Rights and Entitlements of Refugees in the Republic of Moldova Based on Their Legal Status.

August 2024

Rights / Entitlements	TP Holders	Asylum Seekers	Refugees and Beneficiaries of International Protection	Residence Permit Holders *(Work, Family Reunification and Permanent Residence)*	Responsible Entity	Available Assistance to Citizens of the Republic of Moldova
Access to Accommodation and Housing *1951 Convention Threshold:* *Refugees lawfully staying in the territory should be given treatment as favorable as possible, and at least as favorable as that given to other non-nationals in similar situations regarding housing. (Article 21)*	Right to access temporary accommodation in designated centers, upon request, limited to 3 months. ***Legal Source:*** Point 18, GD no. 21/2023 Art. 39(e), Law no. 270/2008 Points 7 and 33, Annex 1 of the MLSP Order no. 182/2023	Right to accommodation in centers during the asylum application procedure. ***Legal Source:*** Art. 28(m), Law no. 270/2008 Points 8, 30, 31, and 31, GD no. 1023/2012	Right to be temporarily accommodated in accommodation centers under the conditions provided by the Government. ***Legal Source:*** Art. 24(1-2) Law no. 274/2011 Art. 33(m), Law no. 270/2008 Point 8, GD no. 1023/2012	Not specified	**National Level:** General Inspectorate for Migration; Ministry of Internal Affairs / National Social Assistance Agency; Ministry of Labor and Social Protection **Local Level**: Local authorities managing temporary placement centers, Chisinau Social Assistance Department, ATAS	Citizens who meet the eligibility criteria can access the state program "First Home" (Law on some measures for the implementation of the State Program "First Home" no. 293 of 21.12.1917)
Access to Education *1951 Convention Threshold:* *A) Primary Education: Same treatment as nationals.* *B) Secondary and Higher Education: As favorable as possible, and at least as favorable as that given to other non-nationals in similar situations, including access to studies, recognition of certificates, remission of fees, and* scholarships. *(Article 22)*	Right to access primary and secondary education, as well as tertiary and vocational education. ***Legal Source:*** Point 17, GD no. 21/2023 Art. 39 (g), Law no. 270/2008 MER Order and Instruction 1109 and 1538	Right to access primary and secondary education under the same conditions as nationals, as well as tertiary and vocational education. ***Legal Source:*** Art. 29 (1), Law no. 270/2008	Right to access primary and secondary education under the same conditions as nationals, as well as tertiary and vocational education. ***Legal Source:*** Art. 15(2-3), Art. 18, Law no. 274/2011 Art. 33(f), Law no. 270/2008	Right to access primary and secondary education under the same conditions as nationals, as well as tertiary and vocational education. ***Legal Source:*** Art. 15(1, 2, and 3), Law no. 274/2011 Art. 150 (1, 2) Law no. 152/2014	**National Level**: Ministry of Education and Research. **Local Level**: Local Directorates of Education	Free and compulsory primary and secondary education for all citizens. Higher education opportunities exist at public universities with scholarships and financial aid options. Vocational training programs are available.

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Access to Labor Market (Wage earning employment) *1951 Convention Threshold:* *Refugees lawfully staying in the territory should receive the most favorable treatment given to nationals of a foreign country in similar circumstances regarding the right to engage in wage-earning employment. (Article 17)*	Right to work for a period not exceeding the temporary protection period ***Legal Source:*** Point 23, GD no 21/2023 Art. 39(d), Law no. 270/2008	Right to work may be granted temporarily upon request if deprived of means. ***Legal Source:*** Art. 28(l), Law no. 270/2008	Right to work ***Legal Source:*** Art. 33(1-d), Law no. 270/2008 Art. 12(2), Law no. 274/2011 Art. 2 (2), Law no. 105/2018	Covered under relevant employment and labor laws. ***Legal Source:*** Art. 12(1, 2), Law no. 274/2011 Law no. 200/2010 Art. 3 (b), Law no. 154/2003 Art. 2 (2), Law no. 105/2018	**National Level**: Ministry of Labor and Social Protection National Employment Agency (ANOFM), **Local Level**: Local Offices of ANOFM	The National Employment Agency (ANOFM) offers job search assistance, training opportunities, and unemployment benefits under eligibility criteria. Labor laws ensure minimum wage, work hour limitations, and paid vacation time.
Access to Labor Market (Self-Employment) *1951 Convention Threshold:* *Refugees lawfully staying in a contracting state shall be accorded treatment as favorable as possible and, in any event, not less favorable than that accorded to aliens generally in the same circumstances, with respect to the right to engage on their own account in agriculture, industry, handicrafts, and commerce, and to establish commercial and industrial companies. (Article 18)*	Although right to work is in place for a period not exceeding the temporary protection period, there are legal and administrative barriers limiting ability for self-employment. ***Legal Source***: Point 23, GD no 21/2023 Art. 39(d), Law no. 270/2008	Right to work may be granted temporarily upon request if deprived of means. Legal and administrative barriers for self-employment. ***Legal Source:*** Art. 28(l), Law no. 270/2008	Right to work, including self-employment. Legal Source: Art. 33(1-d), Law no. 270/2008 Art. 12(2), Law no. 274/2011 Art. 2 (2), Law no. 105/2018 Art. 2 (1) Law no. 845/1992 Art. 2 Law no. 93/1998	Covered under relevant employment and labor laws depending on the type of the residence permit. Legal Source: Art. 12(1, 2), Law no. 274/2011 Law no. 200/2010 Art. 3 (b), Law no. 154/2003 Art. 2 (2), Law no. 105/2018	**National Level:** Ministry of Labor and Social Protection National Employment Agency (ANOFM), Ministry of Finance **Local Level:** Local Offices of ANOFM, Public Services Agency	Citizens seeking self-employment are supported through various initiatives, including the issuance of patentas, which allow for small-scale entrepreneurial activities without forming a legal entity. The government offers limited training programs, financial assistance, and access to micro-loans to help individuals start and grow their businesses. Self-employed individuals holding a patenta have the right to conduct their specified activities legally, access social and medical insurance benefits, and participate in state-funded entrepreneurship support programs.

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Access to Banking Services *1951 Convention Threshold:* *While the 1951 convention does not directly address the issue of access to banking services, access to these services is a key element for enabling the fulfillment of several rights enshrined in the convention, including the right to work, self-employment and free exercise of a profession under the same condition as nationals, without discrimination. Therefore, refugees should have access to financial services under the same conditions as nationals.*	TP Holders can open a bank account only when formally employed.	According to the existing legal framework, asylum seekers can open a bank account only when formally employed. However, due to the lack of recognition of their documents as valid identification by banks, this process is often complicated and inconsistent, leading to significant challenges in accessing banking services.	Can open a bank account.	Can open a bank account.	National Bank of Moldova	General financial services available to all citizens
Access to Medical Care *1951 Convention Threshold:* *Refugees lawfully staying in the territory should receive the same treatment as nationals with respect to public relief and assistance. (Article 23)*	Primary and emergency medical care (including emergency dental care and vaccination), outpatient dialysis, oncological care, compensated medicines and medical devices, specialist consultations. Registration through family doctor is required. Since 3 April 2024, by government decision, TP holders with formally registered jobs (who pay taxes) have access to state medical insurance. TP holders unemployed or not holding a formal employment contract	Provided urgent and primary medical care, as well as access to free HIV/AIDS testing. Asylum seekers, while employed and contributing to the mandatory health insurance system through a percentage of their salary in accordance with general taxation principles, do not benefit from medical assistance under the Single Program of Compulsory Health Insurance. This is because they do not hold the status of an insured person within the mandatory health insurance system. As a result, apart from the urgent and primary care	Same rights as citizens within the mandatory health care system ***Legal Source:*** Art. 33, Law no. 270/2008 Art. 16(2), Law no. 274/2011 Art. 4 (4 -o), Law no 1585/1998	Included in mandatory health insurance system according to Law no. 1585/1998 ***Legal Source:*** Article 16(1), Law no. 274/2011	**National Level:** Ministry of Health; National Agency for Public Health, National Health Insurance Company. **Local Level:** Local health care providers, hospitals, clinics.	Universal healthcare system provides citizens with access to primary, secondary, and specialized medical care. Citizens contribute through mandatory health insurance. Out-of-pocket costs for some medications or procedures exist.

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		cannot purchase state medical insurance. Minor TP holders have access to medical assistance under the same conditions as minors who are Moldovan citizens. ***Legal Source:*** Point 26, GD no. 21/2023 Art. 39(f), Law no. 270/2008	services specified in Article 30 of Law 270/2008, any additional medical services are only available to asylum seekers on a paid basis. Minor asylum seekers have access to medical assistance under the same conditions as minors who are Moldovan citizens. ***Legal Source***: Art. 30, Law no. 270/2008				
Access to Social Assistance, including Winter Support *1951 Convention Threshold:* *Refugees lawfully staying in the territory should receive the same treatment as nationals with respect to public relief and assistance. (Article 23)*	**General Support**	Access to social assistance measures financed by international organizations. ***Legal Source:*** Point 20, GD no. 21/2023	Not specified	Access to social assistance and access to the public social insurance system under the conditions provided by law for citizens of the Republic of Moldova. Can request financial aid for 6 months if lacking means of subsistence. ***Legal Source:*** Art. 17, Law no. 274/2011 Art. 33(1-e, 2), Law no. 270/2008	Access to social assistance and access to the public social insurance system under the conditions provided by law for citizens of the Republic of Moldova ***Legal Source:*** Art. 17, Law no. 274/2011 Art. 19(6), Law no. 489/1999	**National Level**: Ministry of Labor and Social Protection; Ministry of Internal Affairs (IGM); National Social Assistance Agency **Local Level**: Territorial Social Assistance Agency (ATAS), Chisinau Directorate for Social Assistance; Directorate for Social Assistance and Family Protection of Gagauzia	Social allowances for low-income families and individuals. The assistance is means-tested, meaning eligibility is determined based on household income and assets. The amount of assistance varies depending on the household's income and number of dependents. Additional financial support during winter months for vulnerable populations. Free meal services in Social Canteens for (i) Older persons without a domicile, without legal supporters, or with no or low income, (ii) Persons with disabilities, and (iii) Children up to 18 years old from large families, single-parent families, or other socially vulnerable families.

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	Specific Support for Persons with Disabilities	Access to social assistance measures financed by international organizations. Access to sign interpretation services is provided from ASRM as cover by the government. ***Legal Source:*** Art. 39(b), Law no. 270/2008	Not specified. Access to sign interpretation services is provided from ASRM as cover by the government. ***Legal Source:*** Art. 28(c), Law no. 270/2008	Access to social assistance and access to the public social insurance system under the conditions provided by law for citizens of the Republic of Moldova. Access to sign interpretation services is provided from ASRM as cover by the government. ***Legal Source:*** Art. 17, Law no. 274/2011 Art. 33(a,2), Law no. 270/2008	Access to social assistance and access to the public social insurance system under the conditions provided by law for citizens of the Republic of Moldova ***Legal Source:*** Art. 17, Law no. 274/2011	**National Level**: Ministry of Labor and Social Protection; Ministry of Internal Affairs (IGM); National Social Assistance Agency **Local Level:** Territorial Social Assistance Agency (ATAS), Chisinau Directorate for Social Assistance; Directorate for Social Assistance and Family Protection of Gagauzia	Disability pension offered to persons with disability who have been established as disabled due to a general condition, a work accident, or an occupational disease. State Social Allowance offered to citizens with disabilities who don't qualify for a pension. Care allowances provided to caregivers of citizens with severe disabilities. Additional compensation for transportation costs and other needs-based support might be available. Rehabilitation services and assistive technology are being improved but access is limited. Free meal services in Social Canteens Access to sign interpretation services is provided from ASRM as cover by the government
	Specific Support for Older Persons	Access to social assistance measures financed by international organizations. **Legal Source:** Point 20, GD no. 21/2023	Not specified	Access to social assistance and access to the public social insurance system under the conditions provided by law for citizens of the Republic of Moldova. Can request financial aid for 6 months if lacking means of subsistence. ***Legal Source:*** Art. 17, Law no. 274/2011 Art. 33(1-e, 2), Law no. 270/2008	Access to social assistance and access to the public social insurance system under the conditions provided by law for citizens of the Republic of Moldova ***Legal Source:*** Art. 17, Law no. 274/2011	**National Level**: Ministry of Labor and Social Protection; Ministry of Internal Affairs (IGM); National Social Assistance Agency **Local Level:** Territorial Social Assistance Agency (ATAS), Chisinau Directorate for Social Assistance; Directorate for Social Assistance and Family Protection of Gagauzia	Older persons in Moldova have access to the following social assistance services: Old Age Pension: Available upon reaching retirement age and completing 15 years of contributions. Anticipated Pension: For those with a longer contributory period. Free meal services in Social Canteens.

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							Home Care: Includes assistance with daily activities, free for eligible individuals and available for a fee for others needing care. Rehabilitation Centers: Free tickets every three years for non-working pensioners, 30% discount for working pensioners. Education and Engagement:
	Specific Support for Families with Children	Families with children and unaccompanied minors can access that same social assistance measures that are granted to children who are citizens of the Republic of Moldova, including childcare. ***Legal Source:*** Point 21 & 22, GD no. 21/2023 Art. 39(h), Law no. 270/2008	Families with children and unaccompanied minors can access the same social assistance measures that are granted to children who are citizen of the Republic of Moldova, including childcare. ***Legal Source:*** Art. 28(r), Law no. 270/2008	Families with children and unaccompanied minors can access the same social assistance measures that are granted to children who are citizen of the Republic of Moldova, including childcare. ***Legal Source:*** Art. 2(1-6), Law no. 274/2011 Art. 33(g), Law no. 270/2008	Families with children and unaccompanied minors can access the same social assistance measures that are granted to children who are citizen of the Republic of Moldova, including childcare. ***Legal Source:*** Art. 17, Law no. 274/2011	**National Level**: Ministry of Labor and Social Protection; Ministry of Internal Affairs (IGM). **Local Level**: Territorial Social Assistance Agency (ATAS), Territorial Social Assistance Structure (STAS); Chisinau Social Assistance Department; Directorate for Social Assistance and Family Protection of Gagauzia	Families with children benefit from the following types of allowances: a) One-time allowance at the birth of a child. b) Monthly allowance for childcare up to the age of 2. c) Monthly allowance for raising a child, with different options available for insured persons. d) Monthly support allowance for raising twins or multiple children born from a single pregnancy, up to the age of 3. e) One-time allowance for the period of custody of an adoptable child. f) One-time allowance for a child adopted or taken into foster care. g) Monthly allowance for raising a child over the age of 3 who has been adopted or taken into foster care.

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						Free meal services in Social Canteens.
Social Insurance and Public Pension *1951 Convention Threshold:* *Refugees lawfully staying in the territory should receive the same treatment as nationals concerning social security. Special arrangements may be made for maintaining acquired rights and rights during acquisition. National laws may prescribe specific arrangements for benefits paid entirely out of public funds or allowances for those not meeting contribution conditions for a normal pension. (Article 24)*	Access to pension benefits after fulfilling the contribution requirements similar to citizens. **Legal Source:** Law no. 156/1998	Access to pension benefits after fulfilling the contribution requirements similar to citizens. **Legal Source:** Law no. 156/1998	Refugees and beneficiaries of humanitarian protection have access to the public social insurance system and the national social assistance system under the conditions provided by law for citizens of the Republic of Moldova **Legal Source**: Art. 14, Law no. 274/2011	Resident permit holders have access to the public social insurance system and the national social assistance system under the conditions provided by law for the citizens of the Republic of Moldova. **Legal Source**: Art. 20, Law no. 274/2011	**National Level**: Ministry of Labor and Social Protection; CNAS **Local Level**: CTAS	In the public system, the following categories of pensions are granted: a) old-age pension; b) disability pension; c) survivor's pension; d) special pension; e) early retirement for long career
Child Protection *Convention on the Rights of the Child Treshold:* *Refugee children, whether seeking refugee status or already considered refugees under international or domestic law, whether unaccompanied or accompanied, must receive appropriate*	Protection for children at risk, including assessment, assistance, and alternative care services for children separated from their parents/caregivers; prevention services. ***Legal Source:*** Law No. 140/2013, General Provisions Government Decision no 270/2014	Protection for children at risk, including assessment, assistance, and alternative care services for children separated from their parents/caregivers; prevention services. ***Legal Source:*** Law No. 140/2013, General Provisions Government Decision 270/2014 Order 153/1043/1042/293 2014	Protection for children at risk, including assessment, assistance, and alternative care services for children separated from their parents/caregivers; prevention services. ***Legal Source:*** Law No. 140/2013, General Provisions Government Decision 270/2014 Order 153/1043/1042/293 2014	Protection for children at risk, including assessment, assistance, and alternative care services for children separated from their parents/caregivers.; prevention services. ***Legal Source:*** Law No. 140/2013, General Provisions Government Decision 270/2014 Order 153/1043/1042/293 2014	**National Level**: Ministry of Labor and Social Protection; National Council for Child Rights Protection; Ministry of Internal Affairs; Ombudsman for Children's right. **Local Level**: Territorial Social Assistance Agency (ATAS), Territorial Social Assistance Structure (STAS); Local Guardianship Authority.	Protection for children at risk, including assessment, assistance, and alternative care services for children separated from their parents/caregivers; prevention services. Services are limited in scope and face operational constraints, including underfunding.

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protection and humanitarian assistance to enjoy their rights under the Convention and other relevant international instruments. (Article 22)	Order no 153/1043/1042/293 2014 Law No. 370/2023	Law No. 370/2023	Law No. 370/2023	Law No. 370/2023		
Protection Against Violence, including GBV ***CEDAW Threshold:*** *Refugee women must be protected from all forms of discrimination and violence, including domestic violence, sexual assault, and sexual harassment. States must enact and enforce laws, provide protective services, ensure equal access to legal aid, and suppress trafficking and exploitation. (Articles 2, 6, 12, 15; General Recommendation No. 19)*	Legal, psychological, and social support for victims of family violence, with the same rights as Moldovan citizens. For medical care, please refer to the respective row above. ***Legal Source:*** Art. 6 and 11 , Law No. 45/2007	Legal, psychological, and social support for victims of family violence, with the same rights as Moldovan citizens. For medical care, please refer to the respective row above. ***Legal Source:*** Art. 6 and 11 , Law No. 45/2007	Legal, psychological, and social support for victims of family violence, with the same rights as Moldovan citizens. For medical care, please refer to the respective row above. ***Legal Source:*** Art. 6 and 11 , Law No. 45/2007	Legal, psychological, and social support for victims of family violence, with the same rights as Moldovan citizens. For medical care, please refer to the respective row above. ***Legal Source:*** Art. 6 and 11 , Law No. 45/2007	**National Level**: National Agency for the Prevention and Combating of Violence Against Women and Domestic Violence; Ministry of Labor and Social Protection; Ministry of Internal Affairs; Ministry of Health. **Local Level**: Territorial Social Assistance Agency (ATAS), Local Guardianship Authority, Police Departments.	Laws against domestic violence offer protection orders and restraining measures. Shelters and support services are available for victims of GBV. Services are limited and face operational constraints, including underfunding. Hotlines provide confidential support and referrals.
Access legal assistance *1951 Convention Threshold:* *Refugees should have free access to the courts of law and should enjoy the same treatment as nationals in matters pertaining to legal assistance and exemption from certain legal costs. (Article 16)*	Foreign citizens and stateless persons benefit from legal assistance guaranteed by the State in proceedings or cases within the competence of public administration authorities and courts. ***Legal Source:*** Art. 6(2), Law no. 198/2007	Foreign citizens and stateless persons benefit from legal assistance guaranteed by the State in proceedings or cases within the competence of public administration authorities and courts. ***Legal Source:*** Art. 28(f), Law no. 270/2008 Art. 6(2), Law no. 198/2007	Foreign citizens and stateless persons benefit from legal assistance guaranteed by the State in proceedings or cases within the competence of public administration authorities and courts. ***Legal Source:*** Art. 6(2), Law no. 198/2007 Art. 33(1-l), Law no 270/2008	Foreign citizens and stateless persons benefit from legal assistance guaranteed by the State in proceedings or cases within the competence of public administration authorities and courts. ***Legal Source:*** Art. 6(2), Law no. 198/2007	**National Level**: National Legal Aid Council	Legal aid guaranteed by the state for citizens in proceedings or cases within the competence of public administration authorities and courts.

Relevant Legislation for Refugee Protection and Inclusion in Moldova

Area/Topic	Legislation	Link
Temporary Protection	Decision No. 21 of 18-01-2023 on granting temporary protection to displaced persons from Ukraine	Link
	Order No. 143 of 02-28-2023 regarding the medical services granted to beneficiaries of temporary protection	Link
Asylum	Law No. 270 of 18-12-2008 regarding asylum in the Republic of Moldova	Link
Coordination	Decision No. 947 of 03-10-2018 regarding the establishment of the Commission for the coordination of activities in the field of migration and asylum	Link
Housing	Law No. 75 of 04-30-2015 regarding housing	Link
Education	Code No. 152 of 07-17-2014 Education Code of the Republic of Moldova	Link
	Decision No. 222 of 26-03-2024 regarding the approval of the Regulation on adult education	Link
	Order No. 1126 of 08-08-2024: Regarding the Amendment of the Instructions for the Integration of Children from Refugee Families from Ukraine into General Education Institutions in the Republic of Moldova	Link
Child Protection	Law No. 140 of 14-06-2013 regarding the special protection of children at risk and children separated from their parents	Link
	Decision No. 338 of 31-05-2023 regarding the National Council for the Protection of Children's Rights	Link
	Decision No. 347 of 01-06-2022 regarding the approval of the National Child Protection Program for the years 2022-2026	Link
	Decision No. 7 of 20-01-2016 regarding the approval of the framework Regulation on the organization and functioning of the Commission for the protection of children in difficulty	Link
	Law No. 370 of 30-11-2023 regarding the rights of the child	Link
Health	Law No. 411 of 03-28-1995 health protection	Link
Social Protection	Law No. 547 of 12-25-2003 social assistance	Link
	Decision No. 957 of 06-12-2023 regarding the establishment, organization, and operation of territorial social assistance agencies	Link
	Law No. 121 of 03-05-2001 regarding the additional social protection of some categories of the population	Link
	Decision No. 704 of 05-10-2022 on the approval of the Regulation on the assignment of energy vulnerability categories	Link
	Law No. 241 of 28-07-2022 regarding the Energy Vulnerability Reduction Fund	Link
	Law No. 156 of 14-10-1998 regarding the public pension system	Link
	Decision No. 1478 of 15-11-2002 regarding allowances addressed to families with children	Link
Protection against Violence	Decision No. 332 of 31-05-2023 regarding the approval of the National Program on the prevention and combating of violence against women and family violence for the years 2023-2027	Link
	Decision No. 926 of 29-11-2023 regarding the organization and operation of the National Agency for the Prevention and Combating of Violence against Women and Domestic Violence	Link
	Law No. 45 of 01-03-2007 regarding the prevention and combating of family violence	Link
Foreigners' Rights	Law No. 200 of 16-07-2010 regarding the regime of foreigners in the Republic of Moldova	Link
	Law No. 274 of 12-27-2011 regarding the integration of foreigners in the Republic of Moldova	Link
Legal Aid	Law No. 198 of 26-07-2007 on State-guaranteed legal aid	Link
Labor and Economic Inclusion	Law No. 93 of 15-09-1998 The entrepreneur's patent	Link
	Code No. 154 of 28-03-2003 Labor Code of the Republic of Moldova	Link