

National Voluntary Review Report on the status of
implementation of the Global Compact for Safe, Orderly and
Regular Migration by the Republic of Moldova

2022 edition

Content

I. Methodology.....	2
II. Policy and enabling environment.....	3
III. Progress on GCM objectives	6
IV. Means of implementation.....	12
V. Perspectives (next steps)	13

I. Methodology

With the initiation of activities related to developing the Global Compact for Safe, Orderly and Regular Migration (GCM), the Republic of Moldova (RM) has become an active supporter making relevant contributions to the document drafting process. In this context, national priorities were identified and formulated on the basis of a participatory process conducted through carrying out two consultation workshops in November 2018. This process informed the society about the Republic of Moldova's attendance of the GCM Marrakech Summit, as well as about the decision to adopt the GCM in December 2018.

Proceeding from assumed international commitment in this regard, starting in 2019 and until December 2021, the Government of the Republic of Moldova confirmed its interest for preparation and carrying out the voluntary review in the context of GCM's implementation.

The aim of the National Voluntary Review Report on the status of implementation of the Global Compact for Safe, Orderly and Regular Migration is to provide information on the progress achieved by the Republic of Moldova in managing migration processes, focusing particularly on results obtained with respect to the objectives of the GCM since its adoption in December 2018, the reference point being also adoption of the Agenda 2030.

Conducting the exercise of voluntary reporting is a complex process through which a country presents achievements and performances in various areas regarding attainment of 23 objectives of GCM. Furthermore, it evaluates the situation and identifies problems for a better vectoring and adjustment of measures and implications in the process of implementation of commitments made.

As a complex and new exercise for the Republic of Moldova, its accomplishment from methodological perspective was based on the Action Plan for conducting the process of developing the national voluntary review Report on the status of implementation of the GCM approved by the Ministry of Internal Affairs, which has assumed the role of coordinator¹ of the process of developing national voluntary review Report on the status of implementation of the GCM. The Action Plan clearly specified the stages of the respective process, the actions therein, timeline of their delivery, entities directly responsible for implementation of each specific action, as well as relevant partners (CPA, LPA and civil society), so that to ensure transparency and participatory approach.

Two working groups were created as a part of extended participatory process. They agreed upon a detailed process of carrying out a national voluntary review, proceeding from the general provisions of the Action Plan. Furthermore, a migration task force of the United Nations Country Team was set up in June 2019 (UNCT MTF). It brings together all resident UN agencies and also serves as a platform to engage NGOs and other entities in view of ensuring integrated and the-whole-of-society approach in migration management and GCM's implementation. The MTF, through its activity, contributes to capacity building of the UN country team through its activity in order to provide efficient, timely and coordinated support to the Government of the RM with regard to facilitating implementation of the SDGs' objectives linked to migration, implementation, monitoring and review of the GCM and the United Nations - Republic of Moldova Partnership Framework for Sustainable Development 2018-2022 (UN PFSD).

The actual evaluation process was conducted by applying the following interconnected methods: desk review, data collection, consultation and compilation. Desk review encompassed the overview of

normative and analytical information (at central and local level), which is publically available on web pages of public institutions, civil society and development partners. The data collection method was based on applying two feedback collection forms that were specifically developed for this purpose (for public institutions and other involved actors) regarding evolutions and achievements in the context of the GCM's objectives. Contributions of relevant governmental agencies, NGOs and a series of UN agencies were processed and compiled by the Ministry of Internal Affairs (MIA).

II. Policy and enabling environment

The Republic of Moldova has a well-developed institutional and policy framework in the area of migration management. This fact confirms the presence of the necessary enabling environment to ensure achieving of the GCM's objectives.

Institutional framework

A series of public institutions entirely ensure implementation of activities related to safe, orderly and regular migration in all the complexity of the phenomenon.

The Ministry of Labour and Social Protection (MLSP) in the context of the GCM, takes measures to develop and promote the policy framework in the field of labour migration, employment and social protection, concludes bilateral agreements for the management of labour migration and social security, takes measures on the protection of migrant workers and access to social services.

The Ministry of Foreign Affairs and European Integration (MFAEI) has the mission to provide consular assistance and protection of citizens abroad through diplomatic missions and consular offices.

The Ministry of Economy (ME). A related field to the GCM is the development of business environment through streamlining regulatory framework for entrepreneurship activity, the sector of Small and Medium Enterprises (SMEs), tourism and domestic trade.

The Ministry of Education and Research (MER) is empowered with competences in regulating aspects related to negotiating and signing bilateral agreements with respect to academic mobility, recognition of educational documents issued abroad, performing the procedures of authentication of educational documents issued in the Republic of Moldova, validation and certification of knowledge and skills acquired in the context of non-formal education.

The Diaspora Relations Bureau (DRB) is responsible for coordination of policies and programs for diaspora at the level of the Government and ministries aiming at developing a continuous dialogue with diaspora of the Republic of Moldova.

The Bureau for Migration and Asylum of the Ministry of Internal Affairs (BMA) is responsible for developing and implementing the public policy in the field of migration and asylum, integration, monitoring of the stay and the implementation of readmission agreements, as well as is appointed as an institution responsible for developing the Extended Migration Profile Report².

The Centre for Combatting Trafficking in Human Beings (CCTHB) is a specialized subdivision subordinated to the national investigation inspectorate of the General Police Inspectorate. It has the

mission of investigation, criminal prosecution and prevention of crimes of trafficking in human beings and those related with a cross-border character of a major complexity and increased risks^a.

General Inspectorate of Border Police of the Ministry of Internal Affairs (GIBP), has the mission to implement the state policy in the field of integrated border management of the Republic of Moldova. In order to achieve effective control of borders, approaches challenges related to risks and potential threats to national security, thus contributing to the fight against cross-border crime, with full respect for fundamental rights, while guaranteeing the free movement of persons.

The National Employment Agency (NEA) has powers and responsibilities in the field of employment and migration, promotion of employment and unemployment insurance,^b responsible for implementation and coordination of activities in the framework of bilateral agreements between the Republic of Moldova and other countries, enforcement and compliance with provisions of legislation in the area of labour migration as well as monitoring activities of private employment agencies.

The National Bureau of Statistics (NBS) is the central authority in the field of statistics and the main producer of official statistics of the country. It is responsible for coordinating the development and production of official statistics in the national and international statistics system, including statistics on population and migration, with the right to access and use sources of administrative data, including sources containing individual data.³

Institutions concerned, through fulfilling specific functions, carry out activities that contribute to achieving the objectives of the GCM, ensuring Safe, Orderly and Regular Migration, achieving the SDGs with reference to migration.

The Republic of Moldova also has a comprehensive coordination mechanism in the field of migration that applies the whole-of-government approach to migration. This mechanism includes various levels: inter-ministerial commission and committees, working groups with various moderators etc. Thus, a Commission for coordination of activities in the field of migration was established aiming at monitoring and coordinating activities in the field of migration, asylum, statelessness and integration of foreigners in the Republic of Moldova as well as uniform and coherent application of governmental policies relevant in this area.⁴ In addition, an Inter-ministerial Committee in the field of Diaspora, Migration and Development was established with the purpose of conducting coherent and participatory M&E processes and implementation of integrated approach in the field of Diaspora, Migration and Development (DMD). Functionality of an Inter-ministerial Working Group (IWG) is assured by specialists from the public institutions with competences in the field that is convened periodically⁵ in consultation with non-governmental organizations in the field^c, in particular the Refugee Charity Centre (RCC), the Law Centre of Attorneys (LCA), the Congress of Local Authorities of Moldova (CALM).

Achievements at policy level

A series of activities and major achievements of policies and initiatives implemented in compliance with 23 objectives assumed by the country has been registered since the adoption of the GCM. Consequently, the new National Development Strategy "Moldova 2030"⁶ addresses a wide range of the GCM's dimensions (GCM's objectives 5, 15, 16, 18, 19, 21, 22, 23). They also will be integrated in

^a CCTHB

^b NEA

^c RCC

the major strategic documents in the area such as the Program on managing migration flow, asylum and integration of foreigners for 2022-2025 and the Action Plan for the implementation of National Strategy “Diaspora-2025” for 2023-2025. Both documents are in the process of development and approval.

Labour market liberalisation for foreigners in certain sectors of the economy and simplification of admission and documentation procedures for those who want to work or invest in the Republic of Moldova⁷ were fulfilled (GCM’s objective 5, 18). Under the conditions and restrictions imposed by the pandemic caused by COVID-19, certain rules regarding the national legal framework on the validity of residence permits on the territory of the Republic of Moldova (restoration of rights, extension of the legal term of residence), extension of duration in public custody have been amended.⁸

During the period of 2020-2021, changes were made to the legal framework on the integration of foreigners.⁹ The national framework has been adjusted to the EU directives. Emphasis was placed on increasing the role of the state in promoting the integration / reintegration process through diversified information, creating opportunities for self-employment, increasing the role of the employers in the integration process, promoting cultural diversity, ensuring the fulfilment of rights, etc.

A series of other activities and major achievements, and governmental programs has been launched and implemented, while some other are ongoing. Therefore, recognizing the important role of a partner played by representatives of migrants’ communities and diaspora for the development of the country, the period of implementation of the Programme for attracting remittances into the economy “PARE 1+1”¹⁰ has been extended until 2024, the governmental program of thematic grants Diaspora Engagement Hub is being implemented¹¹ two first editions of the of the governmental program „DAR 1+3 – Diaspora Succeeds at Home”¹² have been carried out, a national program for encouraging returns and facilitating the (re)integration of Moldovan citizens involved in the migration process (PNRR) for 2022-2026 and a new grant program for Moldovan diaspora organizations are being developed (GCM’s objectives 18; 19; 20; 21).

Challenges and gaps

The main challenges related to the availability of some qualitative and relevant data were caused by bureaucratic, administrative and legislative impediments, which limit or even ban access to individual data/ personal data from the administrative sources (GCM’s objective 1). In this sense, the Law 133/2011 on personal data protection is used frequently to justify the refuse for the NBS’s access to these data, albeit the institution has the obligation to continue reforming national statistical system through implementation of the provision of the Association Agreement between the Republic of Moldova and the European Union¹³ and also to direct efforts towards continuous alignment with the EU acquis in the statistical field on the basis of the National strategy for development of the statistical system of the Republic of Moldova,¹⁴ taking due account of development of the European Statistical System.^d

The need to ensure a high level of citizens’ awareness on tendencies towards a safe and regular migration is one of the constant challenge within studies conducted in the field (GCM’s objective 17). It has been observed a low level of information, in particularly irregular migrant workers, lack of the legal norms on accountability of employers, determination of the status of certain categories of

^d NBS

migrants, involvement in the process of public institutions related to the field, lack of incorporation of immigration and integration of migrants in sectoral policies (GCM's objectives 3; 5; 6; 7; 16; 17; 19).

It is important to continue to diversify and modernize the services provided to migrants and their families, to develop information systems, to provide services in electronic format, and to ensure the socio-economic rights of migrants (GCM's objectives 3; 4; 15; 16).

It is necessary to ensure continuity of participation in negotiating agreements and signing new treaties in the segment of migration at the level of the government at the same time (GCM's objectives 7; 22; 23).

A constant priority of the institutions with responsibilities in the field of prevention, combatting Trafficking in Human Beings (THB) and irregular migration is the issue of providing accurate information on legal migration opportunities and the development of the national partnerships and the strengthening of interaction with development partners (GCM's objectives 3; 7; 9; 10; 11; 15; 16; 23).

Taking into consideration the increased number of illegal/irregular migrants (potential victims of organisation of illegal migration), who have been identified at the state border or on the territory of the RM over the last years and who come from third countries, with whom the Republic of Moldova has not established any relationship, starting a dialogue with representatives of respective countries in the field of prevention and combatting irregular migration and cross-border crimes is a current priority (GCM's objectives 9; 10; 11; 23).

In addition, a priority is the negotiation and signing of readmission agreements with third countries of origin of irregular migrants detained at the border of or within the Republic of Moldova.^e

III. Progress on GCM objectives

The Republic of Moldova has achieved significant progress with reference to a series of objectives from those 23 stipulated in the document, since the adoption of the Global Compact for Safe, Orderly and Regular Migration. Among the most important progress from the perspective of registered policies related to efficient migration management in the context of the GCM.

In 2018-2021, an estimation of international migration in the Republic of Moldova was performed on the basis of the state border crossings data by physical persons, using international recommendations and standards, applying the methodology developed with the support of the IOM. This contributed to the improvement of statistical evidence in the respective context as well as led to estimation of the number of population with usual residence in the country¹⁵ (GCM's objective 1).

At the same time, according to GD no. 634/2012, BMA was designated as the authority responsible for developing the Extended Migration Profile (EMP) of the Republic of Moldova, which purpose is to consolidate in a structured way the evolving dynamics of migration and the impact of this phenomenon on country's socio-economic development and on the well-being of the population. Thus, BMA ensures, on annual basis, the production and updating of PME indicators, prepares every three years, the PME Analytical Report, and annually prepares the PMEs Statistical Compendium.¹⁶

^e GIBP

In 2018 an agreement between the Government of the Republic of Moldova and the Government of the Republic of Bulgaria on labour migration regulation (came into force on 11 September 2018) was signed. This was the 7th agreement in the respective field implemented by the Republic of Moldova. 90 persons are employed on the territory of Bulgaria on the basis of Moldova -Bulgaria agreement now. A number of 58 Moldovan migrants were employed in 2019, 10 in 2020, and 22 in 2021.^f

At the same time, the implementation of the agreement on labour migration with the State of Israel continued (in construction field) and efforts were made to negotiate new treaties, mainly with the State of Israel, on the employment of domestic workers. In 2021, based on the Moldovan-Israeli agreement, 1,177 people were employed. In 2021, a Memorandum of Cooperation was signed between the Ministry of Health, Labour and Social Protection and the German Federal Employment Agency regarding the employment of Moldovan agricultural workers in the Federal Republic of Germany (GCM's objectives 3; 5; 6; 7 and 23).

It is worth mentioning that information activities designated to migrant workers about terms of contract, working and living conditions and other obligations, deriving from employment relationship are indispensable elements in the framework of the bilateral labour agreements (GCMs objectives 3; 5; 6; 7 and 23).

In 2020, a new regulatory framework was adopted in the field of labour migration and the regulations of the activity of private employment agencies are in force in 2021.¹⁷ The adoption of a new regulatory framework aimed at ensuring respect for the labour rights of Moldovan citizens abroad, ensuring an ethical process of intermediation, legal employment and combating illegal procedures for intermediation and exploitation through work abroad. Through the adopted amendments, a new licensing mechanism was established, the work intermediation procedure and the conditions for carrying out these activities were established, the institution responsible for overseeing the activity of private agencies (State Labour Inspectorate) and the mechanisms for establishing the responsibility of private agencies were approved¹⁸ (GCMs objectives 2; 3; 5; 6; 7; 15; 18).

An important aspect in managing migration processes and maintaining visa free regime with the EU member-states depends on the fulfilment of commitments of the Republic of Moldova in the framework of the Readmission Agreement with the EU and third countries.

Currently, the Republic of Moldova has signed 13 agreements on readmission of illegally residing persons (European Union, Swiss Confederation, Kingdom of Denmark, Kingdom of Norway, Macedonia, Serbia, Bosnia and Herzegovina, Montenegro, Turkey, Albania, Georgia, Kazakhstan, and Ukraine) and 23 additional Protocols. At the same time, 16 draft Agreements are noted at the negotiation stage with Russian Federation, Afghanistan, Iceland, Uzbekistan, Belarus, China, Iran, Iraq, Pakistan, Lebanon, Bangladesh, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan, and Turkmenistan.

The Republic of Moldova maintained a positive dynamic of indicators with regard to registering readmission applications from the partners in the EU, identification of persons, information on transfer and providing transfer of persons over the years 2018-2021. In 2018 492 readmission applications were examined, in 2019 – 593 readmission applications (growing by circa 17%), in 2020 - 624 applications, in 2021 - 1692 readmission applications were examined. At the same time, 621 Moldovan citizens were successfully transferred to the Republic of Moldova, of which 393 were transferred via 16 charter routes from Germany, a readmission procedure carried out jointly with the

^f NEA

law enforcement authorities of the Federal Republic of Germany and under the auspices of the European Border and Coast Guard Agency (FRONTEX) (GCM's objectives 7, 8; 21 and 23).

A series of modifications related to integration of foreigners¹⁹ were adopted. They define the integration activities (specialised information sessions, sessions of socio-cultural accommodation, state language learning courses, information/counselling on the modalities of access to the labour market, orientation and career guidance services in view of facilitating economic integration, information/counselling on acquiring citizenship of the Republic of Moldova, introduction of specialized information sessions) (GCM objective 3; 7; 15; 16; 18).

It is worth mentioning that education in Moldova becomes attractive for foreigners. According to official statistical data, the number of foreign students was 4,600 persons in the academic year 2019-2020, with 5,000 students more comparing to the previous academic year. Every second foreign student studied healthcare. The most foreign students come from Romania (40.1%), Israel (35.6%), India (12.1%), Ukraine (2.6%), USA (1.7%), and Turkey (1.4%).^g

In the academic year 2021-2022, the number of foreign students was 5,200 people, increasing by 13.0% compared to the previous academic year. The most foreign students are coming from Romania (51.6%, increasing by 5.4% compared to the 2020-2021 academic year), Israel (19.1%, decreasing by 9.5%), India (13.4%, up 0.2%) and Ukraine (7.9%, up 5.5%)^h.

Amendments to the regulatory framework related to labour migration and terms of foreigners' stay in the Republic of Moldova were adopted.²⁰ The labour market for foreigners in certain priority areas of national economy was liberalized as well as simplified immigration procedures of those who want to work or to invest in the Republic of Moldova. In 2019 28.74% or 2445 persons out of 8506 foreigners with temporary resident permits were issued resident permits for employment purposes (in 2018 – 1,150 people out of a total of 6,349), and in 2021 were documented - 2134 migrants for work out of a total of 7,162. (GCM's objective 5 and 7). .

According to the data of the Public Services Agency on 31 December 2021, the number of foreigners who were granted valid residence permits constituted 18,600 persons, out of which: about 6,500 foreigners held permanent residence permits and about 12,000 – temporary residence permits. Documented foreigners enjoy the same rights and obligations as the citizens of the Republic of Moldova, with the exceptions provide by the regulatory framework.

In the context of COVID-19 pandemic, immigration procedures were modified to grant exemptions during the emergency period to protect the rights of foreigners who had not met the administrative requirements on immigration (objectives 5; 13).

During 2019-2020, the regulatory and institutional framework of labour migration management was amended²¹ to ensure certification and efficient monitoring of private employment sector to eliminate illegal recruitment and employment, and diminish labour exploitation abroad. In 2019 5685 individual work contracts of Moldovan citizens employed abroad through private agencies were registered,

^g NBS, Activity of higher education institutions in the academic year 2019/20, <https://statistica.gov.md/newsview.php?l=ro&idc=168&id=6547>

^h NBS, The activity of higher education institutions in the academic year 2021/22, <https://statistica.gov.md/newsview.php?l=ro&idc=168&id=7227>

which constitute a growth of 82.8 pp comparing with 2018 and, respectively, 2369 contracts in the first six months of 2020ⁱ (objectives 6, 7).

A mechanism for recognition and certification of acquired skills in the context of informal and non-formal education²² was tested and approved. In 2020-2021, the informal and non-formal skills validation services were expanded to new sector to create new opportunities for citizens who wish to certify their professional skills, obtained at work in the country and when abroad, as well as to facilitate the process of professional (re)integration of Moldovan labour migrants and of foreigners arriving in the country. Thus, in 2021, by the Order of the Minister of Education and Research,²³ 4 new validation centres were created. There are currently active 9 validation centres (CGM's objective 18)

In 2018-2019 an Inter-institutional Reference Mechanism for integration of foreigners and reintegration of citizens of the Republic of Moldova returned from abroad (IRM)²⁴ was institutionalized at the national level²⁵ and at the level of administrative-territorial units. The results of the IRM, as well as the implementation of the Action Plan for 2017-2020 on (re)integration of returned Moldovan citizens from abroad were the basis for the elaboration of the national program to encourage the return and facilitation of (re) integration of Moldovan migrants for the years 2022-2026. The document is being finalized and is to be approved and will include the IRM component, ensuring the continuity of the mechanism^j. (GCM's objective 21).

To stimulate the voluntary return and to support social and economic reintegration of Moldovan nationals residing on the territory of the French Republic, a Framework Partnership Agreement between the MLSP and the French Office for Immigration and Integration signed on 2 October 2017 is implemented (objectives 16, 21)^k.

Public services are in the continuous process of modernisation and development both through creating favourable conditions for their high quality delivery through those 39 multifunctional centres created over the years 2018-2019 including through the diplomatic missions and consular offices of the Republic of Moldova, and through streamlining and simplifying operational processes (the centres operate as one-stops hops) (GCM's Objective 15).

During 2019-2020, modifications were operated to the normative framework relating to such issues as citizenship, issuance of identity documents, and population records,²⁶ putting in circulation new models of improved identity documents with additional security elements (43 models) and optimizing the delivery of these public services, including to Moldovan citizens abroad.

During 2018-2019, 66,539 services were provided through diplomatic missions and consular offices of the Republic of Moldova to Moldovan citizens concerning the issue of identity documents by the national passport system (passports issued in 2018 – 25,210, in 2019 – 27,597, in 2020 - 25.715, in 2021 - 31.488; identity cards issued in 2018 – 6,639, in 2019 – 7,093, in 2020 – 6,903, in 2021-9,919). In 2021, diplomatic missions and consular offices carried out 132,331 consular actions worldwide, at the same time, the consular network was expanded by operationalizing the general consulates of the Republic of Moldova in Barcelona and Nice. (GCM's objectives 3; 4; 14; 21).

A bilateral social security agreement with the Republic of Belarus was signed in 2019 pursuant to obligations assumed through ratification of the art. 12 of the revised European Social Charter²⁷. In 2021 bilateral social security agreements were signed with the Republic of Italy and the Hellenic

ⁱ NEA

^j DRB

^k MHLSP

Republic. At present, the Republic of Moldova has signed 16 international agreements in the field of social security, 14 of which are in force, as follows: Republic of Bulgaria, Portuguese Republic, Romania, Grand Duchy of Luxembourg, Republic of Estonia, Czech Republic, Republic of Austria, Kingdom of Belgium, Republic of Poland, Hungary, Republic of Lithuania, Federal Republic of Germany, Republic of Turkey, Republic of Belarus. There are 4 International Agreements under negotiation with the Russian Federation, Spain, the Republic of Latvia, Israel (GCM's objectives 22 and 23).

Based on the international agreements in the field of social security, during the reported period (01.07.2020-31.12.2021) the National House of Social Insurance established 584 social benefits, the highest number of pensions were established based on the international agreement in the field of social security with the Federal Republic of Germany - 418 pensions, Romania - 64 pensions, Republic of Belarus - 35 pensions.

Moreover, 57 forms on applicable legislation have also been issued, which empower the migrant workers to work on the territory of a country with which an international agreement in the field of social security has been concluded, making the Moldovan citizen to be subject of the social security legislation of the country of destination, the social security contributions being paid only in the country of destination.

Activities related to development and implementation of automatized informational systems were carried out. They underpin operational processes of services delivery in the area of documentation of population (for example automated facial recognition information system "Back Office FRS" for interaction with systems of other institutions and authorities that keep records of data referring to the persons, whose right to free movement has been temporarily suspended under the law), control of data that ensure that identification documents are issued on legal grounds. Starting with 2019, the interconnection to the "Wanted Persons" outline of the automatized informational systems "Register of forensic and criminological information" of the Ministry of Internal Affairs was implemented (GCM's objectives 1 and 23).

The Diaspora, Migration, Development Information Platform (objective 3) was developed and launched 2021.²⁸

Furthermore, starting with 2018 a new strategic framework regarding integrated state border management and prevention, combatting and eradication of trafficking in human beings in the context of international migration is being implemented²⁹. In 2019–2020, plans for cooperation with Romania, Ukraine, Latvia, Lithuania, Estonia, and Belarus were put into effect on the basis of applicable agreements, conventions, protocols and arrangements between the mentioned countries. Cooperation with the EUBAM mission, FRONTEX Agency and international organizations within the areas of common interest is ensured (OSCE, INTERPOL and EUROPOL) (GCM's objective 23).

The Cooperation Plan between the GIBP and FRONTEX for 2022-2024 was signed in 2021. This plan provides for a set of measures aimed at developing the institutional capacity of the border authority of the Republic of Moldova. It is a commitment by both parties to cooperate in the fight against illegal migration and cross-border crime, as well as to exchange information and analytical products (GCM's objective 23).

A series of modifications and additions related to legal and regulatory framework on asylum in the Republic of Moldova³⁰, THB or related sectors³¹ were operated. The guidelines for the conduct of parallel financial investigations, the draft of the Concept of the National Referral Mechanism to

protect and assist victims of crimes for 2020 – 2030 and the Action Plan for 2020 – 2022, Framework-Regulation³² related to organisation and functioning of the Regional Centre of integrated assistance to children victims/witnesses of crimes and Minimum quality standards¹ were developed, the “Mechanism for assessing needs and referring to the competent bodies of vulnerable asylum seekers (unaccompanied minors, unaccompanied women and girls, persons with disabilities” was also approved (GCM’s objectives 9; 10; 11; 23).

During the period 2019-2021, the development partners (OSCE and IOM Mission in Moldova, US Embassy in Moldova, GRETA experts, “La Strada” International Centre, National Centre for Child Abuse Prevention, ICMPD, etc.) continued to provide support in training specialists in the field, informing the general public about the risks and consequences of THB by developing, publishing and distributing information materials. The development of the professional capacities of the specialists is an essential component of ensuring the efficient implementation of the policy in the field.

In the years 2020-2021, the necessary amendments were made to the Law on State-Guaranteed Legal Assistance (Law 198/2007),³³ in order to grant the right to qualified legal assistance to victims of trafficking in human beings, regardless of the level of income obtained. The second Action Plan for the years of 2021-2022 (GD no. 319/2021) on the implementation of the National Strategy for preventing and combating trafficking in human beings for the years 2018-2023 was approved. Actions for the period 2021-2022 have been identified jointly with the anti-trafficking community and civil society and will ensure the continuity of the implementation of the National Strategy, including contributing to the implementation of recommendations submitted by international evaluation mechanisms in the field: recommendations of the Expert Group Report against trafficking in human beings (GRETA). (GCM’s objectives 7; 9; 10; 23).

The National Strategy for Integrated State Border Management (IBM) for the years 2018-2023 continued the implementation of the initiated concept, as well as reflected the modernized European IBM model in which the acquis and recommendations of European and international bodies supporting the Republic of Moldova were taken into account.

Starting with 2018, considerable progress has been made in securing the central (Transnistrian) segment of the Moldovan-Ukrainian state border, extending joint patrol and implementing joint control over the targeted segment.

Also, the concept of joint patrol on the Moldovan-Romanian segment of the state border was developed and implemented (GCM’s objective 11).

Thus, following the analysis of the results of the operational activity of the Border Police during 2021 in the field of illegal migration, the specialized subdivisions of GIBP registered 829 cases of illegal border crossing by 845 persons (GCM’s objective 9).

In the period of 2020-2021, taking into account the epidemiological situation in the Republic of Moldova and third countries, GIBP has developed a good collaboration with the relevant institutions in neighbouring countries, European Union member states and other countries, based on the provisions of agreements, conventions, protocols and agreements in force.

In this regard, cooperation plans with the border authorities of the Republic of Lithuania, the Republic of Latvia and Romania, Ukraine were concluded during 2021 (GCM’s objective 11).

¹ CCTHB

IV. Means of implementation

The Republic of Moldova has a well-developed policies and programs framework to manage migration processes in an efficient and effective manner in the context of assumed international arrangements, among which are the objectives of the GCM. A secondary regulatory framework (various action plans, programs), as well as operational, functional, instructional, methodological, and financial instruments (Mid-term Budgetary Framework etc.) serve as implementation mechanisms. Their functionality is backed up by the existing institutional framework, technical and financial measures, which are not always adequate and relevant for achieving the GCM's objectives, and where the presence of development partners are extremely important. In particular, the UN Agencies mobilized themselves through UNCT MTF and contributed to strengthening the GCM-relevant regulatory, coordination and implementation mechanisms.

For example, in accordance with the Government's Action Plan for the period 2020-2023³⁴, the Government Action Plan 2021-2022³⁵, the National Bureau of Statistics has assumed the responsibilities to recalculate migration rates in territorial terms and the number of population through applying international definition (UN and EU) of a usual residence, including making more efficient production of vital statistics by using "multiple registers" type systems. Territorially adjusted statistical data will allow making more efficient planning, implementing, monitoring and evaluating public policies at the local level. However, regardless the fact that these activities are considered important for the country, they are fully implemented from the resources of development partners, such as United Nations Population Fund (UNFPA Moldova), the Swiss Development and Cooperation Agency, and the India UN Development Partnership. In addition, they are challenging from the perspective of ownership and ensuring sustainability in the context of the objective 1 of the GCM.

Another example is the NEA and BMA which owns automated information systems, that maintains records of emigration and immigration processes with the purpose of legitimate employment of foreigners and of returning Moldovan migrants. This makes it possible extraction of disaggregated data within these categories, including by types of services provided and measures applied. Nevertheless, although new legislative provisions regarding employment and labour migration require modification of this System, funds are necessary to fulfil this process. This is also a challenge in the context of achieving objectives of the GCM 1, 3, 5 and 6. Moreover, the need for staff capacity building is mentioned by the NEA in the context of new reforms, proceeding from the relevant practices of other countries^m.

In addition, underfunding of activities for prevention and combatting trafficking in human beings, insufficient equipping with modern equipment as well as structural constraints (multiple hierarchical subordination) were also mentioned as challenges that could affect achieving GCM's objectives 5, 7 9 and 10 by the BAM and CCTHB., The reduced interest of destination countries to set up joint investigation teams (as instrument for prosecution and investigation of cases related to the THB) as well as delay in execution of rogatory commissions were expressed by the CCTHB as additional challenges in this context. These subjects are considered as needs for support and intermediation on behalf of the partners.

^m NEA

Staff turnover caused by administrative and political reforms (parliamentary and local elections) is among other major challenges, which could affect implementation of assumed objectives by the country. This results in the loss of institutional memory and diminishing capacities that have been enhanced over the last years, with the support of development partners in different sectors.

V. Perspectives (next steps)

Migration for economic purposes remains the main driver for Moldovan migrants, in particular due to lack of employment opportunities and low wages offered on the national labour market.

Migration of population abroad in search of a better-paid work, on the one hand, reduces poverty. However, it generates powerful social effects on children left behind in the country.

Moldova has already created a solid institutional framework in the field of migration management. However, it is necessary to develop further migration management capacities. Therefore, development future policies shall be based on comprehensive and well-structured data, to take account of interests and specific objectives of the country, to refer to various aspects of general public policy such as employment, demographic, promoting circular, return migration and reintegration of migrants, preventing and combating irregular migration etc.

It is important to continue consolidation of activities of communication and cooperation between state structures related to ensuring data exchange, including management of migration flows aiming at continuation of activities in the context of ensuring objectives of the GCM. There is a need to strengthen the institutional capacity of the competent authority for foreigners in order to have full capacity in the efficient management of the migration process.

In this context, the need enable access of the NBS to personal data from administrative sources to produce qualitative and reliable official statistics, with necessary desegregations, including with regard to population and migration. It is also necessary to strengthen the capacity of public institutions to ensure the interoperability and compatibility of the administrative data collected to enable the production of comparable statistical indicators.ⁿ

Developing and maintaining of national capacities in the public sector (retention of institutional memory) continues to remain a priority, thereby ensuring continuity and efficient functionality of public structures in all areas.^o

Sharing positive experience on implementation of bilateral intergovernmental agreements by NEA and BMA could be successfully achieved. Despite the clear regulation of migration process, cases of irregular emigration exist, which means that more comprehensive information should be provided to citizens. Thus, we note the need to develop policies targeting return migration and development with the purpose of keeping population in the country.^p

Furthermore, a series of other challenges and perspectives could be mentioned:

- Development of the new public policy document in the field of migration and asylum in the

ⁿ BMA

^o NBS

context of regional mobility;

- Raising assistance and involving the development partners in the implementation of a new policy program at institutional and inter-institutional level in the field of migration and asylum in the context of regional and global mobility;
- Identification of partners for the implementation of Assisted Voluntary Return Programs of Moldovan citizens residing illegally abroad;
- Digitization of services and documents, provision of online services, modernization of the information system, ensuring the efficient exchange of data;
- Strengthening the management framework of diaspora outreach and enhancing its involvement in the country's development by harnessing diaspora's material resources and human capital.
- Valorising the human and professional potential of migrants by involving them in the development process, including in the decision-making process;
- Development of the mechanism for full-time, part-time, in-person or remote involvement of diaspora professionals enabling them to become members of boards of directors of medical service providers within the compulsory provision of health care units;
- Intensifying the collaboration with the members of the diaspora focused on education, by creating hubs of scientific research and teaching;
- Developing, in cooperation with non-governmental sector, of some reintegration services for migrants returned from abroad (including in the context of COVID-19) for protecting the most vulnerable as well as for harnessing their skills and material resources;
- More productive involvement of foreigners, including of asylum seekers, refugees, and stateless persons, in development of the country through developing integration programs and services based on data regarding the specific profile of foreigners;
- Participating in common risk analysis activities jointly with law enforcement authorities, including crosscutting responsibilities in the area of combatting cross-border crime, irregular migration, THB and other related crimes;
- Recognizing the need to appeal to experts from other countries; learning from other countries experience; taking over best practices adaptable to the Republic of Moldova, standard operating procedure and specific protocols of interoperability for institutions involved;
- Ensuring a better awareness of third-country nationals about possibilities and conditions of legal immigration in Moldova, including by involving the diplomatic missions or consular offices of the Republic of Moldova in their countries of origin, as well as the diplomatic missions of these countries in the Republic of Moldova. Organization of ongoing information campaigns with respect to modalities of admission and staying of third-countries nationals;
- Staying constantly informed about the risks of THB, undeclared work as well as about sanctions and respective measures that can be applied;
- Extending investigations in view of counteracting activities of specialised transnational criminal groups in trafficking in human beings and children;
- Enhancing international cooperation with representatives of law enforcement bodies from

transit and destination countries;

- Developing and adopting a legal regulatory mechanism as regards control and pursuit of the activity of employment abroad, of migrants, in accordance with the provisions of international norms, to which the Republic of Moldova is a party;
- Alignment of Moldovan THB policies (for work purposes, in particular) to the international system;
- Facilitating dialogue within governmental institutions and between governments of the countries affected by THB, between national and local authorities, between the government and relevant stakeholders, including private sector and civil society;
- Developing and implementing national action plans, roadmaps and bilateral arrangements related to labour recruitment;
- Ensuring that measures are taken without delay to release the necessary documents, including civil status documents, to migrants at all stages of migration;
- Negotiating and signing readmission agreements with third countries, intensifying dialogue with representatives in the field of preventing and combating irregular migration and cross-border crime.

References

- ¹ Memo of the State Chancellery No 21-06-5525 dated 30.06.2020.
- ² GD No 634/2012 on the approval of the List of Indicators and the Extended Migration Profile Template of the Republic of Moldova ”
- ³ Law no.93 / 2017, art.7, paragraph (2), art.16, paragraph (1)
- ⁴ Government Decision No 497/2018 on the establishment of the Commission for coordination of activities in the area of migration and asylum
- ⁵ Government Decision No 725/2017 on the Mechanism for coordinating the state policy in the field of diaspora, migration and development.
<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=371433>
- ⁶ Government Decision No 377/2020, https://www.legis.md/cautare/getResults?doc_id=121920&lang=ro
- ⁷ Law No 180/2008 on labour migration, repealed by the Law No 278/2018.
https://www.legis.md/cautare/getResults?doc_id=112697&lang=ro#; Law No 200/2010 on the regime of foreigners in the Republic of Moldova. https://www.legis.md/cautare/getResults?doc_id=112700&lang=ro#
- ⁸ Art. XXV of the Parliamentary Law on the establishment of measures during the state of emergency in public health and the modification of some normative acts:
https://www.legis.md/cautare/getResults?doc_id=121530&lang=ro
- ⁹ Law 139/2021 on amending some normative acts (integration of foreigners), including amending Law 274/2011 on the integration of foreigners in the Republic of Moldova.
https://www.legis.md/search/getResults?doc_id=122748&lang=en.
- ¹⁰ Government Decision 460/2021 on modification of the Government Decision No 972/2010 on the Program of attracting remittances into the economy „PARE 1+1” for 2010-2018.
https://www.legis.md/cautare/getResults?doc_id=109292&lang=ro
- ¹¹ DRB. <http://brd.gov.md/ro/content/diaspora-engagement-hub-0>
- ¹² State Chancellery. Call on the launch of the Programme Diaspora Succeeds at Home „DAR 1+3” 2019.
<https://cancelaria.gov.md/ro/content/apel-privind-lansarea-programului-diaspora-acasa-reuseste-dar-13-2019>
- ¹³ Articles 41-44 of the Association Agreement between the Republic of Moldova and the European Union dated 27.06.2014, ratified by Law No 112/2014
- ¹⁴ Government Decision No 1451/2016 on approval of the National Strategy of the statistical system of the Republic of Moldova
- ¹⁵ Population with usual residence is a de facto population of the Republic of Moldova (RM) and includes persons who have lived preponderant in the last 12 months on the territory of the country/ administrative-territorial unit, indifferent to temporarily absences (with the purpose of recreation, vacation, visits to relatives and friends, businesses, medical treatment, religious pilgrimage etc.).
- ¹⁶ PME Statistical Compendium. <http://bma.gov.md/ro/content/biroul-migra%C8%9Bie-%C8%99i-azil-al-ministerului-afacerilor-interne-elaborat-compendiul-statistic-0>
- ¹⁷ Law 137/2020 on the modification of some normative acts.
https://www.legis.md/cautare/getResults?doc_id=122538&lang=ro
- ¹⁸ Government Decision 78/2021 on amending and repealing some GD.
https://www.legis.md/search/getResults?doc_id=126655&lang=en.
- ¹⁹ Law No 139/16.07.2020; Law on modification of certain normative acts //Official Gazette 212-220/471, 21.08.2020
- ²⁰ Law No 180/2008 on labour migration, repealed by the Law No 278/2018.
https://www.legis.md/cautare/getResults?doc_id=112697&lang=ro#; Law No 200/2010 on the regime of foreigners in the Republic of Moldova. https://www.legis.md/cautare/getResults?doc_id=112700&lang=ro#
- ²¹ Law No 105/2018 on promoting employment and unemployment insurance, Law No 140/2011 on State Labour Inspectorate, Law No 131/2012 on state control of entrepreneurship activity
- ²² Order of the MECR No 65/2019 on approving the Regulation on validation of non-formal and informal education. https://mecc.gov.md/sites/default/files/regulament_privind_educatia_nonformala.pdf
- ²³ MECR Order on the establishment of centers for the validation of non-formal and informal education.
https://mec.gov.md/sites/default/files/cu_privirea_la_instituirea_centrelor_de_validare_0.pdf.
- ²⁴ According to data of the MHLSP, the last Memorandum of Understanding on implementation of the Inter-institutional Reference Mechanism for (re) integration of citizens of the Republic of Moldova returned from abroad was signed in July with 2019 with Făleşti rayon.

²⁵ Memorandum of Understanding between the MLSP, MER, ME, NHSI, NHMI, NEA

https://msmps.gov.md/sites/default/files/mir_central_semnat_0.pdf

²⁶ GD No 522 on models of identity documents from the national passport system, 6 November 2019; Regulation on issuance of documents and civil registration in the Republic of Moldova approved through GD No 125/2013, in force since 31.01.2020; Joint Order of the MFAEI and PSA No 191-b-181 dated 28.11.2019 and No 718 dated 28.11.2019 on streamlining processes of providing public services and issuance of identity documents on request of citizens of the Republic of Moldova residing abroad or temporarily staying abroad through diplomatic missions.

²⁷ Social Security Agreement between the Republic of Moldova and the Republic of Belarus signed on 23 October 2019. <https://msmps.gov.md/ro/content/acord-bilateral-domeniul-securitatii-sociale-semnat-de-republica-moldova-si-republica>

²⁸ Diaspora information platform: <https://emoldovata.gov.md>.

²⁹ Government Decision No 1101/2018 on approval of the National Strategy of integrated state border management for the period 2018-2023 and of the Action Plan for the period 2018-2020 for its implementation, https://www.legis.md/cautare/getResults?doc_id=109892&lang=ro; Government Decision No 461/2018 on the approval of the National Strategy of preventing and combatting trafficking in human beings for the period 2018-2023 and of the Action Plan for the period 2018-2020 for its implementation. https://www.legis.md/cautare/getResults?doc_id=101736&lang=ro; Government Decision No 461/2018 on the approval of the National Strategy of preventing and combatting trafficking in human beings for the period 2018-2023 and of the Action Plan for the period 2018-2020 for its implementation.

https://www.legis.md/cautare/getResults?doc_id=101736&lang=ro

³⁰ Law No 270/2008 on asylum in the Republic of Moldova as amended in the years 2018 and 2019.

https://www.legis.md/cautare/getResults?doc_id=110614&lang=ro

³¹ Law No 198/2007 on state-guaranteed legal assistance (approved through the GD No 566/2019 approved in the I reading by the Parliament on 20.12.2019), GD No 234/2008 „On approval of the Framework Regulation of the territorial commission for combatting trafficking in human beings”, modified and completed (through the GD No 179/2019), GD No 286/2019 approved Instructions on certification of civil status deeds produced and recorded in the left bank of Dniester and Bender municipality, GD No 708 dated 27.12.2019 on approval of the Framework-Regulation related to organization and functioning of the Regional Centre of integrated assistance to children victims/witnesses of crimes and Minimum quality standards

³² Government Decision No 708/2019

³³ Law No 1/2020 amended Law 198/2007 on state-guaranteed legal aid:

https://www.legis.md/search/getResults?doc_id=121121&lang=en

³⁴ Activities 6.31 and 6.32 from the Government Decision No 636/2019

³⁵ Government Decision No 235/2021 for review of the Government Action Plan 2021-2022,

https://www.legis.md/search/getResults?doc_id=128407&lang=en