years old. La Strada's Child Safeguarding Team registered 81 new cases of child sexual

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exploitation and sexual abuse that included 27 cases of child pornography, 21 cases of child trafficking for the purpose of sexual exploitation, and 33 cases of sexual abuse. Law enforcement bodies referred 63 cases for assistance.

Institutionalized Children: During the year the number of children placed in residential institutions decreased to 961, including 195 children with disabilities. The government also operated family-type homes, maternal centers, and daycare centers that provided various services for deinstitutionalized children, including children with disabilities. Another 26 mobile teams assisted over 840 beneficiaries across the country, including 485 children with disabilities. Children raised in residential institutions were at greater risk of unemployment, sexual exploitation, trafficking, and suicide as adults compared with their peers raised in families. According to human rights watchdogs and the ombudsperson for children's rights, legal protective mechanisms to prevent recidivism and reinstitutionalization of homeless children were not functional during the year.

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

Anti-Semitism

The Jewish community numbered between 1,600 and 30,000 persons (depending on source and definition), including up to 2,000 living in Transnistria.

According to the Jewish community, anti-Semitic discourse, hate speech, and instigation to discrimination and violence against members of the Jewish community, especially on the internet, was a systemic problem. Publications related to the community's activities were often followed by discriminatory comments or verbal insults that were not banned on such platforms, including blaming the Jewish community for the spread of COVID-19. Online security was another problem during the pandemic. In April the Jewish community reported a case of unauthorized individuals accessing an online Zoom session conducted by the community's rabbi during a daily Torah lesson. The unknown perpetrators

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intimidated Zoom participants and posted insulting photographs and videos for several minutes.

The Jewish community reported two acts of vandalism during the year. Unknown individuals made an anti-Semitic inscription at an exhibit dedicated to the 20th anniversary of the Chisinau-Tel Aviv twin cities agreement. The community registered a complaint with police, and the case was pending at year's end. In a second case, unknown individuals vandalized and drew anti-Semitic graffiti on 82 tombs at the Jewish cemetery in Chisinau. The Jewish community sent a complaint to the police and called on the authorities to adopt legal mechanisms that would prevent and punish Holocaust denial, the glorification of Nazi leaders or the use of Nazi symbols. The Chisinau police department opened a criminal case. According to the Jewish cemetery director, the perpetrators vandalized an unprecedented number of tombstones on the nights of October 30 through November 1. In reaction the Ministry of Education, Culture, and Research, which oversees the Jewish History Museum, which includes the Jewish cemetery, announced the installation of video surveillance equipment at the cemetery to prevent similar incidents in the future. In November the government also adopted amendments to the criminal code; strengthened sanctions for "acts of vandalism and desecration of tombs, monuments or places revered by persons belonging to various religious groups;" and imposed higher fines and imprisonment terms of up to four years. The Ministry of Foreign Affairs and European Integration condemned the acts of vandalism, noting "the destruction of Jewish gravestones and monuments is a barbaric attack not only on the memory of the Jews from the Republic of Moldova, but is also challenging the entire Moldovan society."

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to public facilities, health services, or the provision of other government services, but

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authorities rarely enforced the law.

Investigation of degrading treatment of patients in psychoneurological institutions was deficient. In most cases prosecutors refused to investigate complaints submitted by patients, questioning the accuracy of allegations made by persons with mental disabilities. According to Promo-LEX, most prosecutors and investigators lacked technical skills to investigate acts of violence or torture in psychiatric institutions. Authorities also lacked a regulatory framework for the psychological assessment of victims of torture and inhuman or degrading treatment in psychiatric institutions.

During the first nine months of the year, members of the Council for Prevention of Torture, as part of the National Mechanism for the Prevention of Torture (NMPT), conducted preventive visits to residential institutions for persons with disabilities. The NMPT identified a number of problems in such institutions, including a shortage of personnel in most residential institutions, including of medical staff in institutions hosting persons with disabilities; verbal and physical abuse by personnel of persons with disabilities; involuntary confinement of patients; insufficient qualified staff at specialized institutions for children with disabilities; and lack of complaint mechanisms.

During its monitoring activities, the Moldovan Institute of Human Rights identified systemic deficiencies in psychiatric hospitals and temporary placement centers for persons with disabilities. Experts reported cases of forced medication without a legally mandated court order. Patients isolated in temporary placement centers reported the administration of psychotropic drugs without consent and mistreatment by personnel. The institute also found deficiencies in documentation, investigation, and management of cases involving persons with mental or psychosocial impairments by police, prosecutors, judges, and health service providers. While all institutions are required to document and report any unexplained injuries to the Anti-Torture Prosecutor's Office, officials at the Codru Psychiatric Hospital reported no such cases during the year, despite IDOM monitors finding numerous patients with visible injuries during the course of their audit.

According to the Moldovan Institute of Human Rights, Balti Psychiatric Hospital

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lacked a separate ward for patients who committed crimes, leaving them to be housed and treated alongside civilly committed and voluntarily committed patients. Persons with different types of disabilities and widely different ages were sometimes lodged in the same rooms, and unjustified restrictive measures were sometimes applied. There was no separation of persons who were civilly committed as presenting a danger to themselves or others from those who voluntarily committed themselves in any of the country's three psychiatric hospitals.

During the March 17 to May 15 state of emergency declared in response to the COVID-19 pandemic, all "closed institutions" including psychiatric hospitals and temporary placement centers for persons with disabilities ("social care centers"), suspended discharges, keeping patients and residents involuntarily confined. Visitors and outside monitors were also denied access to these facilities during the state of emergency "as a quarantine measure." Independent monitors reported that stresses imposed on patients, residents, and staff by the quarantine measures led to an increase in mistreatment cases and hurt the mental health of patients and residents.

The law requires new construction and transportation companies' vehicles to be accessible to persons with disabilities. Authorities implemented the provisions of the law only to a limited extent. While many newly built or reconstructed buildings were accessible, older buildings often were not. According to the disability rights NGO Motivation, more than 70 percent of public institutions lacked access ramps for persons with disabilities. Persons with mobility disabilities complained about the lack of access to public transportation and public institutions as well as the shortage of designated parking places. Despite some improvements during the year, city authorities and construction companies often disregarded legal requirements on accessibility for persons with mobility impairments.

An audit on the accessibility of polling stations conducted by the Central Electoral Commission and the UN Development Program in 2019 found that only 1 percent of 612 stations assessed were fully accessible for wheelchair-bound persons. Most polling stations had no ramps or accessible toilets, narrow entrances, and dark

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hallways, which led to many persons with disabilities requesting mobile ballot boxes. According to Central Election Commission data, there were 170,000 persons with disabilities of voting age. There were no measurable improvements to these metrics reported in the year.

The government continued the deinstitutionalization of persons with disabilities and provided alternative community-based services under the *National Program of Deinstitutionalization of People with Intellectual and Psychosocial Disabilities from residential institutions for 2018-26*. Deinstitutionalization was temporarily halted during the COVID-19 state of emergency from March 17 to May 15.

Human rights observers criticized the country's guardianship system. A person placed under guardianship loses all standing before the law and cannot perform social and legal acts, such as marriage, voting, claiming social benefits, and consenting to or refusing medication. Most residential institutions lacked proper accommodation for persons with mobility impairments.

Most schools were poorly equipped to address the needs of children with disabilities. Some children with disabilities attended mainstream schools, while authorities placed others in segregated boarding schools, or they were home schooled. Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (with the exception of jobs requiring specific health standards), many employers either failed to provide accommodations or avoided employing persons with disabilities.

According to NGOs providing services for persons with mobility impairments, the COVID-19 pandemic negatively affected persons with disabilities, particularly those in wheelchairs. Authorities suspended the provision of most health-care rehabilitation and social services during the state of emergency and public health state of emergency, negatively affecting the physical and psychological condition of persons with disabilities.

In Transnistria the "law" provides for protection of the rights of persons with disabilities in the areas of education, health care, and employment. According to the latest 2019 report of the Transnistrian "ombudsman," there were 17,121 persons with disabilities registered in Transnistria as of December 2019, including

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1,304 children with disabilities (aged under 18 years old). The same report noted 188 patients as of October 2019 in the region's only psychiatric institution in Vyhvatintsy village. Reliable information about the treatment of persons with disabilities in Transnistria was generally unavailable, but there were reports that children with disabilities rarely attended school and lacked access to specialized resources.

Members of National/Racial/Ethnic Minority Groups

Roma continued to be one of the most vulnerable minority groups in the country and faced a higher risk of marginalization, underrepresentation in political decision making, illiteracy, and social prejudice. Roma had lower levels of education, more limited access to health care, and higher rates of unemployment than the general population (see section 7.d.). According to a study released during the year by the Partnership for Development Center, the employment rate among Roma was only 6.4 percent. The unemployment rate among the Romani community stood at 45 percent. Romani women were particularly vulnerable to social exclusion and discrimination.

Approximately 60 percent of Romani families lived in rural areas. Some Romani communities lacked running water, sanitation facilities, and heating. Other problems facing Roma included lack of emergency health-care services in secluded settlements, unfair or arbitrary treatment by health practitioners, and lower rates of health insurance coverage. Authorities lacked an effective mechanism to address vulnerable families whose children did not attend school.

According to a 2019 survey of 476 Romani women from 48 localities conducted by the Roma Women Network in Moldova, the most serious problems reported were limited access to education, the job market, medical services, and information about health and hygiene. The survey showed that only 36.6 percent of Romani women attended some form of state-guaranteed education, while 57.8 percent said they did not have an opportunity to continue their studies. About 84.7 percent of respondents were unemployed, and many of them alleged that they were subject to discrimination when trying to get a job. According to the survey, one-third of women reported discrimination when consulting a doctor; 70 percent of women reported not having access to information about health and hygiene. There were

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no measurable improvements to these metrics reported in during the year.

According to Romani leaders, the community faced a high rate of emigration and the state did not provide financing for Romani community mediators, as prescribed by law. A total of 54 Romani community mediators were active during the year. The government earmarked 3.5 million lei (\$210,000) for Romani community mediators during the year, but its 2016-20 action plan for the community was unfunded.

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

The law prohibits employment discrimination based on sexual orientation, but societal discrimination based on sexual orientation and gender identity continued. The lesbian, gay, bisexual, transgender, and intersex (LGBTI) community reported verbal and physical abuse. In most cases police were reluctant to open investigations against the perpetrators. According to a survey conducted by the Antidiscrimination Council in 2018, the LGBTI community had the lowest societal acceptance rate of any minority group.

In June the NGO Genderdoc-M organized the 19th annual Moldova Pride Festival. Due to the COVID-19 pandemic, events were conducted almost exclusively online. Genderdoc-M rented three billboards bearing the festival's theme, "I Am Close to You but You Don't Know Me," to carry information about LGBTI pride for one month. The company leasing the billboards removed the signs after two weeks, reportedly at the request of Chisinau city government. Genderdoc-M filed a complaint with the Equality Council, which had not ruled on the matter at year's end.

A 2019 Promo-LEX report, *Hate Speech and Discrimination in the Public Space and Media*, noted that hatred and discrimination based on sexual orientation and gender identity dropped by approximately 30 percent in 2019 compared to 2018. The LGBTI community remained among the groups that were most vulnerable to hate speech and was subjected to some of the most aggressive and violent speech registered by authorities. During the electoral campaign for the November 15

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runoff presidential election, President Igor Dodon promised to ban LGBTI parades.

Genderdoc-M reported eight verbal and nine physical assaults against LGBTI individuals during the year. On May 8, the parents of a 15-year-old girl reportedly beat her after they were told that she was a lesbian. The girl filed a complaint at the Securuel police station in Riscani, Chisinau, with the support of Genderdoc-M representatives. The responding police officer initially refused to accept the complaint and called the girl's parents to the station. Only after a Genderdoc-M representative threatened to call the national emergency number did the officer begin recording the complaint and call a victims specialist. Genderdoc-M later filed a complaint against the officer with the Ministry of Interior.

On April 15, a young man was walking in central Chisinau when a minibus stopped next to him and several individuals forced him into the vehicle. He was taken to an alley where a group of assailants beat him and threatened him using derogatory terms for homosexuals. He was forced to put a condom on his head and then forced to eat a second condom. The attackers threatened to set him on fire and additional unspecified violence if he reported the attack. The attack was recorded on one of the attackers' cell phone and later posted on social media. Police were investigating the attack at year's end.

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

In Transnistria consensual same-sex sexual activity is illegal, and LGBTI persons were subjected to official as well as societal discrimination. A young gay man in Transnistria was reported to be under investigation by "authorities" for refusing conscription into the separatist military. He expressed fear of violence and discrimination within the "military" and relocated to Moldovan government-

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controlled territory to escape persecution.

HIV and AIDS Social Stigma

Persons living with HIV continued to face societal and official discrimination.

The law prohibits hospitals and other health institutions from denying admission or access to health-care services or requesting additional fees from persons with HIV or suspected of being HIV-positive. Prison inmates with HIV or AIDS faced high levels of discrimination by both prison staff and other inmates. Official practice requires that positive HIV test results be reported to the public health sector's infectious disease doctor. In some cases positive test results were also reported to the patient's family physician, a practice to which many HIV-positive individuals objected.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

The government and employers generally respected freedom of association and the right to collective bargaining. Worker organizations were independent of the government, political parties, employers, or employers' associations. There were no reports that the government, political parties, or employers interfered in the functioning of workers' organizations. Prosecutors may reject appeals by trade

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unions alleging antiunion behavior, and authorities did not punish alleged violations of the trade union law. Workers exercised the right to strike by conducting legal strikes.

There is a mechanism to monitor and enforce labor laws through the State Labor Inspectorate (SLI) and the Prosecutor General's Office, but it failed to monitor effectively and enforce the rights to collective bargaining and to organize. The law does not provide effective sanctions for violations of freedom of association, or stipulate penalties for violating trade union rights. Penalties for the deliberate failure to negotiate and amend collective agreements or the violation of negotiated terms were not commensurate with those of other laws related to civil rights.

b. Prohibition of Forced or Compulsory Labor

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

The government did not effectively enforce the law. Resources, inspections, and remediation for forced labor were generally inadequate. Men and women were subjected to labor trafficking within the country and in other parts of Europe and the Middle East. Internal trafficking occurred in all regions of the country, focused mostly on farms and begging in larger towns. Internal trafficking for begging and labor exploitation, particularly in the agriculture and construction sectors, was steadily on the rise. Official complicity in trafficking continued to be a significant problem that the government attempted to curb by prosecuting those involved.

Also see the Department of State's *Trafficking in Persons Report* at

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<https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15. The law permits juveniles between the ages of 16 and 18 to work under special conditions, including shorter workdays (35 hours per week and no night, weekend, holiday, or overtime work). With written permission from a parent or guardian, 15-year-old children may work. Work for children who are 15 or 16 should not exceed 24 hours per week. Children younger than 18 are not allowed to perform hazardous and dangerous activities in 30 industries, including construction, agriculture, food processing, and textiles. The law prohibits the worst forms of child labor and provides for three to 15 years' imprisonment for persons engaging children in such activities. Under aggravated circumstances, courts can increase the sentence to life imprisonment. These penalties for violations were commensurate with those for other serious crimes. Authorities did not effectively enforce legal protections, and child labor remained a problem, especially in the agriculture and construction industries. The government was unable to make unannounced inspections and could only take action on a violation directly related to a complaint. If child labor violations were observed during a complaint-based inspection, the government did not have the authority to take action.

Parents who owned or worked on farms often sent children to work in fields or to find other employment. Children left behind by parents who had emigrated abroad also worked on farms. The vast majority of child laborers worked in family businesses or on family farms.

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

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination based on sex, age, race, color, nationality, religion, political opinion, social origin, residence, disability, HIV-positive status, and membership or activity in trade unions, as well as other criteria. The law requires employers to provide for equal opportunity and treatment of employees

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without discrimination, to apply the same criteria to assess each employee's work, and to provide equal conditions for men and women relating to work and family obligations. The law defines and prohibits both direct and indirect discrimination. Penalties for violations were commensurate with those of other crimes related to denial of civil rights. The law does not mandate equal remuneration for work of equal value.

Discrimination on the basis of sex in access to pension benefits persisted in the country. The age at which men and women can retire with either full or partial benefits is not equal, nor is the mandatory retirement age for men and women.

Discrimination in employment and occupation occurred with respect to gender, disability, minority status, sexual orientation, gender identity, and HIV-positive status. Gender-based violence and harassment in the workplace is common in the country. Pregnant women reported being denied employment opportunities, since such employment was associated with additional benefits payable after childbirth.

The law also stipulates that the Equality Council be responsible for reviewing complaints of discrimination and making recommendations. As of September the council made decisions on 193 cases of alleged discrimination, 3.2 percent more than in 2019.

In Transnistria job segregation "laws" ban women from more than 300 jobs. Prohibited occupations include a wide variety of occupations deemed "too dangerous or demanding" for women, including welding, pouring, driving, snow blowing, gas extracting, and climbing.

e. Acceptable Conditions of Work

The law provides for a national minimum wage that is less than the poverty level. According to the National Trade Union Confederation (NTUC), as of July salary arrears were more than 20.9 million lei (\$1.2 million).

The law sets the maximum workweek at 40 hours with overtime compensation, provides for at least one day off per week, and mandates paid annual leave of at least 28 calendar days (government holidays excluded). Different paid leave plans may be used in some sectors, such as education, health care, and public service.

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The law prohibits excessive compulsory overtime. Foreign and migrant workers have the same legal status as domestic workers.

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

The labor code requires work contracts for employment but the central government did not have an effective mechanism to monitor compliance. In the agricultural sector, approximately 63 percent of workers were employed informally, according to NTUC.

Government efforts to enforce requirements for minimum wage, work hours, and occupational health and safety standards were limited and ineffective. The law requires the government to establish and monitor safety standards in the workplace but inspections could only occur when a complaint was received and not all complaints met the criteria for a workplace inspection. Penalties for violations were not commensurate with those for other similar crimes.

Labor inspectors were generally required to give advance notice before conducting labor investigations and were generally prohibited from conducting onsite inspections if the information sought could be obtained in writing, which undercut their enforcement ability. The 10 sectoral inspection agencies responsible for occupational health and safety controls did not have sufficient trained staff to carry out adequate inspections. In the first eight months of the year, the SLI reported 334 unplanned inspections in areas defined by law as “labor relations,” 42 in “salary payments” and 46 in “occupational safety and health.” Labor inspectors could not confirm that any of these unplanned inspections were unannounced. In person, onsite inspections were suspended during the state of emergency declared between March 17 and May 15, and the moratorium continued under the public health state of emergency that continued from May 16 to the end of the year in response to the coronavirus pandemic.

A thriving informal economy accounted for a significant portion of the country’s economic activity. According to the International Labor Organization, 30.9 percent of the total employed population had an informal job. Workers in the

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informal economy did not have the same legal protections as employees in the formal sector. No government social programs targeted workers in the informal economy who were hardest hit by the COVID lockdowns during the year.

Poor economic conditions led enterprises to spend less on safety equipment and to pay insufficient attention to worker safety. There is a consensus among stakeholders that after the change in the legislation governing labor inspections, occupational safety and health standards in the workplace worsened during the year. In the first eight months of the year, the SLI reported 231 work accidents involving 235 victims. The SLI also reported 13 work-related deaths. Enterprise committees investigated 170 cases of temporary incapacitation resulting from work accidents, involving 171 persons.