

COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

MOLDOVA

25 SEPTEMBER 2008

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1. Preface

This Country of Origin Information Key Documents (COI Key Documents) on Moldova has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Document includes information available up to 25 September 2008. It was issued on 29 September 2008.

- The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UKBA opinion or policy.
- iii For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Moldova is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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viii In the course of its work, the APCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. The APCI may or may not have reviewed this particular document. At the following link is a list of the COI Key Documents', COI Reports and other documents which have, to date, been reviewed by the APCI: www.apci.org.uk/reviewed-documents.html

Please note: It is not the function of the APCI to endorse any UKBA material or procedures. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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2. Background information on Moldova

2.01 Full Country Name: The Republic of Moldova

> **Area:** 33,843 sq km Population: 4.32m

Capital City: Chisinau (population: 656,000)

People: Moldovan/Romanian (65%), Ukrainian (13.8%), Russian (13%), Gagauz (Christian Turks) (3.5%), Jewish (1.5%), Bulgarian (2%), other (1.2%)

Main Languages: Moldovan and Russian

Religion(s): Eastern orthodox (98%), Jewish, Baptist

Currency: Moldovan lei (MDL)

Political system: A form of parliamentary democracy, with a strong presidency Major political parties and alliances: Communist Party, Popular Christian Democratic Party, Moldova Noastra (Our Moldova), Democratic Party, Party of

Social Democracy and Social-Liberal Party Government: Parliamentary Republic Head of State: President Vladimir Voronin

Prime Minister: Vasile Tarlev Foreign Minister: Andrei Stratan

Membership of international groupings/organisations: United Nations, World Trade Organisation (WTO), Council of Europe, Commonwealth of Independent States (CIS), European Bank for Reconstruction and Development (EBRD), International Monetary Fund (IMF), Interpol, Organisation for Security and Cooperation in Europe (OSCE), NATO's Partnership for Peace, Stability Pact for South East Europe, GUAM, Central European Free Trade Area (CEFTA) (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

2.02 Formerly part of Romania, Moldova was incorporated into the Soviet Union at the close of World War II. Although independent from the USSR since 1991, Russian forces have remained on Moldovan territory east of the Dniester River supporting the Slavic majority population, mostly Ukrainians and Russians, who have proclaimed a "Transnistria" republic. One of the poorest nations in Europe, Moldova became the first former Soviet state to elect a Communist as its president in 2001. (CIA World Factbook, last updated 21 August 2008) [10a]

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GEOGRAPHY

2.03 Moldova is a landlocked country in Eastern Europe and borders Romania and Ukraine, while agreements with Ukraine allow Moldova to enjoy access to the Black Sea via a small portion of the Danube in Giurgiulesti. The terrain consists of rolling steppe with a gradual slope towards the Black Sea. Moldova has cold to moderate winters and generally warm summers. It has natural resources of lignite, phosphorites and gypsum. Rich black soils make it very suitable for agriculture. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

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RECENT HISTORY

2.04 Most of the territory of Moldova was before World War II the Romanian province of Bessarabia. It was annexed by the Soviet Union in 1940 and combined with

existing Soviet territory - an area on the left bank of the Nistru (Dniester) river, to which Stalin had given the status of autonomous region in 1924. The newly formed State was named the Moldavian Soviet Socialist Republic (MSSR), one of fifteen Soviet republics. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

2.05 As the political climate began to ease in the late 1980s under Gorbachev, nationalist stirrings began in Moldavia as well as in other republics of the Soviet Union. It became a strong trend by 1989, leading to a declaration of independence by the now renamed Moldova in August 1991. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

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TRANSNISTRIA

- 2.06 The population of the Transnistrian region is 40% Moldovan, 28% Ukrainian and 23% Russian. [Jane's Sentinel states the ethnic breakdown as 25 per cent Moldovan, 25 per cent Ukrainian, 23 per cent Russian and 27 per cent Bulgarian and other. [44a]] Much of the Russian population moved there from Russia in Soviet times as a workforce for the Soviet Republic's industries, many of which are located in this region. The region's leadership maintains close links with Russia: its 'President' Smirnov hails from Siberia, moved to Transnistria in 1987 and holds Russian citizenship. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 2.07 Following peace efforts by the Foreign Ministers of Moldova, Russia, Ukraine and Romania in April 1992, Presidents Yeltsin and Snegur signed an agreement in July 1992 confirming Moldovan territorial integrity and providing for the deployment of a tripartite Russian, Moldovan and Transnistrian peace-keeping force in Transnistria. They also agreed that a special status should be negotiated for Transnistria. However, no agreement on the status of Russian forces was ever formally concluded. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 2.08 In July 1994 the Moldovan parliament approved a constitution according to which Transnistria and Gagauzia would be granted a special status. In December 1994, after several months of negotiations, legislation was adopted and duly implemented on Gagauzia. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 2.09 ... in February 2003 the Moldovans and Transnistrians agreed to establish a Joint Constitutional Committee (JCC) to draft a new Moldovan constitution for a re-integrated state. The JCC has met regularly but progress has been slow. Deep differences remain on the fundamental questions of the structure of the federation and the relative powers of the entities. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 2.10 Progress since then has been limited, although the Ukrainian settlement proposal put forward in March 2005 has given some impetus to the process. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 2.11 The Ukrainians and Moldovans requested EU assistance in improving the transparency across the Ukraine/Moldova border. The EU has responded

positively to this request, and on 30 November 2005 launched a border mission to Moldova and Ukraine to help in efforts to address the security concerns associated with illegal trade across the border. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

Although unlikely to break out into violence again, the conflict is a concern for 2.12 Europe, especially given Moldova's position as a future neighbouring country of the enlarged EU. Not only is Moldovan territorial integrity undermined, but there are serious security concerns too (e.g. alleged arms smuggling to other regional conflicts and cigarette, people and drugs trafficking to the West). (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

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RECENT EVENTS AND POLITICAL DEVELOPMENTS

- In July 2000, the Moldovan parliament voted by a large majority to change the 2.13 constitution, ending direct presidential elections and creating a Parliamentary Republic. However, in December 2000 the first attempt by parliament to elect the president ended in disarray, resulting in the dissolution of parliament. In the subsequent February 2001 parliamentary elections, the Communist Party of Moldova won more than two-thirds of the seats in the parliament (50.2% of the vote) and elected party chairman Vladimir Voronin as the new President. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 2.14 Moldova held parliamentary elections on 6 March 2005, with the ruling Communist Party winning 46.1% of the vote, equivalent to 56 of the 101 seats in parliament. This was down from their previous majority of 71 and meant that they could not elect the President on their own (which requires 61 seats). The leaders of the two opposition parties which also won seats, the Democratic Moldova bloc (BMD) and Christian Democrats, both promised not to co-operate with the Communists. However, the BMD coalition fragmented after the election, with eight BMD deputies leaving to form the Democratic Party and a further three creating an informal parliamentary group. All 11 voted on 4 April for the incumbent President, Vladimir Voronin. The Christian Democrats also voted for Voronin, who ultimately won a total of 75 votes, securing his reelection as President. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

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ECONOMY

GDP: US\$ 2.988bn (2005); US\$ 3.356bn (2006) 2.15 **GDP per head:** US\$ 831 (2005); US\$ 936 (2006)

> **Annual Growth:** 4% (2006) and 5% forecasted growth for 2007 (IMF estimate) **Inflation (CPI end of period):** 4.4% (Official figure for 2002), and 15.7% for 2003

Major Industries: agro-foods, wines and beverages, textiles, metals, tobacco. vegetable oil, electrical appliances, shoes and leather products

Major trading partners: Russia, Romania, Ukraine, Germany, Italy, Russia,

the US, France and Spain are significant investors in Moldova

Exchange rate: (06 June 2007): 1 GBP = 24.50 Lei; US\$ 1 = 12.29 Lei; 1 EUR = 16.61 Lei [4a]

Exchange rate: £1 = 17.2607 MDL (XE.com, accessed 1 September 2008) [24]

2.16 Agriculture accounts for around one quarter of total GDP. The fertile soil of the river valleys supports wheat, corn, barley, tobacco and sugar beet, as well as beef and dairy cattle. Moldova is also well known for its vineyards and fruits. The country does not have significant mineral deposits, so has to import all of its supplies of oil, coal, and natural gas from Russia and Ukraine. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

- 2.17 As a legacy of the former USSR internal trade system, Moldova remains particularly dependent on Russia as a market for its agricultural products and for imports of energy and raw materials. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 2.18 In spite of macroeconomic improvement, Moldova remains the poorest country in Europe, with a significant external debt; The GDP per capita is significantly below the average for CIS and central European states. During the 1990s, Moldova drew heavily on multilateral lending, but the IMF and World Bank have periodically suspended lending over Moldova's failure to meet the necessary conditions. ... However in July 2003 the IMF announced that it was not continuing its financial package to Moldova, due to the Moldovan Government's failure to meet a number of requirements. Surprisingly, Moldova managed to do relatively well without external support, mainly due to significant remittances from Moldovans working abroad. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]

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3. Human Rights

OVERVIEW

3.01 The government generally respected the human rights of its citizens; however, security forces beat persons in custody and held persons in incommunicado detention [sic], prison conditions remained harsh, and security forces occasionally harassed and intimidated the political opposition. There were reports of judicial and police corruption, arbitrary detention by police, and occasional illegal searches. The government attempted to influence the media and intimidate journalists, maintained some restrictions on freedom of assembly, and refused official registration to some religious groups. Persistent societal violence and discrimination against women and children; trafficking in women and girls for sexual exploitation; discrimination against Roma; limits on workers' rights; and child labor problems were also reported. (USSD 2007, 11 March 2008) [2a]

- 3.02 In their 2007 Annual Report on Human Rights, the FCO noted that within the last year, Moldova had ratified the Optional Protocol to the UN Convention against Torture (OPCAT). Additionally, the Association for the Prevention of Torture (APT), the leading NGO working for the ratification and implementation of the convention, had delivered workshops in a number of countries, including Moldova. [4b] (p120)
- 3.03 For a country that is Europe's poorest nation, Moldova has achieved a creditable human rights record. Nevertheless, UN Committees on Human Rights, Racial Discrimination, Elimination of Discrimination Against Women and the Rights of the Child have all expressed concern at Moldova's human rights record in their respective areas and Moldova's first report to the Committee for Economic, Social and Cultural Rights was received 6 years late. There have been allegations of ill treatment and torture of suspects and prisoners by Moldovan police officers. There is also concern at the levels of corruption within the Moldovan police force and other areas of public life. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 3.04 The human rights situation in the secessionist Transnistria region is more worrying. Political and linguistic rights and freedom of expression are curtailed. The EU and OSCE have regularly called on the authorities to improve the human rights situation, including by granting a fair trial to Ilie Ilascu, imprisoned and facing the death sentence since the 1992 secessionist conflict. Mr Ilascu was finally released in May 2001, a move that was welcomed by the EU, the OSCE and the Council of Europe. The remaining two political prisoners (Andrei Ivantoc and Tudor Petrov Popa) were released in June 2007, only after fully executing their 15-years sentence in a Transnistrian prison. (FCO Country Profile: Moldova, last updated 27 June 2008) [4a]
- 3.05 Torture and ill-treatment remained widespread and victims had great difficulty in pursuing their complaints and getting redress. Despite efforts by local and international organizations to publicize the dangers of trafficking, Moldovan men, women and children continued to be trafficked, and prosecutions for trafficking were hampered by inadequate witness protection. The state imposed limitations on freedom of expression. (Amnesty International 2008 Annual Report, covering events of 2007) [11a]

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POLICE ABUSE OF SUSPECTS AND DETAINEES

- 3.06 The national police force is the country's primary law enforcement body. It is subdivided into regional and city police commissariats, which are subordinated to the Ministry of Interior. Police corruption remained a problem.
 - The Office of the Prosecutor General is responsible for investigating police activities. However, staff of the prosecutor's office stated that the Ministry of Interior often ignored, or only superficially examined, their reports of violations by police. An internal affairs unit that reported to the ministry investigated incidents of impunity and corruption. (USSD 2007, 11 March 2008) [2a]
- 3.07 On September 17, the Department of Penitentiary Institutions announced that three prison guards were summarily dismissed for inhuman treatment or torture of prisoners. There were no developments in the government's investigation into the July 2006 death of a pretrial detainee in a hospital after being beaten by a group of police officers. (USSD 2007, 11 March 2008) [2a]
- 3.08 The law prohibits arbitrary arrest and detention; however, in practice authorities did not observe these prohibitions. In contrast with 2006, there were no reports of arbitrary arrest and detention. (USSD 2007, 11 March 2008) [2a]
- 3.09 The law allows judges to issue arrest warrants based on evidence from prosecutors. Authorities must promptly inform detainees why they were arrested and describe the charges against them. Suspects may be detained without charge for 72 hours. The law provides accused persons the right to a court hearing; however, these rights were not always respected in practice. (USSD 2007, 11 March 2008) [2a]

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PRISON OVERCROWDING

- 3.10 Conditions in most prisons, including those administered by Moldovan authorities and those in the separatist Transnistria region, remained harsh, dangerously overcrowded and in some instances life threatening. Cell sizes did not conform to local legal requirements or international standards. The incidence of malnutrition and disease, particularly tuberculosis, was high in all prisons. Conditions were particularly harsh in pretrial and presentencing facilities. (USSD 2007, 11 March 2008) [2a]
- 3.11 According to news reports during the year, inmates in Balti Prison were each allotted two square meters (approximately 36 square feet) of space. Juveniles were held together with adults, and all prisoners suffered from poor ventilation and low-quality food; 31 prisoners were diagnosed with HIV/AIDS.

The Bender prison, which is controlled by the government and housed 108 inmates, remained disconnected from municipal water, sewage, and electricity. A generator supplied electricity for four hours a day, and water was supplied in buckets. (USSD 2007, 11 March 2008) [2a]

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VIOLENCE AND DISCRIMINATION AGAINST WOMEN

3.12 Domestic violence against women and spousal abuse remained a widespread problem; however the law does not specifically address or define domestic assault.

Women's groups continued to assert credibly that incidents of spousal abuse were underreported. According to the Ministry of Interior, 2,519 cases of spousal abuse were reported during the year; in 2006 2,855 domestic violence complaints were reported. However, the actual numbers were believed to be much higher.

The government supported education efforts, usually undertaken with foreign assistance, to increase public awareness of domestic violence and to train public and law enforcement officials to address the problem. The city of Chisinau operated a women's shelter for victims of domestic violence. Private organizations operated services for abused spouses, including a hotline for battered women.

Prostitution is not criminalized; however, pimping is a crime with penalties ranging from two to seven years in jail. Prostitutes may be penalized under civil law with fines or administrative detention of up to 30 days. Prostitution was widespread, and observers noted that sex tourism continued to grow, particularly in upscale hotels in Chisinau.

Trafficking in women for commercial sexual exploitation was a serious problem. (USSD 2007, 11 March 2008) [2a]

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CHILD ABUSE

- 3.13 The Republic of Moldova is a signatory to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (8 February 2002) and ratified it on 6 February 2004. (UN Committee on the Rights of the Child, Moldova, 8 July 2008) [6h] (p2)
- 3.14 Extensive legislation protects children, and the government provided supplementary payments for families with many children; however, conditions for children in the country remained difficult. (USSD 2007, 11 March 2008) [2a]
- 3.15 The law prohibits child neglect and specific forms of abuse, such as forced begging; however, child abuse was believed to be widespread. No government statistics were available on the extent of the problem. In 2006 the NGO National Center for Child Abuse Prevention reported that it registered 116 cases of abuse.

Trafficking of children for the purpose of sexual exploitation and begging remained a problem. (USSD 2007, 11 March 2008) [2a]

3.16 Conditions for children in orphanages and other institutions remained generally very poor. Underfunding caused major problems such as inadequate food, 'warehousing' of children, lack of heat in winter, and disease. In its 2006 report, the MHRC stated that 85 percent of 10,350 institutionalized children were not orphans; one or both parents were living, and had entrusted their children to institutions because of poverty or departure to work abroad. (USSD 2007, 11 March 2008) [2a]

3.17 Child labor was a problem. Because of poor economic conditions, parents often sent children to work in fields or to find other work, and those children living in rural areas often assisted in the agricultural sector. According to a report issued during the year by the International Labor Organization, two-thirds of rural children were engaged in farm work by the age of 14. (USSD 2007, 11 March 2008) [2a]

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TRAFFICKING

- 3.18 The Freedom House 2008 report, published August 2008 stated: "Moldova remains a major source for women and girls trafficked to other countries for the purpose of forced prostitution." [22a]
- 3.19 In their 2007 Annual Report on Human Rights, the FCO noted: "Romania is a source and transit country (mainly from Ukraine and Moldova) for people-trafficking." [4b] (p64)
- 3.20 The USSD Trafficking in Persons report, published 4 June 2008, commented:

"Moldova is a major source, and to a lesser extent, a transit country for women and girls trafficked for the purpose of commercial sexual exploitation. It is estimated that slightly more than one percent of the approximately 750,000 Moldovans working abroad are trafficking victims. Moldovan women are trafficked to Turkey, Russia, the U.A.E., Ukraine, Israel, Cyprus, Greece, Albania, Romania, Hungary, Slovakia, the Czech Republic, Italy, France, Portugal, Austria, and other Western European countries. Girls and young women are trafficked within the country from rural areas to Chisinau. Children are also trafficked for forced labor and begging to neighboring countries. Labor trafficking of men to work in the construction, agriculture, and service sectors of Russia is increasingly a problem. The small breakaway region of Transnistria in eastern Moldova is outside the central government's control and remained a significant source and transit area for trafficking in persons.

"The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the new government has shown initial political will very recently, it was insufficient to make up for inadequate action in the remainder of the March 2007 – March 2008 reporting period, particularly the lack of follow-up on cases of alleged complicity of government officials in trafficking in persons cited in the 2007 Report. While there were a few modest positive developments over the past year – the number of trafficking investigations increased, the government hired social workers to focus on vulnerable populations, and a pilot program for the referral of trafficking victims to protective services continues to develop –

the government's lack of visible follow-up on allegations of government officials complicit in trafficking in persons greatly offset the aforementioned gains. The government approved a 2008-2009 antitrafficking national action plan on March 19, 2008, and while it allocated funds for 2008 and sustained cooperation with NGOs during the reporting period, it did not demonstrate proactive efforts to identify trafficking victims." [2d]

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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

3.21 The USSD report for 2007 noted: "There were reports of governmental and societal discrimination based on sexual orientation. According to the gay-rights NGO GenderDoc-M, lack of community recognition, negative media portrayals, and condemnation by the Orthodox Church often led to public ostracism of gays, lesbians, and their families. On April 11, Chisinau municipal authorities refused permission to GenderDoc-M to hold a demonstration calling for legislation to bar discrimination on the basis of sexual orientation.

In Transnistria homosexuality was illegal, and gays and lesbians were subject to governmental and societal discrimination. (USSD 2007, 11 March 2008) [2a]

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ETHNIC GROUPS

3.22 Roma suffered violence, harassment, and discrimination.

Roma NGOs reported that Roma are denied medical services, are told that promised jobs are already filled when they report to employment centers, and are subjected to arbitrary arrests. The Roma were the poorest of the minority groups and continued to live in unsanitary conditions in segregated communities lacking basic infrastructure. These conditions often led to segregated education and schools with even fewer resources than existed elsewhere in the country. Many Romani children did not attend school, very few received a secondary or higher education, and no Romani-language education was provided. Roma NGO groups stated that 80 percent of Roma children were illiterate.

Official statistics put the number of Roma at 11,600. However, Romani NGOs estimated it to be 200,000, arguing that government census forms allow only one choice to identify one's ethnic group, and that many Roma are unwilling to identify themselves. (USSD 2007, 11 March 2008) [2a]

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4. Index to key source documents

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KEY FACTS AND GEOGRAPHY	[1a]	Europa World Online, Moldova: Country Profile, Location, Climate, Language, Religion, Flag, Capital (accessed 4 September 2008) http://www.europaworld.com/pub/
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	[2a]	United States Department of State, Report on Human Rights Practices – 2007: Moldova, released 11 March 2008 http://www.state.gov/g/drl/rls/hrrpt/2007/100573.htm
	[2c]	United States Department of State, Background Note: Moldova, last updated June 2008 http://www.state.gov/r/pa/ei/bgn/5357.htm
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	[7b]	BBC Timeline: Moldova, last updated on 10 July 2008 http://news.bbc.co.uk/1/hi/world/europe/country_profiles/1113 586.stm
	[22a]	Freedom in the World 2008: Moldova http://www.freedomhouse.org/template.cfm?page=363&year=2008&country=7449
	[22b]	Freedom in the World 2008: Transnistria [Moldova] http://www.freedomhouse.org/template.cfm?page=22&year=2 008&country=7536
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	[2a]	United States Department of State, Report on Human Rights Practices – 2007: Moldova, released 11 March 2008 http://www.state.gov/g/drl/rls/hrrpt/2007/100573.htm
	[2c]	United States Department of State, Background Note: Moldova, last updated June 2008 http://www.state.gov/r/pa/ei/bgn/5357.htm
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	[11a]	Amnesty International (AI) report 2008: Moldova, covering events from January to December 2007, published 28 May 2008 http://thereport.amnesty.org/eng/regions/europe-and-central-asia/moldova
	[22a]	Freedom in the World 2008: Moldova http://www.freedomhouse.org/template.cfm?page=363&year=2008&country=7449
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	[4a]	FCO, Country Profile: Moldova, last updated 27 June 2008 http://www.fco.gov.uk/en/about-the-fco/country-profiles/europe/moldova
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