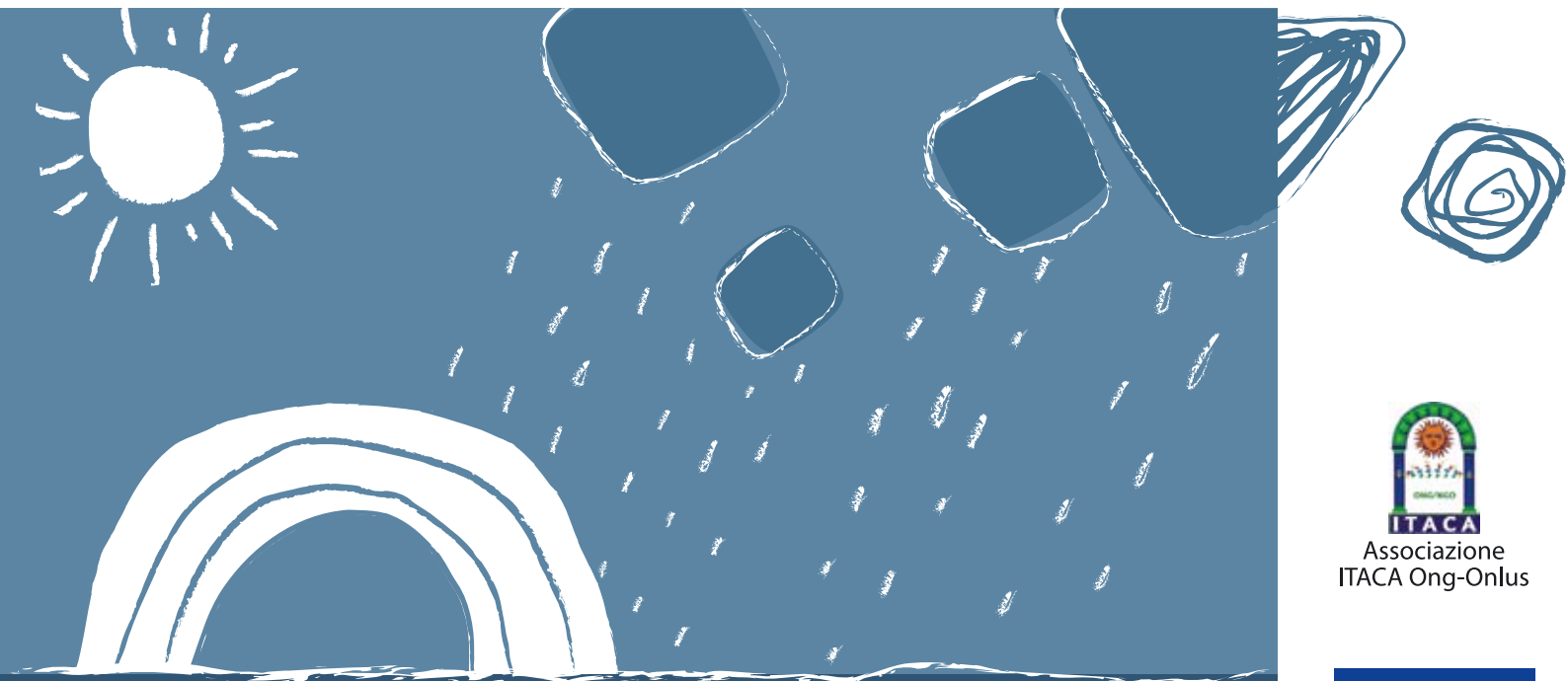


2010

Overview of the child trafficking phenomenon in the Republic of Moldova



Associazione
ITACA Ong-Onlus



**OVERVIEW OF THE CHILD
TRAFFICKING PHENOMENON
IN THE REPUBLIC OF MOLDOVA
2010**

Distributed free of charge



CONTENTS

The present study was conducted and published in the course of a project entitled “Additional measures to fight child trafficking in Moldova” implemented from grant of the European Union within the framework of a campaign entitled “Support to actions aimed at preventing harm to children affected by armed conflicts and at fighting against child trafficking and rehabilitating victims”. The specified project was conducted by the International Center for Women Rights Protection and Promotion “La Strada”, Moldova, in cooperation with Italian non-governmental organization — Associazione ITACA Ong-Onlus. The research results outlined in the present publication, interpretation of facts, judgments and conclusions reflect the authors’ point of view, are the responsibility of the International Center “La Strada” and Associazione ITACA Ong-Onlus, and under no circumstances shall be deemed to reflect the opinion of the European Union.

Author and editor:

International Center for Women Rights Protection and Promotion “La Strada”

Authors:

Viorelia Rusu, Tatiana Fomina

All rights reserved. Separate materials of the present publication can be copied and reproduced free of charge without prior consent of the authors solely for educational, scientific and other purposes, not pursuing profit, provided that names of the authors and the source of information are indicated.

For additional information related to the present publication please contact:

International Center “La Strada”
P.O.Box 259, Chisinau, MD-2012, Moldova
Tel.: (+373 22) 234906
Fax: (+373 22) 234907
e-mail: office@lastrada.md
<http://www.lastrada.md>

Design and layout: IMAGO

FOREWORD	5
ACKNOWLEDGEMENTS	7
1. SCOPE OF THE STUDY	
1.1. Aims, objectives и methodology of the study	9
1.2. Terminology and working definitions	12
2. PARTICULARITIES AND SCALE OF CHILD TRAFFICKING PHENOMENON IN THE REPUBLIC OF MOLDOVA	
2.1. Short historical background	15
2.2. The scale of child trafficking phenomenon	17
2.3. Reasons of child trafficking phenomenon latency	25
2.4. Particular characteristics of domestic child trafficking	28
2.5. Average portrait of a child-victim of trafficking in children	33
3. MECHANISM OF CHILD TRAFFICKING	
3.1. Recruitment	39
• Average portrait of a recruiter	39
• Places of recruitment	40
• Methods of recruitment	41
3.2. Transportation, transfer и harbouring	44
• Methods of border-crossing	44
• Modes of transport used for transportation	46
• Transfer-reception and harbouring	46
3.3. Exploitation	47
• Destination countries	47
• Forms of exploitation	48
• Exploitation conditions	51
• Methods of influence used in exploitation	52
4. MANIFESTATION OF CHILD SEX-TOURISM PHENOMENON IN THE REPUBLIC OF MOLDOVA	57
CONCLUSIONS AND RECOMMENDATIONS	67



FOREWORD

Child trafficking is a serious problem of the present-day world, which constitutes a danger to recognised democratic values. In spite of existing numerous prohibitions and measures taken, slave trade that has existed since ancient times did not disappear from the face of the earth, but assumed and continues assuming new forms. This happens both under the influence of a number of objective processes emerging in the global community — globalisation, increase of human mobility, information support etc, and because of the slave traders' seeking to escape the field of vision of control agencies. Nowadays, children are still used as a simple object of purchase and sale; they are forced to work in sex industry and other sectors of grey economy in different countries; they are exploited as domestic servants, used for illicit gain as beggars, as suppliers of organs for transplantation, in criminal activity, in armed conflicts etc.

To organise efficient actions against this shameful global phenomenon, it is necessary to know all its aspects, factors of influence, as well as development trends. In spite of the fact that a great number of studies have been conducted in different countries and regions of the world with the aim of examination of the child trafficking

phenomenon, some of its aspects and scale still remain unclear. In the first instance, this is related to this phenomenon's latency. Moreover, the child trafficking phenomenon is often addressed within a more general topic of human trafficking, and researchers use different approaches to conceptualise such notions as "human trafficking" and "child trafficking" — something that affects these studies' conclusions. Results of the studies are also conditioned by a limited time period, and the phenomenon itself is unstable — it is subject to influence of numerous factors.

The present study represents an attempt to present qualitative, as well as some quantitative characteristics of the child trafficking phenomenon in the Republic of Moldova. The study report includes information about the average portrait of a victim of child trafficking, factors that increase child vulnerability to involvement into child trafficking situations, main characteristic features or elements of a child trafficking crime identified — peculiarities of recruitment, transportation, forms of exploitation and criminal methods of influence/control used against children. In the study report, existing models of child trafficking are presented both at the transnational level where children-citizens of the Republic of Moldova

become subjects of exploitation in other countries, and child trafficking inside of the country. Besides, the report reflects some new trends in the evolution of the child trafficking phenomenon, and gives an analysis of its relation to the phenomenon of child sex-tourism that emerged recently in Moldova.

We hope that the present report will become useful for many representatives of the professional community interested in the problems of children, and will help to raise the efficiency of efforts to overcome these problems that are undertaken at the national and transnational levels.



ACKNOWLEDGEMENTS

We thank specialists of state, non-governmental and intergovernmental organisations that assisted us in conducting this study:

- Viorel Ciobanu, General Prosecutor's Office of the Republic of Moldova;
- Nicoletta Canter, NGO "Medecins du monde" (Balti);
- Petru Boghean, Iurii Podarilov, Alexandru Besleaga and Iurie Slivciuc, Center to Combat Trafficking in Persons of the Ministry of Interior of the Republic of Moldova;
- Tatiana Moca and Natalia Rotaru-Sirbu, NGO "Child, Society, Family" (Chisinau);
- Valeriu Bobutac, Chief Police Commissariat, Chisinau;
- Olga Dotin, Centre "Sotis" (NGO, Balti);
- Diana Donoaga, Ministry of Labour, Social Protection and Family;
- Oxana Alistratova, Natalia Savcina and Elena Rezvanova, NGO "Interaction" (Tiraspol);
- Liubov Popov, Regional Department of Social Assistance and Protection of Family (Causeni);
- Oxana Egorova, NGO "Perspective" (Ribnita);
- Marina Popovici, Department of Minors and Morality of the Ministry of Interior of the Republic of Moldova;
- Daniela Simboteanu and Rodica Coretchi, Center "Amicul" (NGO, Chisinau);
- Stella Rotaru, International Organisation for Migration, Mission in Moldova (Chisinau);
- Natalia Codreanu, Renal Foundation (NGO, Chisinau).
- Lidia Gorceag, Valentina Seuta and Nadejda Radu, Centre for Assistance and Protection of Victims and Potential Victims of Trafficking of the Ministry of Labour, Social Protection and Family (Chisinau);
- Anna Gobjila, Centre of Temporary Accommodation of Children "Small Group Home" (NGO, Chisinau);
- Antonina Comerzan, "Terre des hommes" Foundation, Mission to Moldova;
- Lilia Borzin, Centre for Prevention of Trafficking in Women (NGO, Chisinau);
- Ion Oboroceanu, Law Centre (NGO, Causeni).



1. SCOPE OF THE STUDY

1.1. Aims, objectives and methodology of the study

The goal of the present study is to examine the child trafficking phenomenon in the Republic of Moldova, its qualitative and some quantitative characteristics, as well as trends of evolution over the recent years. The study's objectives included examination of:

- different aspects of the child trafficking phenomenon inside the country at the transnational level;
- average portrait of child-victims of human trafficking, as well as factors that increase child vulnerability to involvement into child trafficking situations;
- methods of recruitment and average portrait of recruiters;
- methods of taking children out of the country, destination countries and modes of transport used;
- forms of exploitation and criminal methods of influence on victims used by exploiters.

In the context of new information on cases of child sex-tourism in the Republic of Moldova, a decision

was made to include objectives examination of manifestations of this phenomenon and its possible relation to the child trafficking phenomenon in the present study.

Methodology of the study included several stages. First, a preliminary secondary analysis was performed in available international and national legal documents and studies, as well as other materials on the problem of child trafficking, child sex-tourism and related issues. Then, based on the results of this analysis, approaches to the concept of the study and methods of data collection were chosen.

For the purpose of data collection, a complex approach was used that allowed taking account of a wide range of opinions of a big number of professionals and statistical data on the range of problems, as also flexible methods based on combination of quantitative and qualitative methods of analysis were chosen. Due to latency of the studied phenomena, qualitative methods of analysis were mainly used, especially for issues of child sex-tourism.

The following methods of primary data collection and processing were used:

- a) analysis of statistical data of different organisations-participants of actions against human trafficking;
- b) analysis of real cases of child trafficking and child sex-tourism;
- c) semi-structured interviews with professionals from different organisations – experts in this range of problems.

It should be noted that initially according to the plan of the study structured interviews with of child-victims of human trafficking and child sex-tourism were supposed, as such children are a valuable source of information about the studied phenomena. However, assessment of possible risks and limitations related to use of this methodology for data collection showed that it should not be used. First of all, conducting such interviews involves remembrances about traumatic events in the children's life, something that can evoke secondary victimisation of victims, even if these interviews are conducted with all the necessary precautions, procedures, ethical rules and recommendations from professionals. Moreover, the policy of most organisations that render direct assistance to child-victims does not allow participation of beneficiaries in study projects, which seriously restricts access to such sources of information. Further, allowance should be made for possible influence on the results of the interview survey of such a factor as the time gap between the moment of interview and the moment of involvement of the interviewed child into the situation under study. Thus, taking into consideration the highest interest of a child

and the interests of the study itself, a decision was made to limit the scope of the study to an analysis of information already available to researchers related to real cases of child trafficking.

Analysis of statistical data of different organisations

For the purpose of quantitative analysis of the child trafficking phenomenon in Moldova, a method of secondary analysis of reports on other studies in this field was used, as also statistical data about the number of child trafficking cases:

- General Prosecutor's Office of the Republic of Moldova;
- International Organisation for Migration, Mission in Moldova;
- International Center "La Strada" and other organisations.

It is worth to be noticed that in Moldova there is no common database on cases of human/child trafficking and authentic statistics that could entirely describe the specific character of human and child trafficking phenomena.

Analysis of real cases of child trafficking and child sex-tourism

A computer database of real cases of human trafficking and child sex-tourism of the International Center "La Strada", was used for the purpose of this analysis. The decision to use a database of cases of human trafficking that belongs to one organisation is conditioned by the fact that there is no common database of cases of human trafficking in Moldova. A number of organisations accumulate data on

this problem, but every organisation collects data and maintains statistical accounts in its own way proceeding from its own objectives. Besides, each victim of child trafficking is referred to various organisations for different kinds of assistance and one and the same person is registered in statistical data of each organisation. All this causes puts significant obstacles in the way of comparison, processing and analysis of information.

The following have been chosen from the database of the International Centre "La Strada":

- 105 individual structured interviews with child-victims of human trafficking, and
- 25 interviews with victims/presumed victims of child sex-tourism.

The interviews were conducted by professionals of the International Center "La Strada", on the basis of a questionnaire composed of 20 questions, and were accurately recorded. It is necessary to point out that these interviews were conducted by trained specialists and their main objective was to identify immediate needs of each child-victim to ensure access to specialised assistance. On completion of interviews, all children received necessary assistance from different state, non-governmental and intergovernmental organisations specialised in assistance and protection of children in difficult situations. Often, it was not possible to gather all the necessary information for the questionnaire during the first interview. In most cases, the information was collected and entered into a special database in stages — in the period of providing assistance while a physiological contact was established and the child was predisposed to provide this

data to the interviewer. Therefore, the main criterion of the sample was availability of full information on relevant case in the questionnaire. In processing, all the data collected by our organisation for statistical and scientific purposes was depersonalised. All the names of children mentioned in the report are false.

Pursuing the subject of **limitations** of this study, it is also necessary to keep in mind that the selected 105 interviews with victims of child trafficking were conducted through a rather long period of time — from 2001 to 2009. As far as this circumstance presupposes a certain sampling error, this was especially addressed in data analysis and interpretation. Conclusions drawn from the analysis of interviews with child trafficking victims were discussed with specialists of other organisations and adjusted taking into account their opinions.

As regards the cases of child sex-tourism, account should be taken of the fact that this phenomenon started to manifest itself in Moldova relatively recently, there are not so many cases identified so far, therefore, the results of processing of available information can be unrepresentative.

Besides, it is necessary to note that in the sample and in the report, only transnational cases of child trafficking are presented when Moldova was a country of origin, which is most characteristic for our country. Although in different sources on these problems, emergence of several cases of human trafficking is registered where Moldova acts as a country of transit and even a country of destination in human trafficking; such cases are not specific for our country and remained beyond the scope of this study.



Interviews of experts on the problems

The methodology of the present study included a method of interviewing experts in the problems based on a semi-structured interview guide. Experts' answers were either voice-recorded or put on paper in order to register the unique information that the experts possess. The results of interviews with experts are given in the present report.

Interviews were conducted with a total of 30 professionals from 19 different state, nongovernmental and intergovernmental organisations that are actively involved in action against child trafficking in Moldova. Most of the interviewed professionals in the field of their activity have experience of direct communication with child-victims; these are social assistants, psychologists, law-enforcement officers of specialised nongovernmental organisations, International Organisation for Migration etc. Semi-structured interviews with the listed professionals were conducted in December, 2009.

1.2. Terminology and working definitions

The terminology used in the present report is mostly taken from civil and criminal law of the Republic of Moldova in the field of human/child trafficking and related issues, as well as from the Decision of the Plenum of the Supreme Court of Justice of the Republic of Moldova on Application of Legislative Provisions in Cases of Trafficking in Human Beings and Trafficking in Children №37 of 22.11.2004, adopted for the purpose of ensuring correct and uniform application of legislation in the field of human and child trafficking in our country.

Below are given the definitions of the terms used in this report. For some terms, except for direct extracts from the sources mentioned above, additional explanations of their meanings on the basis of special juridical publications on the problematic are given. Moreover, for several terms working definitions are used in order to avoid double renvois to other regulatory acts or for more detailed explanation of the meaning.

Human trafficking — recruitment, transportation, transfer, harbouring or receipt of persons for the purpose of commercial or non-commercial sexual exploitation, exploitation of forced labour or services, exploitation in slavery or conditions similar to slavery, use in armed conflicts or criminal activity, removal of organs or tissues for transplantation by means of threat of use or use of physical or psychological violence, which is not detrimental to the life and bone of a person, including means of abduction, suppression of documents and keeping in servitude for the purpose of repaying of an unreasonable amount of debt; deception; abuse of vulnerability or authority, giving or receiving of payments or benefits to achieve the consent of a person having control over another person, with force, which is detrimental to the life, physical and mental health of a person; with use of tortures, inhuman or degrading treatment for the purpose of obedience of a person, or rape, use of physical dependence, arms, threat of disclosing confidential information to family or other persons, and other means.¹

It should be noted that according to the definition, human trafficking represents a combination of three groups of elements:

- a) actions (recruitment, transportation, transfer, harbouring or receipt of a person);
- b) methods of influence (threat of use or use of violence, abduction, suppression of documents etc.) and
- c) objectives (different forms of exploitation).

Trafficking in human beings represents exactly a combination of the three mentioned elements, but not each of them taken separately.²

Child trafficking — recruitment, transportation, transfer, harbouring or receipt of a child, as well as giving or receiving of payments or benefits to achieve the consent of a person having control over a child, perpetrated with the scopes as follows: commercial or non-commercial sexual exploitation in prostitution or porno industry; exploitation of forced labour or services; exploitation in slavery or under conditions similar to slavery, including such in cases of illegal child adoption; use in armed military conflicts; use in perpetrating acts of crime; removal of organs or tissues for transplantation purposes; leaving a child abroad; and the same actions related to: use of physical or psychological violence against a child; sexual abuse against a

child, commercial and non-commercial sexual exploitation; use of torture, inhuman and degrading treatment with the aim of obedience of a child or rape, use of physical dependence, arms, threat of disclosing confidential information to family of a child or to other persons; exploitation in slavery or conditions similar to slavery, use in armed conflicts, removal of organs or tissues for transplantation.³ Recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in children even in the case when some of the specified means of influence were not used.

Child /minor — a person aged under 18 years.⁴

Recruitment — involvement of persons by means of selection in a situation of trafficking in human beings. Includes actions aimed at concluding an agreement between parties that one of the parties undertakes to fulfil certain work/services on certain conditions, for certain fees, at a certain place etc., while the other party undertakes to render assistance (assistance in making arrangements to reach place of destination of work etc.) and/or to pay out for that certain amount of money.

¹ Decision of the Plenum of the Supreme Court of Justice of the Republic of Moldova on Application of Legislative Provisions in Cases of Trafficking in Human Beings and Trafficking in Children №37 of 22.11.2004 Bulletin of the Supreme Court of Justice of the Republic of Moldova, 2005, № 8

² See <http://www.coe.int>. Explanatory Report to the Council of Europe Convention on Action against Trafficking, para 74 and 75.

³ Decision of the Plenum of the Supreme Court of Justice of the Republic of Moldova on Application of Legislative Provisions in Cases of Trafficking in Human Beings and Trafficking in Children № 37 of 22.11.2004. Bulletin of the Supreme Court of the Republic of Moldova, 2005, № 8.

⁴ Law of the Republic of Moldova on Prevention and Combating of Trafficking in Human Beings № 241-XVI of 20 Oct 2005. (Official Monitor of the Republic of Moldova, 2005, № 164-167, p. 812).

Transportation — transfer of a person from one place to another on the territory of a state or abroad, by feet, or using different transport means.⁵

Transfer — is transfer of the victim by one person to another one on the basis of sale-purchase, exchange, rent, transfer on account of debt, donation or on the basis of other similar onerous or gratuitous transactions.⁶

Harbouring — is placement of the victim in a secret place as to avoid disclosure thereof by law-enforcement authorities or the third persons able to report the trafficker.⁷

Receipt of a victim — is receiving of the victim by one person from another person on the basis of sale-purchase, exchange, rent, transfer on account of debt, donation or on the basis of other similar onerous or gratuitous transactions.⁸

Sexual exploitation — coercion of a person to prostitution or other sexual activity. Commercial sexual exploitation implies profitable activity, as a result of which property assets of executor or

other persons increase due to compulsory use of the victim in prostitution or pornographic industry. Non-commercial sexual exploitation implies activity, which does not influence directly onto the size of assets owned by the perpetrator of such action or by other persons, which manifests itself through marriage (including polygamy), concubinage or other such types of cohabitation etc.⁹

Victim of human/child trafficking — individual that suffered as a result of human/child trafficking.

Human/child trafficker — a person involved in organisation and realisation of human/child trafficking.

Child sex-tourism — commercial sexual exploitation of children by people travelling from one territory to another and having sexual relations with children.¹⁰ Likewise child trafficking, thrives through economic inequality of countries.

Pimping — inducement or persuasion into prostitution, or facilitation of prostitution, or receiving profits from prostitution of other person.¹¹

⁵ Decision of the Plenum of the Supreme Court of Justice of the Republic of Moldova on Application of Legislative Provisions in Cases of Trafficking in Human Beings and Trafficking in Children № 37 of 22.11.2004. Bulletin of the Supreme Court of the Republic of Moldova, 2005, № 8.

⁶ Decision of the Plenum of the Supreme Court of Justice of the Republic of Moldova on Application of Legislative Provisions in Cases of Trafficking in Human Beings and Trafficking in Children № 37 of 22.11.2004. Bulletin of the Supreme Court of the Republic of Moldova, 2005, № 8.

⁷ Ibidem.

⁸ Ibidem.

⁹ Ibidem.

¹⁰ Questions and answers on commercial sexual exploitation of children. ECPAT International, 2008, p. 13.

¹¹ p. 220 of the Criminal Code of the Republic of Moldova.

¹² Traficul de Fiiințe Umane în Sud-Estul și Estul Europei. Probleme și perspective [Trafficking in Human Beings in South-Eastern and Eastern Europe]. ARIADNE Network against trafficking in human beings in South Eastern and Eastern Europe, 2006, p. 83. For the electronic version of the edition in the Romanian language please visit <http://www.lastrada.md/publicatii>



2. PARTICULARITIES AND SCALE OF THE CHILD TRAFFICKING PHENOMENON IN THE REPUBLIC OF MOLDOVA

2.1. Short historical background

The first years of establishment of the Republic of Moldova, a young and independent state that emerged in 1990 in the post-soviet space, were accompanied by an economic crisis, an armed conflict in the Transnistrian region, a high level of unemployment, mass impoverishment of the population and exodus of a significant part of labour force to other countries in search for jobs and means of survival. The possibility of relative freedom of movement through countries and continents in a search of better life that appeared after the collapse of the Soviet regime for the citizens of Moldova had basically positive consequences. Most labour migrants managed to increase the standard of well-being of their families, to acquire housing, improve nutrition, raise children education expenditures, and simply learn more about life in other countries. But the initiate massive migration brought about not only positive effects.

In the 90s, most of the population of Moldova, especially in the rural area, not only did not have any personal experience of travelling abroad, but also any clear understanding of realities of life in other countries, or possibilities of departure from the country or legal employment abroad.

It made them vulnerable to doubtful migration organisation proposals coming from various dealers, and even organised crime, often covered by official firms. As a result, a part of Moldovan migrants stayed in countries of destination illegally being engaged in the informal sphere of the labour market, as well as outside of the market, i.e. marginal and even criminal sphere. Such a state of things facilitated emergence of cases of sexual and labour exploitation of migrants from Moldova, similarly to migrants from other countries, in the territory of the former Soviet Union.

In late 90s, talks about incidence of human trafficking phenomenon, including children became increasingly frequent on the international arena. Citizens of Moldova also became victims of this appalling phenomenon. Moldova found itself spoken about as the poorest country of Europe, a supplier of human commodity to more economically developed countries. At that time it was noted that victims of human trafficking were mostly women and children. Most of the time, victims of human trafficking were individuals, but there was evidence of cases when subject to human trafficking were families — mothers with children.¹² At that time, sexual exploitation and coercion to begging were marked as main forms of exploitation of Moldovan citizens.

Later, there emerged cases of exploitation of forced labour in agriculture, in housework, trade, as well as cases of coercion to criminal activity. Many victims were exposed to several forms of exploitation: combination of sexual and labour exploitation, labour exploitation and begging, sexual exploitation and begging.¹³ Cases of human trafficking were identified where victims were men, most often exposed to exploitation in construction. Destination countries' geography grew steadily. According to the Regional Research Centre of the International Organisation for Migration in the period of 2000–2004, the citizens of Moldova were exposed to exploitation in 32 countries globally.¹⁴

Starting from 2003, both transnational and domestic cases of human/child trafficking in Moldova started emerging,¹⁵ when citizens of the Republic of Moldova were exposed to recruitment, transportation and exploitation — successive stages of human trafficking inside the country.

The Republic of Moldova recognised the existence in the country of the problem of human trafficking, including child trafficking, and, starting from 2001, the leadership of the country starting undertaking active measures against this phenomenon. It should be noted that the phenomenon of child trafficking

is mainly viewed by Moldovan leadership in the framework of a broader phenomenon of human trafficking, therefore the adopted legislative, organisational, administrative and other measures are aimed at actions against human trafficking, including child trafficking.¹⁶ But unfortunately, the problem still remains challenging for the Republic of Moldova.

According to the data of the latest report of the US Department of State "Trafficking in Persons Report" for 2008,¹⁷ which is annually presented to the US Congress and reflects the problems caused by human trafficking globally, as well as efforts of governments in combating this phenomenon, the Republic of Moldova remains a source country of human trafficking. To a lesser extent, Moldova is a country of transit and destination for women and young girls exposed to human trafficking for the purpose of commercial sexual exploitation and men exposed to human trafficking for the purpose of forced labour. Moldovan women are exposed to human trafficking mainly in Turkey, Russia, Cyprus, UAE, and in other countries of the Middle East and Western Europe. The present report also shows existence of cases of child trafficking from Moldova to nearest countries for the purpose of coercion to begging, as also cases of domestic child trafficking when girls and young women from countryside

¹³ Second Annual Report on Victims of Trafficking in South-Eastern Europe, 2005. County report, the Republic of Moldova. IOM, Geneva, 2005, p. 4.

¹⁴ Ibidem.

¹⁵ ILO-IPEC, Rapid Assessment on Trafficking in Children for Labour and Sexual Exploitation in Moldova, 2003, p. 1.

¹⁶ For detailed information on action to combat trafficking in the Republic of Moldova please see in the materials of the International Conference "National Referral Mechanisms for the assistance and protection of trafficked persons — theory and practice", 21–22 Oct 2008, p. 26. Electronic version of the report in the Romanian, Russian and English language can be downloaded at: http://www.lastrada.md/publicatii/ebook/CIMN_machet_eng.pdf

¹⁷ U.S. Department of State, "Trafficking in Persons" Report, 2009, p.209. Can be downloaded from the Internet: <http://www.state.gov/g/tip/rls/tiprpt/2009>



were recruited and transported for sexual exploitation to the capital of Moldova — Chisinau.

According to one of the studies of the International Centre "La Strada", basically, the social basis for human trafficking in Moldova serve poor young women from the countryside, without any profession or job.¹⁸ But poverty and lack of employment perspectives is not the only explanation for the spread of the human trafficking phenomenon, including child trafficking in Moldova. According to the same study, a high-risk group of children that can be exposed to trafficking includes children-orphan and children from incomplete families. If these children remain without parents' supervision and are transferred to boarding schools, they become even more attractive for child traffickers. As a rule, fosters of boarding schools do not have essential skills and bad orientation skills in life realia outside boarding schools where they were brought up. They have nobody to consult in making decisions about leaving abroad, and in the case of disappearance of such a child, nobody looks for him.

As "pushing out" or facilitating factors of human trafficking, including child trafficking, professionals note violence in families, as also the problem of corruption recognised by the Government of Moldova.¹⁹

2.2. The scale of the child trafficking phenomenon

It is impossible to accurately estimate the sizes spread of the child trafficking phenomenon in Moldova, first of all, because of the latency of this problem and its variability of this phenomenon that constantly transforms due to criminals thrive to pull out of the sphere of law-enforcement agencies' increased attention.

According to part (4) of article 8 of the Law of the Republic of Moldova on Prevention and Elimination of Human Trafficking" #241-XVI of October 20, 2005 "collection and analysis of information on the scale, status of human trafficking and trends in this phenomenon" is an obligation of the National Committee on Combating Trafficking in Human Beings.²⁰ However, this function has not found practical application until now. So far, Moldova does not have a common system of collection of information on human and child trafficking.

The only one official source for the Government is the data of the General Prosecutor's Office of the Republic of Moldova on criminal prosecution and court practice of criminal cases of child trafficking. Criminal prosecution for child trafficking crimes are carried out according to article 206 of the Criminal Code of the Republic of Moldova.

¹⁸ "Trafficking in Human Beings in Moldova. Comments, trends, recommendations" International Center for Women Rights Protection and Promotion "La Strada", Chisinau, 2005, p. 49. An electronic version of the edition can be downloaded in the Romanian, Russian and English language at: <http://www.lastrada.md/date/rapoarte>

¹⁹ U.S. Department of State, "Trafficking in Persons" Report, 2008, p.209. Can be downloaded from the Internet: <http://www.state.gov/g/tip/rls/tiprpt/2009>

²⁰ Trafficking in Human Beings in Moldova: Regulations. OSCE, Mission in Moldova and International Center "La Strada", 2006, p. 12. An electronic version of the edition can be downloaded in the Romanian, Russian and English language at: <http://www.lastrada.md/date/acte>

Article 206. Trafficking in children

(1) Recruitment, transportation, transfer, harbouring or receipt of a child, as well as giving or receiving of payments or benefits to achieve the consent of a person having control over a child, perpetrated with the scopes as follows:

- a) commercial or non-commercial sexual exploitation in prostitution or porno industry;
- b) exploitation of forced labour or services;
- b¹) use for begging or low purposes;
- c) exploitation in slavery or under conditions similar to slavery, including such in cases of illegal child adoption;
- d) use in armed military conflicts;
- e) use in perpetrating acts of crime;
- f) removal of organs or tissues for transplantation purposes;
- g) leaving a child abroad;
- h) sale of purchase,

shall be punishable with deprivation of liberty for a term of 8 to 12 years with a deprivation of the right to hold certain positions or displaying certain activity for a term of 2 to 5 years, thereat a penalty worth from 3000 up to 5000 conventional units shall apply to legal entities followed by deprivation of the right of dealing in certain activity or liquidation of legal entity.

(2) Same actions, if perpetrated:

- a) with use of physical and psychological violence, arms or threat of its application;

- b) with sexual abuse and rape;
- c) by means of abuse of power or with use of helpless position of a child, with threat of disclosing of confidential information to family of a child or other persons;
- d) - e) (excluded by Law №235-XVI of November 8, 2007);

- f) with removal of human organs or tissues for transplantation,

shall be punishable with deprivation of liberty for a term of 10 to 15 years with a deprivation of the right to hold certain positions or displaying certain activity for a term of 2 to 5 years, thereat a penalty worth from 5000 up to 7000 conventional units shall apply to legal entities followed by deprivation of the right of dealing in certain activity or liquidation of legal entity.

(3) Actions provided for in parts (1) or (2), perpetrated:

- a) repeatedly;
 - b) in regard to two or more children;
 - c) by an official person or by an official person taking position of responsibility;
 - d) by an organised criminal group or criminal organisation;
 - e) resulted in grave corporal injuries or psychical disorder or death or suicide of a child;
 - f) with regard to a child under the age of 14 years,
- shall be punishable with deprivation of liberty for a term of 15 to 20 years with a deprivation of

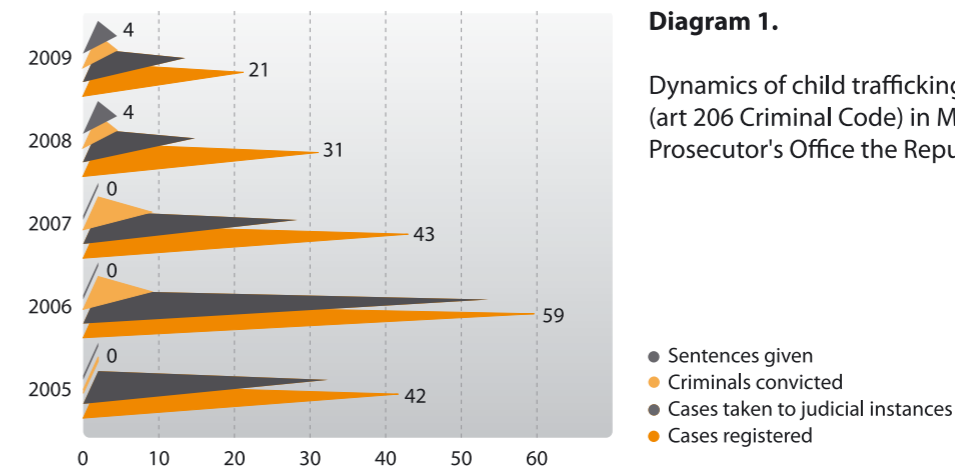


the right to hold certain positions or displaying certain activity for a term of 3 to 5 years or life imprisonment, thereat a penalty worth from 7000 to 9000 conventional units shall apply to legal entities followed by deprivation of the right of dealing in certain activity or liquidation of legal entity.

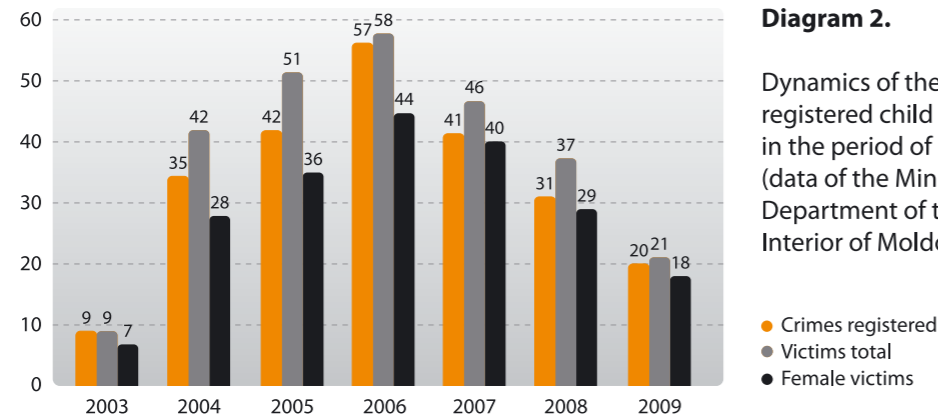
(4) Victim of trafficking in human beings shall be freed from criminal responsibility for perpetrating offenses in connection with this procedural status.

Criminal Code of the Republic of Moldova № 985-XV of 18.04.2002 (Official Monitor of the Republic of Moldova № 129, p.1012).

According to the data of the General Prosecutor's Office for 2005-2009, starting from 2007, the number of registered child trafficking crimes, sentences invoked by judicial instances and convicted under article 206 of the Criminal Code of the Republic of Moldova is steadily decreasing (see **Diagram 1**):



Statistics of the Department for Minors and Morality of the Ministry of Interior for the period of January 2003 – November 2009 (see **Diagram 2**) also proves reduction of the number of child trafficking crimes starting from 2007:

**Diagram 2.**

Dynamics of the number of registered child trafficking crimes in the period of 2003–2009 (data of the Minors and Morality Department of the Ministry of Interior of Moldova)

It should be pointed out that registration of criminal offences occurs not according to the year of perpetration, but according to the criminal prosecution starting date that can start in several years after the perpetration of criminal offence. Therefore, evolution of clearance of child trafficking crimes shown in Diagrams 1 and 2 reflects the work of law-enforcement agencies, and not necessarily the evolution of the phenomenon itself.

According to the opinion of the law-enforcement agencies that were interviewed in the framework

of this study, decrease in the recent years of the number of child trafficking crimes is caused by:

- improvement in the work of the system of law-enforcement agencies;
- measures of prevention of the child trafficking phenomenon that were taken by the leadership of the country in the previous years;
- decrease and modification of the child trafficking phenomenon in Moldova.

“Thanks to various measures that were taken during the last two years, there is a tendency of stabilisation of the situation related to human trafficking. Regardless of the fact that there still remain such factors as poverty and unemployment that favour emergence of offers of “human commodity” in the country and have a negative impact on the situation in the field, measures taken by the state in the period of 2001-2008 and supported by the civil society and international community allowed stopping the growth of the human trafficking phenomenon in the country and prevent aggravation of the situation”.

Marina Popovici, Department of Minors and Morality of the Ministry of Interior

At the same time, in their answers to the question of reasons of the difference between the number of proceedings initiated under article 206 of the Criminal Code and the number of cases referred to judicial instances under the same article (see Diagram 1), the professionals of the Center to Combat Trafficking in Persons noted difficulties in collection of proof of perpetration of these crimes. First of all, this is related to the fact that exploitation of children occurs in another country, and it is difficult to get information from the law-enforcement agencies of these countries. Collection of proof is also often complicated by time limitation of the crime. Therefore, for several criminal cases prosecution is stopped or they are re-qualified according to another article of the Criminal Code. This information can testify the fact

that proficiently organised crimes of transnational child trafficking, which require significant time, efforts and means for investigation, can remain uncovered because of lack of necessary resources in Moldova. The work of law-enforcement agencies needs improvement and strengthening of financing. Presence of facts of corruption is also not a secret.

According to specialists of the Center to Combat Trafficking in Persons of the Ministry of Interior, the main measure that influenced the decrease in the number of criminal cases of child trafficking was tightening of border control over transportation of children out of the country (in the end of 2005 the rules for border-crossing by children on exit from the country were strengthened).

“Over recent years, the regress of the human trafficking phenomenon is explained by many reasons: measures taken to combat organised crime, tightening of border control at the Chisinau airport and other points of crossing of Moldovan border, strengthening of visa regime and border control in Romania, and other European countries. Decrease in the number of cases of child trafficking is also explained by strengthening of border crossing regime by minors... Yes, a lot of people complain about this bureaucratic regime, but it gave a visible effect”

Petru Boghean, Center to Combat Trafficking in Persons, Ministry of Interior

Some data on transformation of the criminal phenomenon also represent great interest. Thus, for instance, specialists of the Center to Combat Trafficking in Persons pointed out the facts of reorientation of some criminals of human trafficking towards organisation of illegal migration. This is obviously due to severe punishment carried for organisation of human/

child trafficking. Organisation of illegal migration does not carry such a severe punishment, but the profit gained from organisation of illegal migration is rather attractive. Representatives of the police believe that this exactly the reason of increased number of cases of illegal taking out of children outside the country (article 207 of the Criminal Code of RM). Even if in most cases departure of

children is organised on request of their parents who work illegally in other countries and want to unite with their family, the representatives of law-enforcement agencies are concerned

about the fact that methods of organisation of illegal departure of children are similar to the mechanisms of child trafficking, there is a very fine line between these crimes.

“Parents working abroad are ready to pay big money to the intermediaries for organisation of transportation of their children from Moldova to the country where these parents work illegally... But here, nobody can guarantee that this child will be transferred to his parents”

Petru Boghean, Center to Combat Trafficking in Persons, Ministry of Interior

In assessments of the situation of human/child trafficking in Moldova, apart from the official data of law-enforcement agencies, the data of the International Organisation for Migration (IOM), mission in Moldova, are often cited, regarding the number of victims of this crime that received assistance from this organisation. Over the period of 2000–2009, IOM provided assistance to 209 children and 2393 adults — victims of human trafficking, citizens of the Republic of Moldova.

These figures include not only data on victims who cooperated with law-enforcement agencies, but also those who did not want to testify. As IOM allocates significant funds for assistance to victims and almost all victims of human/child trafficking (with some minor exceptions) identified by state and non-governmental organisations involved in actions against human trafficking go through their programmes in Moldova. This organisation’s statistics is considered the most reliable (see **Diagram 3**).

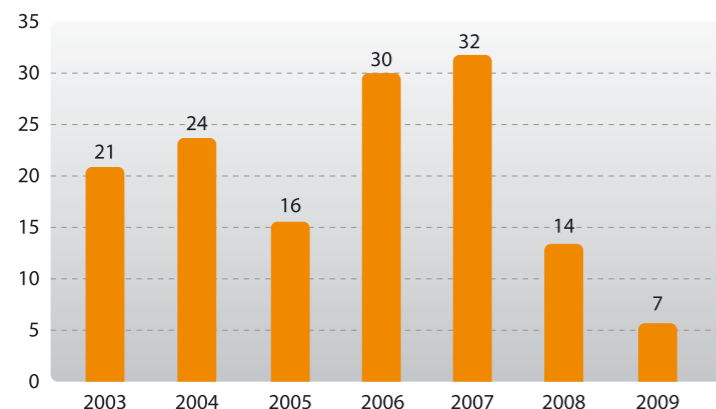


Diagram 3.

Numbers of victims of child trafficking (data of IOM, Mission in Moldova)

● Numbers of victims of child trafficking

As shown by IOM statistics, the number of child-victims has also significantly decreased in the period of 2008–2009. However, it should be pointed out that IOM maintains records of child trafficking victims not according to the date of their recruitment/real involvement into child trafficking situation, but according to the date of victim identification/inclusion in the assistance program. According to our data, this is related to the order of organisation of information collection in other countries of IOM programmes, and its further processing. This problem with data on the age of victims at the moment of recruitment was noted in the Second Annual Report on Victims of Trafficking in South-Eastern Europe for 2005, prepared by the Regional Research Institute of IOM.²¹ Therefore, the data in Diagram 3 may not reflect the evolution of the phenomenon.

Interviews with professionals from IOM and the Centre for Assistance and Protection of Victims and Potential Victims of Trafficking co-financed by IOM and the Ministry of Labour, Social Protection and Family showed that they do not agree with the fact that there is a tendency to decrease in the child trafficking phenomenon. The 2008–2009 decrease in the number of child-victims, who were provided assistance in the framework of IOM programmes, is explained by:

- problems in organisation of actions against human trafficking in destination countries;
- changes of the child trafficking phenomenon;
- difficulties in identification of victims.

“In some countries, as Turkey, for instance, which tends to access the EU, law-enforcement agencies are simply not interested to identify victims in order to not spoil the statistics and the country’s image. In another destination country — in Russia, according to the information given by our minor beneficiaries-victims of sexual exploitation, representatives of law-enforcement agencies collected unofficial “fines” from their owners and did not tend to initiate criminal proceedings against them in order to not lose their source of income”.

Valentina Seuta, Centre for Assistance and Protection of Victims and Potential Victims of Human Trafficking

Thus, the results of this study proved that there is no reliable statistical data that would allow evaluating the scale of the human/child trafficking phenomenon in Moldova. Analysis

of other studies on these problems shows that they represent mainly qualitative information on aspects of recruitment, transportation and exploitation of child-victims of human trafficking.

²¹ Second Annual Report on Victims of Trafficking in South-Eastern Europe, 2005. Country report, the Republic of Moldova. IOM, Geneva, 2005, p. 10.

Only several efforts are known to make a quantitative assessment of the scale of the human trafficking phenomenon (adults and children) based on unofficial data, surveys of separate population groups and approximate calculations using mathematical interpolation to extend the survey data on the population of the whole country. As a rule, these data fall under severe criticism of other professionals. Thus, for instance, the “Trafficking in Persons Report” for 2008 of the US Department of State²² gives data from one of the studies of the International Labour Organisation (ILO) conducted in cooperation with the National Bureau of Statistics of the Republic of Moldova. According to approximate assessments of the authors of the study, in 2008, the number of victims of forced labour (according to the concept of ILO, human/child trafficking is one of the worst forms of forced labour) equals to 25000 people. This figure hundreds of times different from the statistics of Moldovan law-enforcement agencies and IOM, mission in Moldova. Most professionals consider this figure improper, related to incorrect survey of the population and wrong interpretation of survey results.

More often, studies can give data on quantitative assessment of the child trafficking phenomenon in relative ratios — average percentage of the number of child trafficking victims to the number of adult human trafficking victims. Thus, according

to the data of the Second Annual Report on Victims of Human Trafficking in South-Eastern Europe, published by IOM in 2005, analysis of the IOM data for 2000–2004 showed that children constituted 10 to 15% on average from the total number of victims of labour and sexual exploitation. At the same time, minors constituted a significantly bigger share of the victims of human trafficking who were forced to begging and criminal activity — 35,7% in 2003 and 39,1% in 2004.²³ Over the recent years, according to this organisation, the number of child-victims decreased both in absolute and in relative ratios. In 2008–2009, the percentage of minor victims made 10% and 5%, correspondingly.

According to the data of the Center to Combat Trafficking in Persons, minors make about 13% of victims of human trafficking.²⁴

According to the data of the International Center “La Strada”, percentage of children victims of child trafficking and adult-victims of human trafficking grows. If in 1998–2000, it constituted 10%, then in 2001–2004, the percentage increased to make 15%.²⁵ The percentage growth continued in the following period of 2005–2009 when this percentage reached the level of 20%. However, according to the opinion of the employees of our organisation, these figures may simply reflect changes in the work of the organisation

²² U.S. Department of State, “Trafficking in Persons Report”, 2009, p. 209. Can be downloaded from the Internet: <http://www.state.gov/g/tip/rls/tiprpt/2009>

²³ Second Annual Report on Victims of Trafficking in South-Eastern Europe, 2005. County report, Republic of Moldova. IOM, Geneva, 2005, p. 4.

²⁴ Speech of the Director of the Center to Combat Trafficking in Persons at the Regional conference “Violence against children: problems and methods of prevention” in Minsk, Belarus, 09–10 April 2008.



(more emphasis on work with children), rather than changes in the phenomenon itself. At the same time, the employees of the Hotline of the International Center “La Strada” noted that in the last few years there is a growth in the number of calls telling about disappearance of children. We should not exclude the possibility that the missing children could become victims of criminal organisations, including human traffickers.

Thus, the results of the present study showed that participants of actions against trafficking in human beings in Moldova accumulate data on cases of human trafficking in accordance with an independently developed algorithm, which leads to data inconsistency at the national level. Also, there is no reliable statistics that could adequately characterise the scale of the child trafficking phenomenon in the Republic of Moldova, as also tendencies of its circulation. There is no common opinion on this issue among the interviewed specialists. Most representatives of state institutions consider that as a result of measures that were undertaken, the child trafficking phenomenon is decreasing. But, representatives of nongovernmental and intergovernmental organisations do not agree and say that it became more difficult to identify cases of child trafficking. It should be particularly noted that all interviewees agreed with the fact that the child trafficking phenomenon is complex and assumes more and more new forms under influence of different factors.

2.3. Reasons of child trafficking phenomenon latency

The child trafficking phenomenon remains hidden and latent, first of all, because criminals do not want that. In response to strengthening of public attention towards this problem and taking countermeasures, they devise new tricks and change mechanisms of their criminal activity. This leads to difficulties in identification of victims and detection of child trafficking crimes.

One of the problems of identification of child trafficking victims is related to the fact that, increasingly often, subject to recruitment and transportation abroad for commercial sexual exploitation become the minors that were earlier exposed to sexual exploitation in Moldova. It changed the average portrait of a victim of human trafficking significantly. At first meetings of representative of law-enforcement agencies and social workers with victims of sexual exploitation, they are stuck by indecent behaviour and appearance of these persons, which makes them think that they cannot be victims, that this is a result of free choice. Indeed, it is difficult to identify the line between the end of free choice and the start of coercion. We should take into account the age when the victim was exposed to sexual exploitation. As a rule, children do not have freedom of choice, they are induced by adults.

²⁵ “Trafficking in Human Beings in Moldova. Comments, trends, recommendations» International Center for Women Rights Protection and Promotion “La Strada”, Chisinau, 2005, p. 19. An electronic version of the edition can be downloaded in the Romanian, Russian and English language at: <http://www.lastrada.md/date/rapoarte>

"Many young women that were exposed to sexual exploitation in Moldova were later sold into foreign sex-business. They are often confused with prostitutes because they gave their consent to provide sexual services from the very, but basically, and finally they found themselves in a situation of exploitation"

Valentina Seuta, Centre for Assistance and Protection of Victims and Potential Victims of Human Trafficking

Even if a person wants to find a job abroad and agrees to work in the sphere of prostitution, it does not mean that he/she agrees to be exposed to different kinds of abuse. This is why international law and human/child trafficking legislation does not take into account the victim's consent in qualification of human/child trafficking crimes. However, it causes difficulties at practice.

Upon qualifying the actions of a perpetrator based on Article 165 and 206 of the Criminal Code, the consent of the victim as to his/her recruitment, transportation, harbouring or receipt, shall not be held account of, even if the victim had been informed about the aims to which he/she was to be used, as well as about means employed in trafficking.

Decision of the Plenum of the Supreme Court of Justice of the Republic of Moldova on Application of Legislative Provisions in Cases of Trafficking in Human Beings and Trafficking in Children №37 of 22.11.2004 Bulletin of the Supreme Court of Justice of the Republic of Moldova, 2005, № 8.²⁶

Due to peculiarities of child mentality, child-victims of violence and exploitation often prefer not to talk about their tragic experience to adults because adults are those who are associated with this experience. A lot of years must pass for them to recover their trust to adults. Psychologists also pointed out that small children — victims of exploitation talk unwillingly about their exploiters because,

at an intuitive level, they have developed a mechanism of self-defence.

Children who became victims of exploitation and violence manifest the Stockholm syndrome — a protective subconscious traumatic connection emerging between the victim and the aggressor in the process of use of violence or threat of use of violence.



"Stockholm syndrome is a term used to describe paradoxical psychological phenomenon wherein hostages express adulation and have positive feelings towards their captors that may appear irrational due to the danger and risks that the victims are exposed to"

From the Bulletin of the Department of Justice of the Federal Bureau of Investigation, "Understanding Stockholm Syndrome", July, 2007, p.10.²⁷

The Stockholm syndrome emerges after 3–4 days of deprivation of liberty and grows in case of isolation of prisoners. In heavy shock, hostages start sympathising their captors, justify their actions, and finally identify themselves with them, adopting their ideas and considering their sacrifice necessary for the achievement of a "general" goal. After being released, survivor hostages can actively support their captors' ideas, solicit mitigation of punishment, visit them in places of imprisonment etc. Though the Stockholm syndrome was first described after analysing the situation that emerged in Stockholm during taking of hostages in 1973, its manifestation is characteristic also for other cases of violence related to kidnapping, slavery etc.

"Recently, the Stockholm syndrome excessively manifests itself among victims of human trafficking including minors. They have no complaints. I remember one girl who was exploited in sex business since she was 11. When she was asked if she wanted to cooperate with law-enforcement agencies to punish the offenders, she answered: "See these boots? If he (owner) did not give them to me, I would walk barefoot up to now, and you want me to "turn him in"? Never!" After this dialogue, at night, she ran away from our Centre through a window ... They do not want to cooperate with the police, they often change their testimony and conceal the truth about what happened assuming that human traffickers granted them a favour when they helped them to go abroad"

Lidia Gorceag, The Center for Assistance and Protection of Victims and Potential Victims of Trafficking

²⁶ Trafficking in Human Beings in Moldova: Regulations. OSCE, Mission in Moldova, and International Center "La Strada", 2006, p. 59. An electronic version of the edition can be downloaded in the Romanian, Russian and English language at: http://www.lastrada.md/publicatii/ebook/acte_norm_engl.pdf

²⁷ See <http://www.fbi.gov/publications/leb/2007/july2007/july2007leb.htm#page10> last accessed 22.03.2010.

The natural mechanism of subconscious psychological self-defence from traumatic information often makes a child perceive his/her exploiter or violator as a person, on which his/her life depends manifesting complete obedience. Therefore, child-victims often reject to witness against human traffickers perceiving them rather as “rescuers” than exploiters.

One of the problems of identification of victims of human/child trafficking for commercial sexual

exploitation consists in the fact that in the recent years exploiters symbolically compensate their work. Earlier, in identification of victims, such characteristic feature of human trafficking as absence of payment for work/services provided by victims was used intensively. The fact of partial payment for services complicates the work of law-enforcement agencies in qualification of a human/child trafficking crime.

“Victims of human trafficking are partially paid for work increasingly often, but this payment is symbolic. After a long period of exploitation, victims are given USD 100–200 when sent back home. Sometimes child traffickers send some money to their parents to remit their watchfulness. Minor girls do not even realise that they worked under somebody’s control, in servitude. They seldom apply anywhere and they are not identified as victims of human trafficking”.

Valentina Seuta, Center for Assistance and Protection of Victims and Potential Victims of Human Trafficking

2.4. Particular characteristics of domestic child trafficking

The phenomenon of national human/child trafficking became a focus of attention much later than the phenomenon of transnational trafficking. It found its reflection in the norms of international law only in 2005. On the basis of article 2 of the Council of Europe Convention on Action against Trafficking in Human Beings, signed in Warsaw in 2005, two levels should be

distinguished and targeted in actions against human trafficking: transnational and national levels (within a specific country).

Human/child trafficking inside a country has the same elements as transnational trafficking, but its features are somewhat different. Particular characteristics of domestic child trafficking consist in the fact that future victims of child trafficking are transported not abroad, but to another location within the country and exposed to exploitation there.



Nina, 17 years old, born in village in the North of Moldova

Nina lost her parents early. She remained with her two brothers under care of one of the relatives, but they lived alone in their parents’ house. It was difficult for her, because she was the eldest child in the family, and she had to take care of not only herself, but also of her brothers. In November 2009, Nina met a Roma man who came to her village. He offered her to work as a housemaid in his house in the town of Soroca, also in the North of Moldova where he lived with his wife and children. He promised to pay her USD 200 per month. It was a big sum of money for Nina, and she agreed to the proposal.

But in the house of Roma, Nina was immediately turned into a real slave. She had to work from early morning till late night, serving the owners of the house and their numerous guests and relatives, but she did not receive the promised payment. Several times, drunken guests tried to rape her, but she managed to escape. One of many residents of the house constantly kept an eye on Nina so that she did not run away or call anyone and at nights she was locked in the basement. Once she managed to escape, but the hosts caught her and returned her back. Then the owners told her that they were preparing documents for her to go abroad, where she would work as a housemaid for rich owners. This fact frightened Nina very much. Soon she managed to call her relatives who immediately reported this case to the police. Police rescued Nina from the place of exploitation, and she returned to her village.

A case from the database of the International Center “La Strada”

Law enforcement agencies in Moldova do not keep special statistics on human/child trafficking inside the country. During interviews with representatives of law-enforcement agencies in the framework of this study, they refrained from commenting on the specifics and scale of the child trafficking phenomenon within the country referring to a lack of official statistics. At the same time, the police noticed that it is very difficult to prove a human trafficking crime inside the country. Obviously, this is due to the fact that legal structure of this crime is very complex and consists of several elements

that also represent crimes. It is easier to identify and prove some of the elements than to unite isolated elements and prove that they are linked by the same criminal intent. Such cases are rare, but they exist. Thus, materials of a criminal case of child trafficking became well known in Moldova, where a married couple that lived in the city of Chisinau was involved. The spouses organised their criminal business in the capital, but their accomplices recruited and transported victims to the city of Chisinau from other regions of Moldova and even from the neighbouring country — Ukraine.

Citizen N. was the head of a criminal organisation. In 2001–2006, intentionally, with the aim of illegal financial gain, acting by previous concert with members of a criminal organisation, he perpetrated child trafficking under the following circumstances:

In order to execute the criminal plans, N. developed an action plan with clear allocation of roles between participants of the criminal community. These persons, acting in cities Bender, Tiraspol, Dubasari, Cahul, Balti, Riscani, Chisinau, as well as in Ukraine, by prior agreement and in the interests of a criminal community, in the period of 2001-2006, looked for potential victims, collected information on family composition, financial status, family relationships, and studied their personal qualities.

By means of abuse of position of vulnerability of victims that in most of the cases came from vulnerable, incomplete families, with difficult financial situation, who did not finish secondary school, they recruited minor girls under the context pretext of employment as cooks, waitresses promising high wages, as well as for prostitution. Then, with the aim of commercial, sexual exploitation in prostitution, they transported them to Chisinau and transferred to N. and other members of the criminal group. To harbour the minors exploited in prostitution, a house was used – a property of N. and his wife, specially adapted for the purpose of prostitution, an apartment and a house were also rented for this purpose.

The wife of citizen N. acted as an accomplice, supervisor, providing the house being her personal property (address) for the purpose of prostitution, harbouring of persons exploited in prostitution by the criminal organisation headed by her husband. She was also personally involved in construction and equipment of the house with all the necessary materials and accessories needed for prostitution: a dance hall, bar, sauna, separate rooms for prostitution and rooms for accommodation of persons exploited in prostitution. She also looked after the mentioned house and together with N. ensured its functioning.

From materials of letter of accusation of a criminal case

Another well-known case of human trafficking inside the country, including minors, was uncovered in 2008 in the territory of Transnistria in Ribnita. In one of the local bars, criminals organized a brothel, forcing girls to provide sex services to clients. The girls were lived in slave conditions.



“In 2008, in Ribnita, Transnistria, law-enforcement employees released eight girls, including two minors, who were forcibly retained by criminals who forced them into prostitution. At the time of release, all the girls were on the verge of exhaustion and severely intimidated. Gradually, they came to their senses and told about the appalling situation they found themselves in.

All girls, except one, came from villages situated near the town of Ribnita. One of the victims suffered from oligophrenia, another was an orphan, and the rest came from vulnerable families. At recruitment, they all were promised to work as waitresses in a bar in Ribnita. Instead, they were accommodated in an abandoned basement, and at night were transported by taxi to customers who filled in the bar “applications for sex services”.

The organiser of the criminal group was very cruel and brutal. All of the girls were forced to bleach hair, for any signs of disobedience they were deprived of food and beaten. The organiser was assisted by the guard of the “institution” and a taxi driver – accomplices of the crime. Some girls were exploited for several years, others for few months. One of the girls still managed to escape and contact the police of town of Tiraspol, as a result of which a raid was organised and all the other girls were released”.

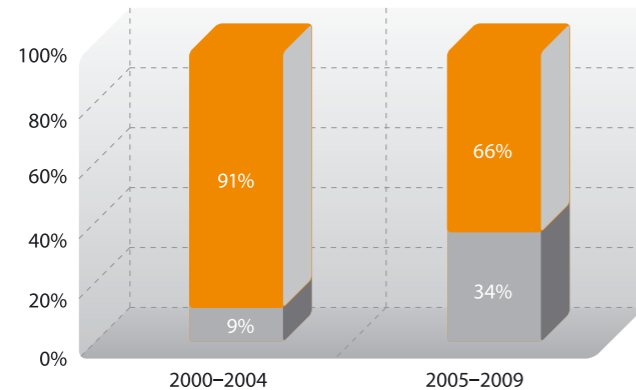
Natalia Savcina, NGO “Interaction”, Tiraspol

Despite the known cases of child trafficking inside the country, there is few statistics on such cases. According to IOM, mission in Moldova, for a period of 9 years (2001–2009), 41 victims of child trafficking within the country were registered. The biggest number of such cases was registered in 2006 — 13 victims. In 2007–2009, annually, from 4 to 6 victims of child trafficking within the country were registered.

Analysis of IOM data in recent years showed that with a decrease in the total number of victims of child trafficking there is an increase in the share

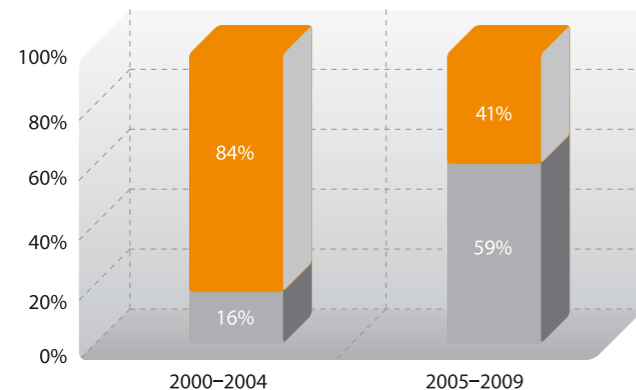
of children exploited inside the country. Thus, according to IOM, in 2001–2004, only in 9% of cases of child trafficking, exploitation took place within the country. In 2005-2009, the percentage of such cases significantly increased to 34% (see **Diagram 4**).

According to the data of the International Center “La Strada”, there is also a significant increase in the share of children exploited inside the country in the total number of child trafficking victims — from 16% in 2000–2004 to 59% in 2005–2009 (see **Diagram 5**).

**Diagram 4.**

Relation between cases of domestic child trafficking and the total number child-victims of the trafficking in human beings 2001–2009 (data of IOM, Mission in Moldova)

● Transnational level
● National level

**Diagram 5.**

Relation between cases of domestic and external child trafficking (data of the International Center "La Strada")

● Transnational level
● National level

Professionals also noted cases of organisation of internal child trafficking for foreign clients. Minor girls worked "with a landlord" — a pimp, in apartments specially equipped for these purposes.

"It seems to be a new trend — domestic child trafficking for the purpose of sexual exploitation by foreigners. And there are cases when foreigners first act only as clients, and then, when the child reaches his/her legal age, they sell this child into sexual slavery abroad."

Nadejda Radu, Centre for Assistance and Protection of Victims and Potential Victims of Trafficking.

According to the opinion of many interviewed experts-psychologists from IOM and non-governmental organisations, the small number of registered cases of child trafficking inside the country is explained by the same reasons as for the transnational level — complexity of phenomenon, its modifications and challenges in identification the victims.

2.5. Average portrait of a child-victim of trafficking in children

Age and sex

Analysis of data on the age of children at the moment of recruitment shows that most often children get into a situation of child trafficking in the age of 14–17 years. The cases of human trafficking with victims being children under the age of 14 were registered before 2005. Since 2006, such cases have not been identified. This is obviously due to the fact that in late 2005 border control of border-crossing by minors (especially by small children) was tightened, which undoubtedly became a serious obstacle for criminals. It is also possible that this age is the most suitable for exploitation.

80% of minor victims of child trafficking are girls and only 20% are boys. In the recent years, the share of boys among the victims increased.

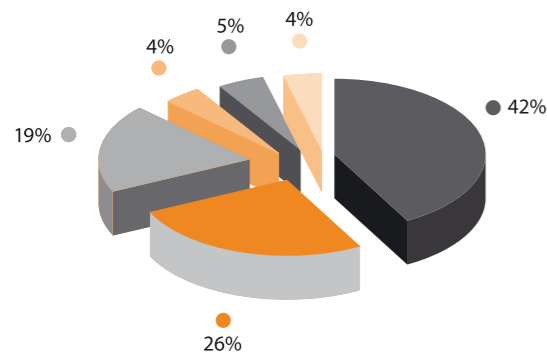
Place of origin

According to the International Labour Organisation reports, it is difficult to find a region in Moldova, which is not affected by the problem of child trafficking.²⁸ This is also confirmed by the International Center "La Strada", IOM and other organisations. Geography of the origin of victims of child trafficking crimes includes almost all areas of the country. More than a half of child-victims come from rural areas — 52%. 18% of victims lived in the capital and its suburbs at the time of recruitment. The remaining 30% of children were residents of small towns.

Education

Analysis of the level of education of minor victims of human trafficking at the moment of recruitment shows that only 4% of the child-victims managed to not only finish gymnasium or 9 years of secondary school (get compulsory education), but also get professional training after this (see **Diagram 6**). 42% of victims finished only gymnasium, but lack of financial and other support from parents did not allow them to continue their studies and get professional training. In order to survive, they attempted to find a job immediately after finishing gymnasium, but got into a situation of human trafficking. 26% did not finish even gymnasium. 4% of had never attended school in their school age, and being a teenager they could neither read nor write.

²⁸ ILO-IPEC Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Moldova.2003, p.6.

**Diagram 6.**

Level of education of minor victims of trafficking in human beings as of the moment of recruitment (data of the International Center "La Strada", 2000–2009)

- Finished gymnasium and had professional training
- Finished gymnasium
- Finished primary school
- Never finished school being of school age
- Did not finish gymnasium
- Children of school age

According to the staff of the Center for Assistance and Protection of Victims and Potential Victims of Trafficking, in the recent years, the number of child trafficking victims who had quit school in the 4–8 grades increased.

"Recently, there is a trend of increase in the number of cases of beneficiaries with a low level education. They have only few years of school, and it is difficult for them to put their signature. Once in Turkey, these girls think they are in Russia, they cannot distinguish between countries and languages."

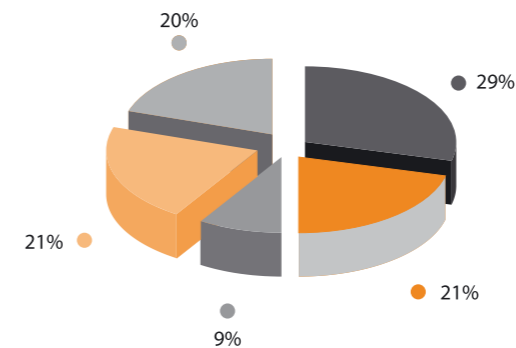
Lidia Gorceag, Centre for Assistance and Protection of Victims and Potential Victims of Trafficking.

According to data provided by the International Center "La Strada", over the past few years the number of child-victims with mental retardation increased. If in the period of 2000–2004, only 2% of minor victims at the time of recruitment were fosters or finished special educational institutions for children with physical, mental disabilities and other defects, then in 2005-2009, percentage of such children in the total number

of victims increased and reached about 6%. It is difficult to work with this category of children, and they easily quit school. They lack necessary life skills, and they are totally dependent on adult assistance. With low levels of education and professional training, often suffering from mild mental retard, in combination with lack of proper oversight/supervision from adults, such children easily become victims of child trafficking crimes.

Family status and family relationships

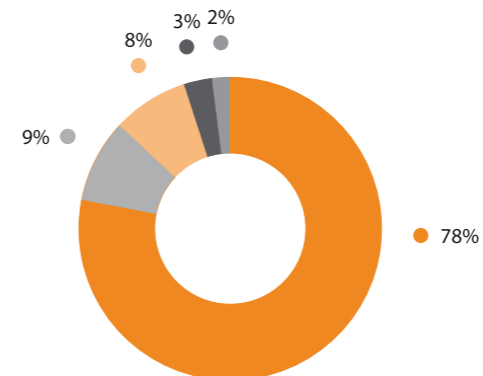
Minor victims of human trafficking in most of the cases (71%) come from incomplete families, their parents divorced or lived separately, each third had lost one or both parents (see **Diagram 7**).

**Diagram 7.**

Data about parents of child-victims as of the moment of recruitment (data of the International Center "La Strada", 2001-2009)

- Full family
- One parent deceased
- Both parents deceased
- Parents lived separately
- Parents divorced

It should be noted that at the moment of recruitment, most child-victims lived in families —78%, with relatives — 9%, with a friend — 8% (see **Diagram 8**). Only 3% of child-victims lived in boarding schools and 2% lived alone.

**Diagram 8.**

Persons that child-victims lived with prior to recruitment (data of the International Center "La Strada", 2001-2009)

- Parent/parents
- Relatives
- Friend
- boarding school
- Independently

At the same time, living in the family did not prevent children from getting into a situation of child trafficking, because they mostly came from vulnerable families.

Most child-victims lived in poverty, and often below the poverty line. In the course of the survey, 96% of child-victims noted significant economic problems in their families. Typically,

these children did not have the most basic things something that significantly complicated their lives and affected their relationships with peers — they often became objects of derision at school.

Analysis of parents' employment at the moment of recruitment of their children shows that most of them were unemployed and had no means of subsistence (see **Diagram 9**).

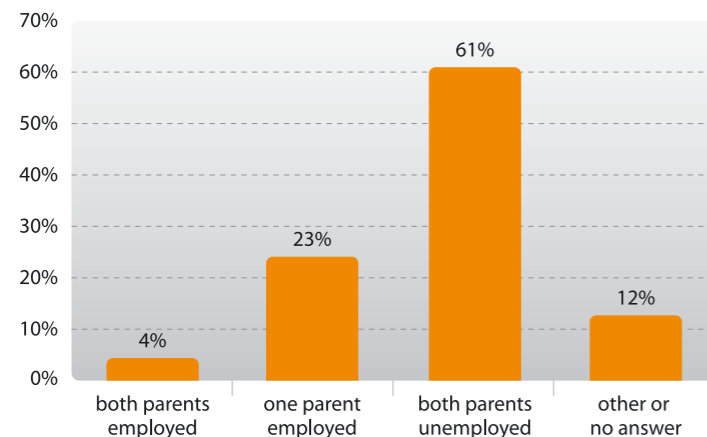


Diagram 9.

Employment of parents as of the moment of recruitment of their children (data of the International Center "La Strada", 2001–2009)

It should be noted that parents of child-victims tend to have low levels of education and often decide themselves to have their children quit school and start working before they reach maturity.

There are also parents who go abroad and leave their children in care of other persons (family, friends, acquaintances), or vice versa — send children abroad with other people without knowing or not being interested in what kind of "work" their children would have to do and

from what means they would live. For example, for Roma families, it is typical when parents go abroad to work and leave their children in the care of relatives, who begin to exploit these children in begging.

With a low level of income, families of child-victims are often big — 56% of child-victims came from families with 3 or more children (see **Diagram 10**). It should also be noted that these large families lived mainly in rural areas.

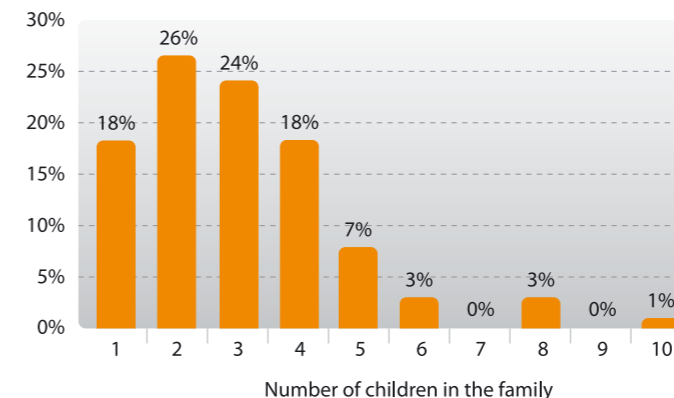


Diagram 10.

Number of children in the family as of the moment of recruitment of a child (data of the International Center "La Strada", 2001–2009)

Almost all children that got in a situation of exploitation came from families with problems of alcohol abuse and violence.

Alexei, 8 years old, born in village in the West of Moldova

In summer 2009, Alex, after being severely beaten by his drunken father, ran away from home. He was housed by Roma people, who calmed him down and allowed to live with them. For the first time in several years, Alexei felt free — he was not beaten, he was fed, able to sleep at night without fear of waking up. Soon the Roma told him that he would have to walk villages and ask alms, because they needed money to support him.

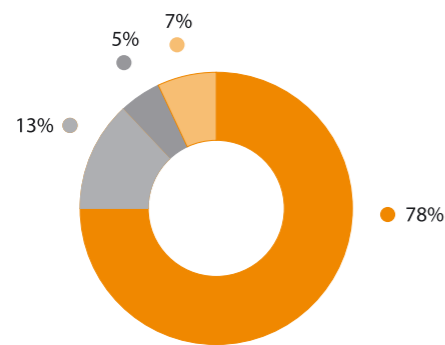
A case from the database of the International Center "La Strada"

Employees of the International Center "La Strada" asked minor beneficiaries-victims of child trafficking to characterise their relations with parents; their answers were the following:

- 41% — characterized the relationships as "complex";
- 22% — as "bad";
- 17% — as "normal";

- 13% were undecided or refused answering and
- 7% of children characterised their relations with parents as "good".

Most minors noted that in the period prior to recruitment they suffered from various types of domestic violence: physical and psychological — 78%, psychological — 13%, and some have even been victims of sexual violence in the family (incest) — 5% (see **Diagram 11**)).

**Diagram 11.**

Types of violence experienced by children in the family in the period prior to recruitment (data of the International Center "La Strada", 2000–2009)

- Physical and psychological
- Psychological
- Incest
- No answer

It should be noted that all cases of incest marked in Diagram 11, which occurred before involvement of minors in situations of child trafficking were identified only in the category of child-victims of sexual exploitation (56 cases out of 105 cases of child trafficking in the total sample). That is why it is not surprising that in identification

of child-victims of exploitation in destination countries, these children do not have great desire to return to their own family.

Besides, 16 children (29%) of the same category were victims of sexual violence outside the family before involvement in a situation of child trafficking.

"I remember a story of a boy in 2004 or 2005. He ran away from home, there were serious problems, since his mother killed his father. He began to earn money with other teenagers, providing services of car wash not far away from one of the city parks. These children were used by the car owners for sexual services. For each sexual intercourse the boys received 30–40 lei. The 14–17 year-old boys perceived this as a good way to earn for living, because they were paid much less for washing cars. They did not understand that they were exploited. Among these boys there were not only street children who ran away from home. There were also children who lived in families with parents, but their parents were not much interested in what their children were doing."

Natalia Rotaru-Sirbu, NGO "Copil, Comunitate, Familie" [Child, Community, Family]

Professionals interviewed in the course of the study also noted that victims have low level of knowledge about the problems of migration and trafficking in children. At the moment of recruitment, children did not know about the minimum age allowed for labour, about documents

required to leave the country, they did not know about legal opportunities of employment of young people abroad, etc. All their knowledge in this area was usually limited to a few positive examples of labour migration of their villager-folks, something that made them more vulnerable to recruitment.



3. MECHANISM OF CHILD TRAFFICKING

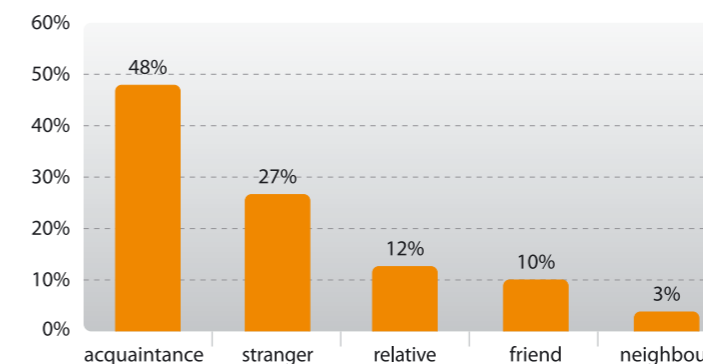
3.1. Recruitment

Average portrait of a recruiter

Recruiters of children are most often adult individuals. In 50% of all cases of child trafficking recruitment was performed by men, in 40% of cases — by women and in 10% of cases — men and a women together. Speaking about recruiters' nationality and ethnic origin, it should be noted that most often children were recruited by their compatriots, when every third child was recruited by Roma for the purpose of exploitation in begging or agriculture. Recruiters, normally, have good communication skills, they know what the

potential victims need and how they could be attracted, what proposals would be attractive for children.

Having analysed cases of child trafficking, a conclusion can be made that in an absolute majority of cases (73% of cases), children were recruited by people that they knew well, and whom they trusted (see **Diagram 12**). In 48% of cases, the recruiter was just a familiar person, and in 25% of cases the recruiter was a relative, friend or a neighbour of the child. In these cases, it did not occur to children that they could expect something bad; they relied on the recruiters' advice wholly.

**Diagram 12.**

Relations of victims of child trafficking with recruiters as of the moment of recruitment (data of the International Center "La Strada", 2001–2009)

But, as you can see from Diagram 12, in 27% of cases, recruiters were unfamiliar for future victims. However, they managed to establish friendly confidential relations with unknown children. This is explained both by victim's vulnerability and recruiters' good communication skills.

Aliona, 17 years old, born in a village in the South of Moldova

Aliona's parents divorced and mother came together with another man. Soon, she fell sick and took to bed. The step-father was unemployed and often drank. He was always dissatisfied with Aliona. He did not like either the girl's behaviour or her housekeeping, or her tending for animals. When drunk he always shouted at Aliona and beat her. The quarrels came to a stage when the step-father started driving Aliona out of the house. On one of those days, when she was once again driven out of home, when walking along the street, Aliona met a person, who offered her a job abroad.

A case from the database of the International Center "La Strada"

Sometimes, recruiters also come as people, who suffered from human trafficking themselves. Some interviewed service providers noted emergence of cases where victims of human trafficking, exposed to sexual exploitation abroad were released in several years on the condition of going home, recruiting and sending another girl instead. In such cases, supply of a new victim served as payment for release.

Places of recruitment

Analysis of data on victims of child trafficking shows that children are usually recruited at the place of their permanent residence. Thus, 66% of interviewed children noted that they received job proposals in their native villages/towns.

At the same time, 29% reported that they had been recruited in the capital where they were looking for a job or making studies, while the remaining 5% of children were recruited in other Moldovan towns where they had moved.

Whereas, as it was noted, in most of the cases, recruiters are good acquaintances of a child, recruitment can happen right at his home.



Igor, 16 years old, born in a village in the North of Moldova

Igor's mother died when he was very little. His father was often drunk and made his son to miss school as to keep house, often beat him. Once, an acquaintance visited him, who offered him to go abroad to work at a construction site. He said that the time came, and that was a real chance for Igor to become independent. The boy wanted to escape his father's oppression and agreed. He was glad to have a friend of his acquaintance to take care of documents and tickets.

A case from the database of the International Center "La Strada"

Boys exposed to labour exploitation in agriculture, construction or begging told that they received offers from recruiters in the field when weeding, harvesting or shepherding livestock.

In cases of recruitment of minors for sale into sexual slavery inside the country, the first contact was established in the street, at cafes, bars, discos etc. Recruitment of girls for work in sex-business abroad was also performed at discotheques, bars or night clubs.

In the course of the survey, some service providers noted an increase in the number of cases of recruitment of girls through the Internet, especially in towns. Girls use the Internet to make acquaintance with foreigners in a hope for a lucky marriage with a foreigner and improvement of financial situation.

Methods of recruitment

The most common method of recruitment is deception. Promises of fabulous wages and

excellent working conditions serve perfect bait that has been unfailingly used by recruiters for the last ten years. Almost 3/4 of the interviewed victims of child trafficking confirmed that the main reason for agreeing to the recruiters' offer was a wish to earn good money in Moldova or outside of it.

According to information received from interviewed specialists, recruiters offered teenagers, who wanted to leave abroad for earnings, various activities — work in construction or agriculture, selling goods in public transport, and to girls — working as a waitress, dancer and nanny. In most of the cases, that was a deception and the work they had to do in the destination country did not coincide with the work that was promised in Moldova.

But in a number of cases, recruiters did not practice deception in relation to the proposed sphere of activity, and were straight in offering children to engage in prostitution or begging abroad promising high earnings. Young girls of minority age that had been exploited in

prostitution in Moldova before going abroad often knew about the nature of their future work abroad, the deception was related rather to working conditions and wages.

Reasons for going abroad for children also included intentions to marry a foreigner, wishes to see the foreign life and/or take a rest, visit their parents abroad.

Some children actually could not definitely name the reasons that made them succumb to recruiters' persuasion: "I just wanted to start a

new life", "I do not know exactly what I wanted at that moment, I just went with the current", "I was mortally curious about what awaited me in the future" etc. Most likely they were driven by common infantile curiosity and a wish to change their life to the better.

Importantly, the children's decision was influenced also by the fact that recruiters, in their strive to win children's trust, pay attention to them, spend some money buying them food, clothes, cosmetics. Children get something they did not get in their families.

"Most often, they recruit children that are deprived of common attention from adults in their life. Children, especially those coming from vulnerable families, need attention paid to them. Recruiters satisfy this need, they listen to children's wishes, buy them tasty food or trendy clothes. They give them the things they do not get from their family".

Victoria Dochitcu, Hotline Coordinator of the International Center "La Strada"

Because it is impossible to take a child abroad without parental consent, those were not only children, but also their parents, who were deceived.

Victor, 15 years old, born in a village in the West of Moldova.

Victor's parents learnt that their relatives were going to Russia with a group of men to earn some money in harvesting, and decided to send their son together with them. The parents' health status did not allow them to go there themselves and they thought that their son could work during the summer vacation.



Documents to take the child out of the country were made in the name of a relative. Soon, Victor, together with his relative and other village-folks, arrived to a region in Russia. They were housed in a barrack right in the field that needed harvesting. The nearest locality was situated around 100 km away from the place. They made them work in the field each day for 12–14 hours. Diet was short, and they were beaten in case of disobedience. All the workers were placed under convoy that did not allow any possibility to escape. Soon, the exploiters separated Victor from his relative who was taken to work to some other place. In a couple of months, Victor managed to escape. He was making his way to Moldova on foot for several months. He asked for food from people, sometimes in exchange for some work.

A case from the database of the International Center "La Strada"

Cases were also recorded where recruitment of children for exploitation outside the country was performed using physical and psychological violence.

Nicolai, 9 years old, born in a village in the South of Moldova, suffers mental retard.

Colea's parents drank and beat the boy badly. Often, there was no food in the house and the boy had to ask alms in his village or neighbouring villages. In 2007, he met a family of Roma, who invited him to live with them. At his new place of residence, Colea continued begging and did housework for his hosts. After some time, the Roma told him that they were going to work abroad. Colea got frightened and said he was not going anywhere and wanted to return home. Then they beat him and threatened to kill him, if he did not obey and thought of escaping. Soon, the Roma, together with the boy, got into a train, put him into a hiding-place in the coach by arrangement with a train attendant and ordered him to keep silence. Thus, the Roma took him to Russia. There, he had to walk trains and beg. He gave the money raised to his hosts.

A case from the database of the International Center "La Strada"



"In 2007, a father of a 17-year old girl addressed us, telling that his daughter was lucky to escape criminals. In the middle of the day, when walking along the street, she was seized and pushed into a car, taken to some house where there were two more girls. She was told that they were prepared to be taken abroad and were given some pills causing memory blockings..."

Olga Dotin, "Sotis" Center (Balti)

3.2. Transportation, transfer and harbouring

Methods of border-crossing

In cases examined by us, crossing of the border of the Republic of Moldova for the purpose of transportation of child trafficking victims was performed both legally (on legal grounds) and illegally. Legal departure from the country supposes crossing the border at established border control points and based on documents, prepared in conformance with legal requirements. Illegal methods of taking-out of children included border-crossing through a border control point using forged documents or border-crossing bypassing border control points.

The procedure of departure from the country is regulated by the Law on Exit from the Republic of Moldova and Entrance into the Republic of Moldova №269–XIII of November 9, 1994. Requirements to identification documents, including for the purpose of use abroad, are set out in the Law on Identification Documents from the National Passport System №273–XIII of November 9, 1994. As it was already noted, in late 2005, the regime of border crossing by minors was tightened

with a view of prevention of illegal departure of children from the country. Earlier, in order to take a child abroad, it would suffice to provide their birth certificate bearing no photograph and making it impossible to identify the child. After amendments were made to the specified laws, in order to cross the state border, a passport became a requirement — a document bearing a photo that allows identifying the owner, including biometric data (blood type, height, colour of eyes). Besides, when crossing the border, minors should be accompanied by a legal representative (one of the parents, guardian or tutor) or an accompanying person notarially assigned by a legal representative. To go to most of developed countries, a visa is also required. But victims of child trafficking are most often taken to countries that do not have visa regime for the citizens of Moldova (Russia, Turkey, Ukraine etc.), or to countries with facilitated visa regime (Turkey).

Tightening of exit requirements for children brought a significant decrease to the cases of illegal travel of children. However, criminals continue using illegal methods of taking children abroad. According to International Center "La Strada", in the period of 2005–2009, 20% of child trafficking victims were taken out of the country bypassing

border control points. It should be noted that the border between the Republic of Moldova and Ukraine is not demarcated, and the part of the border in the East of the country, in Transnistria, is almost uncontrolled by Moldovan authorities

after the armed conflict in that region in the 90s. According to existing data, it is exactly through this part of the border that children are carried out to Ukraine and then to other countries by transport along country roads or on foot.

"In recent years, in their criminal activity, human traffickers prefer using the territory of Transnistria — a region poorly controlled by Moldovan authorities. They organise criminal groups there, recruit and transport victims abroad (mainly to Turkey) through airports of Odessa and Kyiv in the Republic of Ukraine".

Petru Boghean, Center to Combat Trafficking in Persons, Ministry of Interior

Though statistical data show that in most of the cases of child trafficking (around 80%) the border was crossed through established border control points, only 17% of victims of child trafficking reported that they had informed parents or relatives about their decision to go abroad. This means that in these cases, criminals could get the necessary consent of legal representatives for taking the child out of the country and take the child out on legal grounds. In all other cases of taking-out of the country of victims of child trafficking (up to 60%) through established border control points, transportation was performed either secretly or using forged documents. Notably, it is not only notarial parental consents that are forged for the purpose of taking a child out of the country, but also passports. Interviewed NGO professionals from different towns of Moldova noted cases of border crossing by minors with forged passports with intentionally overstated information about the age of the minors.

Thus, according to available data, approximately in every fifth of the identified cases of child trafficking, children were taken out of the country legally, and their legal representatives — parents or relatives knew about their departure abroad. Every tenth child-victim of trafficking exited the country accompanied by his/her parent, and was exposed to exploitation upon arrival to the destination country (together with the parent or separately). In all other cases, parents gave their consent to taking the child out of the country, possibly realising the threat for health and life of their children. In any case, they find themselves intentionally or unintentionally involved in trafficking of their children by giving notarial consent for taking their child out of the country by a stranger. It should also be noted that in most of the cases of legal taking out of the country of victims of human trafficking, recruiters organised the process of obtaining the documents for exit and transportation of the child in the course of several days.

Such a rush is obviously driven by the recruiters' being afraid that those who sign the letter of attorney for taking the child out of the country or the child him/herself change their mind and report to the police.

Moldovan border service officers are very careful in checking the documents of children leaving the country. This is also confirmed by representatives of nongovernmental organisations. Thus, specialists of "Terre des hommes" Foundation, Mission to Moldova affirmed that the younger the child, the more complicated it becomes for a person not being a parent of the child to take him/her out of the country, because these cases are liable to suspicion from border services and are subjected to thorough check. In suspicious cases, border officers perform administrative detention of the adult and child at the point of border-crossing and invite professionals from the Center to Combat Trafficking in Persons. But in most of such cases, documents happen to be in order and the representatives of law-enforcement agencies do not have the right to detain them.

Sometimes, victims of child trafficking crossed borders themselves. It happened mainly in illegal border-crossing bypassing border control points. In this case, the recruiter or intermediary would accompany the adolescent to a right path, explain how and where to go and where he/she would be met.

Modes of transport used for transportation

Various modes of transport are used for transportation of victims of child trafficking.

Motor transport is also used for transportation of victims inside the country, where they are taken to a needed locality near the border and then transferred to intermediaries, who know how to cross the border bypassing border control points. Motor transport is the main mode of transport in transportation of victims in internal (national) child trafficking. Criminals also use various motorcars, as well as route buses or minibuses of private motor carriers for transportation of victims of child trafficking abroad. Carrier companies usually do not know about the reasons for taking children abroad.

Trains are also used to take victims of human trafficking out of the country, both legally and illegally. Representatives of law-enforcement agencies interviewed in the course of the study, as well as social assistants from NGOs reported cases (2006–2009) of illegal taking-out of children by trains where they were hidden in hiding-places equipped in passenger trains carriages. This method of transportation was used in trains going to Russia.

Air transport is also used to take victims of child trafficking out of the country. Planes are used to transport children to Turkey. Due to strengthened border control in the Chisinau airport, in the recent years, children came to be transported first to Ukraine and then to Turkey from Odessa and Kyiv airports.

Transfer-reception and harbouring

Harbouring victims of human trafficking in the territory of Moldova is usually used during the time that is needed for the arrangement

of departure abroad. For these purposes, an apartment is usually rented from hosts that are not aware of what is going on.

It should be noted that according to professionals that were interviewed, costs related to transportation of victims of child trafficking abroad (preparation of documents, purchase of tickets etc.) are usually covered by recruiters and very seldom by victims of trafficking or their parents as most of the victims come from poor families.

In half of child trafficking cases that were analysed, on their way to destination countries or transit countries children were accompanied by the recruiter himself, who then transferred the child to

another person in the destination country. In 16% of cases, the child was accompanied by another intermediary, for example he/she was taken across the border by plane being officially accompanied by air-hostesses. As noted, there are cases when children crossed the border alone, when they were met in the transit or destination country.

3.3. Exploitation

Destination countries

It should be noted that the list of countries where children were taken and exploited diminished significantly in 2005–2009 compared to the situation in 2000–2004 (see **Diagram 13**).

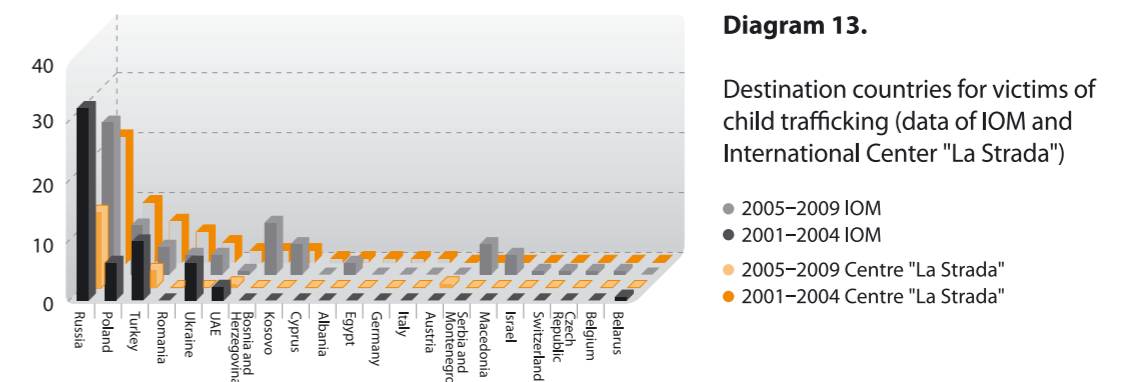


Diagram 13 shows that in 2001–2009 main destination countries for child trafficking continued to be Russia, Turkey and Ukraine — countries that do not require a visa for entry. Analysis of cases of trafficking of children that received assistance at the International Center "La Strada" shows that in the period of 2005–2009 no cases of exploitation

of children from Moldova were registered in European Union countries where there had been established a strict visa regime for entrance by Moldovan citizens. According to IOM Mission in Moldova, in a similar period of time, several cases of child trafficking were registered in Poland (cases of 2005 and 2007).



Forms of exploitation

Analysis of cases of trafficking of children that received assistance at the International Center "La Strada" and IOM Mission in Moldova shows that main forms of exploitation of minors are the following:

- sexual exploitation (commercial and non-commercial);
- forced begging;
- forced physical labour in agriculture, in construction, housework etc. (see **Diagram 14** and **15**).

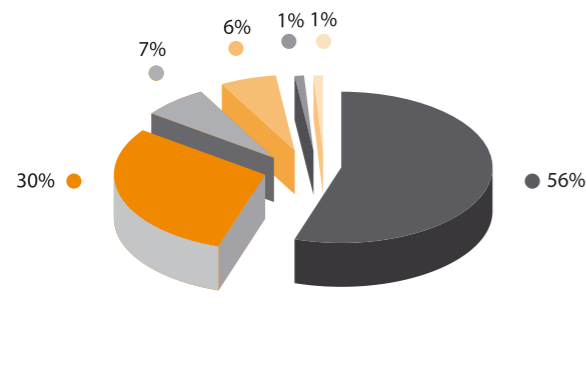


Diagram 14.

Forms of exploitation of victims of child trafficking (data of the International Center "La Strada", 2001–2009)

- Sexual exploitation
- Begging
- Agriculture
- Mixed (exploitation in prostitution and agriculture)
- Construction
- Housework

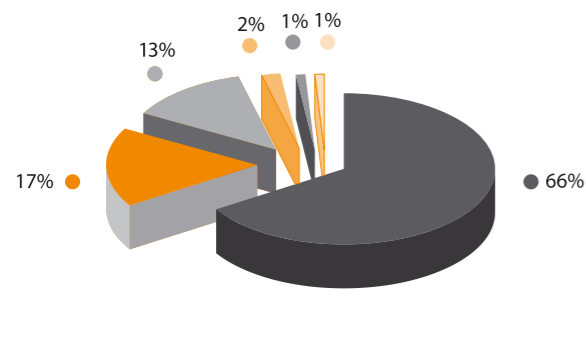


Diagram 15.

Forms of exploitation of victims of child trafficking (data of IOM Moldova, 2001–2009)

- Sexual exploitation
- Begging
- Physical labour
- Mixed (exploitation in prostitution and labour)
- Mixed (exploitation in prostitution and begging)
- Unknown

Most girls that became victims of child trafficking were exposed to sexual exploitation, while boys were exploited in agriculture and construction. Both boys and girls were exploited in begging.

"Minor girls are in good demand with adult men irrespective of their nationality and country of exploitation... They are guided by the consideration that they had far less clients compared to adult women providing sexual services. They think that the risk of acquiring sexually transmitted diseases is lower in this case."

Petru Boghean, Center to Combat Trafficking in Persons, Ministry of Interior

Analysis of cases of exploitation of children in different countries shows that all the listed forms of exploitation are used in Russia. Furthermore, of minor victims of child trafficking from Moldova

is common in Moscow and its suburbia. Cases of exploitation of children in agriculture were registered in Saratovskaya, Belgorodskaya, and Voronezhskaya oblasts.

Andrei, 6 years old, born in a village in the East of Moldova.

Many people from the village where Andrei lived went to work to Russia and earned good money there. In the summer of 2008, Roma came to their village and offered Andrei's mother to go to work to Russia. As she did not have anyone to leave Andrei with, the mother asked for permission to take the son with her, to which the organisers of the trip gladly agreed. Upon arrival of the mother and son to the Moscow area, they were beaten and forced to begging. Once Andrei fell into a talk with a churchman, who persuaded Andrei to go with him to a specialised Center for homeless children in Moscow. In this Center, Andrei met other children from Moldova with the same fate, he was glad to meet them and talk his native language.

A case from the database of the "Terre des hommes" Foundation, Mission to Moldova

Professionals of the “Terre des hommes” Foundation, Mission to Moldova registered a case of abuse of rights of child for the purpose of illegal adoption of three children from Moldova by a citizen of Russia. In Russia, good benefits are paid for adopted children and some citizens seek to adopt children not for love to them, but for the purpose of improving their financial situation. This is confirmed by this case, as two of the three adopted children died.

“We were informed about a case of illegal adoption of 3 children from Transnistria by a Russian citizen. All the adoption documents were prepared by agencies of the unrecognised state — TMR. Relevant agencies from Moldova were not notified about that, while there are mutual agreements signed between Moldova and Russia in the field of adoption of children. This fact became known after two of the adopted children died. In late 2009, this step-father was sentenced by the Russian court to life imprisonment.”

Antonina Comerzan, “Terre des hommes” Foundation, Mission to Moldova

Forced physical labour and mixed exploitation — a combination of forced begging and sexual exploitation are typical for Ukraine.

Misha, 16 years old, born in a small town in the North of Moldova.

In the summer of 2008, Misha’s father got an offer to work at a construction site in a Ukrainian village. He agreed and took his son as an assistant.

Upon arrival to the construction site, everyone in the group of workers was taken away their documents and forced to work under supervision for 12 hours a day with a small break for lunch. Misha had to work on level with adults to the point of exhaustion. In two months, the host told the exhausted workers to get into a minibus, brought them to the train station, where he gave them their passports and return tickets. He did not even give them money to buy food. On that day, Misha saw his father cry for the first time in his life.

A case from the database of the International Center “La Strada”



Sexual exploitation is typical for Turkey.

“We rendered assistance to girls who met Turkish men in their town, dated them for some time and later were taken to Turkey for sexual exploitation.”

Nicoletta Canter, NGO “Medecins du Monde”

Analysis of data related to forms of exploitation of children inside the country shows that, more often, minors are exposed to sexual exploitation, to exploitation in agriculture, in household and exploitation in begging.

Exploitation conditions

Conditions, in which victims of child trafficking have to work and live, are often unfavourable for their health and sometimes for their life.

According to all specialists that were interviewed in the study, exploitation conditions in construction, agriculture, housework, and begging, have remained unchanged for the last decade. It was also confirmed by victims of child trafficking themselves. Trying to obtain more income, criminals exploit victims of child trafficking to a point of exhaustion making no exceptions based on their age. Children exploited at construction sites and in agriculture are often forced to work daily for 12–14 hours, sometimes under a boiling sun, getting only scanty meal for their work. Children exploited in begging also have to spend a lot of time in the street regardless of weather conditions. Living conditions are, usually, unsanitary and unhealthy (in basements, barracks, at construction sites and other places out of public view).

As for exploitation in prostitution, working and living conditions can differ. Much depends on the size of payment for the services and social status of clients. Thus, girls that were exploited in prostitution in Moldova, especially when their owner was foreigner-oriented in the business, noted with satisfaction that they lived in comfortable apartments in the capital. These conditions were much better than those, in which they lived with their family before.

Making a comparison between the evidence given by victims of child trafficking for sexual exploitation abroad in 2001–2004 and in 2005–2009, it can be concluded that exploitation conditions became less tough in the recent years. Young girls no longer suffered, as in the previous years, from hunger and beating, they had access to health services. Their living conditions, compared to previous years, became more comfortable. In most cases, clients allowed minors to use barrier protection methods in sexual intercourse, though some clients preferred unprotected intercourse, thinking that the risk of acquiring diseases from a minor was minimal.

Minor girls reported that they had to serve up to 12 clients per day. The cruelest conditions of



sexual exploitation are in Russia, where minor girls are made to stay in the streets in winter time half naked. Providing sexual services at hotels, restaurants, and disco bars was often combined with consumption of alcohol and tobacco by the minor girls. As a result, most of the girls developed an alcohol addiction and almost all of them became heavy smokers.

10% of minor girls — victims of sexual exploitation — got pregnant. Their pregnancy ended with either a spontaneous abortion or delivery of a child, but having complications both for the mother and the child in all cases. In 45% of victims, sexually transmitted diseases were identified. Doctors of the Centre for Assistance and Protection of Victims and Potential Victims of Trafficking told about a case of sexual exploitation of a boy from Transnistria, who had AIDS.

Exploitation leaves an inerasable imprint on the image and manners of children, influences their further fate and social status. Regardless of the form of exploitation, the traumatic experience has serious consequences for the children's mentality.

Methods of influence used in exploitation

According to international and national law in the field of combating trafficking in human beings, such category of elements as methods (means) of influence are not taken into account in qualification of child trafficking crimes.²⁹ This is related to the fact that criminals usually do not find it difficult to subject children due to their age and lack of experience. But it does not mean that such

methods are not used in relation to victims. They just do not need proof in incrimination of child trafficking crimes. However, in practice, criminals apply various methods of influence on victims of child trafficking to ensure their obedience at all stages of this crime, starting from recruitment and ending with exploitation.

Criminals that organise forced begging use such methods of influence as physical and psychological violence, limitation of freedom of movement, keeping in servitude, and food deprivation etc. According to child-victims, every morning, the criminals brought them to busy streets or squares, or other crowded places. They watched the children incessantly, but kept some distance away from them, approaching them only sometimes to settle "issues" that emerged with the militia. Children were also taught by criminals how to answer possible questions asked by other people. They told that their owners established norms for them – a minimum amount of daily money collection. If children did not manage to gather the established amount they were beaten and deprived of food. Sometimes, children traffickers used the children's love to their parents and fear to lose them forever as a method of influence. Upon arrival to a destination country, children were separated from their parents and exploited in begging separately. Both victims were ready to answer any demands in a hope to be allowed together some time later.

Many of the listed methods of influence on children (physical and psychological violence,

limitation of freedom of movement, keeping in servitude, and food deprivation) are also used in exploitation of children (most often boys) in agriculture or at construction sites. Besides, deception is also used for this category of victims when they are promised to be paid all their wages upon completion of the whole volume of work (commissioning of a construction site or after harvesting and sale of the harvest). But as a result, they were paid nothing or paid the price of a return ticket. Sometimes, exploiters filled in the victims of child trafficking exposed to exploitation in agriculture or construction with thoughts that

they had to be thankful to them for the unique opportunity to acquire valuable professional experience.

In sexual exploitation, use of such method of influence on victims as manipulation — a method of persuasion based on deliberate deception — is becoming increasingly frequent. Manipulation influences the victims' conscience creating various illusions (illusion that the reality is such as shown by the manipulator, illusion of fair relations between the victim and the manipulator, illusion of freedom of choice etc.).

"The very fact that they live in good conditions, that they are dressed nicely and fed well, and that they manage to earn money for pocket expenses creates an illusion that they are cared for, that everything is under control."

Lidia Gorceag, Centre for the Assistance and Protection of Victims and Potential Victims of Trafficking

"Many minors that were forced into sexual exploitation in Chisinau do not realise that somebody had used their situation, they think that they chose their sphere of activity on their own initiative. The owner that selects apartments and clients for them seems attentive and not-indifferent to their problems, giving timely advise and generous because she gives them small presents."

Nadejda Radu, Centre for the Assistance and Protection of Victims and Potential Victims of Trafficking

²⁹ See <http://www.coe.int/trafficking> Council of Europe Convention on Action against Trafficking in Human Beings, art. 4, part c).

Manipulational influence on victims starts immediately upon arrival to the destination country. Often, traffickers place girls that had agreed to work as dancers or waitress into the same apartments with girls working in prostitution. They do not apply severe methods of influence to make them work in prostitution; they try to persuade them of the efficiency of this occupation and of the thing that this is normal, quite acceptable for their situation, that everybody does that.

"Sometimes, criminals tell girls: "Look, other girls work and it's ok, they earn good money. While your sister in Moldova will die of hunger waiting for your help."

Valentina Seuta, Centre for the Assistance and Protection of Victims and Potential Victims of Trafficking

Manipulation is often used in combination with other methods of influence, for example, such as abuse of vulnerability (economic, family, psychological etc.). A child never chooses such a profession as "prostitute" or "sex-worker" by oneself. They are brought to that by life's circumstances and corrupted by adults who want to earn money or create a market for children as a subject of sex.

"A 12–13 year old girl from a problem family where she had always faced rude attitude or heard only bad words, becomes easily attached to such a person who addresses her lovingly, pays her compliments etc. The more so, if she gets a reward for her consent to assume sexual relations."

Natalia Rotaru-Sirbu, Centre for the Assistance and Protection of Victims and Potential Victims of Trafficking

Involvement of mentally retarded minors into sex-business can serve as an example of abuse of mental vulnerability. Criminals use these persons' vulnerability because they have increased sexual drive to the opposite sex while having a weak self-control at the same time. Criminals use this physiological peculiarity of these persons. Often, being rejected by the community that is not very friendly to such girls, these girls are very thankful for becoming "needed" by someone. Minor girls that had experienced sexual violence in their childhood and were later drawn into pimp networks in the capital often perceive their activity as a normal way of life, believing that all girls have experience of sexual violence.



"Owners of sexual business involving minors use their social vulnerability. Often, a girl is placed into a situation of choice: to live with her drunkard father or to go seek fortune in the capital. Her opportunities to earn money are limited. When she is forced into prostitution, she hears something like: "Anyway, most of the girls of your age have already experienced that. What's wrong with this helping you to earn some money? ". But when the criminals that had involved the girl into prostitution fall into the sphere of attention of law-enforcement agencies, they usually say: "This girl [14 years old] asked me to take her to work herself. I felt pity for her and took her." Deception and manipulation is a usual means of reaching the objective among these people."

Alina Budeci, International Center "La Strada"

Manipulation is also used in combination with setting an unreasonable debt (debt bondage). For example, schemes are known when girls were gradually drawn into prostitution that started from their employment abroad as an alcohol consumption agent (stimulation of demand for beverages, food etc. in visitors of bars, night clubs etc. amusement places). Normally, organisation of departure to the destination country was paid by the owner of the place and the girl, first of all, had to work out the debt established in a size much exceeding the real costs related to her arrival to the destination country. Work in consumption did not result in good earnings and after some time they would start tempting the minor into a possibility to quickly get rid of the debt by agreeing to provide sexual services additionally. The owner would be generous to the girl only at the start of her work in sex-business. He would pay small, however significant in her opinion, amounts and even helped her to send a small amount of money to her parents in Moldova to put off her guard. But, normally, "generosity" of the owner-trafficker would end at that point. Then he would start to apply a system of "fines" for various faults or stop paying at all. Thus, the debt would stay unpaid and the girl would not have a possibility to leave her owner.

"A new trend — if 5 years ago criminals used physical violence to make victims bring them income, then more recently, exploiters have been using partial symbolic compensation increasingly often»."

Petru Boghean, Center to Combat Trafficking in Persons, Ministry of Interior

Other cases of manipulation were registered, when minors were offered assistance of so-called "employment agents" in the Russian Federation. The scheme of usage of manipulation was the following. Upon arrival to the country, the girl was met by an "employment agent" who explained to her that there

is no work so far, but they would find it in the nearest time, and for the time being offered her to settle down at a special apartment for labour migrants. In fact, that would be a common rented apartment, where after some time the girl had to start cohabitation with this “agent” and/or serve also his friends to pay for accommodation and alimentation. Furthermore, the girl was palmed off with promises that they will soon definitely find a job. Over time, the girl would get used to such way of living and dependence on the person supporting her. Then, not having other options, she would give her consent to work in sex-business being unsuspecting of the fact that she had become a victim of not the circumstances, but a prefabricated plan.

Sometimes, child traffickers intentionally make their victims consume alcohol and psychotropic or narcotic substances in order to make them addicted to these substances and subject their victims in such a way. This way of influence was used not only in sexual exploitation, but also in forced begging. Thus, for example, professionals of NGO “Interaction”, Tiraspol, reported a fact of child trafficking from the Transnistrian region. A group of children – 8 persons was illegally transported across the border with Ukraine to Odessa. The children were promised jobs for the period of summer vacation. In Odessa, they were forced into

begging, and the money they earned they gave to the criminals that organised their departure. Five of the children, who showed resistance, were “put on the needle” and became drug addicts as a result.

One of the methods of influence, often used by child traffickers in destination countries, is a threat of turn-over to the authorities. Here, minors are intimidated by turn-in to law-enforcement bodies. They explain to the victims that they had violated the regime of stay and the prostitution prohibition provision, which may carry serious punishment according to the law. Or, criminals make the victims believe that they have everything under their control and that there is no good addressing law-enforcement agencies with complaints and that at an attempt to escape they would be returned to their owner immediately.

Limitation of freedom of movement by withdrawing the passport has been another preferred method of influence on victims of trafficking through a number of years. Minors, whose documents were withdrawn by criminals, knew that recovering the passport in a foreign country is problematic and can last long, if possible at all, as not every country has diplomatic missions of the Republic of Moldova. Cases are known when victims had to agree on buying their documents from criminals.

“On identification by law-enforcement agencies, pimps often say that they did not know that girls under their control were minors. But search would show that they had been keeping the girls’ identification documents. It was impossible that they did not know”.

Alina Budeci, International Center “La Strada”



4. MANIFESTATION OF THE CHILD SEX-TOURISM PHENOMENON IN THE REPUBLIC OF MOLDOVA

Due to emerging information on cases of child sex-tourism in the Republic of Moldova, a decision was made to analyse the manifestations of this phenomenon and its relation to the phenomenon of child trafficking in the framework of this study.

It should be noted that the term “child sex-tourism” is new for professionals in our country.

But this phenomenon is known in many countries, for example in Brazil, Ecuador, Thailand, Cambodia, Vietnam, Indonesia etc.

Child sex-tourism is most often understood as commercial sexual exploitation of children by foreigners — child sex-tourists that arrive to a destination country. But child sex-tourists can travel also inside their countries or regions.

“Child sex-tourism is the commercial sexual exploitation of children by people who travel from one location to another and there engage in sexual acts with minors. They often travel from a richer country into a less developed one. Child sex-tourists can also be travellers inside their countries and regions”.

Questions and answers about commercial sexual exploitation of children.
ECPAT International, 2008, p. 14.

According to a well-known International Organisation ECPAT International (an organisation fighting for elimination of child prostitution, child pornography and child trafficking for sexual exploitation), child sex-tourists can be

travelling paedophiles — persons that feel sexual attraction to children, intentionally seek contacts with children and come to other countries with a purpose of establishing sexual relations with children. But most child sex-tourists do not prefer

sex with children in their ordinary life, while at the same time gladly take the opportunity when made available for them. Child sex-tourists can be men and women of different age and social status, they can be married or single, can have different social status and income level. When in a foreign country, away from familiar surroundings, for a while, they can forget about moral and social limitations that they usually follow and manifest violence to children.

Child sex-tourists can travel both independently and using services provided by tourist companies, hotels, resorts, restaurants, transport companies etc. Some of the specified enterprises can be directly involved in sex-tourism, like, for example, a tourist company that organises sex-tours abroad, or a hotel that houses sexual exploitation of children.

Child sex-tourists often explain their actions by saying that they assist children from poor countries by giving them money, clothes etc. Besides, sex-exploiters of children can explain their actions by cultural differences between countries, insisting that sex with children is acceptable in this country's cultural environment.

Other countries' negative experience shows that development of child sex-tourism is facilitated by such factors as general development of tourism and global increase of population mobility that ensures access of child sex-tourists to more and more new countries and regions. Development of Internet-technologies allows child sex-tourists exchanging information and advice, and facilitates establishing direct contacts with children from other countries. Likewise child trafficking, child sex-tourism thrives due to economic inequality of countries. Financial crisis, beyond all doubt, aggravates vulnerability of children in poor countries and facilitates growth of demand for child sex-services. Absence of counteraction to this phenomenon in a poor country for a number of reasons (absence of political will, drawbacks in legislation, corruption etc.) can also make this country attractive for child sex-tourists.

The problem of child sex-tourism, in contrast to the problem of child trafficking, is not considered to be of current concern for Moldova so far. As there is no data on wide-scale manifestations of this phenomenon in the country, action against this phenomenon is not considered necessary (creation of a regulatory framework, training of professionals, prevention of the phenomenon etc.).

"It is difficult to say that the phenomenon of child sex-tourism is progressing inside the country. I think that this issue is being artificially bloated by some NGOs. Today, it is difficult, almost impossible for a foreigner who wants to make use of sexual services of minors".

Iurii Podarilov, Center to Combat Trafficking in Persons, Ministry of Interior



In the meantime, child sex-tourism, as a notion, is very close to child trafficking for the purpose of sexual exploitation. In cross-national child trafficking for the purpose of sexual exploitation, a child is taken out of a less developed country to be delivered to foreign clients in a richer country. While in child sex-tourism, clients go to a poorer country themselves. Child trafficking inside the country for the purpose of sexual exploitation can be oriented at both local and foreign clients.

Professionals interviewed in the course of the present study also noted cases of organisation of domestic child trafficking oriented at foreign clients, when minor girls worked with an "owner"—pimp in specially equipped apartments. Notably, the actions of foreigners that can be initially qualified as sex-tourism later gain a momentum, when they can be qualified as trafficking in human beings:

"It seems to be a new trend — domestic child trafficking for the purpose of sexual exploitation by foreigners. Notably, there are cases when foreigners first act only as clients, and later, when the child reaches the legal age they sell him/her into sexual slavery abroad".

Nadejda Radu, Center for the Assistance and Protection of Victims and Potential Victims of Trafficking

It seems that the phenomenon of child sex-tourism replenishes the phenomenon of trafficking in human beings:

"Girls that want to marry a foreigner often meet Turkish people though the Internet. Then these foreigners come to Moldova for a closer acquaintance with the girls they like, rent apartments, where there starts their sexual exploitation by the so-called "future husbands".

After execution of foreign passports, the girls are taken to Turkey, where they become their sexual slaves. Marriages are not legally registered. This girl is just kept in closure for several years or under permanent supervision in a private house and then thrown in the street as a boring thing or sold to another local resident".

Olga Dotin, Center "Sotis", Balti

At the same time, so far, there are few officially recognised facts of sexual crimes committed by foreigners that arrived to Moldova in relation to children. But their scale calls for awareness. According to the Center to Combat Trafficking in Persons, Ministry of Interior, in the period of 2004–2009, 11 children were involved as victims and witnesses in court sessions regarding foreigners that were charged with crimes

related to the sexual sphere and committed to children.

One of the most known criminal cases in this sphere that have become widely publicised in mass media in different countries is related to sexual exploitation of children (boys) from Moldova by a travelling paedophile — citizen of the US and a millionaire.

In early 90s, a citizen of the USA, born in 1962, coming from a rich Italian family, bachelor of history, stock investor and millionaire, started actively making sex-tours to Russia. In 2000, he was sentenced by the Russian court to 3 years of imprisonment for sexual abuse against minors in the territory of Russian Federation. However, soon he was amnestied and deported from Russia. After that, in 2001–2005, he not only did not stop his sex-tours, but significantly broadened their geography and visited Moldova, Romania, Cambodia, Cuba and a number of other countries, where he seduced and raped boys. Dozens of boys became his victims.

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

7 child-victims from Moldova testified against the paedophile at the American court in Philadelphia in 2007. Regardless of the skilful actions of his defence (he was defended by a well-known lawyer, who had earlier defended such “stars” as Michael Jackson etc.), the American paedophile was sentenced to 23 years in the US. His accomplice from Moldova was sentenced even earlier in Moldova to 20 years of imprisonment. Currently, each one of them serves his sentence in his own country.

Information taken from press materials³⁰ and interviews with professionals

³⁰ See http://www.newsru.co.il/world/16jul2007/bianchi_102.html last accessed on March 25, 2010.



Another case, widely covered in mass media, was related to a citizen of Great Britain, who worked as a consultant and numerously visited Moldova in 2007–2008, was arrested and accused of homosexual sexual abuse against 4 boys 12–15 years old.

“A citizen of Great Britain, born in 1960, stayed in the territory of the Republic of Moldova starting from December 2007 and worked as a foreign consultant in a foreign capital company in mun. Chisinau.

As a result of investigation, it emerged that in the period of February–May 2008, this foreign citizen turned the apartment where he lived into a brothel, seduced boys 12–15 years old and performed sexual abuse against them. Law-enforcement agencies found out that the foreigner met minors most often at Internet-cafes, later invited the boys to his home. In his apartment, the children used Internet for free, he treated them with sweets, gave them small compensations in the form of money or presents.

During a search conducted in this apartment, two computers were found that stored pornographic materials showing minors.

In 2009, this citizen of Great Britain faced the trial of the Republic of Moldova, and the Prosecutor demanded 22 years of imprisonment as punishment for child trafficking (art. 206 Criminal Code). In May 2009, the citizen of Great Britain was sentenced by the trial court to 7,5 years of imprisonment.

Later, the lawyer of the accused contested the court’s decision at the Chamber of Appeals of the Republic of Moldova, and the actions of the accused were re-qualified based on art. 175 of the Criminal Code “Sexual Abuse” providing for a punishment for sexual abuse against a person known to be under 14.³¹

As a result of this, this citizen of Great Britain was found guilty and sentenced to 4 years of conditional imprisonment, with a stay of execution of the sentence after 2 years.

Information taken from a press-release of the Center to Combat Trafficking in Persons, Ministry of Interior, 2009.

³¹ See <http://www.protv.md/stiri/social/7-ani-i-jumatate-de-pu-carie.html> last accessed on March 22, 2010.

This case is a rather sad example of loyalty of the National judicial system in relation to foreigners — criminals that exploit children. As a justification for this fact, we can note that professionals, respondents in this study emphasised difficulties that arise in the course of gathering evidence of crimes related to sexual exploitation of children.

“Law-enforcement agencies find it difficult to prove the fact of sexual exploitation. It does not suffice to have only the evidence of child-victims. Children often change or refuse their testimony. Often, criminals, through their agents, “get on” with parents of children that give evidence, who exert respective influence on their children.

That is why other evidence is also needed. Criminals also know about that and conceal their sexual attraction to children carefully. They try not to keep pornographic materials involving children on their computers and send and store it in e-mails. They explain their interest to children and “friendship” by compassion and a wish to help”.

Alina Budeci, International Center “La Strada”

Specialists also know that it is difficult to make an average portrait of a child sex-tourist due to the fact that they can be very different people. The only thing that we note is that the level of their income is, of course, much higher than the average level of income in Moldova. At the same time, it is basically not very difficult to make an average portrait of a child, exposed to the risk of sexual violence from a child sex-tourist. It coincides with the portrait of a victim of child trafficking. This category includes children from socially vulnerable families, often being incomplete and often having problems of violence, alcohol abuse, where children are left to themselves. Some of these children had had problems with justice in the past, a part of them do not go to school. Communication between the parent/parents and such children is not established, children are out of adults’ supervision, and even in the case of violence, these children either do not tell their parents about what happened or do tell, but these parents do not take appropriate measures. For a small compensation, they are ready to blot out and forget about what happened to their child.



“Talking about personal characteristics of child-victims of sexual violence, it is necessary to note, first of all, that these children are used to situations of violence. Since early childhood, they lived in an environment of violence, in most of the cases they are introverts and do not want to cooperate with anyone”.

Lilia Borzin, Center for the Prevention of Trafficking in Women, NGO

More often, strangers, not parents, can bring contacts of foreigners with children to notice. In the recent years, the Hotline of the International Center “La Strada” received such anonymous messages, where foreigners were noticed in the company of children coming presumably from vulnerable families or boarding schools. In most of such cases, they feel that something strange happens, but do not know how to react and where they could address.

“Today morning, when I was going back home from work, I became witness of an unusual situation in a trolleybus. A well-dressed male-foreigner was accompanied by two poorly dressed children. When asked by the trolley-bus conductor about where he was taking them, the man answered that they were going to go for a short walk and then get back to the boarding school”.

From the call register of the Hotline of the International Center “La Strada” call №15860 from Chisinau of 04.11.2005, 10 hr 38 min)

At the same time, child sex-tourists communicate with each other and get all the necessary recommendations at pornographic web-sites.

“According to our information, each web-site with child pornography is visited for up to 1200 times daily. Normally, one web-site has links to other similar web-sites. Browsing such web-sites is paid, but it is quite difficult to track criminals that create web-sites with child pornography, as domains and addresses of these web-sites change incessantly”.

Svetlana Chintea, International Center “La Strada”

Talking about methods used by child sex-tourists to establish contacts with children, according to specialists, there is no standard scheme of establishment of contacts with children. They can make use of the services of intermediaries, and establish contacts with children themselves, both through the Internet and directly.

In the Internet, foreigners that take interest in places where they could find minor children for paid sexual services are often offered to address intermediaries regarding this issue — taxi drivers in Chisinau.

“In the Internet, foreigners can find recommendations as to how to access taxi drivers who best know where they could use sexual services of minors in Chisinau. Besides, there are recommendations regarding hotels, night clubs and bars where they could meet minors for the purpose of using sexual services”.

Alina Budeci, International Center “La Strada”

Child sex-tourists can establish contacts with children themselves before their coming to Moldova, through the Internet at different forums and chats, where they can introduce themselves as anyone, saying that they want to meet more friends. Their meeting with children can occur later upon arrival of the foreigner to Moldova.

If a sex-tourist establishes contact with a child without intermediaries, than this happens at various recreation and amusement places for teenagers (discotheques, bars etc.) or places of large gatherings of children (stadiums, parks etc.). Stories told by foreigners to children are almost always the same: “I am a rich person and want to find friends. I came to help children



from Moldova”. Then the sex-tourist gathers information about the life and environment of potential victims, makes efforts of “courtship”/ flirt with the child.

An overwhelming majority of sexual rapists establish good psycho-emotional contact with children and even, if necessary, with their parents.

“If necessary, foreigners even meet the parents of children — potential victims of sexual violence, introduce themselves as businessmen or teachers and say that their purpose is to help their children to become “big persons”. Most often, children perceive these foreigners as good and generous people, a useful acquaintance. They do not give rise to suspicion of being rapists”.

Alina Budeci, International Center “La Strada”

It should also be noted that many people in Moldova think that sexual exploitation of children or use of sexual violence in the case of a child involves only sexual intercourse with a child. But this notion includes unwanted and imposed sexual behaviour that can be manifested in unwanted kisses, strokes, making children take certain sexual poses etc. Another problem consists in the fact that in our countries,

sexual crimes, which are socially dangerous and subject to criminalisation, are considered such actions that suppose application of rude violence and infliction of severe damage to physical or psychological health. But the notion of sexual violence is much broader, and its damage to psychological and physical health can manifest itself, and does manifest itself, years on. This should be fixed in criminal law.

“Unfortunately, in Moldova, subject to criminal prosecution are only cases of cruel sexual violence against children. Such cases of sexual violence when we are talking about photographing and video recording of an undressed child, sexual touching, masturbation in front of a child, these cases can be not qualified by our law-enforcement bodies as criminal offences against children. That is why foreigners in Moldova get away with the things, for which they could carry severe punishment in their country”.

Svetlana Chintea, International Center “La Strada”



CONCLUSIONS AND RECOMMENDATIONS

The scale of the phenomenon of child trafficking in Moldova (transnational and national levels)

1. At the moment, in the Republic of Moldova, there is no precise statistical data on the number of victims of child trafficking both at the transnational level and domestically. Experts explain this by the phenomenon's latency and lack of a common system of gathering of information on victims.
2. Some organisations — active participants of actions against trafficking in human beings in Moldova gather data on the number of victims. But this data is not gathered chronologically to represent the time of real involvement of victims in situations of child trafficking, but in a sequence that represents the work of organisations with victims of child trafficking (stages of participation in criminal procedure, date of access to assistance programmes for victims etc.). Besides, the same victim can benefit from assistance at different organisations. As a result, statistical data of different organisations appear to be inconsistent at the national level. There is a need to develop a clear concept and data collection procedure, to define a body responsible for centralised data gathering. At the same time, the established procedures of collection, processing and storage of data on victims of child trafficking should not infringe their right to confidentiality and protection of private data.
3. Analysis of existing data of organisations that are active participants in actions against trafficking in human beings in Moldova has shown a decrease in the number of victims of transnational child trafficking in the recent years with a slight increase in the number of victims of child trafficking inside the country. Due to the problems related to the chronology of accumulation of this data, these figures testify, primarily, a change in these organisations' commitment. At the same time, this could also be interpreted as a tendency of decrease in the scale of the phenomenon of child trafficking in Moldova.
4. Regardless of the decrease in the total number of victims of child trafficking, this phenomenon has not become less challenging for Moldova, and it should remain among priorities for the country's leadership in the course of development of the national policy, as well as for organisations involved in actions against this phenomenon.

5. Experts of state organisations refer the decrease in the number of victims of child trafficking to progress in actions against child trafficking, while representatives of the non-governmental sector refer it to a transformation of the phenomenon of child trafficking (modification of its mechanism and characteristic features, increase of the phenomenon's latency), and consequently — difficulties in identification of victims.
6. In the last years, the phenomenon of child trafficking has assumed an even more hidden character. Criminals adjusted well to changes in the criminal law introduced for the purpose of strengthening of combating child/human trafficking and progress in their efforts of making their actions not fall within the characteristics of child and human trafficking crimes that carry severe criminal responsibility. Increasingly often, child-victims perceive child traffickers as "saviours", not as exploiters and refuse to testify against criminals.
7. According to expert opinion, there is a close relationship between the phenomenon of transnational child/human trafficking, the phenomenon of domestic child trafficking and the phenomenon of child sex-tourism. These phenomena nurture each other and transform from one phenomenon into another. Thus, for example, cases were registered when minor victims of domestic child trafficking became victims of transnational human trafficking upon reaching their legal age. Or, sex-tourists first exposed their victims to exploitation in the territory of Moldova and then sold them abroad. There is a need to continue studying these phenomena, track their mutual interaction and evolution in order to develop adequate measures of combating these phenomena.
- Average portrait of a child – victim of child trafficking**
8. Most often, victims of recruitment, as the initial stage of child trafficking, become children in the age of 14–17. 80% of victims of child trafficking are female, and 20% are male. In recent years, the share of boys in the total number of victims of trafficking in human beings grows.
9. The range of the phenomenon of child trafficking in Moldova covers all regions of the country. 52% of child-victims lived in the rural area at the moment of recruitment.
10. 42% of child-victims got general compulsory education as of the moment of recruitment (finished gymnasiums), but an absolute majority did not have professional training. Many child-victims quit school as of the moment of recruitment, and some children (4%) did not go to school at all while being of school age. Some cannot either write or read while being in their teen-years. In 2005–2009, the share of mentally retarded children grew thrice in the total number of victims of child trafficking.
11. Most of child trafficking victims (71%) come from incomplete families, with parents separated or living separately, or with one or two parents deceased. As of the moment of recruitment, most minor victims lived in families, but, normally, vulnerable families that could not protect them. Most children lived in poor families; one or both parents were unemployed

in 84% of cases. At the same time, most families were large — 56% of victims came from families with 3 or more children. Almost all families had problems with alcohol abuse and violence and, as a consequence, relations between the parents did not work out. 63% of respondent children defined their relations with parents as "complicated" and "bad". 29% of child trafficking victims suffered from violence outside their family before being involved in a human trafficking situation.

12. According to expert opinion, children become victims of transnational trafficking in human beings increasingly often — victims of sexual exploitation and child trafficking inside the country.
13. Preventive measures are necessary in order to inform the risk group on the danger of child trafficking, as well as to decrease this group's vulnerability, particularly by providing necessary assistance in overcoming difficult life situations.

Mechanism of child trafficking

14. **Recruitment** of victims of child trafficking was performed by both men and women, most often by citizens of the Republic of Moldova. In 73% of cases, recruiters were acquaintances or familiar people (neighbours, friends, relatives). They knew well the situation of victims and what could attract them. In 66% of cases, recruitment occurred at the place of victim's residence. In most of the cases of recruitment, informational influence was exercised on the victims — deception related to the sphere of activity, conditions of work and earnings. Experts in the problem noted cases of recruitment using

physical coercion (battery, limitation of freedom of movement, abduction, coercion to use of psychotropic substances etc.) and psychological coercion (threat of bodily harm etc.).

15. **Crossing of the border** of the Republic of Moldova for the purpose of transportation of child trafficking victims was legal in 20% of the examined cases, and the victim's parents or other legal representatives either accompanied the child or knew about his being taken out of the country, and gave their official consent. In all other cases, illegal methods of border-crossing were used — bypassing established border control points and without documents (mainly to Ukraine), or through these points, but using forged documents or concealed in hiding-places equipped in transportation modes. According to expert opinion, most often, illegal crossing of the border of Moldova with Ukraine happens in the Transdnistriean region, at the segment of the border that is not controlled by the Government of the Republic of Moldova.

16. In **transportation** of victims of human trafficking abroad, all modes of transport are used — motor, railway and air transport. Child traffickers use the air way for transportation of minors to Turkey. Due to strengthening of border control in the airport of Chisinau, departure to Turkey turned to the neighbouring transit country — Ukraine (Odessa and Kyiv airports). Costs related to transportation of victims of child trafficking abroad (preparation of documents, purchase of tickets etc.) are usually covered by recruiters and extremely rarely by victims of trafficking or their parents, as most of victims come from poor families.

17. In 2005–2009, major **destination countries** for child-victims of trafficking were Russia, Turkey, and Ukraine, which do not require visa for entrance by citizens of Moldova, or it is easy to obtain on entrance into the country. In the specified period, the number of cases of child trafficking from Moldova to EU countries decreased drastically. It is necessary to strengthen cooperation with main destination countries in order to eliminate child trafficking crimes.
18. Main **forms of exploitation** of minors are — sexual exploitation (around 60%), forced begging and forced physical labour in agriculture, construction and housework. A combination of several forms of exploitation was used against some victims (for example, forced begging and sexual exploitation). Experts also noted cases of child trafficking for the purpose of illegal adoption for various forms of abuse.
19. In the period of 2005–2009, compared to the previous period, **conditions of exploitation** at construction sites, in agriculture, housework and begging did not change. Child-victims had to work and live, normally, in unsanitary and unhealthy conditions. In the same period of time, some improvement of conditions in the sphere of sexual exploitation was noted — living conditions became better, with a rather rare use of physical violence as a method of subjection of minors. At the same time, appalling consequences of sexual exploitation for physical and psychological health of victims were noted. Every second victim of sexual exploitation suffered from a venereal disease, every tenth was pregnant, and this pregnancy had severe complications. Cases of infection of victims with AIDS were registered. Most victims of sexual exploitation developed alcohol addiction.
20. Just as in the previous years, in order to retain victims in exploitation, criminals continued using various **methods of influence**. Cases continue involving use of physical violence, limitation of freedom, withdrawal of documents, keeping in servitude, food deprivation, coercion of victims to use of alcohol, psychotropic or narcotic substances etc. Informational pressure is also used — deception (promise of payment of earnings upon completion of the whole amount of work, upon sale of harvest etc.), threat of use of physical violence, threat of turning in to the authorities. Manipulation became most common in recent years — a method of influencing the conscience that creates different illusions in victims (an illusion that the reality is like it is shown by the manipulator, illusion of freedom of choice etc.). Manipulation is often used in combination with other methods of pressure, for example, such as abuse of vulnerability (economic, family, psychological etc). Measures need to be taken to criminalise manipulation as a criminal method of exercising pressure on victims.
- Phenomenon of child sex-tourism in the Republic of Moldova**
21. In Moldova, there appeared cases of child sex-tourism — commercial sexual exploitation of children by foreigners — child sex-tourists. Comparative analysis of these cases and cases of child trafficking shows that child sex-tourism, as a crime, is close to child trafficking for the purpose of sexual exploitation (transnational and national). Their elements and characteristic

features largely coincide. Thus, in transnational child trafficking, a child is taken out of a less developed country for sexual exploitation in a richer country. In child sex-tourism, clients go to a poorer country themselves in search of sexual contacts. Domestic child sex-tourism for the purpose of sexual exploitation can be oriented both at local and foreign clients. The negative consequences of spread of these crimes for victims and the society largely coincide. There are cases when the same criminal exposed children from Moldova to sexual exploitation both in the territory of our country and transported children to other countries for the same purpose.

22. The average portrait of a victim of violence of a child sex-tourist coincides with the portrait of a child trafficking victim. These children often come from vulnerable families with problems of poverty, violence, alcohol abuse, sometimes they are fosters of boarding schools. The average portrait of a child sex-tourist is difficult to make due to the fact that they can be different people. The only thing that is common for them is that they are foreigners with a level of income much higher than the average level of income of citizens of Moldova.
23. Though the problem of child sex-tourism has not obtained wide circulation in Moldova, it should not be disregarded, because based on a number of parameters (level of poverty, corruption, drawbacks of legislation etc.), it can be concluded that the country has conditions that facilitate circulation of this phenomenon. We should take measures to sensitise public opinion on the problem of child sex-tourism and the danger of this phenomenon to call for intolerance and attract mass media for this purpose.
24. Based on existing experience of combating child trafficking, criminals always tend to stay out of law-enforcement bodies' view — reason why criminal phenomena manifest themselves only when professionals of these bodies know their characteristic features and know how to identify victims. Methods of criminal pressure on victims used by child sex-tourists should be studied, professionals should be trained, and when necessary, measures should be taken to develop an adequate mechanism of criminal prosecution. Account must be taken of the fact that even the “mildest” ways of sexual violence against children have appalling impact over their future, conduce their transformation into sexual rapists and spread of sexual violence in the society. National and foreign criminals should not remain unpunished or carry mild (including conditional) punishment for sexual violence against children.
25. Child sex-tourists can travel both independently and using the services provided by tourist companies, hotels, resorts, restaurants, transport companies etc. Some of the specified service providers can be directly involved in sex-tourism, as, for example, a tourist company that organises sex-tours to Moldova, or a hotel, where sexual exploitation of children occurs. Measures should be taken to inform service providers about consequences of child sex-tourism and best practices for its prevention based on strengthening social responsibility of business. Voluntary acceptance of a Professional Code of Ethics that would define a policy of general ethics in action against sexual exploitation of children, particularly moral-ethical principles of activity for the specified service providers, will make a good contribution to prevention of circulation of child sex-tourism.

