

## MPC – MIGRATION POLICY CENTRE

Co-financed by the European Union

### *MPC - MIGRATION PROFILE*

## Moldova

The Demographic-Economic Framework of Migration  
The Legal Framework of Migration  
The Socio-Political Framework of Migration

Report written by the

### **MPC Team**

on the basis of CARIM East database and publications

June, 2013

## The Demographic-Economic Framework of Migration

With the dissolution of the Soviet Union in 1991 and the military conflict in Transnistria in 1992, a wave of emigration was prompted from Moldova toward Russia and Ukraine. These trends were exacerbated during the Russian financial crisis in 1998. A major and consistent migration push factor is the high levels of extreme poverty within Moldova. In Europe, in terms of GDP and GDP p/c Moldova is the poorest country and has the highest share of GDP supported by remittances (year 2011). Emigrants comprise 17.3% of the total population residing in Moldova.

In the short-term migration trends are motivated by employment to the Russian Federation and other CIS countries, where a predominance of males employed in the construction sector is found. Permanent emigration trends are directed instead towards the European Union; especially Italy, Poland and Romania, where a majority of females, mainly employed in family services are observed.

Source countries for the small levels of immigration into Moldova are Israel and other CIS countries.

Outward migration		Inward migration																																																																																																																																																																												
<p><b>Stock</b></p> <p>According to destination countries' statistics, 615,171 or 390,280 Moldovan migrants resided abroad in years around 2012 (table 1), who represent in both cases very high percentages of the total population residing in Moldova (17.3% and 11.0%, respectively). The difference between the two estimates depends on whether migrants living in Russia are counted according respectively to the country of birth or citizenship criterion.</p> <table border="1"> <caption>Table 1 - Moldovan emigration stocks by country of residence, most recent data (c. 2012)</caption> <thead> <tr> <th>Country of residence</th> <th>Definition (a)</th> <th>Reference date (Jan 1st)</th> <th>Number</th> <th>Number</th> <th>%</th> <th>%</th> </tr> </thead> <tbody> <tr> <td><b>European Union</b></td> <td></td> <td></td> <td><b>276,642</b></td> <td></td> <td><b>45.0</b></td> <td><b>70.9</b></td> </tr> <tr> <td>of which Italy</td> <td>(A)</td> <td>2012</td> <td>143,174</td> <td></td> <td>23.3</td> <td>36.7</td> </tr> <tr> <td>Romania</td> <td>(A)</td> <td>2012</td> <td>49,020</td> <td></td> <td>8.0</td> <td>12.6</td> </tr> <tr> <td>Spain</td> <td>(A)</td> <td>2012</td> <td>16,704</td> <td></td> <td>2.7</td> <td>4.3</td> </tr> <tr> <td><b>CIS countries + Georgia</b></td> <td></td> <td></td> <td><b>292,638</b></td> <td><b>67,735</b></td> <td><b>47.6</b></td> <td><b>17.4</b></td> </tr> <tr> <td>of which Russia</td> <td>(A)</td> <td>2002</td> <td>277,527</td> <td></td> <td>45.1</td> <td>X</td> </tr> <tr> <td>Russia</td> <td>(B)</td> <td>2010</td> <td></td> <td>50,988</td> <td>X</td> <td>13.1</td> </tr> <tr> <td>Ukraine</td> <td>(B)</td> <td>2001</td> <td>15,087</td> <td></td> <td>2.5</td> <td>3.9</td> </tr> <tr> <td>Belarus</td> <td>(B)</td> <td>2009</td> <td>1,636</td> <td></td> <td>0.3</td> <td>0.4</td> </tr> <tr> <td><b>Other countries (b)</b></td> <td></td> <td></td> <td><b>45,891</b></td> <td></td> <td><b>7.5</b></td> <td><b>11.8</b></td> </tr> <tr> <td>of which US</td> <td>(A)</td> <td>2011</td> <td>35,325</td> <td></td> <td>5.7</td> <td>9.1</td> </tr> <tr> <td>Canada</td> <td>(A)</td> <td>2006</td> <td>5,505</td> <td></td> <td>0.9</td> <td>1.4</td> </tr> <tr> <td>Turkey</td> <td>(B)</td> <td>2011</td> <td>2,854</td> <td></td> <td>0.5</td> <td>0.7</td> </tr> <tr> <td><b>Main total</b></td> <td></td> <td></td> <td><b>615,171</b></td> <td><b>390,268</b></td> <td><b>100.0</b></td> <td><b>100.0</b></td> </tr> </tbody> </table> <p>(a): Moldovan migrants are defined according to the country of birth (A) or country of nationality (B) criterion according to countries of residence; in Russia both numbers are reported.</p> <p>(b): "Other countries" include Iceland, Liechtenstein, Norway, Switzerland, Jordan, Turkey, Canada, US, Australia and Japan.</p> <p>Sources: national statistics (Population Censuses, population registers, registers for foreigners, etc.)</p>		Country of residence	Definition (a)	Reference date (Jan 1st)	Number	Number	%	%	<b>European Union</b>			<b>276,642</b>		<b>45.0</b>	<b>70.9</b>	of which Italy	(A)	2012	143,174		23.3	36.7	Romania	(A)	2012	49,020		8.0	12.6	Spain	(A)	2012	16,704		2.7	4.3	<b>CIS countries + Georgia</b>			<b>292,638</b>	<b>67,735</b>	<b>47.6</b>	<b>17.4</b>	of which Russia	(A)	2002	277,527		45.1	X	Russia	(B)	2010		50,988	X	13.1	Ukraine	(B)	2001	15,087		2.5	3.9	Belarus	(B)	2009	1,636		0.3	0.4	<b>Other countries (b)</b>			<b>45,891</b>		<b>7.5</b>	<b>11.8</b>	of which US	(A)	2011	35,325		5.7	9.1	Canada	(A)	2006	5,505		0.9	1.4	Turkey	(B)	2011	2,854		0.5	0.7	<b>Main total</b>			<b>615,171</b>	<b>390,268</b>	<b>100.0</b>	<b>100.0</b>	<p><b>Stock</b></p> <p>In 2004, 259,368 individuals born abroad and 17,846 foreign citizens resided in Moldova, or 7.7% and 0.5% of the total population, respectively.</p> <table border="1"> <caption>Table 2 - Immigration stocks in Moldova according to different criteria, 2004</caption> <thead> <tr> <th>Country of citizenship/country of birth</th> <th>Number (birth)</th> <th>Number (citizenship)</th> </tr> </thead> <tbody> <tr> <td><b>CIS countries + Georgia</b></td> <td><b>247,862</b></td> <td><b>15,341</b></td> </tr> <tr> <td>of which Ukraine</td> <td>125,455</td> <td>7,298</td> </tr> <tr> <td>Russia</td> <td>115,929</td> <td>7,269</td> </tr> <tr> <td>Uzbekistan</td> <td>2,336</td> <td>0</td> </tr> <tr> <td>Turkmenistan</td> <td>1,296</td> <td>0</td> </tr> <tr> <td>Georgia</td> <td>1,185</td> <td>0</td> </tr> <tr> <td>Kyrgyzstan</td> <td>916</td> <td>0</td> </tr> <tr> <td>Tajikistan</td> <td>745</td> <td>0</td> </tr> <tr> <td>Belarus</td> <td>0</td> <td>271</td> </tr> <tr> <td>Kazakhstan</td> <td>0</td> <td>194</td> </tr> <tr> <td>Azerbaijan</td> <td>0</td> <td>154</td> </tr> <tr> <td>Armenia</td> <td>0</td> <td>155</td> </tr> <tr> <td><b>Other countries</b></td> <td><b>11,506</b></td> <td><b>2,505</b></td> </tr> <tr> <td>of which Romania</td> <td>4,071</td> <td>462</td> </tr> <tr> <td>Turkey</td> <td>1,689</td> <td>340</td> </tr> <tr> <td><b>Total migrants</b></td> <td><b>259,368</b></td> <td><b>17,846</b></td> </tr> <tr> <td><i>% of the total population</i></td> <td>7.7</td> <td>0.5</td> </tr> <tr> <td><b>Stateless</b></td> <td>-</td> <td><b>14,110</b></td> </tr> <tr> <td><b>Country not declared</b></td> <td><b>3,123</b></td> <td><b>158,539</b></td> </tr> <tr> <td><b>Total migrants + stateless + country not declared</b></td> <td><b>262,491</b></td> <td><b>190,495</b></td> </tr> <tr> <td><i>% of the total population</i></td> <td>7.8</td> <td>5.6</td> </tr> </tbody> </table> <p>Source: Population Census - 2004</p> <p>Again, this discrepancy is due to the fact that the majority of individuals born abroad are people born in the USSR with Moldovan descent who, after the dissolution of the USSR, 'returned' en masse to their parents' home country. Rather than international migrants, they are today perceived as ethnic Moldovans. The majority of the born abroad population is indeed originating in CIS countries (95.6%) and especially in Ukraine (48.8%) and Russia (44.7%).</p>		Country of citizenship/country of birth	Number (birth)	Number (citizenship)	<b>CIS countries + Georgia</b>	<b>247,862</b>	<b>15,341</b>	of which Ukraine	125,455	7,298	Russia	115,929	7,269	Uzbekistan	2,336	0	Turkmenistan	1,296	0	Georgia	1,185	0	Kyrgyzstan	916	0	Tajikistan	745	0	Belarus	0	271	Kazakhstan	0	194	Azerbaijan	0	154	Armenia	0	155	<b>Other countries</b>	<b>11,506</b>	<b>2,505</b>	of which Romania	4,071	462	Turkey	1,689	340	<b>Total migrants</b>	<b>259,368</b>	<b>17,846</b>	<i>% of the total population</i>	7.7	0.5	<b>Stateless</b>	-	<b>14,110</b>	<b>Country not declared</b>	<b>3,123</b>	<b>158,539</b>	<b>Total migrants + stateless + country not declared</b>	<b>262,491</b>	<b>190,495</b>	<i>% of the total population</i>	7.8	5.6
Country of residence	Definition (a)	Reference date (Jan 1st)	Number	Number	%	%																																																																																																																																																																								
<b>European Union</b>			<b>276,642</b>		<b>45.0</b>	<b>70.9</b>																																																																																																																																																																								
of which Italy	(A)	2012	143,174		23.3	36.7																																																																																																																																																																								
Romania	(A)	2012	49,020		8.0	12.6																																																																																																																																																																								
Spain	(A)	2012	16,704		2.7	4.3																																																																																																																																																																								
<b>CIS countries + Georgia</b>			<b>292,638</b>	<b>67,735</b>	<b>47.6</b>	<b>17.4</b>																																																																																																																																																																								
of which Russia	(A)	2002	277,527		45.1	X																																																																																																																																																																								
Russia	(B)	2010		50,988	X	13.1																																																																																																																																																																								
Ukraine	(B)	2001	15,087		2.5	3.9																																																																																																																																																																								
Belarus	(B)	2009	1,636		0.3	0.4																																																																																																																																																																								
<b>Other countries (b)</b>			<b>45,891</b>		<b>7.5</b>	<b>11.8</b>																																																																																																																																																																								
of which US	(A)	2011	35,325		5.7	9.1																																																																																																																																																																								
Canada	(A)	2006	5,505		0.9	1.4																																																																																																																																																																								
Turkey	(B)	2011	2,854		0.5	0.7																																																																																																																																																																								
<b>Main total</b>			<b>615,171</b>	<b>390,268</b>	<b>100.0</b>	<b>100.0</b>																																																																																																																																																																								
Country of citizenship/country of birth	Number (birth)	Number (citizenship)																																																																																																																																																																												
<b>CIS countries + Georgia</b>	<b>247,862</b>	<b>15,341</b>																																																																																																																																																																												
of which Ukraine	125,455	7,298																																																																																																																																																																												
Russia	115,929	7,269																																																																																																																																																																												
Uzbekistan	2,336	0																																																																																																																																																																												
Turkmenistan	1,296	0																																																																																																																																																																												
Georgia	1,185	0																																																																																																																																																																												
Kyrgyzstan	916	0																																																																																																																																																																												
Tajikistan	745	0																																																																																																																																																																												
Belarus	0	271																																																																																																																																																																												
Kazakhstan	0	194																																																																																																																																																																												
Azerbaijan	0	154																																																																																																																																																																												
Armenia	0	155																																																																																																																																																																												
<b>Other countries</b>	<b>11,506</b>	<b>2,505</b>																																																																																																																																																																												
of which Romania	4,071	462																																																																																																																																																																												
Turkey	1,689	340																																																																																																																																																																												
<b>Total migrants</b>	<b>259,368</b>	<b>17,846</b>																																																																																																																																																																												
<i>% of the total population</i>	7.7	0.5																																																																																																																																																																												
<b>Stateless</b>	-	<b>14,110</b>																																																																																																																																																																												
<b>Country not declared</b>	<b>3,123</b>	<b>158,539</b>																																																																																																																																																																												
<b>Total migrants + stateless + country not declared</b>	<b>262,491</b>	<b>190,495</b>																																																																																																																																																																												
<i>% of the total population</i>	7.8	5.6																																																																																																																																																																												

Stocks in Russia were also amassed in the aftermath of the 1998 financial crisis in the Russian Federation as the impact of the crisis was more widespread in Moldova than in Russia. This was especially the case for rural Moldovans who experienced the collapse of the agriculture industry.

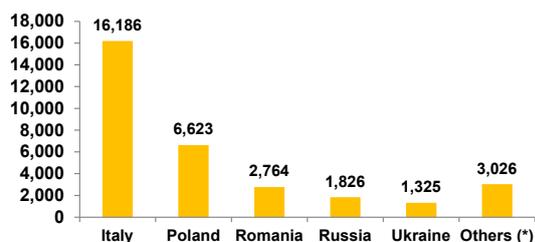
Apart from Russia, the largest emigrant stocks are found in Italy (143,174). Here, although the labour market is more difficult and costlier to access than that of Russia, remuneration is on average higher.

Migrants' characteristics tend to largely vary according to their destination point shedding light on two main migration strategies. Migration directed towards the West (mainly EU countries) is more likely to be characterised by a preponderance of females (60.1%), well-educated persons (53.2% have a tertiary education) but employed in low skilled jobs, including service (17.4%) and craft and related trades (15.2%) workers and, finally, to occur on a more permanent basis. On the contrary, migrants going to the 'East' (mainly to Russia) are more likely to be male (56.2%), with a medium level of education (58.4% hold a secondary diploma) and employed in construction (around 68%) (source: Moldovan Labour Force Survey) which occurs on a more temporary/circular basis (Ganta, 2012).

## Flows

In 1991 there were large-scale industrial and agricultural sectors of the Moldovan economy that saw high levels of unemployment and underemployment. Both factors set up large scale labour emigration flows which continue to the present day. Occupational outflows are due to surpluses in highly educated fields such as economics and law as well as skilled crafts including electricians. These flows are attributed to a lack of synchronisation between education policy and the labour market. Outflow data (figure 1) confirm Italy as a preferred destination for recent Moldovan labour migrants. In 2011, 1 out of 2 Moldovans emigrated there, followed by Poland (21%).

Figure 1 - Outflows of Moldovan nationals to selected countries of destination – year 2011



Notes (\*) Others include Australia, Belarus, Norway, United States and Ukraine.  
Source: flow data are proxied by granted first residence permits (EU MS + Norway), issued visas (US + Australia) and the number of registrations to a

As with the foreign population, a very impressive number did not declare their country of citizenship (158,539) or were classified as stateless (14,110). As in other CIS countries, this depends on the fact that after the collapse of the Soviet Union, large number of people lost their citizenship as they were unable to confirm or acquire citizenship of any new-born state. This was the result of cumbersome legal requirements adopted in new independent states (for more details, see the section on 'citizenship' in 'The Legal Framework' below). Looking at numbers, this situation seems still to be unsolved.

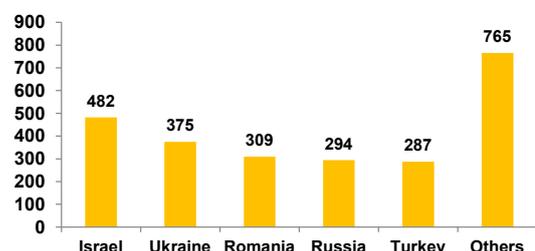
More recent data from the Population State Register (PSR) immigration data shows that in 2012 there were 26,200 foreign citizens residing in Moldova, providing evidence of a slight rise in immigration trends.

## Flows

Immigration flows to Moldova are small. Population State Register immigration data show that in the 2000s there was an inflow of only 19,279 migrants to Moldova. The same data source signals that 35% of migrants moved for work-related reasons, 35% for family reunification and 30% to study. For the latter the main source country was Israel (59%), with Turkey and Syria being other major source countries. For family reunification the vast majority were from Ukraine, Russia and Romania – all three have strong cultural links with Moldova. Since the turn of the millennium the annual average flows of repatriation are 1,600.

In 2010, 2,512 foreign citizens migrated to Moldova. Although Israelis constitute the largest share of immigrants there were only 482 entrants in the same year (figure 2).

Figure 2 - Inflows of foreign citizens to Moldova, year 2010

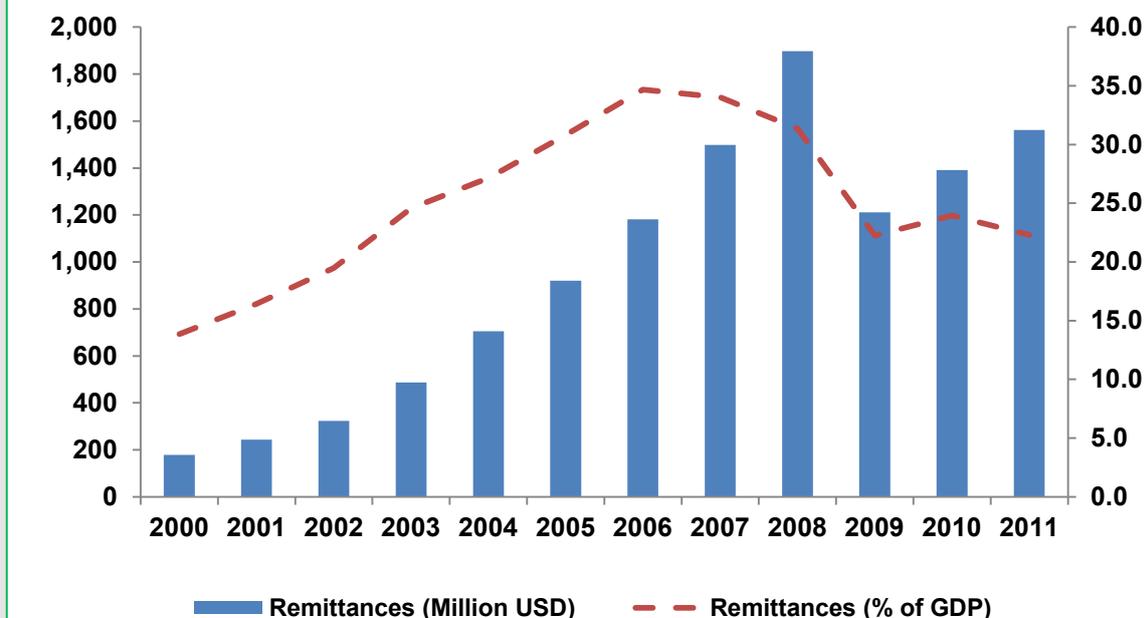


Source: flow data are proxied by the number of registrations to a place of permanent residence in Moldova (Population State Register - Moldova)

### Moldova, an increased reliance on remittances

There are three major transfer mechanisms for remittances entering Moldova: (i) bank transfers; (ii) express money transfers and (iii) informal couriers (Lücke et al., 2007). The use of which mechanism is selected is dependent upon where migrants are located. Seasonal migrants such as those working in the agricultural sector in Russia tend to bring their remittances by hand, whereas those living from farther away tend to send remittances by method (i) and/or (ii).

**Figure 3 - Remittances by expatriates to Moldova, absolute values (Mil-USD) and as a % of GDP, 2000-2010**



Source: World Bank

Over time, remittances have become an important source of income of emigrant's families and a relevant factor of national economy development. According to World Bank data, they amounted to 1561.7 million USD in 2011, considerably exceeding the FDI and ODA inflows that constituted, the respective and approximate totals of 274 million USD and 470.4 million USD (2010). Remittances form near 51% of FDI stock in the economy and 72.5% of earnings obtained from exports. A slight slowdown in remittances growth since the second half of the last decade caused a reduction of their share in GDP, from 34.7% in 2006 to 22.3% in 2011, yet the Republic of Moldova ranks the third country in the region of Europe and Central Asia as regard remittances' weight in GDP and their per capita value (Stratan et al., 2013).

Over 30% of Moldova's exports are tied to remittance based finances. Remittances therefore look set to play an increasingly important role in the Moldovan economy and may see an increase in the emigration flows of Moldovans in the foreseeable future.

References: Ganta V. 2012. The demographic and economic framework of circular migration in Moldova, CARIM-East Explanatory Note 12/69, Migration Policy Centre, European University Institute, San Domenico di Fiesole; Lücke M.M., Mahmoud T.O., Pinger P. 2007. Patterns and Trends of Migration and Remittances in Moldova, International Organization for Migration. World Bank. 2011. Migration and Remittances Factbook 2011, Washington, DC; Stratan A., Chistruga M., Clipa V., Fala A., V. Septelici. 2013. Development and side effects of remittances in the CIS countries: the case of Republic of Moldova CARIM-East Research Report 2013/2, Migration Policy Centre, European University Institute, San Domenico di Fiesole.

## The Legal Framework of Migration

State migration policy is reflected in National Strategies, programs and plans and in domestic legislation of the Republic of Moldova (RM). The current legislative framework regulates the immigration of foreigners and strictly divides competences between responsible bodies and favours strengthening relations with Moldovan citizens residing abroad; providing services for returning migrants; and stimulating conditions to prevent the emigration of citizens. In September 2011, the National Strategy in the migration and asylum domain (2011-2020) was approved, providing the basis for a comprehensive regulation of migration and asylum management, the harmonization of the national legal framework with international and EU law, and the regulation of migration flows. This strategy is intended to contribute towards socio-economic development, state security and towards the achievement of European integration goals. In December 2011, the Action Plan for 2011-2015 regarding the implementation of the Strategy was approved. The activities included a Plan describing how the state intends to improve migration management. The cooperation with the CIS countries is maintained within the framework of regional or bilateral agreements. The Moldova-EU Action Plan includes the strategic objectives in the domain of migration. Based on this document, Moldova adopted National Programs, where the European vector has become a must when implementing policies for all public authorities.

Legal Framework	Outward migration	Inward migration
<b>General Legal References</b>	2013 Government Decision for the approval of the Regulation on issuing identity documents and evidence of the inhabitants of the Republic of Moldova (2 <sup>nd</sup> generation of identity documents) 2013 Government Decision on the approval of the Regulation regarding issuance of visas 2011 Law on Integration of Foreigners in the Republic of Moldova 2011 National Strategy in the Domain of Migration and Asylum (2011-2020) 2011 National Action Plan for the Implementation of the National Strategy in the Domain of Migration and Asylum (2011-2015) 2011 National Program for the implementation of the Moldova –EU Action Plan in the field of visa liberalization regime 2010 Government Decision regarding the Commission for Coordination of Certain Activities Relating to Migration 2010 Law on the Regime of Foreigners in the Republic of Moldova 2008 Law on Labour Migration 2008 Law on Asylum in the Republic of Moldova 1994 Law on the Legal Status of Foreign Citizens and Stateless Persons 1994 Law on exit from and entry into the Republic of Moldova 1994 Constitution of the Republic of Moldova	
<b>Entry and Exit</b>	<b>Visa</b> The Republic of Moldova is a party to the 1992 Agreement on Visa-free Movement of Citizens of the CIS-Countries on the Territory of the Member States, according to which the citizens of the RM are exempted from the visa requirements for the CIS countries (except Turkmenistan) and Georgia. In 2007, Moldova signed a Visa Facilitation Agreement with the EU (amended in 2012). The Agreement facilitates the issuance of visas to the citizens of the Republic of Moldova for a stay of no more than 90 days per period of 180 days.	<b>Visa</b> Citizens of Canada, the CIS (except Turkmenistan with some exceptions), Georgia, EEA, the Holy See, Israel, Japan and the USA are exempted from the visa requirement for a period of stay until 90 days, during six months from the moment of the first entry. Under Art. 6(5) of the Law on the Regime for Foreigners, foreigners who reside in the Republic of Moldova legally and temporarily leave its territory are entitled to re-enter the country without an entry/exit visa during the whole validity period of their residence permit. 4 types of visa are granted:

	<p style="text-align: center;"><b>Cross-border mobility</b></p> <p>According to Art. 1 of the <b>Law on Exit and Entry</b> to the Republic of Moldova, citizens of the RM have the right to exit and enter the Republic of Moldova based on their passports. Art. 8 of the law sets out the conditions when issuance or extension of a new passport or travel document is refused, mainly referring to national security and public order.</p> <p>Since May 2012, citizens of the RM, regardless of their domicile or residence or legal status abroad, have the right to enter the country based on a travel authorization issued by the diplomatic missions or consular posts.</p> <p>The Regulation allows requesting travel authorization in cases of justified emergencies.</p> <p>Though legislation proclaims freedom of movement, the <b>Law on Labour Migration</b> of 10 July 2008 sets <b>restrictions</b> for the emigrations of citizens abroad in Art. 23 referring to:</p> <ul style="list-style-type: none"> <li>– a court decision in a criminal case;</li> <li>– a court decision regarding debtors;</li> <li>– a document regarding the established guardianship over the minors who remain within the country.</li> </ul>	<p>“A” Type – airport transit visa. “B” Type – transit visa. “C” Type – short-term visa for the period of up to 90 days during 6 months; “D” Type – long-term visa for a period not exceeding 12 months.</p> <p>The Regulation regarding issuance of visas which partially transposed the EU Visa Code entered into force on 1 April; 2013.</p> <p style="text-align: center;"><b>Cross-border mobility</b></p> <p>Foreigners can enter Moldova through state border crossing points with a valid passport, an entry visa or a document attesting the residence status. Foreign citizens, holders of a valid permanent residence permit are exempted from the visa requirement.</p> <p>According to Art. 1 of the national Law on Exit and Entry, stateless persons, refugees and beneficiaries of humanitarian protection have the right to exit and enter the RM based on their travel documents. Stateless persons and foreign citizens with permanent resident rights in the Republic of Moldova who are abroad and who have no valid travel documents for returning to the Republic of Moldova, have the right to enter based on a travel authorization issued by the diplomatic missions or consular posts of the Republic of Moldova. The exit of a foreigner may be prohibited in case of criminal charges or a court sentence.</p>
<p><b>Irregular Migration</b></p>	<p>In 2007, the <b>Agreement</b> between the EU and the Republic of Moldova on the readmission of persons residing without authorization was signed (entered into force 1 January 2008). Under Article 19 of the 2007 Agreement, Moldova signed implementation protocols with the Czech Republic, Estonia, Lithuania, Poland, Romania, Hungary, Slovakia, Germany, Austria, Latvia, Bulgaria, Malta and Benelux. Moldova signed also the Agreement and implementation protocol with Switzerland and with Denmark following the joint declaration under the Agreement of 2007.</p> <p>Apart from the EU, <b>readmission agreements are in place</b> with Bosnia and Herzegovina, Macedonia, Montenegro, Norway, Serbia, Turkey and Ukraine.</p>	<p><i>The Law on the Regime of Foreigners in the Republic of Moldova</i> of 16 July 2010 partially transposed the European legislation, including the Directive 2008/115/CE (<i>Return Directive</i>).</p> <p><i>The Regulation on return, expulsion and readmission procedures of foreigners from the territory of the Republic of Moldova</i> establishes the return, expulsion, and readmission procedures. The return measure applies to foreigners: 1) who entered illegally to the territory of the Republic of Moldova; 2) whose stay became illegal; 3) whose visa/residence right was cancelled or revoked; 4) who were denied the extension of the temporary residence right; 5) whose permanent residence right has ceased; 6) whose application for recognition of stateless status was rejected, the procedure was ceased or the stateless status was cancelled; 7) who are former asylum seekers or whose refugee status or humanitarian protection was cancelled.</p>

Agreement on **cooperation between CIS Member States in combating illegal migration** of 6 March 1998 regulates cooperation between Moldova and other countries within the CIS area. On this basis, Moldova must develop instruments curbing irregular migration of its own nationals, in accordance with international law.

**Return** (forced) decision is taken by the Bureau of Migration and Asylum in relation to the foreigner who entered illegally or lost the right to stay (including rejected asylum seekers). Foreign nationals have the obligation of **independent departure** (from 5 days to 3 months depending upon the category of persons), non-compliance leads to **removal**. The right to appeal within 5 days (no suspensory effect) is granted. Suspensory effect of the application for international protection has a suspensory effect upon the execution of the return decision. 1-5 year entry ban can be imposed.

**Removal** under escort, i.e. when the personnel of the BMA accompanies a foreigner to the State Border, applies to those foreigners who have not departed independently; crossed illegally the state border; who have been declared persona non grata (i.e. pose a risk to national security and public order); who have mental or physical disabilities; who pose a risk for the public health. Removal is implemented within 24h if no further formalities are needed. Otherwise, the foreigners are placed into **public custody** (detention at the Centre for Temporary Placement of Foreigners, ordered by a court) for 30 days (can be extended by a court up to 6 months). The decision on removal can be appealed but with no suspensory effect. 1.5 to 5.5 year **entry ban** is imposed on removed persons. If the removal is impossible, a **tolerated status** valid for 6 months (renewable) is granted.

Another form of forced return is **Expulsion, i.e.** removal as an additional measure ordered by a court in relation to foreigners who have committed criminal or administrative offences. Foreigners are taken into **public custody** by a court decision (the same rules as mentioned above), and an **entry ban** of 5 years or 10 years is imposed if foreigners pose a serious danger to the public order or national security. **Tolerated status** is granted if the expulsion is impossible.

	<p>Moldova ratified Palermo Protocols in 2005, with a reservation regarding the territorial applicability of the Protocol (excluding Transnistria).</p> <p>In 2011 Moldova approved the Agreement regarding collaboration between ministries of internal affairs (police) of the CIS countries in their fight against trafficking in human beings, signed in Saint Petersburg on 17 September 2010.</p> <p>Other relevant legal acts:</p> <ol style="list-style-type: none"> <li>1. Law no. 241 of 20 October 2005 on prevention and combating trafficking in human beings.</li> <li>2. Penal Code of 18 April 2002 sets the following actions as crimes: trafficking in human beings (Article 165), slavery and conditions similar to slavery (Article 167), forced labour (Article 168), perverse actions (Article 175), approaching children for sexual purposes (Article 1751), trafficking in children (Article 206), illegal removal of children from the country (Article 207), attracting minors in criminal activity or their determination to commit immoral acts (Article 208), child pornography (Article 2081), use of child prostitution (Article 2082), pimping (Article 220), organization of illegal migration (Article 3621).</li> <li>3. Regulation on the repatriation procedure of children and adults – victims of trafficking in human beings, illegal trafficking of migrants, as well as of unaccompanied children, approved through the Government Decision no. 948 of 7 August 2008.</li> <li>4. Law no. 105 of 16 May 2008 on the protection of witnesses and other participants of the penal process.</li> <li>5. Law introduced on the regime of foreigners was amended in December 2012 granting an extension of temporary residence right for victims of human being trafficking in for a period of 6 months with the possibility of extension, being granted free of charge (Article 421).</li> <li>6. Regulation-framework for the organization and functioning of the centres for the assistance and protection of victims of trafficking in human beings, approved through the Government Decision no. 1362 of 29 November 2006.</li> </ol>
<p><b>Rights and Settlement</b></p>	<p>Article 27.2 of the Constitution stipulates that the citizens of Moldova enjoy the protection of their State both at home and abroad, as well as the right to exit, to emigrate and to return to the country.</p> <p>According to Article 19 para.1 of the Constitution and Article 5 of the 1994 <b>Law on Legal Status of Foreign Citizens and Stateless Persons</b>, foreign citizens and stateless persons have same rights and duties as the citizens of the Republic of Moldova, with exceptions established by the law, for the most part relating to political rights.</p> <p><b>Law on the Regime for Foreigners in the Republic of Moldova</b> (in force since December 2010) regulates foreigners' entry into, stay on and departure from the territory of the RM, the granting and extension of the residence right, the repatriation and documentation thereof; specifies enforcement measures in case of violation of the residence regime and immigration registration measures.</p> <p>Holders of temporary/permanent resident rights cannot be subject to any restrictions regarding their freedom of movement during the validity of their permit.</p>

		<p>The right to <b>temporary residence</b> is granted up to 5 years.</p> <p>The right to <b>permanent residence</b> can be granted, as a rule, after 5 years of temporary residence.</p> <p>The Law on integration of foreigners in the Republic of Moldova was adopted on 27 December 2011 and entered into force only on 1 July 2012.</p> <p>The Law establishes the categories of foreigners who have access to integration activities namely temporary and permanent residents; stateless persons; persons under international protection.</p> <p>The Law on integration set that these foreigners have access to the preschool, primary and secondary general education, public system of social insurance and to the national system of social assistance in the same conditions established by the law as for citizens of the Republic of Moldova. Access to the compulsory health insurance system for foreigners is conditioned by one of the following criteria: 1) residence on the territory of the Republic of Moldova and employment based on an individual employment contract; 2) domicile in the Republic of Moldova.</p>
<p><b>Labour</b></p>	<p>The Law on Labour migration of 10 July 2008 regulates the conditions for the temporary employment of RM citizens abroad. The Law defines emigrant workers as citizens of the Republic of Moldova, with permanent domicile on its territory, who voluntarily left the country to go to another country in order to perform a temporary labour activity. There are five criteria set in legislation for examining emigration cases: Moldovan citizenship, permanent domicile in Moldova, voluntary departure from the country, a state of destination different from Moldova and performance of a temporary labour activity. The Law also defines 2 categories of workers: the seasonal worker, namely, a citizen of the Republic of Moldova employed within the territory of another state based on an individual employment contract for a determined period of time or for determined work performed within a certain period of the calendar year; and a border worker, namely, a citizen of the Republic of Moldova employed in a</p>	<p>From 2008 onwards, labour migration has been regulated by a <i>special Law on labour migration</i>, according to which the responsibilities on regulating labour migration are divided between the Bureau of Migration and Asylum under the Ministry of Interior and the National Agency of Employment (Law No. 691 of 27 August 1991) under the Ministry of Labour, Social Protection and Family. There is a strict distinction between the right to work and the right to stay for the purpose of work.</p> <p>Labour immigration is possible only when the vacancies cannot be filled from domestic human resources.</p> <p>The right to work is conferred by the decision of the National Employment Agency, based on which the Bureau of Migration and Asylum grants the temporary residence right for the purpose of work and issues the temporary residence permit. Foreigners holding permanent resident permit or temporary residence right for family</p>

	<p>border zone of the state who returns at least once per week to the Republic of Moldova where he/she is a citizen.</p> <p>Practically, the Law provides for the following forms of temporary employment abroad for Moldovan nationals: 1) on a voluntary basis, based on an individual employment contract concluded with the employer before exiting the country; 2) through private employment agencies, which have licenses; 3) according to the provisions of bilateral agreements.</p> <p>The licensing of private recruitment agencies is provided for in the Law no. 180 and Law no. 451 regarding the licensing of business activity of 30 July 2001. In order to protect the citizens who work abroad, the Law on the labour migration was modified in 2013 with a special focus on the regulation of the activity of the private agencies.</p> <p>On 5 July 2011, the Government of Moldova signed an <b>Agreement on Labour Migration</b> and an <b>Implementation Protocol</b> thereof with the Government of <b>Italy</b>. With this agreement the Italian Government grants the RM citizens a special entry quota. The Agreement specifies that a quarter of this quota will be managed by the relevant Moldovan Ministry. The agreement provides for: the development of circular migration schemes for Moldovan workers, joint projects for technical assistance, the implementation of common initiatives for Moldovans staying in Italy, the organization of vocational training and Italian language courses, offered by Italian institutions in Moldova.</p> <p>Moreover, the Republic of Moldova has concluded agreements in the field of social security / protection with Austria, Azerbaijan, Belarus, Belgium, Czech Republic, Bulgaria, Estonia, Luxembourg, Romania, Portugal, the Russian Federation, Ukraine and Uzbekistan.</p>	<p>reunification have been excluded from the provision under the law on labour migration as of 29 March 2013.</p> <p>Students can perform a labour activity on the territory of the country for a period of time that won't exceed 10 hours per week or the equivalent in days in one year (Article 5 para. (4) of the Law on labour migration).</p> <p>Moldova introduced a new category of beneficiaries of residence right in 2013, namely foreign investors. Thus according to Article 36 of the law on the regime of foreigners the temporary residence right for foreign investors is granted to foreigners to make investments into the Republic of Moldova. It is mentioned in Article 8 para. (4), which sets the amount of said investments, which was modified in 2013.</p>
	<p>Moldova is a party to following multilateral agreements within the framework of the CIS:</p> <ul style="list-style-type: none"> <li>- Convention on the legal status of migrant workers and their families, adopted by CIS Member States of 14 November 2008;</li> <li>- Agreement on cooperation within the field of labour migration and social protection for migrant workers of 15 April 1994;</li> <li>- Protocol on amendments to the Agreement on cooperation within the field of labour migration and social protection for migrant workers of 25 November 2005.</li> </ul>	

<p><b>Citizenship</b></p>	<p>According to the <b>Constitution</b> (Art. 17), the citizenship of the Republic of Moldova can be acquired, retained or lost only under the conditions provided for by the basic law, and no one may be deprived arbitrarily of his or her citizenship or the right to change it. Citizens of the Republic of Moldova shall enjoy the protection of their State both at home and abroad.</p> <p>Until 2002, the Constitution contained in Article 18 restrictions regarding possession of non-Moldovan citizenship. In 2002, by the Law No. 1469 of 21 November 2002, this Article was modified. Art. 24 of the Law On Citizenship authorizes the plurality of citizenship.</p> <p>According to the <b>Law on Citizenship</b>, citizens of the Republic of Moldova, who reside lawfully and habitually in the territory of the Republic of Moldova and are in legal possession of the citizenship of another state, shall enjoy the same rights and duties as other citizens of the Republic of Moldova (Art. 25).</p> <p>An RM citizen who is in legal possession of the citizenship of another state shall be subject to military service by the Republic of Moldova, if that person resides lawfully and habitually in its territory, irrespective of exemption from military service in the other state (Article 26). RM citizens who are at the same time the citizens of other states are recognized in relation to the RM only as its citizens.</p> <p>Moldovan citizens have the right to apply for Romanian citizenship.</p>	<p>Under Article 88 of the <b>Constitution</b>, the President of the Republic of Moldova is empowered to solve the issues relating to citizenship.</p> <p><b>Law on Citizenship</b> (entry into force: 10 August 2000) stipulates that foreigners can acquire the citizenship of the RM by: birth (Article 11), adoption (Article 13), naturalization (Article 17). Citizenship of the Republic of Moldova may also be acquired on the basis of international agreements to which the Republic of Moldova is a party (Article 10.2).</p> <p>Citizenship may be lost by renunciation, deprivation or on grounds deriving from international agreements to which the Republic of Moldova is a Party (Article 21).</p> <p>Chapter VI of the Law establishes the procedure for citizenship acquisition and loss for the Republic of Moldova.</p> <p>Preconditions for the naturalization are: 10 years of lawful and habitual residence (8 years for refugees and stateless persons, 3 years for persons married to RM citizens); knowledge and observance of the constitution, knowledge of the state language; having legal sources of subsistence; loss or renunciation to another citizenship, if it is possible. Due to the fact that beneficiaries of humanitarian protection have the same rights and duties as refugees according to Article 33 of the Law on asylum, the provisions relating to refugees on citizenship are applied to them.</p> <p>In 2011, the Republic of Moldova acceded to the Conventions regulating the statelessness from 1954 and 1961. The Law on the Republic of Moldova's accession to the Convention on the Status of Stateless Persons was adopted on 27 December 2011.</p>
<p><b>International Protection</b></p>	<p>Moldovan legislation in the area of refugee protection is largely in line with international standards. The Law on asylum in the Republic of Moldova of 2008 replaced the former Law on the status of refugees, partially transposing the European legislation on asylum.</p> <p>In 2002, Moldova ratified The United Nations Convention Relating to the Status of Refugees. UN High Commissioner for Refugees has a national office in Moldova.</p> <p>Forms of protection granted in Moldova are:</p> <ul style="list-style-type: none"> <li>- refugee status: in compliance with Geneva Convention;</li> <li>- humanitarian protection,</li> <li>- temporary protection,</li> <li>- political asylum: granted by the President.</li> </ul>	

**The Law on Asylum** differentiates between the status of refugees and the status of beneficiaries of humanitarian protection. For a recognized refugee, holding an ID valid for five years there is no restriction of movement within this period of time. In case of a beneficiary of humanitarian protection, his/her situation is limited to ID validity for one year. The rights of asylum seekers are set in Article 28-31 of the Law, and the rights of refugees and beneficiaries of humanitarian protection in Article 33, 35-38. The beneficiaries of political asylum have the same rights and duties as the refugees.

## The Socio-Political Framework of Migration

Since its independence, the Republic of Moldova has been strongly affected by emigration for labour purposes. Well into the new millennium the Moldovan authorities were not paying due attention to this phenomena as emigration reduced the acuteness of ethnic, economic and social clashes within the country. The growing labour migration brought about multimillion financial transfers into the country from migrants, thereby economically facilitating the remaining population. The government found this situation convenient and satisfactory. In the new millennium, under the influence of international organizations and the European Union institutions, the attitude of Moldovan authorities to emigration started to change. Trying to minimize negative effects and risks associated with mass emigration, the Moldovan government began to undertake certain measures. International organizations and national institutions began working together on the development and implementation of appropriate policies in order to decrease the negative impact of temporary and permanent emigration.

After a decade of vacillation, the relations between the RM and the EU have started to be seen as a priority. The National Strategy in the Migration and Asylum Domain (2011-2020) sets out the main priorities regarding emigration and circular migration. The Action Plan for 2011-2015 for the implementation of the National Strategy in the Migration and Asylum Domain (2011-2020) stipulates the importance of the compatibility of skills and qualifications of migrants. The recognition, evaluation and certification of competences and skills acquired by Moldovan migrants abroad are seen as vital.

Despite the presence of some contradictions between the various political actors in Moldova regarding the paths of the national social development, Moldovan migration policy of the last decade is characterized by a certain degree of continuity, accumulation and use of conceptual and practical experience, both international and national.

Socio-Political Framework	Outward migration	Inward migration
<b>Governmental Institutions</b>	<p>The <b>Ministry of Labour, Social Protection and Family</b> (MLSPF) promotes and assures migrants' rights. It is responsible for (re)integration, labour migration, granting migrant worker status and the organization of employment abroad.</p> <p>The <b>Commission for the Coordination of Activities relating to the Migration Process</b> is a permanent advisory body under the Government. The Commission was created for the coordination and monitoring of activities in the migration domain.</p> <p>The <b>National Employment Agency</b> is responsible for the implementation of state policy and intergovernmental agreements regarding labour activity and the social protection of migrant workers, the elaboration of employment mechanisms abroad for the citizens of the Republic of Moldova</p> <p>The <b>Ministry of Education</b> is responsible for the recognition of qualifications in secondary vocational education, specialized secondary and high education, obtained abroad by the RM citizens and other persons with domicile and/or with permanent places of work in Moldova.</p>	<p>The <b>President</b> participates in shaping the migration policy (legislative initiative, signing of laws, veto right, management of foreign affairs). He/she takes decisions regarding acquisition of citizenship, granting of political asylum in the RM, etc.</p> <p>The <b>Ministry of Labour, Social Protection and Family</b> (MLSPF) is responsible for the elaboration and implementation of policies in the labour migration domain and integration, the issuance of work permits to foreign citizens and granting of migrant worker status.</p> <p>The <b>Ministry of Interior</b> is responsible for management of the entry flow of foreigners, issuance and extension of visas, granting of repatriation and immigrant statuses, asylum and refugees, and for border management.</p> <p><b>Bureau of Migration and Asylum</b> (a subdivision of the Ministry of Internal Affairs) <i>inter alia</i> coordinates integration of foreigners.</p>

	<p><b>Bureau for Diaspora Relations</b> in the structure of the State Chancellery develops relations with the Moldovan communities abroad</p>	<p>The <b>National Agency of Employment</b> is responsible for issuance, extension and cancellation of work permits of foreign citizens and stateless persons.</p> <p>The Asylum and Integration Directorate (former <b>Refugee Directorate</b>) of the Bureau of Migration and Asylum under the Ministry of Interior is responsible for asylum procedure and implementation of the integration legislation.</p>
<b>Governmental Strategy</b>	<p>In 2011, the <b>National Strategy in the migration and asylum domain</b> (2011-2020) and the <b>Action Plan for 2011-2015</b> regarding the implementation of the Strategy were approved. The activities included in the Plan describe how the state intends to improve migration management, focusing mainly on: the implementation of present initiatives; the strengthening of legal migration mechanisms; the promotion of circular migration; the assurance of social protection for Moldovan migrants; the assurance of the compatibility of the skills and qualifications of migrants; reintegration.</p> <p>Overall, the migration policy is directed towards work with Moldovan diaspora; development of policies that would stimulate the migrants' desire to return home; interacting with different international organizations and creating a visa-free regime between Moldova and the European Union.</p>	<p>The <b>National Strategy in the migration and asylum domain</b> (2011-2020) and the <b>Action Plan for 2011-2015</b> foresee as main priorities the regulation of migration flows to and through Moldova; the creation of facilities for foreign investors; and the admission of foreigners, for working purposes according to necessities identified within the internal labour market, particularly persons with high levels of qualification who would have a direct impact upon the economic development.</p>
<b>Civil Society</b>	<p>Coordination Council of Persons Originating from the Republic of Moldova and Residing Abroad;</p> <p>Scientific Diaspora of the RM (the Academy of Sciences of Moldova);</p>	<p>La Strada, Centre for Prevention of Trafficking in Women (CPTW), Medicine du Monde, Terre des Hommes, Stimul, CNPAC.</p>
<b>Migration and Economic Growth</b>	<p>Within the existing framework for their cooperation, in particular the European Neighbourhood Policy and the Partnership and Cooperation Agreement signed on 28 November 1994, as well as the EU/Republic of Moldova European Neighbourhood Policy Action Plan agreed on the 22 February 2005, <b>the Joint Declaration on a Mobility Partnership between Moldova and the EU</b> was signed on May 21, 2008.</p> <p>Taking into consideration the European integration as a political priority for the development of the RM, the mobility facilitation of people and stimulation of contacts between the RM citizens and the EU are set as goals.</p> <p>The Moldovan government strongly promotes and facilitates mobilizing of migrants' assets to the development of the economy of the country. A pilot program PARE 1+1 was implemented in 2010-2012 and then extended in 2013 until 2015. The purpose behind the pilot program is to mobilize human and financial resources of people going</p>	

	<p>abroad voluntarily to perform labour activities, for sustainable economic development of the country. The rule 1+1 of the program means that the applicant will pay 50% of the price of the entrepreneurial training. The program gives priority to creation of work places, export orientation, replacement of imports, implementation of energy-efficiency projects, creation and development of businesses in areas and application of modern technologies, know-how transfer, innovations.</p> <p>Since 2008, the Government developed and started to implement the action plan to stimulate the return of Moldovan labour migrants. The plan envisages complex measures to inform migrants about employment opportunities in the home country, repatriation procedures, founding their own business, expanding employment opportunities for young people, social protection, etc. So far the effect of such actions is not large, which is associated primarily with socio-economic situation in the country.</p> <p>The government further strengthens complex, strategic and future-oriented approach to migration issues that are included in a number of national programs and strategies (Strategy in Workforce Employment Area (2007-2015), Strategy of Youth Affairs (2009-2013), Strategy in Migration and Asylum (2011-2020), Strategic program in demographic security (2011-2025), Action plan in the field of human rights (2011-2014), Plan of protection of children left without parental care (2010-2011) etc.).</p>
<b>International Cooperation</b>	<p>Republic of Moldova is a member of the following: IOM, Council of Europe, Commonwealth of Independent States, OSCE, ILO and BSEC. It participates in the following regional processes: Budapest Process, Prague Process, Eastern Partnership, European Neighbourhood Policy and Black Sea Synergy.</p> <p>Partially ratified the revised European Social Charter in 2001.</p>