

MOLDOVA

PART 1: SUMMARY OVERVIEW OF REFUGEE SITUATION IN MOLDOVA

Moldova generally applies an open-door policy to asylum-seekers and refugees who are granted access to the territory and asylum procedures. However, the number of asylum-seekers and refugees has traditionally been small. From 2013 to 2021, a total of 1,165 persons had applied for asylum in Moldova. Moldova hosted 349 refugees as at January 2022. The main countries of origin were the Syrian Arab Republic, Turkey, Ukraine and Iraq. Moldova also hosted 3,343 stateless persons as of January 2022.

This situation changed drastically in February 2022 when the country experienced a rapid and large-scale influx of Ukrainian refugees following the Russian invasion of Ukraine. As of 30 June 2022, Moldova had welcomed 517,738 persons displaced from Ukraine. With a population of only 2.7 million itself this means that 1 out of 5 people in Moldova were refugees. Moldova is an upper middle-income Eastern European country with development challenges of its own. As reception systems are already reaching maximum capacity, it cannot be expected that all incoming refugees are to be hosted in this small nation. Many refugee families have and will continue their journeys towards Romania and other European countries, with 83,020 confirmed to remain (as at 30 June 2022), the vast majority being female (60%) and children (52%).

KEY POPULATION DATA (As of June 2022)

83,191

Refugees remaining in Moldova

517,738

Persons displaced to Moldova

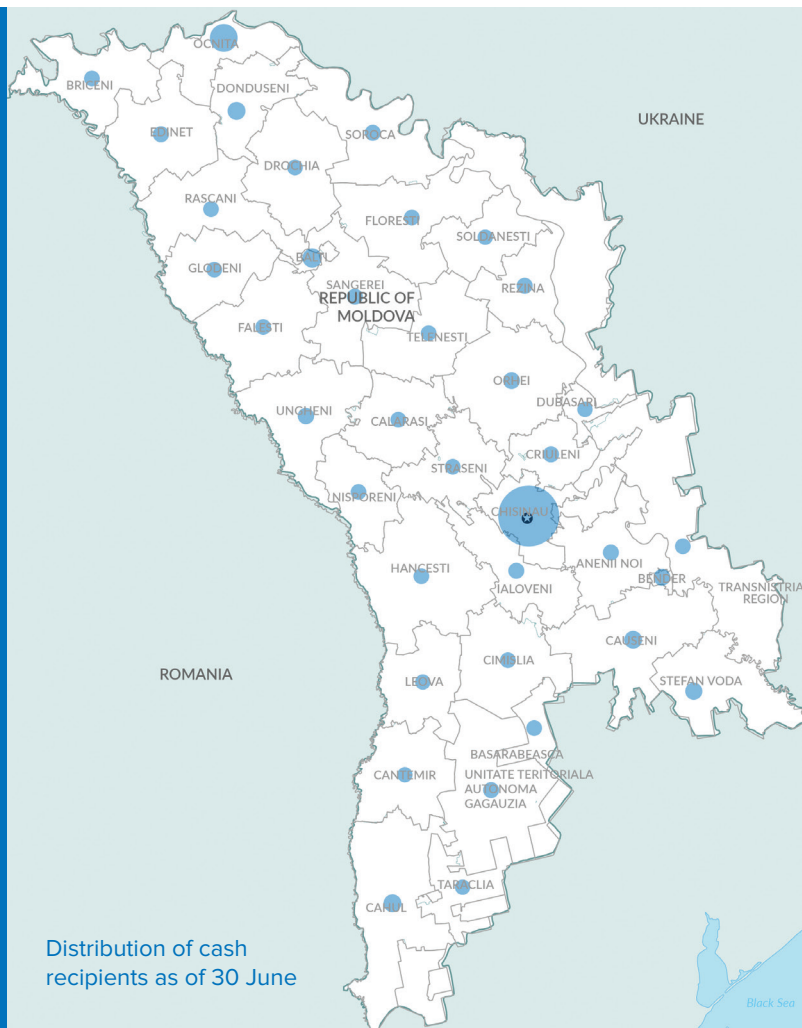
8,067

Asylum claims submitted

3.1%

of the country's population (2,700,000) are refugees and asylum-seekers

GCCF ELIGIBILITY: May 2022



Refugees are coming particularly from the southern and south-western parts of Ukraine, including the port city of Odessa, as well as from Ukrainian cities in the centre and east. While Palanca in the South is the border crossing point that is witnessing the most entries per day, border crossings in the North of Moldova (such as Otaci) are also seeing a high level of arrivals in need of urgent humanitarian assistance. Many more arrivals could be expected in case of a military offensive affecting Odessa. The majority of new arrivals are being accommodated by host families with smaller numbers in temporary reception centres. Others have found their own accommodations.

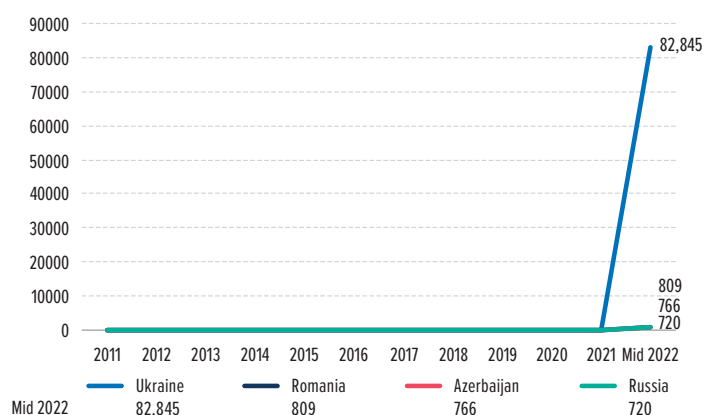


Figure 1: Number of refugees and asylum seekers over time of the largest population groups from 2011-2022

PART 2: POLICY DIMENSIONS (AS AT 31 OCTOBER 2022)

1. HOST COMMUNITIES

1.1. Support for communities in refugee-hosting areas

In respect of the current refugee crisis in Moldova, the national Government has taken a policy decision to provide financial support to local authorities that operate and maintain temporary accommodation centres for refugees. This decision was issued by the Commission on Extraordinary Situations (CES) under the current emergency laws, in June 2022. The same decision also provides for financial support to employees of territorial social assistance structures directly involved in managing refugee flows. As at 26 September 2022, 74 refugee accommodation centres (RACs) were registered with the National Agency of Social Assistance (ANAS) around the country. Expenses covered include water, heating, electricity and labour.

The right to social protection is recognized in the second chapter of the Constitution as a fundamental right. There are two main social safety net programmes: the flagship anti-poverty social assistance programme *Ajutor Social (AS)* and the cold season benefit *Ajutorul pentru perioada rece a anului (APRA)*. These programmes account for about 0.45 per cent of GDP or 40 per cent of the social assistance budget but suffer the major constraint of limited coverage due to lack of funds. The Ministry of Labour and Social Protection (MLSP) is currently undertaking reforms to strengthen these social protection programmes. [The Government launched the Energy Vulnerability Fund on 12 October 2022](#), allowing Moldovans to register for subsidies for their electricity bills. Around 90 per cent of the population is expected to be covered by these subsidies.

No provision currently exists in law to support families that are hosting refugees or are otherwise affected by the refugee influx. As part of the emergency response, the World Food Programme (WFP) has been providing cash assistance to approximately 10,000 host families in Moldova. A joint WFP-UNICEF-UNHCR project, funded by the Foreign, Commonwealth and Development Office (FCDO), is underway that covers cash transfers to 20,000 Moldovan families to top-up their AS benefits and aims to strengthen the capacity of MLSP to include refugees in its programmes after temporary protection comes into effect, as expected. MLSP has put forward a non-paper elaborating a five-pronged programme to ensure social stability in Moldova that would benefit both refugees and host communities.

1.2. Social cohesion

There is a national legal and institutional framework in place to identify, prevent and mitigate potential social tensions and risks of violence. Relevant laws include, among others, the Contravention Code and the Criminal Code of the Republic of Moldova that criminalize acts of violence, exploitation and discrimination and the Constitution of Moldova and human rights-related provisions of national laws establishing basic human rights. Although not directly referenced, these laws also apply to refugees and host communities, given their presence on the territory of Moldova. The Law on asylum, the Law on the regime of foreigners, the Law on the special protection of children at risk and children separated from their parents and the Law on integration of foreigners all intend to facilitate the integration of refugees in Moldova. Relevant institutions include Government offices mandated to protect human rights, such as the Office of the Ombudsman, the Agency on Inter-Ethnic Relations and the Council for Preventing Discrimination and Ensuring Equality.

In practice, a [Multi-Sector Needs Assessment](#) published in September 2022 found that refugees experienced very low levels of perceived discrimination, harassment, or threats of physical violence (1–3 per cent). However, both refugees and host communities suffer from the economic downturn, expected to further deteriorate during the winter months, which might trigger social tensions. Efforts by United Nations agencies and MLSP to provide cold season assistance to both refugees and vulnerable members of Moldovan society, for example through cash assistance top-ups to refugees and subsidized energy bills

for vulnerable Moldovans (the Energy Vulnerability Fund), will hopefully reduce the risks of such tensions. In addition, some specific tensions exist between the Roma (Moldovan and Ukrainian) and the non-Roma communities. The Government has been actively seeking to mitigate these, including through the hiring of Roma community mediators.

The establishment of effective local mechanisms for the promotion of peaceful coexistence and fostering community cohesion between refugees and host communities is ongoing. The pre-existing community networks were highly responsive to the refugee influx in Moldova, with local NGOs expanding or even repurposing their activities and services to include refugees. At national level under the auspices of the Moldovan Government, a Moldova for Peace initiative was created, which brought together local NGOs to mobilize resources and ensure a coordinated response to the crisis on the ground. Once the emergency response was stabilized, these NGOs refocused their activities on identifying physical spaces in which refugees and host communities could come together and which would promote peaceful coexistence. At district level in Moldova, a well-established network of youth organizations and youth-oriented community centres have contributed to establishing links between the communities.

National policies formally protect refugees from discrimination. The Law on Equality (Law No. 121/2012), which applies equally to refugees, is intended to “prevent and combat discrimination, as well as to ensure the equality of all people on the territory of the Republic of Moldova [...] regardless of race, colour, nationality, ethnic origin, language, religion or beliefs, sex, age, disability, opinion, political affiliation or any other similar criteria.” The Law on Asylum provides that all provisions of the state’s national legislation shall apply to asylum-seekers and beneficiaries of a form of protection (i.e., refugee status, humanitarian protection and temporary protection) without discrimination as to race, nationality, ethnic origin, language, religion, political membership, social category, convictions, sex, sexual orientation or age. A recently approved law, Law No. 111/2022, criminalizes and contravenes hate speech, representing an important step forward in the protection of LGBTIQ+ persons, Roma and people living with HIV/AIDS, including refugees. The Government also approved the reduction of fees for obtaining identity cards and travel documents for refugees and beneficiaries of humanitarian protection, to the same level as for citizens of the Republic of Moldova (Government Decision 569/2022).

The Government has made particular efforts to address discrimination and social exclusion issues in relation to persons of Roma ethnicity. It approved the creation of a Bureau for relations with the Roma population, as well as a 2022–2025 Programme to sustain the Roma population in Moldova, which includes combating discrimination and promoting the “rights of Roma migrants.” Issues of discrimination and access to services are often addressed in practice by community mediators (currently 44) hired mostly by local public authorities, which frequently work with both the local Roma Community and Roma refugees from Ukraine. There are no Government statistics on the number of Roma refugees from Ukraine in Moldova, but the Roma Task Force (an inter-agency group established under the Refugee Coordination Forum in Moldova) estimates the number to be between 3,000 and 4,000 individuals.

1.3. Environmental management

Moldova has policies and systems in place to mitigate environmental impact, manage waste and provide access to energy and sanitation. Most refugees live in urban areas where these systems are functional, and refugees have access to them. However, waste and sanitation systems having to provide for more people as a result of the influx are strained. This might create environmental impacts and other issues in the future; for example, at some refugee accommodation centres, refugees receive meals that are individually prepared and delivered in polystyrene containers, requiring additional waste collection rounds and generating non-recyclable waste. Another particular concern is the possibility of restrictions on the supply of gas from the Russian Federation. If this happens, the energy needs of refugees and host communities will not be met, which will have serious consequences, including on the environment, as people may resort to other non-renewable energy resources. As such, efforts by the Government of Moldova to prioritize and expand the use of safe green energy are critical.

1.4. Preparedness for refugee inflows

The Government of Moldova has been preparing a contingency plan in case of an escalation of the international armed conflict in Ukraine triggering a further refugee influx into Moldova. The main contingency scenario under consideration is a potential escalation of fighting in Odessa. The Government contingency plan, led by the Joint Crisis Management Centre operated by the Office of the Prime Minister with the support of UNHCR, adopts a holistic and multisectoral approach identifying clear focal points within Government ministries for delivering assistance and protection to refugees entering the country, as well as supporting the long-term inclusion of those who remain in the country, while mitigating the impact on the host community.

The Refugee Coordination Forum (RCF) in Moldova launched an inter-agency contingency planning process in close coordination with the Government and partners, resulting in the development of an Inter-Agency Contingency Plan under the leadership of the Joint Crisis Management Centre. The contingency plan outlines coordinated action among line-ministries and RCF partners to respond to a refugee influx with support for the Government's own contingency plan. Areas of focus for preparedness measures include infrastructure improvements at border crossing points, identification of contingency refugee accommodation centres, additional capacity to transport refugees and third country nationals, stockpiles of non-food items, enhancement of coordination mechanisms for mass-casualties, management and deployment of Emergency Medical Teams, as well as coordination of multifunctional emergency protection units (EPUs) for early deployment if needed. The plan also includes specific measures for protection groups who could be at heightened risk, such as unaccompanied children, survivors of gender-based violence (GBV), LGBTIQ+ persons, Roma and persons with disabilities.

2. REGULATORY ENVIRONMENT AND GOVERNANCE

2.1. Normative framework

Moldova has been a State Party to the 1951 Geneva Convention Relating to the Status of Refugees since 2002. A few reservations were made, including on labour legislation and social security and on rights to movable and immovable property, wage-earning employment, housing and freedom of movement. Moldova is also a state party to the 1967 Protocol relating to the Status of Refugees and relevant international human rights instruments (see Annex). It has endorsed the Global Compact on Refugees.

These instruments are implemented through the Law on Asylum (Law No. 270/2008), which is consistent with international standards. This Law provides for four forms of protection in the Republic of Moldova: refugee status, humanitarian protection (for those at risk of serious harm in the country of origin, including due to armed conflict), temporary protection and political asylum. Refugee status and humanitarian protection are collectively referred to as “international protection” under domestic law.

To respond to the mass influx of what would grow to be nearly 100,000 refugees from Ukraine since 24 February 2022, the Government moved swiftly to declare a state of emergency and to adapt and complement existing laws in the areas of immigration, education and other areas, through a series of decisions issued by the Commission on Exceptional Situations (CES) to meet the demands of the situation. This emergency regime prevented the asylum system from being overwhelmed, by quickly providing a legal stay mechanism for Ukrainians and third country nationals who fled the country on or after 24 February 2022 and/or those Ukrainians who had left the country prior to that date but could not return due to the armed conflict. Decisions were also issued to provide access to rights and services for these groups, although not to the same degree as would normally be the case under the Law on Asylum for those granted refugee status or humanitarian protection; for instance, displaced Ukrainians have access to primary and emergency health care but not medical insurance and are able to attend schools but not to receive grades and diplomas.

The emergency regime is currently set to expire on 8 December 2022. At this point, it is expected that those whose stay is regulated by the emergency law, i.e., displaced Ukrainians¹ and other third-country nationals displaced from Ukraine, will be allowed to remain on the territory for an additional 90 days unless another legal status is established for them. According to the Ministry of Internal Affairs (MIA), during this 90-day period, displaced Ukrainians will benefit from the same rights that they enjoyed under the emergency laws, i.e., their rights and access to services will not be reduced.

The Government has indicated its intention to implement a series of measures to legalize the stay of those displaced from Ukraine before their legal status lapses. In this regard, the Government is currently considering granting temporary protection for displaced Ukrainians as well as third-country nationals in need of international protection. The Law on Asylum provides for the granting of temporary protection in the event of a “mass and spontaneous influx of people unable to return to their country of origin” if there is a risk that the asylum system would be unable to process the influx “without adverse effects on its efficient operation.” Temporary Protection would provide displaced Ukrainians with a more stable legal status in Moldova (lasting up to two years) than under the emergency regime. It would also provide them with access to a range of rights and services similar in many regards to those granted under international protection but without having to apply for asylum. In a few areas such as security of legal status and access to health care (beyond primary and emergency medical care), health insurance and certain social protection schemes, the proposed temporary protection regime is less favourable than the international protection regime.

The Law on Asylum includes the framework for recognition of refugee status. The procedures outlined, including those of the appeal process, are in line with international standards. The Government authority responsible for registering asylum-seekers and conducting refugee status determination (RSD) is the Bureau of Migration and Asylum (BMA) Asylum and Integration Directorate (AID) under the Ministry of Internal Affairs. There are challenges in implementing the RSD framework, in particular given the limited resources of MIA/BMA.

Even though displaced Ukrainians received legal status under the emergency regime, many also submitted asylum applications. As such, there has been a significant increase in the number of asylum applications submitted to BMA since 24 February 2022: over 9,600 applications were submitted between January and 26 September 2022, versus a total of 75 for the whole year in 2021. Many of these applications were submitted by Ukrainian men who entered the country informally, between border crossing points, and who applied for asylum to regularize their stay in Moldova. While most applications have since been withdrawn or abandoned (with applicants moving further west), some 3,610 applications remain active. The Government does not have sufficient staff to adjudicate these applications and is experiencing high staff turnover, which also affects the timeliness of decisions. The Government remains interested in additional support and training to improve the quality of its RSD decision-making and is discussing with UNHCR measures to manage the recent application surge.

Under the temporary protection procedures, displaced Ukrainians already in Moldova as well as new arrivals would need to go through a registration exercise led by MIA. This requires dedicated information and communication systems, infrastructure and resources: software, registration areas, transport, additional staff, etc., which UNHCR is financially supporting. More investment is needed for BMA to effectively respond to future increases of asylum claims in a timely manner.

All laws, policies and Government decisions, including refugee-specific regulations, are published in the Official Journal and on the Government website (www.legis.md). Decisions of the CES specific to the Ukraine crisis are publicly available. The Government has also launched a website: www.Dopomoga.gov.md and a Government hotline (the “Green Line”) to inform Ukrainian refugees of relevant policies and available services, including with regard to asylum applications. MIA/BMA has provided information

¹ The term “displaced Ukrainians” is used in the Refugee Policy and Protection Review (RPPR) to refer to those Ukrainians who fled the country on or after 24 February 2022, or who left the country prior to that date but cannot return due to the current conflict. While UNHCR considers these individuals to be refugees, the term “Ukrainian refugee” is not used, so as to avoid confusion with the legal status that they currently hold in Moldova, i.e. residing under the current emergency laws, or the legal status that they are expected to hold should they be granted temporary protection.

through its own “Green Line” and websites (<http://bma.gov.md/ru> and <https://www.mai.gov.md/>) and counselling to displaced Ukrainians at integration centres for foreigners and at refugee accommodation centres, where many are residing.

Notwithstanding the above information sources, UNHCR observes gaps in awareness of applicable policies and procedures among those seeking protection and other stakeholders. Many displaced Ukrainians have requested more information about, *inter alia*, employment opportunities, school enrolment, legal status and documentation. To meet these information needs, the Government, UNHCR and other partners are using social media and telephone messages as much as possible, as Ukrainians have identified these as their preferred means of communication. The Government intends to launch an awareness campaign about temporary protection for Ukrainians, host communities, local authorities and other stakeholders, with the support of UNHCR and other partners, if and when the Government makes such protection available.

2.2. Security of legal status

The Law on Asylum allows asylum-seekers to remain on Moldovan territory pending resolution of their asylum application. They are to be issued a temporary identity document valid for 30 days, which can then be extended by additional 30-day periods until a final decision is made. The CES issued a decision in June 2022 extending the validity of asylum-seeker certificates from 30 days to 90 days. Recognized refugees and beneficiaries of humanitarian protection receive identity cards with a validity of five (5) and three (3) years respectively.

Displaced Ukrainians are allowed to remain in Moldova under the current emergency laws. After they expire, it is understood that they will have a further 90 days to remain on the territory lawfully. Should the Government grant temporary protection to Ukrainians, they would be allowed to remain in the country for the duration of the temporary protection regime (up to one year), with the possibility of remaining for two additional six-month periods should the Government extend it. Those who register for temporary protection may also apply concurrently for asylum, although their status will be as asylum-seeker unless and until their asylum application is granted (in which case they would be considered a beneficiary of international protection) or denied (in which case they would be afforded the rights of a temporary protection beneficiary). Displaced Ukrainians who are found ineligible for temporary protection, for example due to lack of necessary identification documents, will be able to apply for asylum as well as any other forms of legal status for which they may be eligible (e.g., temporary residence).

The Law on Asylum provides for the right to seek asylum with guarantees of *non-refoulement*. No beneficiary of any form of protection may be returned or deported to a country or territory in which their life or liberty could be threatened or tortured, or where they might be exposed to inhuman or degrading treatment or punishment. Over the past year, there have been no known cases of unlawful termination of refugee status or *refoulement*.

2.3. Institutional framework for refugee management and coordination

The Ministry of Internal Affairs and its Bureau of Migration and Asylum are responsible for coordinating refugee matters. The Law on Asylum gives responsibility to the Asylum and Integration Directorate of MIA to coordinate with other Government bodies to ensure that the rights of those in need of international protection are upheld. Under Government Decision 1206 (2016), in the event of a public order crisis, coordination of the Government response is to be managed by the National Coordination Centre for Integrated Actions of Public Order (the Crisis Centre), an inter-institutional decision-support structure at national level. The Crisis Centre comprises three bodies: the Decision Council, the Joint Analytical Group and the Coordination Centre. The Ministry of Internal Affairs is responsible for the organization and operation of the Crisis Centre and its three component bodies.

In response to the current refugee influx from Ukraine, the Government decided to coordinate the response effort through a Joint Crisis Management Centre (JCMC) established under the Office of the Prime Minister

with the support of UNHCR. It coordinates the activities of the different Government actors (central and local), the United Nations and NGOs. It is expected that the JCMC will be dissolved once the emergency laws expire. At that time, it is anticipated that coordination of the Government response will revert to MIA, either under BMA or the Crisis Centre, as the situation requires.

MIA is currently developing an inter-institutional plan for the implementation of temporary protection if/when activated. The plan is being developed to ensure coordination among different Government authorities (central and local) and partners (the United Nations, NGOs and civil society) in operationalizing rights and services under the temporary protection regime.

Prior to the international armed conflict in Ukraine, the number of refugees in Ukraine was too small to be included in the national data collection systems. With the influx of Ukrainians into Moldova, various line ministries are now in need of reliable current statistics on those in the country in order to inform Government planning. Some ministries are actively collecting this data with UNHCR support, e.g., the Ministry of Education and Research, regarding school enrolments of Ukrainian children. The National Employment Agency has introduced into its automated information system the possibility of recording statistical data regarding the addresses of employed Ukrainian citizens based on the classification of countries. This Agency is now creating a new information system that will enable more data to be collected on foreigners, including refugees who have the right to work.

Refugees did not feature significantly in national development planning processes and strategies in the past when figures were still low; for example, in the “European Moldova 2030” national development strategy, which was drafted prior to the current emergency. Efforts have been under way to include the increased number of refugees in development planning processes such as in the 2023-2027 Moldova United Nations Sustainable Development Cooperation Framework (UNSDCF). Different line ministries are also participating in, or co-chairing, sectoral working groups (e.g., Cash, Education, Health, Livelihoods and Inclusion) for the refugee response, to ensure alignment with national sector policies.

The main mechanism established by the Government of Moldova to ensure communication with displaced Ukrainians is the “Green Line,” a Government-operated hotline with multilingual operators that is operational seven days a week. The hotline number has been widely shared and is a highly accessible communication channel between the refugee community, the Government and the humanitarian community, receiving around 1,800 calls per week. Its operators use the biggest Government-supported information repository (Dopomoga.gov.md) to provide information. BMA and MLSP also established two “Green Lines” to receive feedback and answer queries, one specifically for women. BMA also receives input through its counselling with displaced Ukrainians, asylum-seekers and refugees at integration centres and refugee accommodation centres. Under the auspices of the President of Moldova, consultations have been held with Ukrainian diaspora organizations, which are actively involved in the crisis response at community level. One of the main diaspora organizations, the National Congress of Ukrainians in Moldova (NCUM), is now effectively a refugee-led organization and facilitates inputs from the community. UNHCR and partners hold regular focus group discussions (FGDs) throughout the country, on issues of interest, with both refugees and host community members, including specific groups. Feedback is collected, recorded, analyzed and brought to the attention of the Government and the humanitarian community.

2.4. Access to civil registration and identification

The Law on Asylum provides that all persons granted international protection (refugees and beneficiaries of international protection) are to be issued identity documents. Recognized refugees and beneficiaries of humanitarian protection receive identity documents valid for five and three years respectively. These documents are part of the national passport system under Government Decision No. 125/2013. While these documents are generally recognized by Government authorities and private employers, banks have reportedly been unwilling to open bank accounts for asylum-seekers without a valid national passport.

Ukrainians who entered Moldova on or after 24 February 2022 are registered by the Agency of Public Services upon presentation of a Ukrainian national identity card, passport or birth certificate (in the case of children). Upon registration, they are issued a state identification number (IDNP) affording them access to available services and permitting them to seek employment. Those without the necessary documents need to apply for asylum and receive a temporary ID as an asylum-seeker.

If and when the Government grants temporary protection to those displaced from Ukraine it intends to issue the respective identity documents through MIA/BMA, which would be valid for the effective duration of the temporary protection regime (up to one year), to be renewed if the temporary protection regime is extended. As this will be a new identity document, it may take some time before relevant actors such as employers and banks become familiar with it. UNHCR and partners will support efforts to clarify the legal status of beneficiaries of temporary protection if necessary.

Under the Law on civil status documents, Law No. 100/2001, foreign citizens, regardless of their legal status, who live or temporarily reside in the Republic of Moldova, can request the registration of vital events (birth, marriage, death) under the same conditions as citizens of the Republic of Moldova. Obtaining and registering divorces in the Republic of Moldova is more complicated for foreigners, as the foreigner must submit a proof of domicile in the country to access the relevant regional court. This could create protection risks for GBV survivors seeking to divorce abusive partners, as well as affect their ability to access child support.

Civil status documents issued to foreign citizens and stateless persons by the competent bodies of foreign countries, in accordance with the laws of the respective countries, are recognized as valid in the Republic of Moldova, although consular verification of the documents may be required, depending on the foreign country involved.

2.5. Justice and security

As a general matter, UNHCR observes comparable levels of security between refugees and members of host communities. The multisectoral needs assessment (see 1.2 above) found that 88 per cent of the Ukrainian respondents did not perceive any particular threats where they lived and that fears of discrimination, verbal harassment, being robbed or being kidnapped were almost insignificant.

There are, however, risks of harm that refugees experience or fear as a result of their status as vulnerable foreigners.

A [GBV safety audit](#) conducted by UNHCR, UNFPA and UNICEF, found that refugee women, adolescent girls and LGBTIQ+ persons could be exposed in Moldova to a higher risk of various types of GBV than nationals, including trafficking, sexual exploitation and intimate partner violence. Risks were identified in the context of private and host accommodation, private transportation arrangements and refugee accommodation centres.

Various laws and policies are in place to prevent and deter gender-based violence, which apply across the country and are inclusive of refugees. Law No. 45/2007 establishes the fundamental norms on preventing and responding to domestic violence and encompasses a range of acts of violence (physical, sexual, psychological, spiritual and economic) in the domestic context. Importantly, the law applies equally to citizens of Moldova, foreign nationals and stateless persons living on its territory. The Law on Providing Equal Opportunities for Women and Men provides equality of opportunities in the public and economic spheres and with respect to education and health. In addition, the Criminal Code of the Republic of Moldova criminalizes numerous acts considered to constitute GBV, including rape, sexual harassment, deprivation of liberty and psychological torture, as well as sex and labour trafficking.

In terms of policy, the Government has a National Strategy to prevent and combat violence against women and domestic violence (2018–2023) and an action plan for its implementation. In partnership with the Council of Europe and UN Women and with the support of other international partners, the Government plans to develop

and adopt a new public policy document in 2023 in support of implementing the Council of Europe Convention on preventing and combating violence against women (the Istanbul Convention), which has recently been ratified and entered into force in Moldova on 1 May 2022. The authorities are now working to align Law No. 45/2007 and other national legislation to the Convention. Foreigners who are victims of domestic violence may also be eligible for a free residence permit under the Law on Foreigners (Law No. 200/2010).

While the existing laws and ratification of the Istanbul Convention are important steps in preventing and deterring GBV in refugee-hosting areas, civil society actors and women-led organizations continue to identify gaps between the *de jure* and *de facto* achievements, as national service providers have limited human resources and technical capacities. Even before the current refugee crisis, there was evidence of high rates of intimate partner violence in Moldova. In 2021, the National Agency of Social Assistance received 3,632 referrals relating to domestic violence. While GBV disclosure by refugee women in general remains low, this should not be interpreted as a low prevalence of incidents but rather of social barriers that prevent refugee survivors from looking for assistance. The Government actively works with NGO, WLO and CSO partners, including in the context of inter-agency working groups established under the Refugee Coordination Forum in Moldova, to address the issues of GBV, human trafficking and gender equality in a comprehensive and coordinated manner, including for refugees.

The Constitution of the Republic of Moldova ensures a right of access to competent national tribunals in cases of violations of fundamental rights. This right extends to citizens, foreigners and stateless persons. Under Law No. 198/2007 on legal assistance guaranteed by the state, foreign citizens, including refugees, also benefit from legal assistance for certain cases. Foreigners in judicial proceedings are granted interpreters as a matter of right. In terms of practical access to law enforcement and justice, refugees may face obstacles due to a lack of information, language and cultural barriers and, in the case of refugee GBV survivors, limited disclosure due to a prevailing culture of silence. Some refugee communities, such as the Roma, also have little trust in public authorities and therefore do not seek support from law enforcement, or simply prefer to handle matters internally.

3. ECONOMIC OPPORTUNITIES

3.1. Freedom of movement

Under the Law on Asylum, recognized refugees and beneficiaries of humanitarian status are able to choose their place of residence and, under the Law on Foreigners, can move freely within the country. Although the Law on Asylum requires asylum-seekers to stay in accommodation centres while their applications are being reviewed, with some exceptions, the CES waived this requirement under the current emergency laws. The Law does not restrict the movement of asylum-seekers in the Republic of Moldova and UNHCR has not observed any restrictions in practice.

Should the Government grant temporary protection to those displaced from Ukraine, the Law on Asylum neither requires beneficiaries to stay in accommodation centres nor restricts their freedom of movement.

3.2. Rights to work and rights at work

Under the Law on Asylum, recognized refugees have the right to seek wage-earning employment, as do asylum-seekers upon request if they lack a means of subsistence.

Under the current emergency laws, persons displaced from Ukraine have the right to work on an individual fixed-term employment contract for the period of the emergency without having to obtain a residence permit, subject to the employer notifying the National Employment Agency (NEA) of the fact. As at 29 September 2022, NEA had received over 800 such notifications for Ukrainian citizens employed under individual labour contracts. Actual figures might be higher due to employers' lack of awareness of procedures, according to NEA.

Notwithstanding the above rights, UNHCR has observed that it can be difficult for Ukrainians residing in Moldova under the emergency laws to obtain formal employment. Potential employers lack knowledge about the Ukrainians' right to work, have concerns about the duration of their legal stay in the country and may discriminate them *vis-a-vis* other workers. On the part of the Ukrainians, obstacles to employment result from skills mismatch and language abilities. Women face additional obstacles, including limited access to childcare and gender biases about jobs and functions. While NEA, whose capacities are already strained, has not received any reports of labour exploitation from displaced Ukrainians, service providers are aware of such cases, including payment of salaries that are lower than what was agreed with the employer, working hours exceeding what the labour code provides for and not being paid overtime. Such instances of labour exploitation also occur, however, for Moldovan nationals.

It is hoped that the granting of temporary protection to displaced Ukrainians will facilitate access to decent work. The Law on Asylum grants beneficiaries of temporary protection the right to work during the period that temporary protection is in effect, which would initially be for a year. The Government has also indicated its intention to grant beneficiaries of temporary protection access to certain employment promotion measures, to the extent possible based on state budgets, including professional training courses, skills recognition and on-the-job training.

The Government does not issue work permits, nor are recognized refugees required to carry them. Refugees may work based on their legal status and the State Personal Identification Number (IDNP) assigned to them. This applies equally to Ukrainians residing in Moldova under the current emergency laws and is expected to apply to beneficiaries of temporary protection.

Under the Law on Asylum, recognized refugees and beneficiaries of humanitarian protection have the right to carry out entrepreneurial activities in Moldova. Some businesses have been opened by recognized refugees in Moldova, with legal support provided to guide them through the process. Among the Ukrainians residing in Moldova under the emergency laws, UNHCR is aware of some individuals wishing to relocate their businesses from Ukraine to Moldova. Initiatives run by humanitarian actors are under way to support and accompany them in their efforts through legal counselling, business development support and micro grants. These efforts have been easier for smaller businesses than for larger ones, given the limited financial support available.

While the Law on Asylum does not explicitly allow for beneficiaries of temporary protection to register and operate a business, the Government has indicated its intention to allow them to access support to set up businesses if and when it grants temporary protection, which is welcomed.

Under the Law on the promotion of employment and unemployment insurance (Law No. 105/2018), recognized refugees have access to many of the workplace protection measures applicable to nationals, including with regard to safe and healthy working conditions, equal salaries for equal work in the public sector, protection from salary discrimination in the private sector and protection against child employment. In all cases, individual employment contracts concluded for refugees contain the same basic provisions as those for native citizens under the Labour Code of the Republic of Moldova. It is expected that beneficiaries of temporary protection would enjoy similar protections. UNHCR has recommended that the Government extend other employment benefits available to Moldovan citizens to beneficiaries of temporary protection, including (as applicable) paid leave, unemployment and disability benefits, pensions and flexible or reduced social security contributions, to the extent possible under existing law.

The Ministry of Education and Research is responsible for creating, promoting and developing policies in the field of authentication, recognition and equivalence of study documents and qualifications obtained abroad. To date, during the emergency period, recognition of certificates/diplomas for those displaced from Ukraine has generally gone smoothly, allowing Ukrainians to gain employment, including in regulated professions such as medicine and education. For refugees from other countries, skills recognition procedures have

been more cumbersome. For certain regulated professions, in particular those related to law, legal barriers limit the recognition of foreign degrees.

3.3. Land, housing and property rights

Recognized refugees are able to purchase or lease land on the same terms as other foreigners. They therefore cannot purchase agricultural land and forests covered by the forest fund, as per Law No. 1308/1997. Refugees may lease and use land for cultivation. The same rights are expected to apply under the temporary protection regime.

Foreign citizens and stateless persons are generally allowed to purchase, lease or use housing and immovable property in the Republic of Moldova equal to citizens of the country. This is also expected to be the case under the temporary protection regime.

No social housing schemes are available in Moldova, except for a recently developed project that facilitates the purchase of a first home for young people/professionals. Foreigners, including refugees, are not eligible for this programme. Under the Law on Asylum, recognized refugees have the right to be placed temporarily in accommodation centres provided by the Government. Under the current emergency laws, about 3,100 persons displaced from Ukraine are being accommodated in refugee accommodation centres operated by the Government. These are expected to remain available to those granted temporary protection, if and when that legal regime is activated. The Government and NGOs operate safe shelters for GBV survivors, which refugees and beneficiaries of other forms of protection can access. Other social housing options need to be explored further with the Government. Some years ago, two municipalities offered apartments to vulnerable refugee families, which UNHCR refurbished.

3.4. Financial and administrative services

Recognized refugees have the right to open a bank account and to transfer money, although they can face barriers in doing so, such as language barriers, lack of information on necessary procedures or the unfamiliarity of banks with refugee documentation. They may also legally access loans. UNHCR is aware of refugees doing so, but *de facto* barriers exist, many of which also apply to the host communities.

Those displaced from Ukraine have legal access to financial services but, in practice, limited access to (micro-)credit which, in addition to the above-mentioned barriers, is linked to the duration of their stay under the emergency laws regime. They also report banks only accepting passports as ID or taking up to two weeks to take a decision on opening an account. Should the Government grant these individuals temporary protection, it is recommended that awareness-raising sessions be held with financial service providers in order to ensure effective access to financial services not only in law but also in practice.

Recognized refugees have the right to access mobile money/mobile phone banking accounts, although this often requires a valid passport. Asylum-seekers cannot open an account with a mobile money/mobile phone banking provider without a valid travel document from their country of origin. As with financial services in general, displaced Ukrainians have had practical difficulties accessing mobile phone banking for the reasons cited earlier. It is expected that persons granted temporary protection will be entitled to access such services, but implementation in practice will need to be monitored.

Government Decision No. 1452/2007 regulates the use of foreign driver's licenses and access to driver's licenses in Moldova. Under this decision, foreign driver's licenses are recognized in Moldova for up to six months, at which time they are required to replace it with a Moldovan driver's licenses. This excludes those not meeting the necessary age requirements in Moldova. For driver's licenses from Italy, Turkey and Lithuania, bilateral agreements are in place with the issuing states, as well as a Declaration of Intent with Germany, to convert them into Moldovan ones. Most refugees in Moldova ultimately obtain a Moldovan driver's licenses. The same policy and practice are expected to be applied under

the temporary protection regime.

The Law on Asylum provides for integration assistance for recognized refugees, including Romanian language classes and short-term vocational training courses skills. Language classes, however, have not always been provided in a timely manner. For displaced Ukrainians, the Government of Moldova has indicated that if it activates temporary protection, it will allow beneficiaries to access employment promotion measures, including access to professional skills training and on-the-job training.

4. ACCESS TO NATIONAL PUBLIC SERVICES

4.1. Education

The Law on Integration of Foreigners (Law No. 274/2012) and the Law on Asylum (Law No. 270/2008), provide the right of access to compulsory education (primary and secondary school) for recognized refugees and asylum-seekers under the same conditions as Moldovan citizens. Since 2016, recognized refugees also pay the same tuition fees as nationals at higher education institutions.

Under the current emergency laws, children from Ukraine are able to access primary and secondary education only as “audience members”, unless they submit an asylum application, whereupon they are allowed to fully enroll in school. Children enrolled as audience members are not officially graded and do not receive a diploma. Enrolment rates for displaced Ukrainian children in Moldova remain low. Of an estimated population of approximately 27,300 school-aged Ukrainian children (3–17 years old), as at 31 October 2022, only about 1,800 had enrolled in Moldovan schools for the 2022–2023 academic year, around 520 of whom had enrolled in preschool. Barriers to enrolment include uncertainty about future plans, language barriers, status as an audience member, documentation requirements of studies in Ukraine and, in some cases, vaccination requirements. The availability of online classes provided from Ukraine also discourages many parents from enrolling their children in school in Moldova.

The Law on Asylum allows child beneficiaries of temporary protection to access compulsory education under the same conditions as citizens of Moldova. The Government has indicated that under a temporary protection regime Ukrainian children would not be required to submit an asylum application in order to be fully enrolled, which might encourage higher enrolment.

The particular situation of displaced Roma from Ukraine bears mention: Roma children who are Moldovan nationals have generally lower enrolment rates than the rest of the population, as well as higher drop-out rates during times of crisis (e.g., COVID-19). The situation of Roma children from Ukraine is considered to be similar. The 2022–2025 Programme of the Government of Moldova to sustain the Roma population in Moldova includes access to education. It is expected that the situation of displaced Ukrainian Roma children will also be considered under this programme.

Children with special needs, among them refugees, asylum-seekers and Ukrainian lawfully present under the current emergency laws, have in theory access to the same special education services as Moldovan children. It is expected that the same would apply to child beneficiaries of temporary protection. However, special education services in Moldova are not currently that robust and do not adequately meet needs within the country. Under the Law on Asylum and the Law on the Integration of Foreigners, recognized refugees and persons granted humanitarian protection may access certain integration services, including free Romanian classes. In practice, however, classes are often not available. Nor would these integration services necessarily be available to beneficiaries of temporary protection.

4.2. Health care

Under the Law on Asylum, recognized refugees have access to the publicly financed health-care system in Moldova under the same conditions as Moldovan nationals, including certain drugs and services. All foreign children, including displaced Ukrainian children, are eligible for the same medical services as Moldovan citizens.

Under the current emergency laws, displaced Ukrainians are able to access primary health care and emergency medical assistance, including for the treatment of COVID-19 if hospitalization is required. They are also eligible to receive pediatric health services, sexual and reproductive health services and dialysis. Funding agreements have been established between the National Medical Insurance Company (CNAM) and the United Nations Population Fund (UNFPA), the United Nations Children Fund (UNICEF) and the International Organization for Migration (IOM) to cover the costs of specific health services. Should the Government grant displaced Ukrainians temporary protection, it is expected that they would be entitled to basic and emergency medical services under the Law on Asylum, but not to prescription medicines and specialized services.

Based on available information, displaced Ukrainians are generally able to access medical services and assistance as provided for under the emergency laws. It is not clear whether displaced Ukrainians or Moldovan medical service providers have access to or are aware of the additional medical services being funded by the United Nations agencies such as UNFPA, in the case of sexual and reproductive health. MLSP has estimated the cost of providing primary and emergency medical care to Ukrainians if temporary protection is granted at about 15.7 million euros.

Recognized refugees and beneficiaries of humanitarian protection and stateless persons may access the health insurance system under similar conditions to nationals, as may foreigners with temporary or permanent resident status. At the Global Refugee Forum in 2019, the Government of the Republic of Moldova pledged to include asylum-seekers among the categories of persons to whom the Law on Compulsory Medical Care applies.

Those displaced from Ukraine, however, are not able to enroll in the national health insurance system under the emergency laws currently in force, although they are able to access emergency medical care, COVID-19 care, pediatric care, sexual and reproductive health services and dialysis treatment otherwise covered by the national health insurance system through funding from UNFPA and IOM. Cancer care and treatment are provided only in emergency cases, while complex and more costly treatments, including chemotherapy and radiotherapy, can be provided to displaced Ukrainians outside Moldova through an international partnership mechanism for medical evacuation coordinated by the Ministry of Health.

Should the Government decide to activate temporary protection, beneficiaries are not expected to have access to medical insurance unless they are formally employed and have access to it through their employer, as this is not provided for under existing law. As a result, most displaced Ukrainians will not be able to access the full range of medical services that they may need.

4.3. Social protection

Social protection is recognized under the Constitution of the Republic of Moldova as a fundamental right. However, due to a lack of capacity and funding, and in the context of around a quarter of the population historically being below the poverty line and another quarter newly at risk due to the knock-on economic and energy shocks of 2022, the Ministry of Labour and Social Protection is unable to adequately cover the full population in need of support. Moldova's *Ajutor Social* programme currently covers only around 40,000 poor and extremely poor Moldovans. However, with renewed investment from international donors and the support of UNHCR and other international actors, MLSP is undertaking reforms to strengthen systems and programmes, including strengthening the social registry and management information system, digitizing

processes, reinforcing the social workforce and further fundraising to development donors. The Government is also boosting its winterization efforts through the introduction of the Energy Vulnerability Fund and scale-up of its APRA (cold season program) cash transfer programme, both funded by international donors.

Under the Law on integration of foreigners (Law No. 274/2008) and the Laws on social assistance (Law No. 547/2003 and Law No. 133/2008), recognized refugees and beneficiaries of humanitarian protection are entitled to social assistance in Moldova, including for the cold period of the year. They are also entitled to financial assistance, subject to the availability of state funds, for a period of six months if, for objective reasons, they lack the necessary means of subsistence; as well as to integration assistance under the Law on Asylum. Relatively few individuals have benefited from such support and further strengthening of the social protection system is required. Children have legal access to social assistance programmes regardless of their legal status.

Vulnerable individuals displaced from Ukraine residing under the emergency laws do not have access to the Government’s social assistance programme. They are provided with multipurpose cash grants to cover their basic needs, provided through UNHCR funding in close coordination with the Ministry of Labour and Social Protection. Should the Government grant temporary protection to these Ukrainians, families with children and unaccompanied children, as well as possibly other disadvantaged persons, would be legally eligible for social assistance. This has already been budgeted by the Government, subject to further funding and support from the international community in the context of strengthening the social protection system as a whole and expanding coverage for the poor.

Cash assistance for displaced Ukrainians has been coordinated by the Cash Working Group co-led by UNHCR and the Ministry of Labour and Social Protection from the outset, to facilitate gradual alignment of aid and social protection. The joint WFP-UNICEF-UNHCR-FCDO project focuses on strengthening the shock responsiveness, coverage and inclusiveness of the social protection system to enhance access for vulnerable host community members and those in need of international protection, preparing for inclusion in MLSP social assistance projects. This project is currently aligning the targeting systems of the Cash Working Group with those of MLSP to mitigate duplication and support the retargeting of humanitarian cash assistance to gaps in MLSP coverage. A joint assessment, planned to be conducted by the World Bank, UNHCR and UNDP in coordination with the Government aims, *inter alia*, to quantify needs and requirements for transitioning Ukraine refugees into MLSP social protection programmes while providing the evidence base for donors to help fund this inclusion.

5. CROSS-SECTORS

Demographics of registered refugees and asylum-seekers

As at the end of July 2022



52%

Children (below 18)
(43,218)



Adults (above 18)
(NA)



Person with disabilities
(NA)



39%

Men/Boys
(32,723)



60%

Women/Girls
(50,297)

5.1. Gender

Several laws, policies, strategies and institutions promote gender equality in Moldova. The 2022 Global Gender Gap Index places Moldova sixteenth out of 146 countries analyzed, showing an improvement compared to the previous two years.

Institutional state mechanisms have been established, such as the Government Commission on Gender Equality, the Division for Gender Equality Policies (under the Ministry of Labour and Social Protection) and Gender Units/Gender Coordinating Groups within line ministries and central and local public authorities, to advance gender equality. Legislation, such as Law No. 5/2006, Law on providing equal opportunities for women and men expressly prohibits sexual discrimination and provides, *inter alia*, equality of opportunity (i) in the public sphere (including with respect to public sector employment, political participation, and mass media content); (ii) in the socioeconomic sphere (including with respect to employment opportunities, workplace discrimination, entrepreneurship and access to goods and services); and, (iii) with respect to education and health.

Despite many advances, gender inequalities persist, particularly with respect to economic opportunities and responses to GBV.

Four priority areas in which gender considerations can be improved and which are consequential in terms of socioeconomic development include: i) Supporting access to safe and reliable childcare options and education for children, as a way to facilitate women's access to employment opportunities; ii) ensuring that all refugee women and girls, without discrimination, have access to quality GBV response services, taking into account the specific needs of women of different ages, ethnicities, sexual orientation and gender identities, among other diversities; iii) promoting the equal rights of LGBTIQ+ persons; and, iv) promoting access to upskilling, education and quality health care for refugee women, including women and girls with disabilities.

5.2. Social inclusion

There are differences or restrictions in policy and practice that relate to refugees' specific age, gender and diversity characteristics in a number of policy subdimensions, among which the three most consequential ones in terms of socioeconomic development are as follows:

- i) **Social cohesion** – displaced Ukrainian Roma in Moldovan society tend to have more difficulty in effectively accessing available services than either Moldovan citizens or recognized refugees.
- ii) **Normative framework** – displaced Ukrainians have more restricted access than recognized refugees in Moldova, in law and policy, to security of legal status, health care (beyond primary and emergency care), health insurance and certain social protection schemes. This is because of differences in rights under the emergency laws and temporary protection regime, as compared to the international protection regime. That said, displaced Ukrainians can apply for asylum and receive similar access to rights if and when refugee status is granted.
- iii) **Education** – displaced Ukrainian children (and displaced Ukrainian Roma children in particular) have relatively low school enrolment rates in Moldovan schools compared to other children. Specialized education services are weak, which limits access to education for children with special needs from both displaced and host communities.

Annex

Key international and regional instruments ratified or adhered to, and domestic law provisions cited in the Refugee Policy and Protection Review

International instruments

- [Convention relating to the Status of Refugees, 1951](#)
- [Protocol relating to the Status of Refugees, 1967](#)
- [Convention relating to the Status of Stateless Persons, 1954](#)
- [UNESCO Convention Against Discrimination in Education, 1960](#)
- [International Convention on the Elimination of All Forms of Racial Discrimination, 1965](#)
- [International Covenant on Civil and Political Rights \(ICCPR\), 1966](#)
- [International Covenant on Economic, Social and Cultural Rights, 1966](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women, 1979](#)
- [Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984](#)
- [Convention on the Rights of the Child, 1989](#)
- [International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families, 1990](#)
- [Convention on the Rights of Persons with Disabilities, 2007](#)

Regional instruments

- [European Convention on Human Rights, 1950](#)
- [Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007](#)
- [European Convention on Nationality, 1997](#)
- [Council of Europe Convention on Action against Trafficking in Human Beings, 2005](#)
- [Council of Europe Convention on the Avoidance of Statelessness in Relation to State Succession, 2006](#)
- [Council of Europe Convention on preventing and combating violence against women and domestic violence \(Istanbul Convention\), 2017](#)

Domestic law

- [Constitution of the Republic of Moldova](#)
- [Law No. 270/2008 on Asylum in the Republic of Moldova](#)
- [Law No. 200/2010 on Foreigners](#)
- [Law No. 274/2011 on Integration of Foreigners](#)
- [Law No. 121/2012 on Equality](#)
- [Law No. 45/2007 on Preventing and combating domestic violence](#)
- [Law No. 241/2005 on Preventing and Combating Trafficking in Human Beings](#)
- [Law No. 198/2007 on Legal assistance guaranteed by the state](#)
- [Law No. 100/2001 on Civil status documents](#)
- [Law No. 133/2008 on Social aid](#)
- [Law No. 547/2003 on Social assistance](#)

- Decisions of the Commission for Exceptional Situations:
 - [No. 1 of 24.02.2022](#)
 - [No. 2 of 25.02.2022](#)
 - [No. 3 of 27.02.2022](#)
 - [No. 4 of 01.03.2022](#)
 - [No. 6 of 03.03.2022](#)
 - [No. 7 of 04.03.2022](#)
 - [No. 8 of 07.03.2022](#)
 - [No. 9 of 10.03.2022](#)
 - [No. 10 of 15.03.2022](#)
 - [No. 14 of 14.04.2022](#)
 - [No. 15 of 20.04.2022](#)
 - [No. 20 of 04.05.2022](#)
 - [No. 21 of 18.05.2022](#)
 - [No. 23 of 30.05.2022](#)
 - [No. 27 of 21.06.2022](#)
 - [No. 28 of 24.06.2022](#)
 - [No. 29 of 28.06.2022](#)
 - [No. 31 of 27.07.2022](#)
 - [No. 32 of 08.08.2022](#)
 - [No. 34 of 26.08.2022](#)