

## THE MOLDOVAN SITUATION OF PEOPLE FLEEING FROM THE RUSSO–UKRAINIAN WAR

Andrei Nastas<sup>1</sup>

### ABSTRACT

*In its 30 years of existence as an independent state, the Republic of Moldova has never faced the consequences of a humanitarian crisis like that caused by the armed conflict between Russia and Ukraine, which began on 24 February 2024. In the first year following the outbreak of the conflict, approximately one million people from Ukraine crossed the border with the Republic of Moldova. No other country has dealt with such a high number of displaced people relative to its population. The events following the outbreak of hostilities in Ukraine necessitated adaptation of the existing national framework and urgent adoption of special regulations to determine the legal status of individuals displaced by hostilities in Ukraine. Temporary structures were established to manage external financial assistance to meet the needs of people fleeing the Russo–Ukrainian war. This study aimed to identify the legal framework of the Republic of Moldova in the field of foreigner protection. To this end, we analysed data provided by the Moldovan authorities directly involved in managing the refugee crisis. Additionally, it was necessary to outline the measures undertaken by government authorities to integrate individuals from Ukraine. Where relevant, the study discussed issues within the national asylum system and proposed solutions to address these shortcomings to ensure the effective fulfilment of the state's positive obligations to uphold the rights of those benefiting from protection.*

### KEYWORDS

*asylum  
displaced person  
international protection  
Republic of Moldova  
Russo–Ukrainian war  
temporary protection*

1 | PhD, Associate Professor, Ștefan cel Mare Academy of the Ministry of Internal Affairs of Moldova; Cross-Border Faculty, Dunarea de Jos University of Galați, Romania; andrei.nastas@ugal.ro; ORCID: 0000-0003-2715-6577.



## 1. Introduction

After declaring independence, the Republic of Moldova became a member state of the United Nations and numerous regional organisations, subsequently ratifying the most important legal instruments for the protection of human rights, such as the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social, and Cultural Rights (1966), the Convention for the Protection of Human Rights and Fundamental Freedoms (1950), and the Geneva Conventions (I–IV) (1949) among others.

In 1997, the Representative Office of the United Nations High Commissioner for Refugees (UNHCR) was opened in the Republic of Moldova. It is a specialised UN agency responsible for processing asylum applications submitted in our country. Following the recommendations of the UNHCR, Moldova acceded through Law No. 677-XV on 23 November 2001 to the 1951 Refugee Convention and its 1967 Additional Protocol. The Convention came into force for Moldova on 1 May 2002 and the Protocol on 31 January 2002 forming the foundation of international refugee law and defining the concept of a refugee and the minimum standards for the treatment of persons granted this status.<sup>2</sup> The Republic of Moldova ratified the Convention relating to the status of refugees, with certain declarations and reservations. These results show that, until the full restoration of the territorial integrity of the Republic of Moldova, the provisions of this Convention are applicable only in the territory where the jurisdiction of the Republic of Moldova is exercised.

In addition, the Republic of Moldova has undertaken the commitment to apply the provisions of this convention with no discrimination generally, not only as to race, religion, or country of origin, as stipulated in Article 3 of the Convention.

According to Paragraph 1 of Article 42 of the Convention, the Republic of Moldova reserves the right that the provisions of the Convention, according to which refugees shall be accorded treatment no less favourable than that accorded aliens generally, are not interpreted as an obligation to offer refugees a regime similar to that accorded to the citizens of the states with which the Republic of Moldova has signed regional customs, economic, political, and social security treaties.

Likewise, the Republic of Moldova reserves the right to consider the provisions of the Convention regarding movable and immovable property and certain provisions related to wage earnings as recommendations and not obligations. The Republic of Moldova interprets the provisions of Article 21 of the Convention as not being obliged to accord housing to refugees.

The Government of the Republic of Moldova reserves the right to apply the provisions of Article 24 so that it does not infringe upon the constitutional and domestic legislative provisions regarding the right to labour and social protection. According to Paragraph 1 of Article 42 of the Convention, in implementing Article 26, the Republic of Moldova reserves

the right to establish a place of residence for certain refugees or groups of refugees in the interest of the state and society.<sup>3</sup>

The aforementioned documents primarily regulate fundamental human rights and freedoms derived from the dignity of human beings, which are not conditioned by the political–legal relationship between an individual and a state. Consequently, the legal framework existing in the Republic of Moldova as of 24 February 2024, the date when military actions began in Ukraine, was already consistent and aligned with existing trends in the protection of persons displaced by such crises.

Between 24 February 2022 and 22 February 2023, a total of 937,568 Ukrainian citizens entered the Republic of Moldova. Of the total number of Ukrainian citizens who entered the country, 833, 557 left.

Managing refugee flows from Ukraine to the Republic of Moldova is essential for differentiating these three stages. The first stage was ‘chaotic’, when the authorities were trying to find ways to meet the urgent needs of displaced people from Ukraine, establish a refugee crisis management system, and identify and remove specific gaps in this process, in order to establish partnerships with international agencies and CSOs. The massive flow of displaced people characterizes this stage; most refugees are in transit in the territory of the Republic of Moldova. The displaced persons at this stage were women with children and men ‘wealthy, with very expensive cars not requiring support from Moldovan authorities’, also children accompanied by relatives or other adults. This period was from February to April 2022. In the second stage, the refugee management system became more functional, but the flow of displaced people decreased. Many who crossed state borders remained in the Republic of Moldova. At this stage, the flow of displaced people had a high level of vulnerability: ‘people who have nothing ... really in need, especially women and children, we did not see men anymore’. The most vulnerable people have remained in the Republic of Moldova: mothers with small children; older people, including those with serious health issues unable to travel or travelling with difficulty; people without ID; people who do not speak other foreign languages (except Russian); people who have left behind close relatives in Ukraine (spouses, parents); and those who wanted to return home as soon as possible. This period included May–September 2022. The third stage is the ‘autumn–winter period’. At this stage, the flow of displaced people could increase owing to weather conditions and damage to Ukraine’s energy system. During the third stage, the flow of displaced people ‘calmed down’, and people crossing the border were more informed and came with an established destination: relatives, acquaintances, temporary placement centres for refugees, and other placement centres. Refugees who stay in the Republic of Moldova are (I) people who have relatives/kinship with Moldovan citizens; (II) people who do not speak foreign languages; (III) people with limited financial resources; (IV) elderly people or with many children; (V) Roma people or other categories of Ukrainians, without identity documents; and (VI) unaccompanied and separated children.<sup>4</sup>

Despite adequate and sufficient regulations, the need to ensure efficient and safe management of both the transit of displaced persons and their temporary placement

3 | States parties, including reservations and declarations, to the 1951 Refugee Convention. [Online] Available at: <https://www.unhcr.org/media/states-parties-including-reservations-and-declarations-1951-refugee-convention> (Accessed: 2 January 2026).

4 | Cheianu-Andrei, 2022, p. 112.

in the territory of the Republic of Moldova revealed that the implementation of international protection standards for displaced persons requires additional procedures. In this context, a particular issue was the absence of control over the localities on the left bank of the Dniester (Transnistria) and the Transnistrian segment of the Moldovan–Ukrainian border<sup>5</sup>. Therefore, all the data presented in this study refer exclusively to crisis management caused by the Russo–Ukrainian war in a territory controlled by the central authorities.

Based on the decision of the Extraordinary Situations Commission of the Republic of Moldova No. 1 from 24 February 2022, a series of derogations from the current legal framework were established to regulate the crossing of the state border by foreigners coming from Ukraine.<sup>6</sup> Thus, crossing the state border was authorised for foreigners coming directly from Ukraine, even with expired identity documents. A separate procedure was also established for the documentation and registration of foreigners arriving directly from Ukraine, as well as for the authorisation of the entry of vehicles from Ukraine into the Republic of Moldova without the presentation of mandatory civil liability insurance for damages caused by vehicles. Additionally, rapid testing procedures have been implemented for individuals with symptoms of SARS-CoV-2 infection.

Among the government initiatives undertaken to provide assistance to displaced persons from Ukraine are the creation of provisional centres for managing foreign influxes, the launch of the portal [dopomoga.gov.md](https://dopomoga.gov.md), and the establishment of a helpline for the Migration and Asylum Bureau within the Ministry of Internal Affairs of the Republic of Moldova.

To implement the provisions of the law regarding foreigners' status in the Republic of Moldova, the National Mechanism for the unified and coherent management of the situation in the event of an increased influx of foreigners was approved. The mechanism directly regulates the planning, organisation, coordination, monitoring, and unified leadership of competent institutions' actions in response to a situation generated by an increased influx of foreigners and represents an additional measure for efficient management in the field of migration.<sup>7</sup> From 28 February 2022 to 15 March 2023, the Unified Crisis Management Center operated under the leadership of the Exceptional Situations Commission of the Republic of Moldova. The centre coordinates the assistance efforts of the government, international organisations, private initiatives, and volunteers. Representatives of the United Nations High Commissioner for Refugees (UNHCR) worked within the unified centre. The centre had a helpline where all citizens were able to learn how to help in the created situation. Within the Unified Centre, cells were created for

5 | Cernomoret, 2018, pp. 230–245.

6 | Dispoziția Comisiei pentru Situații Excepționale a Republicii Moldova nr. 1 din 24 februarie 2022 emisă în conformitate cu Article 22 din Legea nr. 212/2004 privind regimul stării de urgență, de asediu și de război, Article 2 din Hotărârea Parlamentului nr. 41/2022 privind declararea stării de urgență, pct. 6, 7, 8 și 9 din Regulamentul Comisiei pentru Situații Excepționale a Republicii Moldova, aprobat prin Hotărârea Guvernului nr. 1340/2001. [Online]. Available at: [https://social.gov.md/wp-content/uploads/2022/04/dispozitie\\_cse\\_1\\_24.02.2022\\_modif\\_d\\_3.5.6.7.8.10.pdf](https://social.gov.md/wp-content/uploads/2022/04/dispozitie_cse_1_24.02.2022_modif_d_3.5.6.7.8.10.pdf) (Accessed: 2 January 2026).

7 | Report No. 1 of 18.05.2022 on the monitoring the observance of the rights of foreigners from Ukraine in the context of the state of emergency for the period from February 25 to April 30, 2022 [Online]. Available at: <https://ombudsman.md/en/post-document/raportul-nr-1-3/> (Accessed: 2 January 2026).

specific tasks: goods, accommodation, medical assistance, transportation, food products, psychological counselling, consular and legal services, volunteer platforms, coordination of the efforts of economic agents, and international assistance.

On 14 May 2025, the Government of the Republic of Moldova adopted Decision No. 285 of 14-05-2025 for the approval of the National Program for the phased integration of foreigners, including displaced persons in the Republic of Moldova, for the period 2025–2027<sup>8</sup>. The decision aims to facilitate the gradual integration of foreigners by developing the necessary measures to ensure access to education, healthcare, housing, social assistance, and the labour market. In the absence of concrete, coherent, and synergistic measures, the economic and social imbalances caused by insufficient integration could lead to the marginalisation of foreigners and a decline in social cohesion, thereby affecting the economic and social stability of the Republic of Moldova.

## 2. Forms of Protection Granted on the Territory of the Republic of Moldova

The Constitution of the Republic of Moldova, adopted on 27 August 1991 expressly stipulates in Article 19, titled ‘Legal Status of Foreign Citizens and Stateless Persons’, that foreign citizens and stateless persons enjoy the same rights and duties as Moldovan citizens, except for those established by law. In the same context, the right to asylum is granted and withdrawn under the conditions of the law, in compliance with international treaties to which the Republic of Moldova is a party.

Under the Law on Asylum in the Republic of Moldova<sup>9</sup>, adopted on 18 December 2008 and in force on 24 February 2022 one of the following forms of protection can be granted to individuals in the territory of the Republic of Moldova: refugee status, humanitarian protection, temporary protection, and political asylum.

The Moldovan legislator defines several key terms and concepts used in the Law on Asylum in the Republic of Moldova. As such, asylum is understood as a legal institution through which the state provides protection to foreigners by recognising their refugee status and granting them humanitarian, temporary, or political asylum. International protection encompasses both refugee status and humanitarian protection:

### a) Refugee Status

Upon request, refugee status is granted to foreigners who, due to a well-founded fear of being persecuted on the grounds of race, religion, nationality, membership in a particular social group, or political opinion, are outside the country of their nationality and are unable or, due to such fear, unwilling to avail themselves

8 | Hotărâre Nr. 285 din 14-05-2025 cu privire la aprobarea Programului național privind integrarea etapizată a străinilor, inclusiv a persoanelor strămutate în Republica Moldova, pentru perioada 2025-2027 Publicat: 29-05-2025 în Monitorul Oficial Nr. 261-264 Article 307 [Online]. Available at: [https://www.legis.md/cautare/getResults?doc\\_id=148656&lang=ro](https://www.legis.md/cautare/getResults?doc_id=148656&lang=ro) (Accessed: 2 January 2026).

9 | Lege Nr. 270 din 18-12-2008 privind azilul în Republica Moldova Publicat : 13-03-2009 în Monitorul Oficial Nr. 53-54 Article 145 [Online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=144620&lang=ro](https://www.legis.md/cautare/getResults?doc_id=144620&lang=ro) (Accessed: 2 January 2026).

of the protection of that country. This status also applies to stateless individuals who, for similar reasons, are outside the country of their habitual residence and cannot, or because of such fear, do not wish to return.

b) Humanitarian Protection

Humanitarian protection is granted to foreigners who do not meet the conditions for recognition of refugee status but for whom there are serious and well-founded reasons to believe that if returned to their country of origin, they would face a real risk of suffering severe harm and cannot or, due to this risk, do not wish to seek protection from that country.

These provisions ensure a comprehensive framework for granting protection to individuals in need, aligning them with international standards and addressing the diverse needs of displaced people.

c) Political Asylum

In exceptional cases, individuals who have held political, diplomatic, or public-interest positions in other states or international organisations as well as individuals who have demonstrated significant attachment, respect, and interest toward the Republic of Moldova or other prominent figures persecuted in their country of origin may request political asylum from the President of the Republic of Moldova. People whose requests for political asylum are denied may seek other forms of protection under the provisions of the Law on Asylum in the Republic of Moldova.

d) Temporary Protection

The legislation of the Republic of Moldova defines temporary protection as an exceptional measure aimed at providing immediate and temporary protection to displaced individuals in the event of a massive and spontaneous influx of people who cannot return to their country of origin. This measure is implemented when there is a risk that the asylum system will be unable to process the influx without adverse effects on its efficient functioning to the detriment of both displaced individuals and others in need of protection.

Temporary protection is granted by a government decision based on a proposal from the Ministry of Internal Affairs following a report presented by the Bureau for Migration and Asylum regarding the necessity of such protection. The Government's decisions also specify the measures and duration for which temporary protection is granted.

Temporary protection is initially provided for one year. If the reasons for granting temporary protection persist, the duration may be extended in increments of six months for a maximum of one additional year, but not exceeding a total of two years.

In the granting, implementation, and termination of temporary protection, the Government consults with the UNHCR and other international organisations.

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### 3. Temporary Protection for Displaced Persons From Ukraine

Approximately two years after the outbreak of armed conflict in Ukraine, the Government of the Republic of Moldova adopted a decision granting temporary protection to

displaced persons from Ukraine<sup>10</sup>. This decision established the Conditions for Granting Temporary Protection, and an accompanying Action Plan. Initially, temporary protection was granted for one year, starting on 1 March 2023 and later extended for an additional year, until 1 March 2025.

Under Moldovan legislation, temporary protection is granted to Ukrainian citizens residing in Ukraine before 24 February 2022; Ukrainian citizens present in Moldova prior to 24 February 2022; stateless persons and nationals of third countries (other than Ukraine) who benefited from international or equivalent national protection in Ukraine before 24 February 2022 and cannot safely return to their country or region of origin; and family members of the aforementioned individuals.

Annex No. 1 of Government Decision No. 21/2023 specifies in detail the documents that must be submitted by applicants for temporary protection. It should be noted that the regulatory framework of the Republic of Moldova in this regard is protective, allowing for the granting of temporary protection based on national identity documents with expired validity, as well as identity certificates issued by the Embassy of Ukraine in the Republic of Moldova. Special regulations have been established for processing applications by minors who arrive at state borders without identity documents, with expired or damaged documents, or as unaccompanied minors.

Simultaneously, the national mechanism for granting temporary protection stipulates that adults crossing the state border with a national identity document (identity card/internal passport) are entitled to only one entry and exit between Moldova and Ukraine.

Temporary protection takes effect on an individual from the date they express their intention to benefit from this type of protection by registering their application to obtain an identity document with a competent authority for foreigners under the Ministry of Internal Affairs. On the day the application is submitted, the authority issues it free of charge, and based on the submitted documents, an identity document granting individual permission to remain in the territory of the Republic of Moldova.

During the identity documentation registration process, beneficiaries of temporary protection must confirm their temporary address of residence in Moldova. The General Police Inspectorate, in coordination with the General Inspectorate for Migration of the Ministry of Internal Affairs, may conduct unannounced inspections at the residential address declared the beneficiary's responsibility.

Data on beneficiaries of temporary protection are recorded in the automated information system of the competent authority for foreigners under the Ministry of Internal Affairs and can be accessed by state authorities via the interoperability platform.

The competent authority for foreigners under the Ministry of Internal Affairs informs the beneficiary of temporary protection in writing during the registration process in a language that they understand or can reasonably be expected to understand their rights and obligations during the temporary protection period, as well as about the processing of their personal data.

The competent authority for foreigners under the Ministry of Internal Affairs and the Intelligence and Security Service verifies whether there are grounds for exclusion from

10 | Hotărârea Guvernului Republicii Moldova Nr. 21 din 18-01-2023 privind acordarea protecției temporare persoanelor strămutate din Ucraina [Online] Available at: [https://www.legis.md/cautare/getResults?doc\\_id=142062&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=142062&lang=ro#) (Accessed: 2 January 2026).

temporary protection within 10 working days from the date of registration. These grounds include committing a crime against peace, a war crime, or a crime against humanity, as defined in international treaties to which Moldova is a party and in its criminal legislation; committing a serious, particularly serious, or exceptionally serious common law offence before entering Moldova; committing acts contrary to the purposes and principles of the United Nations, as outlined in the Preamble and Articles 1 and 2 of the UN Charter; presenting a danger to public order or the security of Moldova; and planning, facilitating, or participating in acts of terrorism, as defined in international treaties to which Moldova is a party.

If there are valid reasons to believe that a person granted temporary protection falls under one of the exclusion clauses, the competent authority for foreigners under the Ministry of Internal Affairs will inform the person about the termination of temporary protection and the initiation of the standard asylum procedure in accordance with the provisions of the Law on Asylum in the Republic of Moldova.

Between 1 March 2023 and 9 December 2024, a total of 82,732 people were pre-registered for temporary protection, of which 64,891 identity documents for beneficiaries of temporary protection were issued. As of 9 December 2024, the asylum system in the Republic of Moldova registered 670 Ukrainian citizens, including one refugee, 202 beneficiaries of humanitarian protection, and 467 asylum seekers. A total of 3,820 Ukrainian citizens hold temporary residential rights in the Republic of Moldova, whereas 3,095 Ukrainian citizens hold permanent residential rights. A total of 3,088 Ukrainians applied for Moldovan citizenship and 2,273 Ukrainians acquired it.

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## 4. Measures on the Field of Integration of Foreigners in the Republic of Moldova

### 4.1. *The Legal Status of Beneficiaries of International Protection in the Republic of Moldova*

The Law on the Integration of Foreigners in the Republic of Moldova<sup>11</sup> partially transposed Directive 2011/95/EU of the European Parliament and Council on 13 December 2011, on the standards regarding the conditions that third-country nationals or stateless persons must meet to benefit from international protection, a uniform status for refugees or persons eligible for subsidiary protection, and the content of the protection granted (recast). The law stipulates that foreigners who have obtained international protection or political asylum in the Republic of Moldova (unaccompanied minors; single-parent families with children; families with three or more children dependent on them; persons with disabilities; pregnant women; victims of human trafficking; persons with intellectual and mental health issues; as well as individuals who have been subjected to torture, rape, or other forms of serious psychological, mental, or sexual violence; and persons who have reached retirement age) and, simultaneously, have a reduced potential for

11 | Lege Nr. 274 din 27-12-2011 privind integrarea străinilor în Republica Moldova. Publicat : 31-12-2020 în Monitorul Oficial Nr. 372-382 Article 342 [Online]. Available at: [https://www.legis.md/cautare/getResults?doc\\_id=136576&lang=ro](https://www.legis.md/cautare/getResults?doc_id=136576&lang=ro) (Accessed: 2 January 2026).

self-sufficiency due to objective factors beyond their control, benefit from equal and fair access to assistance, just like Moldovan citizens, under the conditions of the law (Article 6). The measures provided by the Moldovan legislature aimed at integrating foreigners into the Republic of Moldova are as follows:

- a) Integration activities, including specialised information sessions, sociocultural accommodation sessions, Romanian language courses, employment measures, and information/ counselling to obtain Moldovan citizenship;
- b) specialised integration plans/programs, fully or partially funded by public means or external funding sources, carried out through cooperation between central public authorities and/or with the support of local authorities and non-profit organisations; and
- c) other integration measures that do not contravene the law, aimed at facilitating diverse and positive interactions between foreigners and the host society, and creating various opportunities for interaction.

In this context, from the moment of obtaining residence rights, recognition of stateless status in the Republic of Moldova, or obtaining international protection, foreigners are informed about their rights and obligations in the territory of the Republic of Moldova, including the integration measures granted, as confirmed by the beneficiary's signature on an official standardised document approved by the competent authority for foreigners. Specialised information and sociocultural accommodation sessions will be organised, and free Romanian language courses will be provided to foreigners who have obtained international protection in the Republic of Moldova.

Foreigners have access to the labor market to ensure their self-sufficiency, make use of their potential, and identify their area of involvement in relation to the conditions of the Republic of Moldova, based on the capacities and needs of the labor market in the Republic of Moldova. Simultaneously, in the case of beneficiaries of international protection registered as unemployed and included in the integration programme, the unjustified refusal of an appropriate job or unjustified refusal to participate in one of the employment promotion measures offered by the local employment office results in the cessation of one or more measures provided in the individual integration plan, such as the withdrawal of accommodation rights and/or financial assistance provided by the Asylum Law in the Republic of Moldova.

Foreigners who have legalised their stay in the Republic of Moldova have access to education. The beneficiaries of international protection are included in compulsory education and other forms of education under the same conditions as Moldovan citizens. Foreigners' admission to study is conditioned by prior recognition and equivalence of the educational documents presented by the candidates.

Minors who have obtained international protection benefits, if necessary, from a free introductory Romanian language course for integration into the education system organised by local public authorities for one school year.

Access to medical services: During the program, beneficiaries of international protection included in an integration program receive the status of insured persons under the mandatory healthcare insurance system, categorised as non-employed persons insured by the Government.

Access to the social assistance and insurance system: Foreigners benefit from social assistance and access to the public social insurance system under the conditions established by the law for Moldovan citizens.

Beneficiaries of international protection who do not participate in integration programmes assume responsibility for their own integration.

Beneficiaries of international protection may receive free accommodation for a period not exceeding six months in accommodation centres managed by the competent authority for foreigners.

Protection of minors. Unaccompanied minors who have obtained international protection are included in the child protection system in accordance with legislation by the Social Assistance and Family Protection Directorate/Municipal Directorate for Child Protection, which will take the necessary measures to adapt the services provided to the specific needs of unaccompanied minors as follows:

- a) Special training for staff in specialized institutions
- b) Use of interpreters and experts in activities carried out by specialized institutions
- c) Adapting accommodation conditions to the cultural specifics of unaccompanied minors who have obtained international protections

At the location of the unaccompanied minor, the Social Assistance and Family Protection Directorate/Child Rights Protection Directorate takes necessary measures to ensure their legal representation and provides them with international protection in accordance with the law.

To protect the best interests of the unaccompanied minor, the Social Assistance and Family Protection Section/Directorate, together with other competent authorities and institutions, takes measures to identify the minor's family if this does not contradict the asylum procedure. If the life or physical and mental integrity of unaccompanied minors or their relatives is threatened, particularly if they remain in their country of origin, the collection, processing, and dissemination of information regarding these persons must be confidential.

Unaccompanied minors who benefit from international protection participate, in parallel with the activities carried out by specialised institutions, in integration programs based on individual plans developed by the Social Assistance and Family Protection Section/Directorate or the Municipal Directorate for Child Protection in Chişinău in collaboration with the competent authority for foreigners.

#### **| 4.2. *The Legal Status of Beneficiaries of Temporary Protection in the Republic of Moldova***

Minors benefiting from temporary protection have access to education in public general education institutions, within the limits of the educational system's capabilities and under the same conditions as Moldovan citizen minors.

Beneficiaries of temporary protection, upon request, have access to accommodation in the Temporary Placement Centre for persons with difficulties under the conditions set by law.

Beneficiaries of temporary protection can access social assistance measures funded by international organisations, with the financial aid provided by international organisations correlated with the financial aid set by the Government for beneficiaries of international protection.

Families benefiting from temporary protection can access support services for families with children, including financial aid, to prevent and/or overcome risky situations and ensure the upbringing and education of the child in a family environment.

The benefits of temporary protection include the right to work in the Republic of Moldova without obtaining temporary residence for work purposes. In this regard, they benefit from employment support provided by the legislation of the Republic of Moldova.

Analysing the Moldavian labour market for the Ukrainian refugees at mid-June 2022, it has been found that 560 of the Ukrainian refugees have found jobs mainly in the following sectors: trade (10%), construction (7%), agriculture (6%), and hospitality (7%).<sup>12</sup>

For employment in the healthcare system, beneficiaries of temporary protection must obtain permission from the Ministry of Health to be employed during their temporary protection period.

Beneficiaries of temporary protection can access emergency medical care and primary healthcare, including compensated medicines and medical devices, specialised outpatient care, and free medical examinations for public health reasons within medical institutions in accordance with the list of medical services established by the Ministry of Health.

The costs incurred by medical institutions under the mandatory healthcare insurance system for emergency medical care, primary medical care, and free medical examinations for public health reasons provided to beneficiaries of temporary protection are covered by the financial resources accumulated in the mandatory healthcare insurance fund, with reimbursement from the state budget in the form of special transfers and/or other income in the form of donations and/or grants.

The benefits of temporary protection include the right to temporarily admit private transport in the Republic of Moldova. The maximum period for maintaining them under the temporary customs regime for the same use and responsibility of the same authorisation holder is up to 12 months. Additionally, if the authorised usage period is insufficient, the Customs Service of the Republic of Moldova may extend it for a reasonable period based on a justified request from the authorisation holder.

The obligations of the beneficiary of temporary protection are as follows:

1. To provide truthful information to the competent foreign authorities within the Ministry of Internal Affairs about themselves and their family members.
2. To comply with mandatory photographing and fingerprinting.
3. To respect the internal regulations of the temporary placement centers for persons in difficulty.
4. To inform the competent authority for foreigners within the Ministry of Internal Affairs in case of a voluntary return to Ukraine or obtaining another form of protection in another country.
5. To inform the competent authority of foreigners within the Ministry of Internal Affairs within 10 days about any changes in their legal status, civil status, change of residence in the Republic of Moldova, or loss or damage to the temporary protection beneficiary's identity document.
6. To undergo the mandatory free medical examination for public health reasons.

12 | Koroutchev, 2023, p. 58.

7. To respect the legislation of the Republic of Moldova without violating the rights and freedoms of others, to behave in a civilised and correct manner, respecting the rules established by the authorities.
8. To respond to requests from state authorities with responsibilities in temporary protection matters.
9. To inform the state authorities about incidents of human rights violations, if applicable.<sup>13</sup>
10. Temporary protection ceases in any of the following situations:
11. Upon reaching the maximum duration of temporary protection established in this decision.
12. The person renounced temporary protection by informing the competent authority for foreigners within the Ministry of Internal Affairs.
13. The person voluntarily repatriated to Ukraine or relocated to another country, informing the competent authority for foreigners within the Ministry of Internal Affairs.
14. In the case of granting residence rights to the beneficiary of temporary protection under Law no. 200/2010 regarding the status of foreigners in the Republic of Moldova.
15. There are valid grounds to consider that a person granted temporary protection falls under one of the exclusion clauses for temporary protection.
16. Another form of protection provided by the Asylum Law in the Republic of Moldova was granted.<sup>14</sup>

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## 5. The National Mechanism for Monitoring the Respect for the Rights of Persons Displaced From Ukrainian Territory

To ensure effective monitoring of Ukrainian citizens forced to leave the country due to ongoing hostilities, the Methodology for Monitoring the Respect for the Rights of Refugees in the Republic of Moldova was developed under the auspices of the Ombudsman's Office. The methodology was designed in the spirit of respecting human dignity and was based on the International Bill of Human Rights, the Convention Relating to the Status of Refugees, and soft law principles such as the guidelines and principles developed under the auspices of the UNHCR or OHCHR, and the OHCHR's Recommended Principles and Guidelines on Human Rights at International Borders.

The methodology for monitoring refugee rights in the Republic of Moldova was structured into five essential components: shelter, hygiene, health, safety, and nutrition. The methodology adopted a dual approach, covering both protected categories of rights and

13 | Hotărârea Guvernului Republicii Moldova Nr. 21 din 18-01-2023 privind acordarea protecției temporare persoanelor strămutate din Ucraina [Online]. Available at: [https://www.legis.md/cautare/getResults?doc\\_id=142062&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=142062&lang=ro#) (Accessed: 2 January 2026).

14 | Hotărârea Guvernului Republicii Moldova Nr. 21 din 18-01-2023 privind acordarea protecției temporare persoanelor strămutate din Ucraina [Online]. Available at: [https://www.legis.md/cautare/getResults?doc\\_id=142062&lang=ro#](https://www.legis.md/cautare/getResults?doc_id=142062&lang=ro#) (Accessed: 2 January 2026).

categories of people requiring special protection (e.g. pregnant women, unaccompanied children, persons with disabilities, and Roma individuals). Following this, the Ombudsman's Office prepared general periodic reports on the monitoring of the rights of foreign nationals from Ukraine in the context of the armed conflict, as well as special reports, such as the Report on the Assessment of Access to Essential Health Services for Refugees in the Republic of Moldova or the Special Report on the Evaluation of the Procedures for Accepting Asylum Applications at the State Border Crossing Point 'Chişinău International Airport' and Ensuring the Rights of Asylum Seekers at the Accommodation Centre of the General Inspectorate for Migration.

The situation at the time of drafting this text, as reported in the 'Report on Monitoring the Respect of Refugee Rights in the Context of the Armed Conflict in Ukraine (for the period January – June 2024)',<sup>15</sup> shows that refugees, who are inherently vulnerable groups, are limited in exercising their rights to work, access to healthcare, access to social insurance, and access to housing.

In this regard, the Ombudsperson's Office has made several recommendations to the authorities to review the legal framework regarding labour market integration to include beneficiaries of temporary protection as eligible persons for all employment measures, adopt gender-sensitive employment measures, expedite the adoption of a Social Security Agreement between the Republic of Moldova and Ukraine, ensure access to accommodation services for all beneficiaries of temporary protection, strengthen mechanisms to prevent discrimination faced by beneficiaries of temporary protection in the labour market, and establish a mechanism to cap rental prices for housing, among others.

## 6. Moldova as a Migration Corridor: Security, Vulnerability, and Human Rights Risks in Times of War

The outbreak of war between the Russian Federation and Ukraine has tended to be the most significant military conflict since the end of World War II. Any war – especially one of this intensity, as we are witnessing in Ukraine – is generally a factor of political-military and socioeconomic change, which also drives shifts in the security landscape.<sup>16</sup> As a 'gateway' to Europe, the Republic of Moldova, due to its geopolitical and geostrategic position, feels the pressure of transnational organised crime at its borders, including phenomena such as migration – in both forms, immigration and emigration – drug trafficking, human trafficking, arms, ammunition, and explosive materials trafficking, the smuggling of luxury stolen vehicles, and the smuggling of goods and products (national and cultural heritage items, drugs, cigarettes, alcohol, petroleum products, medicines, etc.). The military conflict in Ukraine, which began in 2022, has had a direct impact on

15 | Report on the monitoring of the respect for the rights of refugees, in the context of the armed conflict in Ukraine for the period January – June 2024 [Online]. Available at: <https://ombudsman.md/en/post-document/report-on-the-monitoring-of-the-respect-for-the-rights-of-refugees-in-the-context-of-the-armed-conflict-in-ukraine-for-the-period-january-june-2024-2/> (Accessed: 14 December 2024).

16 | Cebotari, 2024, pp. 171–179.

the development of organised crime, particularly concerning illegal migration. Instability in the Transnistrian region is becoming a corridor for an increasing flow of illegal migration. Once these individuals are detected at the border, they request asylum, a form of international protection that offers them temporary and safe stay in the Republic of Moldova. However, for most asylum seekers, the Republic of Moldova is seen merely as a temporary refuge and transit country on its way to the European Union.<sup>17</sup>

In 2023, 96,653 individuals were documented to have attempted or illegally crossed the state border for the purpose of illegal migration, marking an increase of over 40% compared to 2022, when 66,604 individuals were documented. The forms in which this phenomenon manifests at the state border are as follows:

1. Illegal border crossing through the 'green' (unofficial) border area
2. Illegal entry into the Republic of Moldova via the Moldovan–Ukrainian 'green' border, while holding valid documents, followed by exit from Moldova through the Moldovan–Romanian segment using valid documents
3. Crossing the border through official border-crossing points (BCPs) using false/forged or foreign documents
4. Attempted entry into or exit from the Republic of Moldova through BCPs while being hidden by means of transport

The Moldovan–Ukrainian border segment is characterised by illegal crossings carried out by Ukrainian citizens. In the air and Moldovan–Romanian border segments, attempts have been made by non-regional foreign nationals to illegally cross the state border with the goal of reaching the European Union by transiting through the Republic of Moldova. During the reporting period, there was an approximately 50% increase in the illegal border-crossing attempts by Ukrainian citizens. Additionally, during the same period, 90 non-regional foreign nationals were documented for attempting to illegally cross the border through official crossing points, along with 76 individuals attempting to cross via the 'green' border segment.

The increasing trend of illegal migration by non-regional citizens at the borders of Moldova is influenced by several factors, including:

- a) Geographic proximity of the Republic of Moldova to the European Union, as it borders Romania, an entry point into the EU. Thus, Moldova is an attractive destination for illegal migrants seeking to reach the EU.
- b) Moldova's visa policy. The possibility of obtaining an electronic visa for Moldova by applying for false or forged documents. The relatively low costs of acquiring a work visa and residence permit make this option appealing for migrants. All documented foreign citizens attempting to illegally cross the border on the Moldovan–Romanian segment entered the country using valid C- and D-type visas.
- c) The conflict in Ukraine has led many migrants to alter their routes toward the EU, now transitioning through Moldova. Before the conflict began, Ukraine was ranked among the top transit countries along the eastern route to the EU.
- d) The tense migration situation in Turkey has made it the main transit country for illegal migration from the Middle East to the EU.<sup>18</sup>

17 | Cebotari and Lungu, 2024, p. 183.

18 | Cebotari, 2024, p. 177.

## 7. Conclusions

The challenges faced by the Republic of Moldova since the beginning of the humanitarian crisis triggered by the armed conflict in the neighbouring country were the lack of relevant international legal frameworks for the particular situation of refugees resulting from armed conflicts, insufficient financial resources necessary to meet the minimum standards for the treatment of persons in distress, the absence of an efficient and transparent mechanism for managing external assistance, and the lack of effective control by the central authorities in the territories on the left bank of the Dniester.

However, at the start of the crisis, the national authorities' approach was based on the idea that individuals affected by the armed conflict in Ukraine did not need to hold legal status in the Republic of Moldova to be protected or receive humanitarian assistance. The full implementation of the obligations assumed by the Republic of Moldova through the ratification of international treaties in the field of human rights in general, and in the field of persons benefiting from protection in particular, is currently only possible through the combined efforts of the state, the international community, and private entities.

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