

Contribution to inform the European Commission 2026 Enlargement Package in the area of asylum

Moldova

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Introductory note

This document was prepared by the NGO, Law Center of Advocates (CDA) at the request of the European Council for Refugees and Exiles (ECRE¹), as a contribution to the process of accession of the Republic of Moldova to the European Union, for the reference period July 2024 – April 2026. The document analyses the situation in the fields of asylum and forced displacement from the perspective of the national regulatory framework and its implementation practice, in line with the standards of the EU acquis.

The sources used in the elaboration of this document include: Law no. 270/2008 on asylum in the Republic of Moldova, Law no. 200/2010 on the regime of foreigners in the Republic of Moldova, Law no. 274/2011 on the integration of foreigners in the Republic of Moldova, Law no. 253/2025 to the citizenship of the Republic of Moldova, Government Decision no. 285/2025 on the approval of the National Program on the phased integration of foreigners, including displaced persons in the Republic of Moldova for the period 2025–2027, the reports and studies of the Law Center of Advocates(CDA) and the Office of the Ombudsman (OAP), the data of the General Inspectorate for Migration (IGM), the data of the National Bureau of Statistics (BNS) and direct observations from the activity of CDA.

Part I: The fundamentals of the accession process (the Copenhagen criteria)

1. Political criterion: functioning of democratic institutions and public administration reform (stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities)

1.1. What is your assessment of the level of civil society participation in migration- and asylum-related policy-making?

¹ <https://ecre.org/>

The participation of civil society in the development of policies in the field of migration and asylum is carried out, in principle, through the general public consultation mechanisms provided for by *Law no. 239/2008 on transparency in the decision-making process* and *Government Decision no. 967/2016 on the mechanism of public consultation with civil society in the decision-making process*. The draft normative acts of the executive and of the central and local public authorities are placed on the websites of the issuing authorities and on the <https://particip.gov.md> platform, which is the main tool for ensuring decision-making transparency. This platform offers the public, including non-governmental organizations, the opportunity to submit comments and express their points of view, and is also used for the publication of announcements regarding the initiation of the process of drafting normative acts.

Although the formal framework for public consultations is functional, its implementation in practice has significant gaps. Not all public authorities fully comply with decision-making transparency obligations; discrepancies between the number of drafts published for consultation and those actually adopted indicate a decision-making practice outside the formal consultation circuit; Contributions and recommendations made by civil society organisations are taken into account selectively and without giving reasons for refusing to accept them.

A significant structural deficit in this participation framework lies in the differentiated regime applied to parliamentary legislative initiatives. The decision-making process in Parliament is not integrated into the <https://particip.gov.md> platform. The draft legislative acts and legislative proposals submitted by the Members of Parliament are not placed on the <https://particip.gov.md> platform but are placed on the Parliament's website. The Parliamentary Committee will ensure public consultation by organizing public debates and hearings or through other consultation procedures provided by law. In practice, the consultation of civil society in these cases takes place at the discretion of the parliamentary committee in this field. Given that some legislative initiatives with a direct impact on the rights of asylum seekers and other categories of foreigners have been adopted without public consultations, risks are emerging for the quality of regulations and their alignment with international standards.

A relevant example in this regard is *the Law on Citizenship of the Republic of Moldova no. 253*, adopted on July 10, 2025 and entered into force on December 24, 2025. It has not been subject to public consultation and contains provisions that generate an increased risk of statelessness. Currently (March 25, 2026), 3 legislative initiatives of deputies are registered in Parliament, aimed at amending this law, in order to remedy the deficiencies found in the application process, but these drafts have not been submitted to public consultation either.

At the same time, positive developments are also noted. In February 2025, by order of the Secretary of State of the Government, a working group was established to amend the regulatory framework on transparency in the decision-making process, which includes representatives of public authorities, civil society and interested individuals. On February 12, 2026, the State Chancellery

held public hearings on the draft law on public participation in decision-making², which is a positive signal for strengthening consultation and decision-making mechanisms, both at central and local level.

CDA is one of the few organizations in the Republic of Moldova with recognized activity and experience in the field of migration and asylum and maintains a constructive collaboration with the Ministry of Internal Affairs (MIA) and the General Inspectorate for Migration (IGM)³ in the process of drafting proposals on the normative-legal regulation of the fields of migration, asylum, statelessness and integration of foreigners. As a rule, the MIA and IGM involve CDA from the early stages of the elaboration of draft normative acts and take into account the proposals and recommendations formulated, which is an example of good practice in institutionalized cooperation with civil society.

1.2. What are the regularisation options available for third-country nationals?

Law no. 200/2010 on the regime of foreigners in the Republic of Moldova regulates several options for legalizing the stay of third-country nationals on the territory of the Republic of Moldova.

- a) Certain categories of foreigners (professional sellers, contractual service providers, self-employed professionals) may be temporarily on the territory of the state for a cumulative period of more than 90 calendar days, but not exceeding one calendar year, without holding a residence card or provisional residence permit.
- b) Temporary stay under the long-stay visa is accessible for a wide range of categories and situations, including immigration for work, study, family reunification, humanitarian, voluntary or religious activities, long-term medical treatment, protection of victims of trafficking in human beings and victims of domestic violence; activities in the field of information technology; foreign investors, digital nomads, etc. The right of temporary residence for victims of trafficking in human beings and domestic violence, as well as the residence card, is issued free of charge.
- c) Permanent residence is granted on the basis of the decision granting the right of permanent residence.

On February 18, 2026, the Government approved the draft law on the admission, residence and supervision of foreigners in the Republic of Moldova, which is to be voted in Parliament, to enter into force on June 1, 2027 and to replace Law no. 200/2010 on the regime of foreigners in the Republic of Moldova.

Citizens of the European Union and their family members benefit from a separate regime, regulated by *Law no. 200 of 10.07.2025 on the free movement and residence on the territory of the*

² https://particip.gov.md/ro/event_details/7

³ The administrative authority subordinated to the Ministry of Internal Affairs, which ensures the implementation of state policies in the field of migration, asylum, statelessness and integration of foreigners; one of the functions of the IGM is to participate in the elaboration and presentation of proposals regarding the normative-legal regulation of the fields of activity.

Republic of Moldova of citizens of the European Union and their family members. They have the right to legally stay on the territory of the state for a period of up to 90 days without holding a visa, and if they intend to stay in the Republic of Moldova for a longer period, they have the obligation to apply for the issuance of a residence card.

On the territory of the Republic of Moldova, pursuant to *Law no. 270 of 18.12.2008 on asylum in the Republic of Moldova*, the following forms of protection are granted:

- a) Refugee status;
- b) Humanitarian protection;
- c) Temporary protection;
- d) Political asylum.

Asylum seekers have the right to stay on the territory of the Republic of Moldova for the duration of the asylum application and benefit from a temporary identity document, valid for 30 days, with the possibility of extending it by 30 days, until the final settlement of the application.

In 2024, the Republic of Moldova initiated the process of adapting the national asylum legislation to the European Union standards. Thus, in January 2025 and January 2026, several amendments to *Law no. 270/2008 on asylum in the Republic of Moldova entered into force*, amendments aimed at transposing *Directive 2013/32 on common procedures for granting and withdrawing international protection*, *Directive 2013/33 on setting standards for the reception of applicants for international protection*, and *Directive 2011/95 on standards on the conditions for third-country nationals or stateless persons to be granted international protection, on the uniform status for refugees or persons eligible for subsidiary protection, and on the content of the protection granted*. The amendments to *Law No 270/2008* aimed at strengthening the asylum system, establishing clear rules to prevent abuses of the asylum system by harmonising national regulations on the fast-track procedure for examining asylum applications with EU rules (fast-track examination of unfounded applications and applications submitted by persons who are presumed to pose a danger to national security or public order), as well as the introduction of the concepts of 'safe country of origin' and 'safe third country' into national law. The amendments also aimed to facilitate the access of vulnerable groups and people to the asylum procedure, by including new notions, such as "material reception conditions", "applicant with special needs"; supplementing the national normative framework with provisions regulating the material conditions of reception depending on the means available to the applicant; the extension of the categories of persons with special needs according to the EU asylum acquis; supplementing the law with regulations on the identification and assessment of the special needs of vulnerable asylum seekers. At the same time, amendments were made to the related legislation to regulate the status of unaccompanied foreign children or left on the territory of the state without a legal act; to offer asylum seekers the option of voluntary (optional) health insurance and to integrate asylum seekers who are employed into the system of mandatory health insurance.

For the implementation of the new provisions, in November 2025 the following were approved: Mechanism on granting material reception conditions granted to asylum seekers; Methodology for estimating costs for material reception conditions offered to asylum seekers and Mechanism for establishing and applying the concepts of safe country of origin and safe third country, list of safe countries of origin and safe third countries⁴.

Starting with January 1, 2026, a new model of identity document – the residence card – has been put into circulation nationwide, which is issued to foreigners, who have been granted or extended the right of residence, the right to repatriation, the status of refugee or beneficiary of humanitarian protection, as well as to persons who have been recognized as stateless. The residence card has replaced several types of identity documents previously issued to foreigners depending on the legal status of the holder.

1.3. What are the state's policies on naturalisation?

The acquisition of citizenship of the Republic of Moldova through naturalization is regulated by the Law on Citizenship of the Republic of Moldova no. 253/2025. Citizenship may be granted, upon request, to foreign citizens, stateless persons, beneficiaries of international protection or political asylum, over 18 years of age, who at the date of submission of the application have the right of permanent legal residence on the territory of the state, know the Romanian language and the provisions of the Constitution, have legal sources of income and do not fall under the grounds for refusal provided by law.

Citizenship cannot be granted to a person who has committed crimes against peace, war crimes or crimes against humanity; who is or has been involved in terrorist activities; who, during the period of examination of the application, is serving or has to serve a criminal custodial sentence, has an unextinguished criminal record or is under criminal investigation or is in the judicial examination phase – until the final and irrevocable sentence of the court; who carries out an activity that endangers the security of the state, public order or poses a danger to society; who has enlisted in illegal military formations, in the armed forces of an unconstitutional entity, or of an aggressor state, declared as such by the United Nations, the European Parliament or the Parliament of the Republic of Moldova, or of a state with which the Republic of Moldova has broken diplomatic relations or with which it is in a state of war; who has presented false or falsified documents, information that does not correspond to the truth or conceals some pertinent data, knowledge of which would constitute grounds for refusal; who are in the category of persons against whom international restrictive measures have been applied to which the Republic of Moldova has aligned itself or which have been applied by the Republic of Moldova.

The basic condition regarding the duration of continuous legal residence on the territory of the Republic of Moldova varies depending on the legal status of the applicant, the person must meet at least one of the following conditions:

⁴ Government Decision no.720 of 12.11.2025

- a) Continuous legal residence on the territory of the state for at least the last 10 years;
- b) Is a beneficiary of international protection, political asylum and stateless persons and has been legally and continuously residing on the territory of the state for at least the last 8 years;
- c) Has a continuous legal residence on the territory of the state for the last 5 years before reaching the age of 18;
- d) Has been married to a citizen of the Republic of Moldova for at least 3 years and has been legally residing continuously on the territory of the state for the last 3 years;
- e) Has been legally and continuously resident on the territory of the state for at least the last 3 years, at the domicile or temporary residence of the parents, including the adoptive parents, or of the children, including the adopted children, who are citizens of the Republic of Moldova.

The condition regarding the legal source of income is considered fulfilled if the applicant's monthly net income is at least equivalent to the minimum wage established for the current year, and the income-generating activity was carried out for a period of at least 3 years prior to the submission of the application. The condition of knowledge of the Romanian language and the provisions of the Constitution is not imposed on persons with severe or accentuated disabilities that cause difficulties in the learning process, children under the age of 14 and persons to whom citizenship is granted in the interest of the Republic of Moldova.

1.4. What is the situation in the area of access to justice for non-citizens?

In the Republic of Moldova, any person has the right to go to court to defend his or her violated or contested rights, freedoms and legitimate interests, as well as to claim a right injured by a public authority. The access to justice of non-citizens is guaranteed by the constitutional framework, by the legislation in the field of migration and asylum and by Law no. 198/2007 on state-guaranteed legal aid.

Foreign nationals and stateless persons shall benefit from state-guaranteed legal aid in proceedings or cases falling within the competence of public administration authorities and national courts, under the conditions laid down by law. At the same time, the law guarantees access to qualified legal aid regardless of income level:

- Asylum seekers, within the asylum procedure;
- Foreigners, in proceedings regarding the application or extension of the detention measure;
- Persons in respect of whom there is a risk of applying the sanction of expulsion in the context of contravention proceedings

CDA provides free legal aid to asylum seekers, refugees and other people in difficulty, actively helping to guarantee effective access to justice. In its practical work, CDA found that effective access to justice remains limited due to several factors (*e.g.* language barriers, insufficient information on available rights).

Access to information on the asylum procedure and legal advice for asylum seekers, including at Chisinau International Airport, to prevent possible cases of refoulement, remain problematic issues. In this regard, the Ombudsman's Office pointed out that the contact details of the Union of Lawyers and the National Legal Aid Council (CNAJGS) and lists of contact details of lawyers are not accessible at the border crossing points. Access to the state-guaranteed lawyer is offered only at the regional subdivisions of the Border Police in case of criminal prosecution or contravention actions⁵. This situation can seriously affect the ability of individuals to understand and exercise their rights in asylum procedures and to benefit from adequate protection in dignified and safe conditions. According to the same report, *the Instruction on the procedure for receiving asylum applications submitted by foreigners at the state border, approved by the Joint Order of the General Inspectorate of the Border Police and the General Inspectorate for Migration, no. 59/19 of 27.01.2026*, provides that asylum seekers have the right to free legal advice at the CNAJGS (with indication of telephone numbers). However, the document is intended for border police employees and is not public.

2. Economic criterion: the existence of a functioning market economy and the capacity to cope with competition and market forces in the EU

2.1. What is the situation pertaining to the right to work and access to education for asylum applicants and protection holders?

Right to work

According to *Law no. 270/2008 on asylum in the Republic of Moldova*, asylum seekers have the right to work. This right is granted temporarily, upon request, if, for objective reasons, the person is deprived of the necessary means of subsistence.

Beneficiaries of international protection (refugees and beneficiaries of humanitarian protection) have the rights provided by law for foreign nationals and stateless persons, including the right to be employed by physical or legal persons, to exercise liberal professions, to carry out entrepreneurial activities, to be paid and to benefit from other material rights arising from the activities carried out, as well as social security. They benefit from employment measures, including unemployment insurance in accordance with the provisions of *Law no. 105/2018 on employment promotion and unemployment insurance*. *Law no. 274/2011 on the integration of foreigners* provides that beneficiaries of international protection may be included, upon request, in integration programs and benefit from individual integration plans containing, as the case may be, activities related to facilitating access to the labor market. Also, the state offers them free Romanian language courses to facilitate socio-economic integration.

⁵ <https://ombudsman.md/post-document/raport-tematic-asigurarea-accesului-persoanelor-ce-au-nevoie-de-protectie-internationala-la-punctul-de-trecere-a-frontierei-aeriene-a-republicii-moldova-situatia-anului-2024/>

Beneficiaries of temporary protection have the right to work on the territory of the Republic of Moldova during the period of granting temporary protection, as well as the right to register with the National Employment Agency for employment support. Medical workers, beneficiaries of temporary protection, can be employed in medical institutions, and it is only necessary to obtain an approval from the Ministry of Health regarding the permission for employment during the period of temporary protection. Teachers/professors in Ukraine can apply for employment in general education institutions, vocational schools, colleges and universities.

Stateless applicants and stateless persons who have been granted stateless status in the Republic of Moldova have the right to work and labour protection in accordance with the legislation in force.

In practice, although the national regulatory framework ensures formal access to the labour market, the effective integration of asylum seekers and beneficiaries of temporary protection remains limited. The data available from the reports of international organisations (UNHCR^{6,7} IOM⁸, HIAS⁹) and national studies (Ombudsman's Office¹⁰) indicate a relatively low level of employment among displaced persons from Ukraine, estimated according to the methodology between around 14% and 25%, while about a fifth to a quarter of them are actively looking for a job. The situation is driven by several structural factors, including language barriers and limited access to Romanian language courses, the lack of a mechanism for the automatic recognition of professional qualifications obtained in other countries, limited access to professional networks and information on employment opportunities, as well as the reduced availability of decent wage jobs appropriate to the level of qualification and professional experience.

As far as asylum seekers are concerned, effective access to work is even more restricted in practice, being influenced not only by language barriers, but also by the temporary nature of the right to work, as well as employers' reluctance towards labour relations perceived as unstable. At the same time, there is no officially disaggregated statistical data on the employment of asylum seekers, as the General Inspectorate for Migration does not keep records on this matter. The only information available results from the General Inspectorate for Migration Activity Note for 2025¹¹, according to which, throughout the year, employees of the General Inspectorate for Migration Accommodation Centre, intended for the temporary accommodation of asylum seekers and beneficiaries of a form of international protection, examined about 375 applications from asylum seekers accommodated for the issuance of leave permits for work or other justified purposes.

⁶ <https://data.unhcr.org/en/documents/details/120417>

⁷ https://reliefweb.int/report/moldova/unhcr-socio-economic-assessment-refugees-and-host-communities-republic-moldova?utm_source=chatgpt.com

⁸ https://moldova.iom.int/sites/g/files/tmzbd11626/files/documents/2025-12/republic-of-moldova-labour-market-integration-of-refugees-from-ukraine-august-december-2024.pdf?utm_source=chatgpt.com

⁹ https://hias.org/wp-content/uploads/HIAS_Moldova_Final_Labor_Report_2024.pdf?utm_source=chatgpt.com

¹⁰ https://ombudsman.md/wp-content/uploads/2024/08/raport_ro_i-1.pdf?utm_source=chatgpt.com

¹¹ <https://igm.gov.md/wp-content/uploads/2026/02/Nota-de-activitate-a-IGM-pentru-anul-2025-final-.pdf>

National and international reports highlight the existence of indirect barriers, such as duty of care responsibilities for children and dependent persons, especially for women, limited access to support services (e.g. childcare services) and general difficulties in socio-economic integration. Under these circumstances, while institutional mechanisms and employment support programmes exist, their impact on labour market integration remains limited, and interventions need to be strengthened and adapted to the specific needs of asylum seekers and beneficiaries of temporary protection.

According to the National Program on the phased integration of foreigners, including displaced persons in the Republic of Moldova, for the period 2025-2027 (approved by Government Decision no. 285 of 14.05.2025), the Government aims to support the efficient integration of foreigners and displaced persons into the labor market by developing professional skills adapted to the sectoral requirements of the national economy, with a focus on free economic zones, where a significant number of national and international companies operate, but also to implement three mechanisms to stimulate economic development for the integration of foreigners on the labor market, until 2027.

Although the Republic of Moldova became a partner of the project "European Qualifications Passport for Refugees" (EQPR) in May 2022, the process of integrating this mechanism into the national regulatory and institutional framework is still in the analysis phase, with discussions and consultations at expert level still taking place.¹²

Access to education

The Education Code is the reference normative act of the national education system, establishing in general that citizens of other states, as well as stateless persons, have access to education through the national education system under the conditions of this code. This rule is the general legal basis to which the special provisions of migration and asylum legislation are aligned.

On March 6, 2026, a new provision of *the Education Code came into force*, which establishes the state's obligation to ensure the integration into the educational system and the development of communication skills in Romanian of foreign children on the territory of the country, in order to ensure the flexibility and equity of educational processes, the integration being achieved through linguistic and educational integration programs organized in the manner established by the Ministry Education and Research. This legislative amendment represents a significant step towards the explicit regulation of the educational integration of foreign children, including those in need of protection.

Law no. 270/2008 on asylum in the Republic of Moldova guarantees minors in the asylum procedure the right to access mandatory education under the same conditions as children who are

¹² <https://www.coe.int/en/web/chisinau/-/expert-discussion-on-the-integration-of-the-eqpr-into-the-legal-and-institutional-framework-of-the-republic-of-moldova>

citizens of the Republic of Moldova. The legal norm does not link the exercise of this right to the duration of the asylum procedure or to the applicant's place of residence, treating access to education as an immediate and unconditional right. In relation to *the Education Code*, this provision means that the asylum seeker minor benefits from the same standard package of educational services financed by the state for compulsory education, from the preschool preparatory group to the completion of secondary school, respectively until the age of 16, as any other student enrolled in public educational institutions.

The mechanism on granting the material conditions for the reception of asylum seekers, approved by Government Decision no. 720 of 12.11.2025 and entered into force on January 1, 2026, specifies that all children, regardless of status, benefit from guaranteed access to psychosocial support and inclusion-oriented education, in conditions of equality and non-discrimination.

Law no. 270/2008 on asylum in the Republic of Moldova confers on refugees and beneficiaries of humanitarian protection more extensive educational rights than asylum seekers, by virtue of their enhanced legal status. They have the right to access all forms of education under the conditions established by law for the citizens of the Republic of Moldova. Beneficiaries of temporary protection coming from Ukraine have the opportunity to study online, the lessons being organized by the educational institutions they attended in Ukraine, they have access to the educational platforms and resources created by the Ministry of Education and Research within the educational institutions. At the "Alecu Russo" State University of Balti, there is a bachelor's degree program for the training of Ukrainian language teachers.

Law no. 274/2011 on the integration of foreigners adds a structured support framework for the educational integration of this category. Refugees and beneficiaries of humanitarian protection have access to all integration activities provided by law, and their access to education is achieved under the same conditions as for citizens of the Republic of Moldova. The law expressly mentions their access to vocational secondary education, specialized secondary education and higher education, as well as their study documents and academic titles obtained abroad. In addition, minors who have acquired international protection or political asylum benefit, during one school year, from a free introductory course in Romanian in order to integrate into the education system.

The beneficiaries of temporary protection are excluded from the scope of application of *Law no. 274/2011 on the integration of foreigners* and, respectively, do not benefit from free Romanian language courses. Those wishing to study Romanian either bear the costs from their own resources or benefit from the support of non-governmental organizations specialized in providing different types of assistance.

Law no. 200/2010 on the regime of foreigners regulates the legal status of stateless persons who have been granted stateless status in the Republic of Moldova. *The Education Code* expressly includes them in the category of persons with access to the national education system. The legislation places stateless persons recognized in the regime applicable to beneficiaries of

international protection, granting them the right of access to education under the same conditions as citizens of the Republic of Moldova.

The legislation does not contain any provision regarding the access to the educational system of applicants for stateless status.

In March 2025, the Ministry of Education and Research approved *the Roadmap for the Integration of Refugee Children in Schools in the Republic of Moldova*¹³, which sets out the strategic directions for ensuring the inclusion of refugee children in the national education system. The document is complemented by an extended action plan for the period 2025-2026, which provides for an estimated need for funding. The document refers to both Ukrainian children and children from other states, who have refugee status or humanitarian protection, as well as children seeking asylum.

Although there are no legal barriers to foreigners' access to the national education system, in the 2024/2025 academic year, approximately 61% of displaced children and young people from Ukraine aged between 3 and 24 attended a kindergarten, school or university that is part of the formal education system in Moldova, with the highest frequency among younger children and progressively decreasing with age. Continuing online studies in educational institutions in Ukraine remains the most frequently reported barrier to enrollment in the Moldovan education system (44% of those who did not attend institutions in the Republic of Moldova). In addition to this, the persistent linguistic difficulties play a role, given that about 31% of children aged 12 to 17 can communicate in Romanian.¹⁴

At the same time, no information, statistical data or public studies reflecting the number of asylum-seeking children enrolled in national educational institutions have been identified. According to the information presented by the General Inspectorate for Migration, as of April 1, 2026, 45 asylum seekers aged between 0 and 17 are registered in the Republic of Moldova.

2.2. What is the number of non-citizens working in the informal economy? Of them, what is the number in precarious or exploitative situations?

CDA does not have primary data collected on the number of non-citizens working in the informal economy. Of the total number of contraventions documented by the General Inspectorate for Migration in 2025¹⁵, about 12% are contraventions related to the undeclared work of foreigners, with an increase of 43.6% compared to 2024.

¹³ https://mecc.gov.md/sites/default/files/mec_refugiati_foai_e_de_parcur.pdf

¹⁴ <https://data.unhcr.org/en/documents/details/120417>

¹⁵ <https://igm.gov.md/wp-content/uploads/2026/02/Nota-de-activitate-a-IGM-pentru-anul-2025-final-.pdf>

At the country level, according to data from the National Bureau of Statistics for 2024¹⁶, the share of people who had an informal job accounted for 20.6% of the total employed persons (in 2023 – 23.0%), and for the fourth quarter of 2025¹⁷ – 17.6%.

In March 2025, the Ministry of Labour and Social Protection and the State Labour Inspectorate, with the support of the International Labour Organization, launched an online platform¹⁸ for reporting violations on undeclared work, through which any person working on the territory of the Republic of Moldova can submit a petition free of charge, through an accessible way, to report the violations they face in the workplace.

3. The ability to take on and effectively implement the obligations of membership, including adherence to the aims of political, economic (and monetary) union

3.1. What is your assessment of the independence and capacity of administrative bodies responsible for examining applications for international protection?

The General Inspectorate for Migration (IGM) is the administrative authority responsible for receiving, processing, examining and settling, at the administrative stage, asylum applications and applications for recognition of stateless status. In the context of the refugee movements generated by the regional crisis, IGM has played a key role in coordinating temporary protection for displaced persons from Ukraine, developing mechanisms for their rapid registration and providing them with the necessary documentation to benefit from the social and economic rights available in the Republic of Moldova. The IGM is subordinated to the Ministry of Internal Affairs (MAI). The head of the IGM is appointed, dismissed or removed from office by the Minister of Internal Affairs. Also, the job descriptions of the head of the IGM and his deputies are approved by the Minister of Internal Affairs. The financing and technical-material assurance of the Inspectorate's activity is carried out from the account and within the limits of the allocations approved annually in the state budget of this ministry.

In 2023, the Bureau for Migration and Asylum was reorganized and transformed from a department within the Ministry of Internal Affairs, into the General Inspectorate for Migration, subordinated to the Ministry of Internal Affairs. An important factor of the reform was the delegation of tasks at territorial level through the regional directorates (North, Center, South), facilitating faster access to services for citizens. The reform of the IGM represents not only an administrative change, but also an essential stage in the institutional consolidation of the Republic of Moldova in the field of migration. The process of modernization of IGM continues to this day and aims to increase the institution's reaction capacity, professionalize the staff, digitize services and align with European Union standards and practices. At the same time, it aims to create a flexible and resilient institutional mechanism, capable of responding both to the day-to-day

¹⁶ [Labour force: employment and unemployment in 2024](#)

¹⁷ https://statistica.gov.md/ro/forta-de-munca-ocuparea-si-somajul-in-trimestrul-iv-2025-9430_62345.html

¹⁸ www.lucrezlegal.md

requirements regarding the management of migration flows and the integration of foreigners, as well as to the challenges generated by crisis situations.

On October 8, 2025, the Government approved *the National Program on Migration and Asylum for 2026-2030*, one of the objectives of which is to strengthen the strategic capacity of the IGM at the central level, as well as the operational capacity at the territorial level, so as to ensure the continuous professionalization of the staff, the implementation of modern strategic and operational management tools, as well as the development of the analysis capacity, planning and responding to complex developments in the field of migration and asylum.

However, the administrative capacity of the IGM remains limited for the time being due to insufficient human and financial resources, and the staff responsible for examining asylum applications need continuous training in the application of international standards, interviewing vulnerable people and knowing the situation in the applicants' countries of origin.

According to the Office of the Ombudsman, inter-institutional coordination between the IGM, the Border Police, non-governmental organizations and international institutions should be improved, so as to ensure a more effective response to the needs of refugees¹⁹.

In the process of strengthening the capacity of the IGM and adjusting the national legislation to international standards, the authorities take into account the recommendations made in the study "Capacity of the national asylum system in the Republic of Moldova"²⁰, developed by CDA.

3.2. Are there oversight/monitoring bodies to safeguard the quality of the related decision-making process?

The framework for monitoring the quality of asylum decision-making includes several institutional actors:

- According to *the Regulation on the organization and functioning of the General Inspectorate for Migration, approved by Government Decision no. 16/2023*, the head of the IGM has the task of organizing and implementing the internal managerial control system, coordinating and controlling the activity of the Inspectorate and its structural subdivisions. The head of the Inspectorate, his deputies, as well as the heads of the subordinate subdivisions, within the limits of their powers, is responsible for the decisions taken and for the activity of the Inspectorate;
- The Office of the Ombudsman (OAP) monitors the treatment of asylum seekers by visiting border crossing points and the Temporary Placement Centre for Asylum Seekers. The OAP reports²¹ highlight several issues related to human rights violations in the field of asylum and make recommendations to the competent authorities. Although the OAP is not directly

¹⁹ <https://ombudsman.md/wp-content/uploads/2025/03/raport-tematic-respectarea-drepturilor-persoanelor-ce-au-nevoie-de-protectie-internationala-la-punctele-de-trecere-a-frontierei-situatia-anului-2024.pdf>

²⁰ <https://igm.gov.md/wp-content/uploads/2024/10/CoE-book-Study-on-Asylum-FINAL.pdf>

²¹ <https://ombudsman.md/rapoarte/drepturile-persoanelor-straine/>

involved in monitoring the quality of the decision-making process, its monitoring role is an important element of external control;

- UNHCR Moldova has access to information on individual asylum applications, the conduct of the procedure and the decisions taken, provided that the asylum seeker agrees to this. Cooperation between IGM and UNHCR is expressly provided for by law;
- Civil society organisations, including CDA, monitor asylum procedures, provide legal assistance to asylum seekers and report irregularities found.

3.3. Are there national monitoring bodies to oversee the use of EU financial assistance for integration (e.g., IPA and NDICI), aimed to improve overall conditions, including promoting the rights of displaced persons, vulnerable groups and national minorities? If so, is civil society engaged in their functioning?

The Court of Accounts is the supreme audit institution of the Republic of Moldova, which exercises control over the formation, administration and use of public financial resources and public assets by conducting external public auditing in accordance with the international standards of supreme audit institutions. The institution has organizational, functional, operational and financial independence. In exercising its mandate, the Court of Accounts has the right to audit the use of public financial resources by any beneficiary, regardless of the type of ownership and legal form of organisation, as well as by political parties. In a context in which a large part of the external assistance is pointed directly to the state budget, the Court carries out the audit of the units implementing the projects financed by external assistance.

The State Financial Control Inspectorate is an administrative authority subordinated to the Ministry of Finance, with the public prerogative of control over the use according to the normative framework of the resources of the national public budget, public patrimony, European funds and foreign assistance, as well as the budgetary surveillance process.

By *Government Decision no. 271 of 07.05.2025*, the National Anti-Fraud System was organized, creating the necessary mechanism for the implementation of the provisions of *Regulation (EU, Euratom) no. 883/2013 of the European Parliament and of the Council of 11 September 2013 on investigations carried out by the European Anti-Fraud Office (OLAF)*, of the *Regulation (EC, Euratom) no. Council Regulation (EC) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests (CELEX: 31995R2988)* and *Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission with a view to protecting the European Communities' financial interests against fraud and other misconduct (CELEX: 31996R2185)*.

The National Anti-Fraud System brings together key institutions with responsibilities in preventing and reporting irregularities related to the use of public and external funds. The State

Financial Control Inspectorate is designated as an Anti-Fraud Unit in the Republic of Moldova and a national point of contact responsible for cooperation and exchange of information with the European Anti-Fraud Office (OLAF), ensuring collaboration with national and international competent authorities to protect the financial interests of the state, the European Union and foreign partners, by preventing fraud of public funds, coordination, monitoring and control.

The normative framework related to the fight against fraud directed against the financial interests of the European Union was strengthened by amending and supplementing the Criminal Code (June 2025), including in terms of criminal liability for the improper use of funds from internal loans or external funds, the reduction of the resources of the European Union budget, the use or presentation of false, incorrect or incomplete statements or documents, embezzlement of funds from external funds. At the same time, the Code of Criminal Procedure was supplemented by designating the State Financial Control Inspectorate as a finding body for certain crimes provided for by the Criminal Code (improper use, fraudulent obtaining or embezzlement of funds from external funds), if they concern the means allocated by the European Union.

The process of implementing the Reform Agenda related to the Growth Plan of the Republic of Moldova for 2025–2027, as well as the National Program for the Accession of the Republic of Moldova to the European Union for 2025–2029, was initiated. The anti-fraud function was transversally integrated into these strategic processes, reflecting the commitment of the authorities to strengthen the protection of the Union's financial interests and to strengthen the rule of law.

In the context of the implementation of the national medium-term strategic framework on the protection of the financial interests of the European Union, the State Financial Control Inspectorate has started the procedure for the development of an information system for the monitoring and coordination of anti-fraud activities, with external financing and has set as priorities for 2026 the strengthening of inter-institutional cooperation in the segment of the control of European funds and external assistance, but also the development of the methodological and practical application component of the EU/OLAF Guidelines on the reporting of irregularities and suspicions of financial fraud.

Meanwhile, the Ministry of Finance has developed the draft of the *National Anti-Fraud Program for 2026-2028*, which is based on the pre-established conditionalities to protect the financial interests of the European Union, deriving from the provisions of Article 325 of the *Treaty on the Functioning of the European Union* and which is to be approved by the Government.

The monitoring of the use of external funds in the Republic of Moldova by civil society is carried out through independent reports, policy analyses and assessments of progress in the implementation of reforms undertaken in the context of European integration. Organizations such as Expert-Grup periodically prepare external assistance monitoring reports²² (including the

²² <https://www.expert-grup.org/ro/biblioteca/monitorizarea-asistentei-externe>

"Euromonitor" series and reports on the implementation of the European Commission's recommendations), which assess both the degree of achievement of the conditionalities related to the European Union's financial support and the efficiency of the use of external resources. At the same time, projects dedicated to strengthening the capacity of non-governmental organizations to monitor the performance of the government and the use of public and external funds contribute to the development of a more robust accountability and transparency framework.

On April 8, 2026, the draft "National Mechanism for the Implementation and Monitoring of the Reform Agenda of the Growth Plan of the Republic of Moldova for 2025-2027 and reporting to the European Commission" was proposed for public consultation.²³ According to the document, it is proposed to establish a Monitoring Committee, which will assess the degree of implementation and the quality of implementation of all reforms and investments, in order to achieve the objectives set in the Reform Agenda and the objectives set out in Regulation (EU) 2025/535. The nominal composition of the Committee will be approved by order of the Government, which includes representatives of civil society.

Part II: Alignment with EU acquis

Chapter 23: Judiciary and fundamental rights

1. What is the ranking of the independence of the judiciary?

At the end of 2025, the implementation period of the *Strategy on the Independence and Integrity of the Justice Sector*, approved in 2022, ended. The implementation of the 2022–2025 Strategy has generated some tangible transformations, becoming the main catalyst for the reform: the authorities announce that about 70% of the actions are completed, and over 20% are at an advanced stage. Among the main successes are the launch of extraordinary external evaluation exercises (pre-vetting and vetting) and the reconfiguration of the Superior Council of Magistracy and the Superior Council of Prosecutors on integrity criteria. The reform of the Supreme Court of Justice has enshrined the transition to a modern and efficient court of cassation with a more clearly defined role in unifying judicial practice.

According to the Ministry of Justice's Action Plan for 2026, a new policy document in the justice sector is expected to be developed and adopted.

Although there is no official ranking of the independence of the judiciary, there is timid progress in terms of public perception. According to the second national public opinion survey "Integrity in the Justice Sector", published on February 6, 2026²⁴, 49% of respondents believe that the situation in justice has improved in the last three years, compared to 32% in 2023. The perception

²³ [Announcement on the initiation of the drafting of the Government Decision on the mechanism for implementation, monitoring and reporting of the Reform Agenda related to the Growth Plan of the Republic of Moldova for 2025-2027 | Particip.gov.md](#)

²⁴ https://ipre.md/wp-content/uploads/2026/02/2025-IPRE-w2-Sondaj-Justice4Moldova_RO_final.pdf

of the independence of judges and prosecutors has improved: 54% consider them totally or rather independent, although opinions remain polarized, and corruption is cited as the main structural problem by 48% of respondents.

2. What is the situation pertaining to access to judicial remedy for asylum seekers and other migrants?

The normative framework of the Republic of Moldova establishes, at the formal level, a system of judicial remedies for asylum seekers and other categories of foreigners, generally aligned with the relevant international standards. *Law no. 270/2008 on asylum in the Republic of Moldova* stipulates that the decisions of the General Inspectorate for Migration (IGM) can be challenged directly in the administrative court, without going through a prior administrative procedure. That possibility of direct access to the court is an important procedural guarantee. At the same time, the IGM is obliged to indicate in the decision rejecting the asylum application the right and the deadline within which the asylum seeker can appeal that decision, thus contributing to the formal information of the applicant. The law also obliges all authorities and organisations involved in the asylum procedure to respect the confidentiality of data and information relating to the asylum application.

In August 2024, *Law No. 270/2008 on asylum in the Republic of Moldova* was supplemented with regulations that provide: examination in the fast-track procedure of asylum applications submitted by persons who are in extradition proceedings; interviewing the asylum seeker as soon as possible, but no later than 10 days after the submission of the application or the start of the fast-track procedure, (previously the term was 21 days). Also, the deadlines for examining decisions rejecting the asylum application, which are subject to the fast-track procedure, have been significantly reduced: the decision rejecting the asylum application can be appealed through administrative litigation, without prior procedure, within 5 working days from the date of communication; the court resolves the administrative case within 30 calendar days, and the court's decision on maintaining or annulling the decision rejecting the asylum application, which is subject to the fast-track procedure, may be appealed to the Court of Appeal within 5 working days. Previously, decisions rejecting asylum applications, which are subject to the fast-track procedure, could be appealed within 30 days.

For other categories of foreigners, *Law no. 200/2010 on the regime of foreigners* regulates appeals against all administrative decisions, including the right to challenge return decisions, the exercise of the remedy having suspensive effect on their execution. With the amendments introduced in December 2024, the special judicial procedure for the detention ²⁵ of foreigners was updated, with

²⁵ Detention is a measure restricting the freedom of movement on the territory of the Republic of Moldova, ordered by the court against the foreigner who has not executed the return decision or who cannot be returned within the time limits provided by the legislation, who has illegally crossed or attempted to cross the state border, who entered the country during the period of prohibition previously ordered, whose identity could not be established, who was declared undesirable, against whom expulsion was ordered or if there is a risk of absconding.

the court being obliged to examine the competent authority's request for detention on the same day, guaranteeing access to legal aid in the presence of a lawyer chosen or appointed ex officio.

Available statistical data indicate that, as of 31 December 2025, 1321 persons were registered in the asylum system, of which 587 were asylum seekers, 208 refugees and 526 beneficiaries of humanitarian protection. During 2025, 2552 asylum applications were submitted (–68% compared to 2024), at the same time as a very high number of applications for renunciation (2421) and terminations of the procedure (2590). 161 rejection decisions were issued, compared to a limited number of decisions granting protection (4 refugee status and 70 humanitarian protection). The General Inspectorate for Migration does not publish data on the number of contested decisions, which limits the effective assessment of access to appeals.

3. What is your assessment of the management of return processes?

The procedures for the return of foreigners to the Republic of Moldova are regulated by an integrated normative framework, consisting mainly of *Law no. 200/2010 on the regime of foreigners* and *the Regulation on the procedures for return, expulsion and readmission of foreigners from the territory of the Republic of Moldova, approved by Government Decision no. 492/2011*. This framework sets out both the legal bases for the removal of foreigners and the applicable procedural mechanisms.

According to national legislation, return constitutes an individual administrative measure, ordered by the competent authority for foreigners, in situations where the person's stay on the territory of the Republic of Moldova is or becomes illegal.

The return decision is binding and explicitly establishes the obligation of the foreign national to leave the territory of the State within a specified period, calculated from the date of its notification. Enforcement deadlines are differentiated according to the legal status of the person, usually ranging from 15 to 90 days, with the possibility of extension in justified circumstances, including taking into account family ties or the duration of the previous stay.

Government Decision no. 492/2011, amended in September 2025, develops the procedures for return, expulsion and readmission and the procedures for declaring the foreigner an undesirable person and tolerating remaining on the territory of the Republic of Moldova and describes in detail the mechanism for applying these measures, establishing procedural rules on the issuance, communication and execution of decisions. The Regulation requires the authorities to examine each case individually, taking into account the foreigner's personal circumstances, including the state of health, mental capacity, the existence of technical impediments or the temporary impossibility of removal, situations in which cases the execution of the measure may be postponed until these obstacles are removed. The normative act also regulates readmission procedures and coordination with third countries, strengthening the operational dimension of the return policy.

As regards procedural safeguards, the national regulatory framework requires that the return decision be reasoned in fact and in law and that it be brought to the attention of the persons concerned in Romanian and in an international language, together with information on the available remedies. At the request of the foreign national, the competent authority for foreign nationals shall communicate the main elements of the decision in a language that the foreign national understands or is reasonably expected to understand. The foreigner has the right to challenge the decision in court without a prior procedure, and the execution of the appeal has suspensive effect on the exercise of the return decision. At the same time, the legislation provides that return measures must be applied in compliance with the principle of proportionality and the dignity of the person.

A central element of the legal framework is the linking of return procedures with the international protection regime. Thus, asylum seekers cannot be subject to return measures at the border or from the territory of the State until the procedure for examining the asylum application has been completed, in accordance with the principle of non-refoulement. At the same time, former asylum seekers, in the event of the final rejection of their application, can be subject to the return procedure, benefiting from all procedural safeguards. Likewise, no person may be expelled, extradited or returned to a country or territory where there may be a threat to his or her life or freedom, or where he or she may be subjected to torture, inhuman or degrading treatment.

The effective application of return measures may involve, in certain situations, recourse to detention in order to ensure the execution of the decision. This measure is subject to the conditions of necessity and proportionality and is accompanied by appropriate safeguards, including access to legal aid and the possibility of judicial review.

The amendments made to *Law no. 200/2010 on the regime of foreigners*, which entered into force in January 2025, introduced several legislative innovations:

- a) Introduction of the notion of 'preventive accommodation', which constitutes a transitional measure before detention;
- b) Establishing, in a separate chapter (Chapter VII¹) the detention procedure, eliminating the extensive interpretation and uneven application of the legal provisions;
- c) Introduction of mandatory dactyloscopic registration of foreigners taken into custody

Although the legislator established "preventive accommodation", which can be qualified as a form of administrative detention of foreigners for a period of up to 72 hours without the court's decision, at the time of drafting the report there was no clear and operational mechanism for its application by the Temporary Placement Center for Foreigners.

The Ombudsman points out that, despite a relatively well-developed regulatory framework, the practical application of return measures, especially in terms of public custody, is affected by certain

deficiencies. The report²⁶ published in January 2026 reveals that although the national legal framework protects persons in detention against ill-treatment and the judicial control of custody is ensured through the intervention of the court, a number of institutional and operational challenges persist: the limited budget of the Temporary Placement Center for Foreigners (CPTS), the insufficiency of staff and its fluctuation, difficulties in adjusting procedures to individual needs of persons taken into public custody, ensuring occupational activities and adequate documentation of injuries. The report also stresses that national legislation contains guarantees that foreigners who have evidence that they will be persecuted or subjected to inhuman, degrading treatment, torture or capital punishment will not be allowed to be expelled, and notes that foreigners in custody receive state-guaranteed legal aid and legal advice from UNHCR partner organisations, in particular the Law Center of Advocates. However, the Ombudsman warns that the state needs to improve the standards, policies and resources allocated to the CPTS to ensure full compliance with international human rights standards.

4. To what extent the implementation of the judgmentments of the European Court of Human Rights and of other relevant international bodies in general, as well as specific to asylum matters is carried out?

From 1997 to December 31, 2025, the ECtHR registered about 18,168 applications against Moldova. In 2025, the ECtHR received 468 applications against Moldova, and as of December 31, 2025, the Republic of Moldova had 1,141 applications pending before the ECtHR. By the end of 2025, the ECtHR had issued a total of 664 judgments in Moldovan cases, 48 of which were delivered in 2025. In 45 of the 48 judgments, violations of the ECHR were found regarding the Republic of Moldova. Most of the violations found in the 2025 judgments were committed at national level between 2009 and 2015.

The judgments pronounced in 2025 confirm that the profile of violations found against the Republic of Moldova remains a structural one, being dominated by chronic problems related to the functioning of justice. Thus, Article 6 of the ECHR (right to a fair trial) concentrates 33 violations out of the total of 73 violations found in the 45 judgments, representing approximately 45.2%. Those infringements relate mainly to the excessive length of proceedings, the lack of effective access to the court, the failure to comply with the principle of legal certainty and the failure to comply with final judgments. The second major level of violations is Article 1 of Protocol no. 1 of the Convention (right to the protection of property), with 21 violations, representing 28.8% of the total violations. These relate, in particular, to non-execution of court decisions, disproportionate interference with property rights and unjustified property losses. This is followed by Article 8 of the ECHR (right to respect for private and family life), with 7 violations or about

²⁶ Thematic report "Respect for human rights at the Temporary Placement Center for Foreigners. Administrative detention of undesirable foreigners, subject to return, expulsion or taken into public custody", January 2026, https://ombudsman.md/wp-content/uploads/2026/01/raport-tematic-respectarea-drepturilor-omului-la-centrul-de-plasament-temporar-al-strainilor.pdf?utm_source=chatgpt.com

9.6%, which refer to unjustified interference such as searches, evictions or damage to reputation. The Court found 4 violations of Article 3 of the ECHR, which represents about 5.5% of the total violations. These refer to the prohibition of inhuman or degrading treatment. There were also 3 violations of Article 13 of the ECHR or about 4.1%, which concern the lack of an effective appeal. The Court also found two violations of Article 4 (prohibition of slavery and forced labour), two violations of Article 10 (freedom of expression) and one violation of Article 14 (prohibition of discrimination).

The enforcement of judgments and decisions of the ECtHR is regulated by *Law no. 151/2015 on the Government Agent*, the Republic of Moldova being placed on the list of states that have a specific normative framework that underpins the enforcement process. In addition, *the Regulation on the procedure for the execution of judgments and decisions of the ECtHR, approved by Government Decision no. 889/2016*, establishes the authorities responsible for their execution, the mechanism for the execution of individual and general measures, the preparation and submission of action plans and reports to the Committee of Ministers of the Council of Europe.

The governmental agent contributes to ensuring the enforcement of ECtHR judgments and decisions in cases against the Republic of Moldova by developing measures for the execution of judgments/decisions and coordinating the process of their implementation, but also by monitoring the process of their execution.

The final judgments of the ECtHR on the remedial measures and the monetary compensation granted are enforceable documents. The amounts granted by the ECtHR judgments and decisions are paid unconditionally by the Ministry of Finance, regardless of whether or not means for this purpose are provided for in the state budget law for the current year. In the part related to the execution of general measures, the Government Agent has the obligation to propose general measures to the national authorities and to coordinate and monitor their implementation. The task of implementing general measures lies with the authorities that have an active role in their implementation.

The authorities involved in the execution of ECtHR judgments are obliged to submit to the Government Agent annual reports on the execution of measures of a general and individual nature, as well as to submit the information requested by the Government Agent. At the same time, the Government Agent submits annually to the Government and Parliament a report on the measures taken for the execution of ECtHR judgments, as well as on other important aspects for execution or execution planning.

The resolutions and decisions of the Committee of Ministers of the Council of Europe adopted in the cases against the Republic of Moldova shall be published, translated, publicized and brought to the attention of the public authorities.

In March 2023, Government *Decision no. 353/2016* created the Advisory Council to the Government Agent, which aims to contribute to promoting the good representation of the State before the ECtHR and the execution of the Court's judgments. The Council includes representatives of the Ministry of Justice, the Ministry of Finance, the Ministry of Internal Affairs, the National Anticorruption Center, the Superior Council of Magistracy, the Superior Council of Prosecutors, persons who previously held the position of Government Agent, a university professor and representatives of civil society promoting human rights.

The ECtHR has issued very few judgments/decisions in cases against the Republic of Moldova which concern certain aspects specific to the field of asylum.

The case of *Ozdil and others v. Moldova* (judgment of 11.06.2019) refers to the extradition of five Turkish citizens, at the request of the Turkish authorities, for alleged links with the Fethullah Gülen movement. The extradition took place during the period when the competent authority for foreigners was examining asylum applications. The Court noted that the Moldovan authorities had not only failed to give the applicants the opportunity to choose the jurisdiction to which they should be expelled, but had deliberately transferred them directly to the Turkish authorities. The Court found, in particular, that the applicants' arrest and extradition to Türkiye constituted an extra-lawful transfer from the territory of the defendant State to Türkiye, which circumvented all the guarantees afforded to the applicants under national and international law. The Court found a violation of Articles 5 § 1 and 8 of the Convention. The case is under the supervision of the Committee of Ministers, with the last date being examined in June 2024²⁷.

The case of *Minasian and others v. Moldova* (judgment of 17.01.2023), refers to the illegal detention of 3 minor children without any legal basis and their inability to challenge the legality of the detention, in the context in which they accompanied their mother, taken into public custody to ensure her expulsion from the territory of the Republic of Moldova. National courts have failed to examine whether the detention of children is a measure of last resort and whether the detention centre is suitable for accommodating families with minor children. The Court found a violation of Articles 5 § 1 and 5 § 4 of the Convention. The regulations on minors accompanying persons who violate the migration legislation were subsequently analyzed during the meetings of the Advisory Council to the Government Agent. According to the Report of the Ombudsman²⁸'s Office, in the period 2020-2025 no minors were placed in the Temporary Placement Center for Foreigners, the last case being registered in 2019 (the events in the case of *Minasian and others v. Moldova* took place in 2017). Currently, according to the legislation in force, children cannot be taken into public custody and placed in the Placement Center.

²⁷ <https://agent.gov.md/wp-content/uploads/2024/08/note-dec-CMDH-iunie-2024-Ozdil-si-altii-v.-MDA.pdf>

²⁸ <https://ombudsman.md/wp-content/uploads/2026/01/raport-tematic-respectarea-drepturilor-omului-la-centrul-de-plasament-temporar-al-strainilor.pdf>

By the ECtHR decision of March 20, 2026, it was ordered to suspend the extradition to Tajikistan of the applicant Z.S., detained in the Republic of Moldova, invoking the risk of irremediable consequences for the person concerned. The measure, applied on the basis of the Court's Rule 39, obliges the Moldovan authorities not to execute the extradition until the complaint has been examined. The applicant was detained in June 2025 under INTERPOL's search and detention warrant at the request of the Tajikistanese authorities.

At the end of 2025, the Republic of Moldova had 175 cases monitored by the Committee of Ministers of the CoE.

Chapter 24: Justice, freedom and security

1. What is the situation pertaining to access to asylum procedure (access to the territory, registration, etc.)?

According to the legislation, the competent authorities must ensure access to the territory of the Republic of Moldova to any foreigner at the state border, from the moment of manifesting his will, expressed in writing or orally. No asylum seeker may be expelled or returned from the border or from the territory of the country. Asylum seekers cannot be sanctioned for entering or staying illegally on the territory of the country, and their treatment must comply with international human rights standards.

Asylum applications can be submitted to the regional directorates of the General Inspectorate for Migration, the Border Police, the police bodies, the institutions subordinated to the National Administration of Penitentiaries or the pre-trial detention subdivisions of the law enforcement bodies. Applications submitted to authorities other than the regional directorates of the IGM are sent to the General Inspectorate for Migration. The border police and the police must inform the applicant, in writing, in a language that he understands, about the obligation to present himself within 24 hours to the General Inspectorate for Migration to follow the asylum procedure.

The Border Police ensures access to the territory of the Republic of Moldova of asylum seekers only after informing the General Inspectorate for Migration and with its permission. The staff of the authorities competent to receive asylum applications are obliged to respect the rights of asylum seekers.

Law no. 270/2008 on asylum in the Republic of Moldova contains distinct regulations on the asylum procedure for unaccompanied children and persons with special needs. In addition, unaccompanied children are subject to measures to protect children at risk and children separated from their parents, in accordance with the legislation in force of the Republic of Moldova. The General Inspectorate for Migration is obliged to take all necessary measures for the rapid registration of unaccompanied children and their immediate referral to the nearest guardianship authority in order to ensure all necessary protection measures.

In order to strengthen the guarantees provided by Law no. 270/2008 in the part related to effective access to international protection procedures and compliance with the principle of non-refoulement, in January 2026, by the joint order of the General Inspectorate of the Border Police and the General Inspectorate for Migration, a new Instruction on the procedure for receiving asylum applications submitted by foreigners at the state border was approved. The instruction addresses issues such as the recognition of potential asylum seekers and the identification of vulnerabilities, access to the territory, the procedure for receiving the asylum application at the border, the submission of the asylum application by unaccompanied children, the record of applications submitted at the border, but also other relevant aspects for the cooperation between the IGPF and the IGM in the context of the procedure for access to the territory and the transport of asylum seekers at the border.

After Russia's full-scale invasion of Ukraine, the number of people crossing the state border has increased considerably. There has also been an increase in refusals to authorize the crossing of the state border. From open sources, including daily updated information on the situation at the border published on the official website of the Border Police²⁹, this trend continues. The refusal to cross the state border without assessing individual protection needs, in the context of asylum applications at the border, could be considered a hidden form of the "pushback" phenomenon and contradicts the principle of non-refoulement. The Committee on the Elimination of Racial Discrimination³⁰ recommended that the Republic of Moldova refrain from collective expulsions and returns and provide access to its territory to persons in need of international protection, as well as ensure the investigation of cases of return of asylum seekers by law enforcement officials.

2. What is the practice related to the use of the Safe Country concepts?

On January 1, 2026, amendments to *Law no. 270/2008 on asylum in the Republic of Moldova* entered into force, introducing the concepts of "Safe Country of Origin" and "Safe Third Country".

Safe countries of origin are considered to be the Member States of the European Union, as well as other States, whose list is approved by the Government, based on the following criteria: respect for fundamental human rights; the functioning of democratic principles, political pluralism and free elections, as well as the existence of functioning democratic institutions to ensure the guarantee and respect of fundamental human rights; the existence of effective mechanisms for reporting violations of fundamental human rights and freedoms. Information provided by the UNHCR, the Council of Europe or other international organisations must be taken into account in determining the safe country of origin. The list of safe countries of origin should be updated regularly, following a review of the situation in the countries designated as safe countries of origin.

²⁹ <https://www.border.gov.md/>

³⁰ CERD/C/MDA/CO/12-14: Concluding observations on the combined twelfth to fourteenth periodic reports of the Republic of Moldova, 23 May 2024: <https://www.ohchr.org/en/documents/concluding-observations/cerdcmdaco12-14-concluding-observations-combined-twelfth>

The asylum application of the foreigner from a safe country is examined in a fast-track procedure, unless the facts or evidence presented by the applicant demonstrates the existence of a well-founded fear of persecution or the real risk of being subjected to serious harm. In this case, the asylum application is examined under the ordinary procedure.

Safe third countries are considered to be countries where the rights of the applicant for international protection are respected, the list of which is approved by the Government, based on the following criteria: life and liberty are not threatened on grounds of race, religion, citizenship, membership of a social group or political opinions; there is no risk of being persecuted or a real risk of being subjected to serious harm; the principle of non-refoulement is respected in accordance with the Geneva Convention relating to the Status of Refugees of 28 July 1951; There is the possibility to apply for recognition of refugee status. The concept of a safe third country applies if the country from which the applicant comes, falls within the provisions listed; whether there is a link between the applicant and the third country concerned on the basis of which it would be reasonable for the foreign national to go to that country; whether as a result of the individual examination of the application, it has been determined that the country in question is safe for the applicant.

The applicant has the right to challenge the application of the concept of a safe third country on the grounds that the third country concerned is not secure in his or her personal situation.

3. How are the cases of vulnerable applicants treated? What are the guarantees for vulnerable groups?

In 2025, the regulatory framework in the field of asylum has been significantly strengthened in terms of ensuring guarantees for asylum seekers with special needs. Through the amendments to *Law no. 270/2008 on asylum in the Republic of Moldova*, which entered into force on January 1, 2026, the mechanism for identification, continuous evaluation, intersectoral reference and adaptation of material reception conditions according to individual vulnerabilities was established.

The category of asylum seekers with special needs is broadly defined and includes children, unaccompanied children, single-parent families with children, persons with disabilities, pregnant women, victims of trafficking in human beings, persons with psychosocial and intellectual disabilities, persons with mental and behavioral disorders, as well as persons who have been subjected to torture, rape or other serious forms of psychological violence, victims of domestic violence, persons who have reached retirement age according to the legislation of the Republic of Moldova, whose special needs have been ascertained following the individual assessment of the situation.

Law no. 270/2008 enshrines a set of additional rights, special reception conditions and procedural safeguards tailored to these categories, including a separate protection regime applicable to unaccompanied minors.

The assessment of the situation of asylum seekers with special needs is carried out by the General Inspectorate for Migration, based on the documents attached to the asylum application, and depending on the nature of the identified needs. IGM collaborates with the Ministry of Labour and Social Protection, the Ministry of Health, other competent institutions/authorities and national or international non-commercial organisations, in order to provide the necessary assistance.

The procedure for identifying and ensuring guarantees for asylum seekers with special needs is detailed in *Government Decision no. 720 of 12.11.2025*, which approved *the Mechanism for granting material conditions for receiving asylum seekers*. A key novelty is the introduction of the continuous assessment of special needs, which is not limited to the time when the asylum application is lodged, but takes place throughout the duration of the asylum procedure. In this regard, the IGM reassesses the situation of the asylum seeker whenever new information emerges, and the result of the continuous assessment constitutes a basis for granting or adjusting material, psychosocial, legal or procedural support measures for the benefit of the applicant.

However, despite the progress made at the regulatory level, the implementation of some provisions generates difficulties. In practice, certain provisions of *Law no. 270/2008 on asylum* are interpreted restrictively by the authorities in the field of health protection. In particular, the introduction of the notion of 'asylum seeker with special needs' had the effect of extending the types of healthcare available to this category of asylum seekers compared to other asylum seekers. At the same time, according to the legislation on asylum and health protection, child asylum seekers have access to health care under the same conditions as children who are citizens of the Republic of Moldova, respectively to the entire spectrum of services covered by the compulsory health insurance system. Given that asylum-seeking children are included in the list of asylum seekers with special needs, the National Health Insurance Company interprets restrictively the right to medical assistance offered to asylum-seeking children, limiting it to urgent medical care and basic treatment of diseases. This practice indicates a discrepancy between the consolidated regulatory framework and its effective application, highlighting the need for further regulatory clarification measures and standardization of the interpretation and implementation of the relevant legislation. The issue was analyzed in detail by CDA³¹ and brought to the attention of the Ministry of Health, the Ombudsman and the Parliament.

4. What is the situation about the use of detention in asylum procedure?

Law No. 200/2010 on the regime of foreigners establishes the regime of detention, which is a measure restricting the freedom of movement on the territory of the state, ordered by the court against the foreigner who has not executed the return decision or who could not be returned within the time limits provided by the legislation, who has crossed or attempted to cross the state border illegally, who entered the country during the period of prohibition previously ordered, whose identity could not be established, who was declared undesirable, against whom expulsion was

³¹ <https://cda.md/access-of-beneficiaries-of-international-protection-to-the-mandatory-health-insurance-system-in-the-republic-of-moldova-the-gap-between-the-legal-framework-and-administrative-practice/>

ordered or if there is a risk of absconding. Until the foreigner is taken into custody, he or she has procedural rights, including being provided with a lawyer chosen or appointed ex officio and being provided with an interpreter. Foreigners placed in public custody benefit from a number of fundamental rights, except for leaving the institution.

Foreigners taken into custody are placed in the Temporary Placement Centre for Foreigners, managed by the General Inspectorate for Migration. Families (married foreigners) benefit from separate accommodation in the Center, which ensures an appropriate level of privacy. The women are placed in the Center separately from the men, the reception of food and the activities, according to the daily schedule for women, are also carried out separately from those of the men. The Center's staff working with women are of the same sex.

Law 200/2010 does not expressly provide for the accommodation and detention of minors, but stipulates that the examination of the request for the detention of the child is carried out with the participation of the child's legal representative. On the other hand, according to the amendment made to *the Regulation on the procedures for return, expulsion and readmission of foreigners from the territory of the Republic of Moldova*³², which entered into force on 04.10.2025, unaccompanied children and families with children cannot be taken into public custody or in preventive accommodation. At the same time, Chapter VI "Manner and conditions of placement of minors" was repealed in the Regulation of the Temporary Placement Center for Foreigners.

The legislation of the Republic of Moldova does not provide for the placement of asylum seekers in public custody. However, a foreigner who applies for asylum while in detention is not released from detention if the asylum application is examined in a fast-track procedure on grounds of national security, public order or which may prevent the enforcement of a previous or imminent decision which would lead to his expulsion from the territory of the country. At the same time, challenging the decision rejecting the asylum application in the expedited procedure does not constitute grounds for the foreigner's release from public custody until an irrevocable decision on his asylum application has been pronounced.

The national regulatory framework does not contain regulations on alternatives to detention.

5. What is your assessment of the reception capacities and conditions?

On January 1, 2026, amendments to *Law no. 270/2008 on asylum in the Republic of Moldova entered into force*, which introduced the concept of "material conditions of reception". According to the new regulations, asylum seekers who do not have means of maintenance, benefit, upon request, from material reception conditions, granted during the procedure for examining the asylum application. The amounts necessary for granting the material conditions of reception are provided from the annual state budget. The conditions, the manner of granting, limitation, withdrawal and the quantum of the amounts related to ensuring the material conditions for receipt

³² The Regulation was adopted by Government Decision no. 492 of 07.07.2011

are established by Government Decision no. 720 of 12.11.2005, which approved the mechanisms applicable in the asylum procedure (the mechanism for granting the material conditions of reception granted to asylum seekers and the methodology for estimating the costs for the material conditions of reception). At the time of drafting this document, the Government proposed for public consultation the *Mechanism for access to medical assistance for asylum seekers*.³³

In the Republic of Moldova there are several types of institutions that provide accommodation for foreigners, depending on their legal status.

- a) Temporary placement centres for displaced persons from the territory of other states, managed by public or private social service providers;
- b) Accommodation center for asylum seekers, managed by the General Inspectorate for Migration, with accommodation capacity for up to 200 people;
- c) Temporary placement center for foreigners taken into public custody, managed by the General Inspectorate for Migration, with the capacity to accommodate 160 people.

Asylum seekers who do not have means of maintenance shall benefit, upon request, from accommodation in the Accommodation Center of the General Inspectorate for Migration (IGM), food, clothing, as well as other material facilities, including expenses for public transport, expenses for personal hygiene products, within the limits of the amounts calculated by the Methodology for estimating the costs for the material conditions of reception granted to asylum seekers. Upon accommodation in the Center, the asylum seeker benefits from counseling services, recreational spaces, spaces for personal development, facilities for personal hygiene, washing of linen and clothing, as well as conditions for preparing and serving food

The IGM is obliged to inform asylum seekers about the possibility of submitting the application for the granting of material reception conditions and about the availability of the necessary assistance. IGM may limit or withdraw the material conditions of reception in the cases expressly provided for in the legislation.

From the content of *Law no. 270/2008 on asylum* and other related normative acts, it follows that the accommodation in the Accommodation Center is made at the request of the asylum seeker. However, Law no. 270/2008 contains a rule, according to which asylum seekers and family members who are asylum seekers are obliged to stay in accommodation centres during the asylum application procedure. Respectively, it is not sufficiently clear whether accommodation in the accommodation centre is a right or an obligation of the asylum seeker.

6. Can asylum seekers enjoy freedom of movement?

Law no. 270/2008 on asylum establishes that asylum seekers will not be sanctioned for illegal entry or stay on the territory of the Republic of Moldova, and the treatment applied to these persons will

³³ <https://particip.gov.md/ro/document/stages/ministerul-sanatatii-anunta-initierea-privind-elaborarii-proiectului-hotararii-de-guvern-privind-mec/15932>

comply with international human rights standards. However, the law does not confer an express right to free movement on the national territory. At the same time, according to the law, asylum seekers are obliged to hand over their identity documents and travel documents and to stay, together with the family members requesting asylum, in the accommodation centers during the asylum application procedure. By contrast, beneficiaries of international protection acquire the right to choose their place of residence and to move freely under the conditions laid down by the legislation for foreigners. That express normative difference is a defining feature of the national asylum system.

The Regulation of the Accommodation Center, intended for the temporary accommodation of asylum seekers and beneficiaries of international protection, concretizes at the operational level the limits of the right to movement of the accommodated persons; they can leave and return to the territory of the Center 6.00 - 23.00. This is the only explicit normative provision on physical movement in relation to the Centre – a right to leave and return during the day, with a mandatory night restriction. The mechanism on granting the material reception conditions granted to asylum seekers, approved in November 2025, provides for the limitation or withdrawal of the material reception conditions if the asylum seeker leaves the place of residence established by the competent authority without informing the administration of the Accommodation Centre in advance. Thus, failure to comply with the place of residence is sanctioned by the loss of material benefits.

7. Do applicants for protection have access to free legal assistance?

Law No 270/2008 on asylum establishes procedural safeguards for asylum seekers, including the right to be informed of their rights and obligations, the right to challenge the decisions of the competent authority before the court, and the right to receive legal aid at any stage of the asylum procedure, under the conditions of the law.

Law No 198/2007 on State-Guaranteed Legal Aid expressly provides for the right of asylum seekers to receive qualified legal aid in the asylum procedure.

In order to effectively and efficiently realize this right, the National Council for State-Guaranteed Legal Aid, responsible for administering the process of providing state-guaranteed legal aid, has appointed 16 lawyers specialized in providing state-guaranteed legal aid to asylum seekers, refugees, beneficiaries of humanitarian protection, stateless persons and stateless persons.³⁴ This list is updated twice a year by a Council decision. According to statistical data on the volume of state-guaranteed legal aid provided during 2025, 321 cases of qualified legal aid to³⁵ asylum seekers were registered, 191 cases – refugees, 2670 cases – beneficiaries of temporary protection.

³⁴ https://www.cnajgs.md/ro/lawyers/avocat_specializat

³⁵ Qualified legal assistance – providing legal services of consultancy, representation and/or defense in criminal prosecution bodies, in courts of law on criminal, contraventional, civil or administrative litigation cases, representation before the public administration authorities.

State-guaranteed legal aid on asylum cases is provided on the basis of the "Quality Standards of the Work of Lawyers Providing State-Guaranteed Legal Aid on Asylum Cases", ³⁶which were developed in 2023 with the support of the CDA.

In addition, the CDA, as a non-governmental organisation specialising in the field of asylum, consults and assists asylum seekers at any stage of the asylum procedure. For example, in 2025 the CDA provided legal advice to 155 asylum seekers, of whom 65 were assisted during the refugee status determination procedure.³⁷

Chapter 18: Statistics

1. What is the state of mechanisms for collecting, sharing and analysing statistics on migration in general, as well as on asylum applications and decisions?

The collection, sharing and analysis of statistics in the field of migration and asylum is carried out by the General Inspectorate for Migration, the National Bureau of Statistics and the Public Services Agency, in accordance with institutional attributions.

The General Inspectorate for Migration is responsible for organizing the data collection activity held by the central and local public administration authorities, as well as for keeping, processing, providing and exchanging information on internal and external migration processes, which it makes available for use to the specialized structures of the public order and national security system. IGM collects and annually updates the Extended Migration Profile indicators and annually develops the Statistical Compendium of the Extended Migration Profile.³⁸ Every five years, IGM prepares the Analytical Report based on the list of indicators and the template of the extended migration profile of the Republic of Moldova³⁹. The list of indicators and the Extended Migration Profile Template are approved by Government Decision no. 634/2012.⁴⁰

In addition, IGM elaborates the Statistical Yearbook "Immigration of foreigners, asylum and statelessness in the Republic of Moldova",⁴¹ which contains information/data on the legal framework for migration and asylum management; admission, regulation of stay/immigration and documentation of foreigners; combating illegal stay of foreigners; asylum and statelessness.

³⁶ https://www.cnajgs.md/uploads/asset/file/ro/2062/HC_nr_30_din_01.11.2023.pdf

³⁷ <https://cda.md/wp-content/uploads/2026/02/Raport-anual-CDA-2025.pdf>

³⁸ https://igm.gov.md/wp-content/uploads/2024/12/Compendiul-Statistic-al-PME_-ed-2024.pdf

³⁹ https://igm.gov.md/wp-content/uploads/2025/12/PME-2020-2024-ed.2025-plasare-pag.web_.pdf

⁴⁰ https://www.legis.md/cautare/getResults?doc_id=150510&lang=ro#

⁴¹ https://igm.gov.md/sites/default/files/sites/default/files/atasamente/comunicate/an_stat_isaa_ed.2023_pagina_web_.pdf

The National Bureau of Statistics⁴² annually produces the "Statistical Yearbook of the Republic of Moldova", which includes statistical data from various fields, including the "Population" field. Statistical data on migration are included in the chapter 'Migratory movement of population'⁴³ and are disaggregated according to the following criteria:

- socio-demographic characteristic of immigrants - total number (men, women, children up to 16 years old); purpose of arrival; level of education; citizenship;
- refugees, beneficiaries of humanitarian and temporary protection and asylum seekers according to countries of origin, by gender and age groups.

The number and socio-demographic characteristics of immigrants, returnees, refugees, asylum seekers are collected and provided by the General Inspectorate for Migration, and the international migration movement is calculated on the basis of data from the General Inspectorate of the Border Police on the crossings of the state border by persons.

The Public Services Agency (holder of the State Population Register) provides access to statistical data from the State Population Register on individuals with a place to live in the Republic of Moldova in citizenship profile. In addition, information is available on the number of stateless persons (according to Article 1 of the 1954 Convention), the number of persons with indeterminate nationality, the number of beneficiaries of humanitarian protection, the number of refugees according to Article 1 of the 1951 Convention) and the number of refugees (humanitarian protection, political asylum). These data are updated monthly.⁴⁴

The state does not collect disaggregated statistics on the socio-economic situation of asylum seekers, refugees, undocumented persons and stateless persons, on their access to education, employment, healthcare, housing and on their participation in public and political life. The lack of disaggregated data from the perspective of the human rights-based approach does not allow the creation of an empirical basis for assessing the equal exercise of the rights enshrined in international instruments, including identifying the needs of vulnerable and underrepresented groups, ensuring equality and non-discrimination, substantiating public policies, effectively targeting interventions, monitoring progress, strengthening participation and empowerment.

The Committee on the Elimination of Racial Discrimination recommended that the Republic of Moldova collect comprehensive and disaggregated statistics on the socio-economic situation of refugees, asylum seekers, migrants and stateless persons, including their access to education, employment, healthcare and housing.⁴⁵

⁴² <https://statistica.gov.md/en>

⁴³ https://statistica.gov.md/files/files/publicatii_electronice/Anuar_Statistic/2025/2_AS.pdf

⁴⁴ <https://www.asp.gov.md/ro/date-deschise/date-statistice/rsp-cet>

⁴⁵ CERD/C/MDA/CO/12-14: Concluding observations on the combined twelfth to fourteenth periodic reports of the Republic of Moldova, 23 May 2024: <https://www.ohchr.org/en/documents/concluding-observations/cerdcmdaco12-14-concluding-observations-combined-twelfth>