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### MDA100694.E

Moldova: Victims of organized crime and state protection available to them; corrupt police in organized crime and reports of organized crime targeting police; state protection available to former organized crime members who leave the organized crime "ring" (2000 - 2006)

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### Organized Crime in Moldova

There have been a number of reports in 2005 and 2006 on the presence of organized crime in Moldova (RFE/RL 10 Apr. 2005; *ibid.* 26 Jan. 2005; Reuters 30 Nov. 2005; AP 10 Feb. 2006; BNS 17 Jan. 2006), and in the country's "breakaway territory" (IOM and SIDA 2003, 4) of Transdniester in particular (*SAIS Review* 2005, 71; BBC 2 Sept. 2005).

Transdniester has been described as a "mafia-run fiefdom" (IWPR 3 Nov. 2004), a "focal point of major smuggling rings" (Reuters 30 Nov. 2005), a "centre for a network of international organised crime" (BBC 2 Sept. 2005), and a "lawless weapons supermarket ... a hive of local, Russian and Ukrainian organized crime syndicates" (*SAIS Review* 2005, 72). Illegal activities, such as money laundering (IWPR 3 Nov. 2004) and the smuggling of alcohol, tobacco, drugs, human beings (BBC 2 Sept. 2005; *SAIS Review* 2005, 71) and illegal weapons (BBC 2 Sept. 2005; IWPR 3 Nov. 2004) are reportedly conducted "very easily and with impunity" (*ibid.*) within the region.

Moldova is recognized as a major source country for trafficking in persons (OSCE Dec. 2003, 9; *Trafficking in Persons Report* 3 June 2005). Trafficking in persons is generally linked to sexual exploitation (*ibid.*; OSCE Dec. 2003, 9); however there have been reports of trafficking in persons for the purposes of labour exploitation (*Trafficking in Persons Report* 3 June 2005), as well as organ trafficking (RFE/RL 16 July 2003), which has become a "hugely profitable business for organized crime" (*ibid.*).

### The Police and Organized Crime

Corruption among public officials (ABA and CEELI June 2005, 36), including the police (*Country Reports 2004* 28 Feb. 2005, Sec. 1.d; *INCSR* Mar. 2005, Vol. 1, Sec. 3), is recognized as a problem in Moldova. According to the director of the Transnational Crime and Corruption Center (TraCCC) at American University in Washington, DC,

[t]here is extensive corruption of every aspect of law enforcement in [Moldova] ... [including] the border guards. There are links to organized crime. The problem of Transdneister adjoining Moldova only makes everything more difficult as this is a haven for crime (11 Feb. 2006).

The 2005 *International Narcotics Control Strategy Report (INCSR)* noted that corruption in Moldova's Customs Department and in the country's police force has created "opportunities for drug trafficking" (Mar. 2005, Vol.1, Sec.3).

Corruption is also thought by some to play a part in Moldova's problem of trafficking in persons (ABA and CEELI June 2005, 37). There have been cases of Moldovan public officials receiving bribes (ibid.; TI 2002, 51) and directly participating in trafficking activities (ibid.; *Country Reports 2004* 28 Feb. 2005, Sec. 5). Both low- and high-level officials have allegedly been involved in trafficking crimes, or have "routinely turned a blind eye" to such crimes (ibid.). It is thought that the number of investigations by Moldova's Anti-Trafficking Unit has been limited, at times, as a result of "pressure from complicit officials at higher levels" (*Trafficking in Persons Report* 3 June 2005).

In November 2005, Moldova's President Voronin urged employees of the country's Centre for Combating Economic Crime and Corruption to be more persistent in fighting "corruption among heads of ministries and departments, supervisory and law enforcement bodies, as well as parliamentary structures" (Infotag 10 Nov. 2005).

However, by mid-2005, government efforts that had been made to fight corruption in the country had not been effective (Freedom House 2005; ABA and CEELI June 2005, 38). This lack of success has been attributed to the dearth of public education in Moldova concerning corruption, as well as the country's prevalence of economic and social problems (ibid.).

No information on the targeting of investigating police by organized crime members could be found among the sources consulted by the Research Directorate.

### **Initiatives to Combat Organized Crime**

In May 2005, the Organization for Security and Co-operation in Europe (OSCE) Mission to Moldova provided training to Moldovan police officers on investigating cases of human trafficking (OSCE 30 May 2005). The training was intended to help police officers "develop techniques to bring the perpetrators to justice, while at the same time providing full protection for the victims" (ibid.).

In November 2005, the European Union began an operation to monitor the Moldovan-Ukrainian border (Reuters 30 Nov. 2005; RFE/RL 30 Nov. 2005) in order to reduce such criminal activities as illegal migration and weapons and drug smuggling (ibid.), and to combat terrorism (Basapress 22 Feb. 2005) and organized crime (ibid.; RFE/RL 30 Nov. 2005). The operation involves sixteen EU countries that are providing seventy customs officials (ibid.; Reuters 30 Nov. 2005), as well as training for Moldovan and Ukrainian border guards (Basapress 22 Feb. 2005).

In January 2006, the Moldovan government established a National Virtual Centre SECI-GUAM (Southeastern European Cooperation Initiative in Georgia,

Ukraine, Azerbaijan and Moldova) to "combat terrorism, organized crime, drug trafficking and other serious crime" (ibid. 26 Jan. 2006). The centre will be involved in exchanging information on such illegal activities with other virtual centres in Georgia, the Ukraine, and Azerbaijan (ibid.).

### **Protection for Victims of Organized Crime**

According to a 2005 press release from the United States Embassy in Chisinau, Moldova, in cases of trafficking in persons,

efforts are being made [in Moldova] to develop effective victim-witness protection measures, such as court security, police escorts, and access to counselling and protection while participating in criminal procedures (US 30 Mar. 2005).

Victims of organized crime are provided with witness protection under the 1998 Law of the Republic of Moldova on State Protection of the Victim, Witnesses and Other Persons who Provide Assistance in Criminal Proceedings, which complies with the country's obligations under Article 24 of the United Nations Convention against Transnational Organized Crime (ABA and CEELI June 2005, 16). However, this law applies only to those individuals who are willing to cooperate with the authorities in the "detection, prevention, deterrence, investigation, and discovery of a crime or agree to testify in court" (ibid.).

In October 2005, a new anti-trafficking law was passed by the Moldovan parliament (US 22 Oct. 2005). This law provides protection to victims of crimes, such as trafficking, who are not willing to cooperate with the authorities (ABA and CEELI June 2005, 16.). The law provides that the police grant protection to those persons sheltered at centres for victims of trafficking; however, this protection is available only while individuals stay at the centres and does not apply to family members or friends of victims (ibid., 82). No information regarding whether or not this legislation has been effectively implemented could be found among the sources consulted by the Research Directorate.

Witnesses and victims of crime are protected by the Witness Protection Section of the Moldovan Ministry of Internal Affairs (ABA and CEELI June 2005, 34). According to research conducted by the American Bar Association (ABA) and the Central European and Eurasian Law Initiative (CEELI) in 2005, due to "budgetary constraints", measures to protect victims and witnesses did not include relocation, but did include the following:

- providing physical protection (in the home, outside the home, and while moving from one location to another);
- protecting the home;
- concealing the witness' identity and whereabouts (i.e. by introducing a false name for the witness in court documents and retaining the witness' real identity in a separate file that is only available to the judge, prosecutor, and investigator in the case);
- disclosing the witness' identity and whereabouts in a limited fashion;
- conducting proceedings involving the witness in a confidential manner (i.e. in camera proceedings but only in Chisinau courts); and
- implementing evidentiary limitations to safeguard the witness (ibid., 34-35).

The ABA and CEELI report also suggested that Moldova's witness protection measures are inefficient and that, while "measures are available [to protect witnesses] and are delineated in law, they are scarcely applied" (ibid., 35). February 2006 correspondence from the director of TraCCC, also implied that witness protection programs in Moldova were inefficient (11 Feb. 2006).

Non-governmental organizations (NGOs) in Moldova, such as La Strada and the Center for the Prevention of Human Trafficking (RFE/RL 6 Oct. 2004), provide support to victims of trafficking; however, the Moldovan government has provided very little funding to these NGOs (*Trafficking in Persons Report* 3 June 2005). La Strada, an international centre for the protection and promotion of women's rights, has been active in Moldova since 2001 (RFE/RL 6 Oct. 2004). The International Organization for Migration (IOM) has provided support to La Strada, allowing for the establishment of a rehabilitation centre for trafficking victims in Moldova (ibid.).

### **Former Organized Crime Members**

A person involved in organized crime in Moldova can be sentenced to between sixteen and twenty-five years' imprisonment for "setting up or leading a criminal organization" (ABA and CEELI June 2005, 20-21). For a person who is associated with a criminal organization, or who has participated in the activities of a criminal organization, the prison sentence handed out could range from three to ten years (ibid., 21). A 2005 ABA and CEELI report notes that

a member of a criminal organization can avoid criminal liability if s/he volunteers information regarding the existence of the criminal organization in question, helps with the discovery of the crimes committed by such an organization, or exposes the leaders or members of such an organization (ibid., 20)

No specific information on whether a former organized crime member would receive state protection for his or her cooperation with the authorities could be found among the sources consulted by the Research Directorate. However, February 2006 correspondence from the Director of the TraCCC implied that it was unlikely that the state would be capable of providing protection to a former organized crime member, or any other individual, as the state's witness protection programs are inefficient (11 Feb. 2006).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

### References

American Bar Association (ABA) and Central European and Eurasian Law Initiative (CEELI). June 2005. "The Human Trafficking Assessment Tool Report: Moldova." <[http://www.abanet.org/ceeli/publications/htat/mol\\_ht\\_assessment\\_2005\\_eng.pdf](http://www.abanet.org/ceeli/publications/htat/mol_ht_assessment_2005_eng.pdf)> [Accessed 14 Feb. 2006]

Associated Press (AP). 10 February 2006. "Serbian Police Arrest Seven Accused of Trafficking Women." (Factiva)

Baltic News Service (BNS) [Vilnius]. 17 January 2006. "Lithuanian, Latvian Border Guards Bust Illegal Migration Ring to Western Europe." (BBC Monitoring Former Soviet Union/Factiva)

Basapress News Agency [Chisinau, in Moldovan]. 26 January 2006. "Moldova Sets Up Body to Combat Terrorism, Organized Crime." (BBC Monitoring Ukraine and Baltics/Factiva)

\_\_\_\_\_. [Chisinau, in Russian]. 22 February 2005. "EU to Fund Border Security in Moldova." (Factiva)

British Broadcasting Corporation (BBC). 2 September 2005. Helen Fawkes. "Trans-Dniester's Surreal Life." <<http://news.bbc.co.uk/2/hi/europe/4208194.stm>> [Accessed 15 Feb. 2006]

*Country Reports on Human Rights Practices for 2004*. 28 February 2005. "Moldova." United States Department of State. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41697.htm>> [Accessed 13 Dec. 2005]

Freedom House. 2005. "Moldova." *Nations in Transit 2005*. <<http://www.freedomhouse.org/template.cfm?page=47&nit=367&year=2005>> [Accessed 14 Feb. 2006]

Infotag News Agency [Chisinau, in Russian]. 10 November 2005. "Moldovan President Urges Steps to Fight Top-Level Corruption." (BBC Monitoring Ukraine and Baltics/Factiva)

Institute for War and Peace Reporting (IWPR). 3 November 2004. Nicholas Whyte. "Comment: In Search of a Solution." <[http://iwpr.gn.apc.org/?s=f&o=155365&apc\\_state=henibcr2004](http://iwpr.gn.apc.org/?s=f&o=155365&apc_state=henibcr2004)> [Accessed 13 Dec. 2005]

*International Narcotics Control Strategy Report (INCSR) 2005*. March 2005. "Moldova." <<http://www.state.gov/p/inl/rls/nrcrpt/2005/vol1/html/42368.htm>> [Accessed 13 Dec. 2005]

International Organization for Migration (IOM) and Swedish International Development Cooperation Agency (SIDA). 2003. "Migration Management Moldova: Assessment 2003." <[http://tcc.iom.int/iom/images/uploads/Moldova%20Assessment\\_1081324124.pdf](http://tcc.iom.int/iom/images/uploads/Moldova%20Assessment_1081324124.pdf)> [Accessed 14 Feb. 2006]

Organization for Security and Co-operation in Europe (OSCE). 30 May 2005. "Training Police to Combat Human Trafficking in Moldova." <<http://www.osce.org/item/14059.html>> [Accessed 22 Dec. 2005]

\_\_\_\_\_. December 2003. Mission to Moldova. Angelika Kartusch and Katy Thompson. *Trafficking in Persons, Witness Protection and the Legislative Framework in the Republic of Moldova: An Assessment*. <[http://www.osce.org/documents/mm/2003/12/3191\\_en.pdf](http://www.osce.org/documents/mm/2003/12/3191_en.pdf)> [Accessed 13 Dec. 2005]

Radio Free Europe/Radio Liberty (RFE/RL). 30 November 2005. Jan

Maksymiuk. "East: EU Operation Begins Monitoring Ukrainian-Moldovan Border."  
<[http://www.rferl.org/features/features\\_Article.aspx?m=11&y=2005&id=99EEADEA-763E-454E-845F-9E6E20D09C89](http://www.rferl.org/features/features_Article.aspx?m=11&y=2005&id=99EEADEA-763E-454E-845F-9E6E20D09C89)> [Accessed 20 Dec. 2005]

\_\_\_\_\_. 10 April 2005. "Slave-Trade Network Uncovered in Moldova."  
<<http://www.rferl.org/featuresarticle/2005/4/1DC97C30-2469-4BC5-B06F-A101A1043DAE.html>> [Accessed 20 Dec. 2005]

\_\_\_\_\_. 26 January 2005. Breffni O'Rourke. "Europe: Council of Europe Report Says Organized Crime Poses Threat to Democracy."  
<[http://www.rferl.org/features/features\\_Article.aspx?m=01&y=2005&id=F7753263-8C4F-4F41-9BFA-D3B2FF06CDFE](http://www.rferl.org/features/features_Article.aspx?m=01&y=2005&id=F7753263-8C4F-4F41-9BFA-D3B2FF06CDFE)> [Accessed 20 Dec. 2005]

\_\_\_\_\_. 6 October 2004. Eugen Tomiuc. "Moldova: Young Women from Rural Areas Vulnerable to Human Trafficking."  
<[http://www.rferl.org/features/features\\_Article.aspx?m=10&y=2004&id=C28FAD55-44C3-4FCC-B3DC-73E93E4D8119](http://www.rferl.org/features/features_Article.aspx?m=10&y=2004&id=C28FAD55-44C3-4FCC-B3DC-73E93E4D8119)> [Accessed 20 Dec. 2005]

\_\_\_\_\_. 16 July 2003. Vol. 7, No. 133, Part II. Eugen Tomiuc. "The Problem of Organ Trafficking." (RFE/RL Newswire)

Reuters. 30 November 2005. Dmitry Chubashenko. "EU Opens Border Mission to Halt Moldova Smuggling." (Factiva)

*School of Advanced International Studies (SAIS) Review of International Affairs*. Winter-Spring 2005. Vol. 25, No. 1. Alex Kliment. "Of Note: The Transnistrian Dilemma."

*Trafficking in Persons Report*. 3 June 2005. United States Department of State. Office to Monitor and Combat Trafficking in Persons. "Moldova."  
<<http://www.state.gov/g/tip/rls/tiprpt/2005/46614.htm#moldova>> [Accessed 14 Feb. 2006]

Transnational Crime and Corruption Center (TraCCC). 11 February 2006. Correspondence from the Director.

Transparency International (TI). 2002. Efim Obreja and Lilia Carasciuc. *Corruption in Moldova: Facts, Analysis, Proposals*.  
<<http://www.transparency.md>> [Accessed 13 Dec. 2005]

United States (US). 22 October 2005. US Embassy Chisinau, Moldova. Speech delivered by Ambassador Heather M. Hodges. "A Thriving, Democratic Moldova: US Embassy Chisinau Priorities for the Coming Year."  
<[http://www.usembassy.md/en-ambassador\\_hodges14.htm](http://www.usembassy.md/en-ambassador_hodges14.htm)> [Accessed 14 Feb. 2006]

\_\_\_\_\_. 30 March 2005. US Embassy Chisinau, Moldova. Press Release.  
<<http://www.usembassy.md/en-03302005.htm>> [Accessed 22 Dec. 2005]

#### Additional Sources Consulted

**Oral sources:** The International Organization for Migration (IOM) in Moldova and the International Cooperation Section of the General Prosecutor's Office in Moldova did not provide information within the time constraints of this response.

**Internet sites, including:** Amnesty International (AI), Anti-Corruption Gateway for Europe and Eurasia, Center for Public Integrity, Einnews.com, European Country of Origin Information (ECOI) Network, Human Rights Watch (HRW), International Association for the Study of Organized Crime, Interpol, United Nations Interregional Crime and Justice Research Institute, United Nations Office for Drug Control and Crime Prevention.

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