

Moldova

National Child Protection Legislation

National Legislation

- Age of Child: **Under 18 years of age**
[Criminal Procedure Code](#)
Art. 6 – Interpretation
“minor” means a person under the age of eighteen years.
 - Age of Consent: **16 years of age**
[Moldova Penal Code](#)
Art. 174 – Statutory Rape
The sexual intercourse other than rape, vaginal, anal, oral or other penetration, committed against a person who is certainly known not to have reached the age of 16, shall be punished by imprisonment from 3 to 7 years.
 - Age of Marriage: **18 years of age**
[Family Code](#)
Art. 14 – Age of marriage
(1) The minimum age for marriage is 18 years.
(2) If there are good reasons, the marriageable age may be lowered, but not by more than two years. Permission to lower the marriageable age is given by the local guardianship authority at the place of residence of one of the persons wishing to marry, on the basis of the application of these persons and the consent of the parents of the minor.
 - Age of Criminal Responsibility: **18 years of age**
[Moldova Penal Code](#)
Art. 54 – Liability
A person under the age of 18 who committed a minor or less serious offense for the first time may be released from criminal liability in compliance with the provisions of the criminal procedure if it was acknowledged that its correction is possible without being subject to criminal liability.
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- **Extraterritoriality**
[Moldova Penal Code](#)
Art. 11 – Application of the criminal law in space
(1) All persons that committed offenses on the territory of the Republic of Moldova shall be subject to criminal liability in compliance with this code.

- (2) Citizens of the Republic of Moldova and stateless persons with permanent residence on the territory of the Republic of Moldova who committed offenses outside the territory of the country are subject to criminal liability in compliance with this code.
- (3) Foreign citizens and stateless persons who do not permanently reside on the territory of the Republic of Moldova and who committed offenses outside the territory of the country are subject to criminal liability in compliance with this code and shall be held criminally liable on the territory of the Republic of Moldova if the committed offenses are directed against the interests of the Republic of Moldova, against the rights and freedoms of the citizens of the Republic of Moldova, against the peace and security of mankind or constitute war crimes, as well as for the offenses provided by the international treaties to which the Republic of Moldova is a party, if they were not convicted in the foreign state.
- (4) Criminal law does not include the offenses committed by diplomatic representatives of foreign states or by other persons who, in compliance with international treaties, are not subject to the criminal jurisdiction of the Republic of Moldova.
- (5) The offenses committed in the territorial waters and airspace of the Republic of Moldova are deemed committed on the territory of the Republic of Moldova. A person who committed a criminal offense on a vessel or airplane registered in a harbour or airport of the Republic of Moldova and located outside the water space or airspace of the Republic of Moldova may be subject to criminal liability in compliance with this code, if the international treaties to which the Republic of Moldova is a party do not provide otherwise.
- (6) Based on this code, the persons who committed offenses on board of a military vessel or airplane belonging to the Republic of Moldova, regardless of its place, are also subject to criminal liability.
- (7) The punishments and criminal antecedents for offenses committed outside the territory of the Republic of Moldova are taken into account, according to this code, for the individualization of the punishment for a new offense committed by the same person on the territory of the Republic of Moldova, as well as for settling the amnesty issues under reciprocity conditions based on the court judgment.

Art. 12 – Place of committing the act

- (1) The place of committing the act is considered the place where the prejudicial action (inaction) was committed, irrespective of the time when the consequences occurred.
- (2) The place of committing the transnational offense is considered as such if:
 - a) the offense was committed on the territory of the Republic of Moldova and on the territory of at least another state;
 - b) the offense was committed on the territory of the Republic of Moldova, but a substantial part of its organization and control took place in another state, and vice versa;
 - c) the offense was committed on the territory of the Republic of Moldova, with the involvement of an organized criminal group or a criminal organization (association) carrying out criminal activity in more than one state, and vice versa;

d) the offense was committed on the territory of the Republic of Moldova but has serious consequences in another state, and vice versa.

Art. 13 – Extradition

- (1) Citizens of the Republic of Moldova and persons who were granted political asylum in the Republic of Moldova, in the case of committing an offense abroad, may not be extradited and are subject to criminal liability according to this code.
- (2) Foreign citizens and stateless persons who committed offences outside the territory of the Republic of Moldova but who are on the territory of the country may be extradited only based on an international treaty to which the Republic of Moldova is a party or under reciprocity conditions under a court judgment unless there are serious grounds to consider that they are at risk of being subjected to death penalty, torture or other inhuman or degrading treatment

▪ **Dual Criminality**

[Moldova Penal Code](#)

Art. 11 – Application of the criminal law in space

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- (2) Citizens of the Republic of Moldova and stateless persons with permanent residence on the territory of the Republic of Moldova who committed offenses outside the territory of the country are subject to criminal liability in compliance with this code.
- (3) Foreign citizens and stateless persons who do not permanently reside on the territory of the Republic of Moldova and who committed offenses outside the territory of the country are subject to criminal liability in compliance with this code and shall be held criminally liable on the territory of the Republic of Moldova if the committed offenses are directed against the interests of the Republic of Moldova, against the rights and freedoms of the citizens of the Republic of Moldova, against the peace and security of mankind or constitute war crimes, as well as for the offenses provided by the international treaties to which the Republic of Moldova is a party, if they were not convicted in the foreign state.
- (4) Criminal law does not include the offenses committed by diplomatic representatives of foreign states or by other persons who, in compliance with international treaties, are not subject to the criminal jurisdiction of the Republic of Moldova.
- (5) The offenses committed in the territorial waters and airspace of the Republic of Moldova are deemed committed on the territory of the Republic of Moldova. A person who committed a criminal offense on a vessel or airplane registered in a harbor or airport of the Republic of Moldova and located outside the water space or airspace of the Republic of Moldova may be subject to criminal liability in compliance with this code, if the international treaties to which the Republic of Moldova is a party do not provide otherwise.
- (6) Based on this code, the persons who committed offenses on board of a military vessel or airplane belonging to the Republic of Moldova, regardless of its place, are also subject to criminal liability.

- (7) The punishments and criminal antecedents for offenses committed outside the territory of the Republic of Moldova are taken into account, according to this code, for the individualization of the punishment for a new offense committed by the same person on the territory of the Republic of Moldova, as well as for settling the amnesty issues under reciprocity conditions based on the court judgment.

- **Mandatory reporting requirements**

No mandatory reporting requirements found.

- **Statute of Limitations**

[Moldova Penal Code](#)

Art. 60 – Prescription of criminal liability

- (1) The person is released from criminal liability if the following deadlines expired as of the day when the offense was committed:
 - a) 2 years after the commission of a minor offense
 - b) 5 years after the commission of a less serious offense;
 - c) 15 years after the commission of a serious offense;
 - d) 20 years after the commission of a particularly serious offense;
 - e) 25 years after the commission of an exceptionally serious offence.
- (2) The prescription starts to run as of the day when the offense was committed until the final judgment of the court.
- (3) In case the person commits a new offense, the prescription is calculated separately for each offense.
- (4) The prescription shall be interrupted if, until the expiry of the terms provided at paragraph (1), the person commits an offense for which, according to this code, the imprisonment punishment may be imposed for more than 2 years. The calculation of the prescription in this case starts from the moment of committing a new offence.
- (5) The application of the prescription is suspended if the person who committed the offense avoids criminal prosecution or trial. In these cases, the prescription application is resumed as of the person's detention or as of its self-denunciation. However the person cannot be subject to criminal liability if 25 years have passed as of when the offense was committed and the prescription has not been interrupted by committing a new offense.
- (6) Applying the prescription to the person who committed an exceptionally serious offense is decided by the court. If the court does not consider possible to apply the prescription and release from criminal liability, life imprisonment shall be replaced with 30 years imprisonment.
- (7) The terms of the prescription of criminal liability are reduced by half for the persons who were minors at the time of committing the offence.
- (8) The prescription does not apply to the persons who committed offences against human peace and security, war crimes, torture, inhuman or degrading treatment or other offences provided by the international treaties to which the Republic of Moldova is a party, irrespective of the date when they were committed.

- **Obligations of Educational Institutions**

No provisions found on educational institutions.

- **Prohibition to hold certain positions**

[Moldova Criminal Code](#)

Art. 65 – Deprivation of the right to hold certain positions or engage in certain activities

- (1) Deprivation of the right to hold certain positions or engage in certain activities consists in the prohibition to hold an office or engage in activities similar to that which was used by the convicted person in the commission of a crime.
- (2) Deprivation of the right to hold certain positions or engage in certain activities may be imposed by the court for a period of 1 to 5 years, and in cases directly provided for by the Special Part of this Code, for a period of 1 to 15 years.
- (3) Deprivation of the right to hold certain positions or engage in certain activities may be applied as an additional punishment and in cases where it is not provided for as a punishment for the crimes listed in the Special Part of this Code, if, taking into account the nature of the crime committed by the perpetrator during the execution period of his official duties or engaging in certain activities, the court will consider it impossible to retain his right to occupy certain positions or engage in certain activities.
- (4) When imposing a punishment in the form of deprivation of the right to hold certain positions or engage in certain activities as an addition to a fine or unpaid work for the benefit of society, its term shall be calculated from the day the court decision enters into legal force, and when this punishment is applied as an additional to deprivation freedom for a certain period, his term is calculated from the moment the main sentence has been served

- **Employment Law**

[Moldova Contravention Code](#)

Art. 59 – Avoiding negotiations on concluding collective work agreements or violating the timeframe for concluding such contracts

Avoidance by the representatives of parties to negotiations on concluding, amending or completing a collective work agreement or a violation of the timeframe for negotiations or the failure to ensure the work of the commission in view of concluding a collective work agreement in due time shall be sanctioned by a fine of 20 to 30 conventional units.

- **Criminal Law - Defamation**

[Moldova Contravention Code](#)

Art. 70 – Defamation

Defamation, i.e., the deliberate dissemination of fabrications that defame another person, accompanied by an allegation of the commission of an extremely serious crime or an exceptionally serious crime, or that has serious consequences shall be sanctioned for individuals by a fine of 80 to 120 conventional units, by unpaid community work for 20 to 60 hours, or by arrest for up to 15 days and by a fine of 120 to 250 conventional

units for responsible persons with the deprivation of the right to hold certain positions or of the right to carry out certain activities for a period of 3 months to 1 year.

- **Private Fostering**

[Moldova Law on Adoption](#)

Art. 22 – Information on adoptable children

The central and local authorities shall inform each other about the foster and adopted children to match adopters.

Art 23. – Consent to adoption

(1) For adoption consent required:

- a) the consent of the biological parents or, where appropriate, guardian or custodian of the child whose parents are deceased, are not known, are missing without a trace or dead, are declared incapable by law;
- b) the consent of the adopter;
- c) the consent of the adopted child who has attained the age of 10 years.

(2) Persons whose consent to adoption is required to be properly informed about the consequences of their consent, especially on the break, following adoption, the family ties between the child and his biological family.

(3) Territorial authorities to address those referred to in para. (1) are obliged to provide guidance and even when expressing their consent to adoption and report this.

(4) The consent of the persons specified in par. (1) is expressed in writing, freely and unconditionally, certified according to law or territorial authority confirmed at their homes.

(5) The consent of the persons specified in par. (1) obtained by corruption, fraud, fraud against the money, other property or against any promised benefits before or after obtaining consent is not valid.

(6) The judicial authority may seek confirmation of consent and to consider the case in court, providing confidential information about the foster and biological parents.

Art. 46. – Confidentiality adoption

(1) competent persons who are known to adoption are required to maintain the confidentiality of information obtained in the adoption process, including the identification of adoptive and biological parents. Otherwise, they bear legal liability as required by law.

(2) foster parent shall inform the child that is adopted as soon as age and degree of maturity allow.

(3) adoptive parent and adopted child is entitled to obtain from the central authority derived from the State Register of adoptions whose contents attest, date of birth, but not specifically disclose the identity adoption and biological parents of the adopter.

(4) The identity of the biological parents of the adopted child can be exposed to before it acquire full legal capacity only for medical reasons, with the authorization of the

- court, at the request of any of the adoptive parents, adopted child, the local authority or a representative medical institutions.
- (5) After obtaining full legal capacity, the adopted child may request the court from home or the Court of Appeal, if he has no domicile in the Republic of Moldova, to provide access to information about the identity of his parents biological owned central authority or a registry office.
 - (6) The court cites territorial authority adopted child's domicile, as appropriate, the central authority and any other person whose professional knowledge may be useful in solving application, and supports to address that demand, according to available evidence, finds that access to the requested information is not damaging the integrity of the applicant's mental and emotional balance and if the adopted person concerned received advice from the appropriate authorities for adoption.
 - (7) To prohibit the release without the adopter or local authority extracts from civil status records or copies thereof to the effect that adoptive parents are not biological parents of the adopted child.

Art. 54. – State Register of adoptions

- (1) for organizing and keeping track of the state level in terms of adoption, the state central registry established under Law No adoptions. 71-XVI from 22 March 2007 on registers.
- (2) State Register of adoption shall include:
 - a) adopted children;
 - b) adopted children (domestic and international adoptions);
 - c) persons who have applied for adoption;
 - d) adopters (national and international adoptions);
 - e) foster parents (national and international adoptions);
 - f) foreign organizations accredited with responsibilities in international adoptions;
 - g) adoption has ceased.

Sexual Offenses Against Children

Moldova Criminal Code

Art. 171. Rape

- (1) Rape, i.e. sexual intercourse using physical or mental coercion of a person or taking advantage of the inability to defend oneself or express one's will, shall be punished by imprisonment for a term of 3 to 5 years.
- 2) Rape:
 - a) committed by a person who has previously committed rape under paragraph (1);
 - b) knowingly committed against a minor (minor);
 - b¹) committed against a woman known to be pregnant;
 - b²) committed against one of the family members;
 - c) committed by two or more persons;
 - f) associated with intentional infection with a venereal disease;
 - f) committed with special cruelty, as well as for sadistic motives,

shall be punished by imprisonment for a term of 5 to 12 years.

(3) Rape:

- a) a person who was under the guardianship, patronage, protection, education or treatment of the perpetrator;
- b) a minor (minor) under the age of 14;
- c) associated with intentional infection with AIDS;
- d) negligently causing serious bodily injury or other serious bodily harm;
- f) negligently entailed the death of the victim (victim);
- f) causing other grave consequences,

shall be punishable by deprivation of liberty for a term of 10 to 20 years or life imprisonment.

Art. 172. Violent acts of a sexual nature

(1) Homosexuality or the satisfaction of sexual passion in perverted forms using physical or mental coercion of a person or using the inability to defend oneself or express one's will shall be punishable by imprisonment for a term of 3 to 5 years.

(2) Same steps:

- a) committed by a person who has previously committed an act under paragraph (1);
- b) committed against a known minor (minor);
- b¹) committed against a woman known to be pregnant;
- b²) committed against one of the family members;
- c) committed by two or more persons;
- d) associated with intentional infection with a venereal disease;
- g) committed with special cruelty, as well as for sadistic motives,

shall be punishable by imprisonment for a term of 5 to 12 years.

(3) Actions provided for in paragraphs (1) or (2):

- a) committed against a person who is obviously under the age of 14;
- a¹) committed against a person who was under the guardianship, patronage, protection, education or treatment of the perpetrator;
- b) associated with intentional infection with AIDS;
- c) negligently causing serious bodily injury or other serious harm to health;
- d) negligently entailed the death of the victim (victim);
- f) entailed other grave consequences,

shall be punishable by deprivation of liberty for a term of 10 to 20 years or life imprisonment.

Art. 173. Sexual harassment

Sexual harassment, that is, physical, verbal or non-verbal behavior that infringes on the dignity of a person or creates an unpleasant, hostile, oppressive, humiliating, discriminatory or offensive environment with the aim of forcing a person to have sexual intercourse or other undesirable actions of a sexual nature, committed through threats, coercion, blackmail, shall be punished by a fine in the amount of 650 to 850 conventional units, or by unpaid community service for 140 to 240 hours, or by imprisonment for up to 3 years.

Art. 174. Sexual intercourse with a person under 16 years of age

- (1) Sexual intercourse other than rape, acts of vaginal, anal, oral or other penetration committed against a person who is known to be under 16 years of age, shall be punishable by imprisonment for a term of 3 to 7 years.
- (2) A person who has committed an act under paragraph (1) is not subject to criminal liability if he is close in age and physical and mental development to the victim (victim).

Art. 175. Depraved acts committed against a person knowingly under 16 years of age

Depraved acts committed against a person knowingly under 16 years of age, consisting in exhibition, obscene touching, obscene or cynical conversations about sexual relations, inducement to participate in or attend pornographic performances, providing pornographic materials, as well as other acts of sexual character, shall be punishable by imprisonment for a term of 3 to 7 years.

Art. 175¹. Seduction of a minor for sexual purposes

- (1) Offering, persuading, manipulating, threatening, promising benefits in any form, including through information technology or electronic communications, with the aim of scheduling a meeting with a minor for the commission of any kind of sexual offense against him, if such actions were followed by specific actions leading to such a meeting, shall be punishable by imprisonment for a term of 2 to 6 years.
- (2) The same acts committed:
 - a) in relation to a minor who is in a helpless state due to illness or disability;
 - b) a member of the minor's family, a person living with the minor, or a person caring for, protecting, educating or treating the minor;
 - c) by a person previously convicted of a sexual offense or other related act,shall be punishable by imprisonment for a term of 3 to 8 years.

Art. 201. Incest

- (1) Sexual intercourse between relatives in the direct line up to and including the third degree of kinship, as well as between relatives in the collateral line (brothers and sisters) shall be punishable by imprisonment for up to 5 years.
- (2) Persons referred to in paragraph (1) are not subject to criminal liability if at the time of the commission of the act they were under 18 years of age and the age difference between them did not exceed 2 years.

Art. 201¹. Violence in family

- (1) An act or omission deliberately committed by one member of the family in relation to another member of the family, expressed in:
 - a) beating, committing other violent acts involving minor bodily injury or other minor harm to health;
 - b) isolation, intimidation for the purpose of imposing will or personal control over the victim;
 - c) deprivation of economic means, including means of subsistence, neglect, causing minor bodily harm or other minor harm to health to the victim,

shall be punishable by unpaid community service for a term of 150 to 180 hours, or imprisonment for a term up to 3 years.

(2) The acts provided for in paragraph (1):

- a) committed against two or more family members;
- b) committed in connection with the request or application of measures of protection;
- c) causing moderate bodily injury or other moderate bodily harm,

shall be punishable by unpaid community service for a term of 180 to 240 hours, or imprisonment for a term of one to 6 years.

(3) Acts provided for in paragraphs (1) and (2):

- a) causing serious bodily injury or other serious harm to health;
- b) resulting in suicide or attempted suicide,

shall be punishable by imprisonment for a term of 6 to 12 years.

(4) The acts provided for in paragraphs (1) or (2), which caused serious bodily injury or other serious harm to health, which caused the death of the victim, are punishable by imprisonment for a term of 12 to 15 years.

Art. 201 ² . Inappropriate Parental Responsibilities

Malicious evasion of parents from the performance of parental duties, resulting in the placement of a child in boarding schools or social placement services, is punishable by a fine in the amount of 300 to 500 conventional units or unpaid community service for 100 to 120 hours.

Art. 204. Disclosure of the secret of adoption

Disclosure of the secret of adoption against the will of the adopter, committed by a person obliged to keep the fact of adoption as a professional or official secret, shall be punishable by a fine of 550 to 850 conventional units, or by unpaid community service for 100 to 240 hours, or by imprisonment for up to 6 months, with or without deprivation in all cases of the right to hold certain positions or engage in certain activities for term 2 years.

Art. 205. Abuses of parents or other persons when adopting children

(1) Receipt by a parent, guardian (custodian), other legal representative of a child or other person of remuneration in any form for giving consent to adoption or for other purposes related to adoption,

is punishable by a fine in the amount of 500 to 750 conventional units or imprisonment for up to 3 years.

(2) Mediation, facilitation or encouragement of the adoption of a child for profit, material or other benefit

shall be punishable by a fine in the amount of 550 to 750 conventional units or imprisonment for a term of one to 3 years, with deprivation of the right to hold certain positions or engage in certain activities for a term of 2 to 5 years, and in the case of a legal entity, by a fine in the amount of 3,000 up to 5,000 conventional units with deprivation of the right to engage in certain activities.

(3) Implementation of coercion in relation to the parent, guardian (custodian) of the child in any form in order to obtain consent to adoption or to provide false information in order

to obtain permission for adoption, establishment of guardianship (guardianship), placement of the child in a special institution, family or orphanage family type shall be punishable by a fine in the amount of 600 to 750 conventional units or by imprisonment for 3 to 5 years with the deprivation of the right to hold certain positions or engage in certain activities for a period of 2 to 5 years, and in the case of a legal entity, by a fine in the amount of 3500 to 5500 conventional units with deprivation of the right to engage in certain activities or liquidation of a legal entity.

(4) Actions provided for in paragraphs (1)-(3), committed:

- b) in relation to two or more children;
- c) a person holding a responsible public position;
- d) two or more persons;
- e) an organized criminal group or criminal organization,

shall be punished by imprisonment for a term of 3 to 7 years, with or without deprivation of the right to hold certain positions or engage in certain activities for a term of 2 to 5 years, and in the case of a legal entity, by a fine in the amount of 4,000 to 7,000 conventional units with the deprivation of the right to engage in certain activities. certain activities or liquidation of a legal entity.

Art. 206. Trafficking in children

(1) The recruitment, transportation, transfer, harboring or receipt of a child, or the giving or acceptance of payments or benefits in order to obtain the consent of the person in control of the child, for the purpose of:

- a) commercial or non-commercial sexual exploitation;
- b) exploitation of forced labor or services;
- b¹) use for begging or other base purposes;
- b²) appropriation of aid, allowances or social benefits;
- b³) illegal use in medical or scientific tests or experiments;
- c) exploitation in slavery or conditions similar to slavery;
- d) use in armed conflicts;
- f) use in criminal activities;
- f) removal of human organs, tissues and/or cells;
- h) sales or purchases;
- i) use as a surrogate mother or for reproductive purposes;
- j) illegal adoption,

shall be punishable by imprisonment for a term of 10 to 12 years, with the deprivation of the right to hold certain positions or engage in certain activities for a term of 2 to 5 years, and in the case of a legal entity, by a fine of 4,000 to 6,000 conventional units, with the deprivation of the right to exercise certain activities, or with the liquidation of a legal entity.

(2) The same actions coupled:

- a) with the use of physical and / or mental violence, firearms or with the threat of their use;
- b) with sexual abuse and/or violence;
- c) by abuse of power or by taking advantage of the helpless state of the child, by threatening to disclose confidential information to the child's family or others;

f) with the removal of human organs, tissues and/or cells, shall be punishable by imprisonment for a term of 10 to 15 years, with the deprivation of the right to hold certain positions or engage in certain activities for a term of 2 to 5 years, and in the case of a legal entity, by a fine of 6,000 to 8,000 conventional units, with the deprivation of the right to carry out certain activities, or with the liquidation of a legal entity.

(3) Actions provided for in paragraphs (1) or (2):

- a) committed by a person who has previously committed the same actions;
- b) committed against two or more children;
- b¹) committed by two or more persons;
- c) committed by a public person, an official, a person holding a responsible public office, a foreign public person or an international employee;
- d) committed by an organized criminal group or criminal organization;
- d¹) resulting in the infection of a child with a venereal disease or AIDS;
- e) resulting in serious bodily injury or mental disorder or death or suicide of a child;
- e¹) committed against a child who was under the guardianship, protection, protection, upbringing or treatment of the perpetrator;
- f) committed against a child under the age of 14,

shall be punishable by deprivation of liberty for a term of 15 to 20 years, with the deprivation of the right to hold certain positions or engage in certain activities for a term of 3 to 5 years, or life imprisonment, and in the case of a legal entity, by a fine in the amount of 8,000 to 10,000 conventional units, with the deprivation of the right to exercise certain activities or with the liquidation of a legal entity.

(4) The victim of child trafficking is released from criminal liability for the commission of crimes in connection with this procedural status.

Art 207. Illegal removal of children from the country

Taking a child out of the country using forged documents or otherwise illegally, as well as leaving him abroad for purposes other than those specified in Article 206, shall be punishable by imprisonment for a term of 2 to 6 years.

Art. 208. Involving minors in criminal activities or inciting them to commit crimes

(1) Involving minors in criminal activities or inciting them to commit crimes, as well as inducing minors to immoral acts (begging, gambling, debauchery) committed by a person who has reached the age of 18,

is punishable by a fine in the amount of 550 to 850 conventional units, or unpaid community service for 150 to 200 hours, or imprisonment for up to 5 years.

(2) The same actions committed by the parents or other legal representatives of the child, as well as his teachers,

is punishable by a fine in the amount of 650 to 1050 conventional units, or unpaid community service for 180 to 240 hours, or imprisonment for up to 6 years.

(3) Actions provided for in paragraphs (1) or (2) committed:

- a) with the use of violence or with the threat of its use;
- b) by involving minors in an organized criminal group or criminal organization;
- c) by involving a minor in the commission of a crime of a terrorist nature

shall be punishable by imprisonment for a term of 3 to 7 years.

Art. 208¹ Child Pornography

Making, distributing, distributing, importing, exporting, providing, selling, acquiring, exchanging, using or storing photographs or other images of a child or several children involved in explicit sexual activity, whether real or simulated, or photographs or other images of the genitals of a child, presented in a lascivious or obscene manner, including in electronic form, is punishable by imprisonment for a term of one to three years, and in the case of a legal entity, by a fine of 3,000 to 5,000 conventional units with deprivation of the right to engage in certain activities.

Art. 208² Obtaining child prostitution services

Receipt for any material reward of sexual services provided by a person who is known to be under 18 years of age, shall be punished by imprisonment for a term of 3 to 7 years.

- **Female Genital Mutilation (FGM)/ Female Genital Circumcision**

No legal provisions found on FGM.

- **Child/Early/Forced Marriage**

[Family Code of the Republic of Moldova](#)

Art. 14. Age of marriage

(1) The minimum age for marriage is 18 years.

(2) If there are good reasons, the marriageable age may be lowered, but not more than by two years. Permission to lower the marriageable age is given by the local guardianship authority at the place of residence of one of the persons wishing to marry, on the basis of the application of these persons and the consent of the parents of the minor.

Art. 15. Circumstances preventing the conclusion of marriage

(1) It is not allowed to enter into a marriage between:

- a) persons of whom at least one is married;
- b) relatives in a straight line up to the fourth generation inclusive, brothers, sisters, including those who have a common father or mother;
- c) the adoptive parent and the adopted child;
- d) by a relative of the adoptive parent in a straight line up to the second knee inclusive and adopted;
- e) a guardian and a minor under his guardianship during the period of guardianship;
- f) persons in respect of at least one of whom a measure of judicial protection has been established (temporary protection, guardianship or guardianship) and there is no permission required by law to enter into a marriage;

- g) by persons sentenced to imprisonment during the period when both are serving their sentences;
 - h) persons of the same sex.
- (2) Any person may declare his or her disagreement with the contraction of marriage if there is a legal obstacle or other requirements of the law are not observed, stating the relevant grounds and evidence in writing. The vital statistics authorities are obliged to check the submitted objections and, if confirmed, refuse to register the marriage.

Art. 41. Invalidation of marriage

- (1) A marriage is declared invalid by a court of law if:
- a) the provisions of [Articles 11](#) , [13](#) , [14](#) or [15](#) have been violated ;
 - b) the marriage has been registered, but the spouses or one of them had no intention of starting a family (fictitious marriage).
- (2) A marriage declared invalid shall be deemed to be such from the day of its conclusion.
- (3) The court shall be obliged, within three days from the date of entry into force of its decision on declaring the marriage invalid, to send a copy of such decision to the civil registry office located in the territorial district of the court.

Art. 42. Persons who have the right to demand that a marriage be declared invalid

- (1) The following persons have the right to demand that a marriage be declared invalid:
- a) a minor spouse, his parents (guardians) or the local guardianship authority, if the marriage was concluded with a person who has not reached the marriageable age, and this age was not lowered in accordance with the established procedure. After the minor spouse reaches the age of 18, only he himself has the right to demand that the marriage be declared invalid;
 - b) a spouse whose rights are violated by the marriage;
 - c) a spouse who did not know about the existence of circumstances preventing the conclusion of a marriage, a guardian of a spouse in respect of whom a measure of judicial protection in the form of guardianship has been established, a spouse for a previous, unbroken marriage, other persons whose rights and interests are infringed upon by the conclusion of a marriage in violation of the requirements of [Article 15](#) , as well as the local guardianship authority - in all of the above cases;
 - d) bona fide spouse, in case of a fictitious marriage.
- (2) The participation of a representative of the local guardianship authority is mandatory in the adjudication of a case on declaring a marriage contracted with a minor who has not reached marriageable age, or in the case of a marriage contracted in violation of [clause 15 f\) of paragraph \(1\) of Article 15](#).