

[National Laws](#)

Legislation of Interpol member states on sexual offences against children

Moldova – Moldavie - Moldova

Chisinau

The information on this page is up to date as of spring 2008

I. Ages for legal purposes

Age of simple majority

According to the Family Code of the Republic of Moldova, the age of majority is eighteen (18) years for both males and females.

Age of consent for sexual activity

The age of consent for sexual activity is not directly foreseen in the Moldovan legislation, but varies between fourteen (14) and sixteen (16) years according to the Penal Code.

Age of consent for marriage

The legal age of consent for marriage is eighteen (18) years for men and sixteen (16) years for women.

II. Rape and other forms of child sex abuse

Article 171

(1) Rape, that is the sexual intercourse committed by using physical or psychological violence or profiting from the person's impossibility to oppose resistance or to express his will, is punished with imprisonment for a term of three (3) up to five (5) years.

(2) The rape:

- (a) committed repeatedly;
- (b) committed deliberately against a minor;
- (c) committed by two or more persons;
- (d) committed by introducing drugs or deliberate poisoning of the victim
- (e) conjugated with the contamination of a venereal disease;
- (f) conjugated with the victim's torture
- (g) conjugated with threats of the victim or of her relatives, with death or causing of serious bodily injuries or other harm to the victim's health and corporal integrity

Is punished with imprisonment for a term of five (5) up to fifteen (15) years.

(3) The rape:

- (a) of a person under the tutelage, patronage, protection, education or treatment of the offender;
- (b) of a minor aged up to sixteen (16);
- (c) conjugated with the deliberate contamination with AIDS;
- (d) which caused by imprudence a serious injury to the victim's corporal integrity or health;
- (e) which caused by imprudence the victim's death;
- (f) which caused other serious consequences;

Is punished with imprisonment for a term of ten (10) up to twenty-five (25) years.

Article 172, Violent actions with sexual character

(1) Homosexuality, lesbianism or other actions with sexual character committed

by using physical and psychological violence or profiting of the person's impossibility to oppose resistance or to express his will,

Is punished with imprisonment for a term of three (3) up to seven (7) years.

(2) The same actions:

(...)

(b) committed deliberately against a minor;

(...)

Are punished with imprisonment for a term of five (5) up to fifteen (15) years.

(3) The actions foreseen by the Sections 1 and , which:

Are punished with imprisonment for a term of ten (10) up to twenty-five (25) years.

Article 173, Compulsion to actions with sexual character

Compulsion of a person to sexual intercourse, homosexuality, lesbianism or other actions with sexual character by blackmail or by profiting of the material, duty or other kind of dependence of the victim,

Is punished with a fine in amount of 300 to 500 conditional units (1 C.U. = 20 MDL) or with imprisonment for a term of two (2) up to five (5) years.

Article 174, Sexual intercourse with a person below the age of sixteen (16) years

Deliberate sexual intercourse, homosexuality, lesbianism with a person under the age of sixteen (16) years is punished with imprisonment for a term of maximum five (5) years.

Article 175, Perverse actions

Deliberate perverse actions committed against a person under the age of sixteen (16) years, is punished with imprisonment for a term of three (3) up to seven (7) years.

III. Child prostitution and Child pornography

Article 206, Trafficking with children

(1) Recruitment, transporting, transfer, concealment or receiving of a child, as well as giving and receiving of fees or benefice in order to obtain the agreement of the person who controls a child, with the aim of:

(a) sexual, commercial or non-commercial exploitation, prostitution or for pornography;

(...)

Is punished with imprisonment for a term of ten (10) up to fifteen (15) years.

(2) The same actions conjugated with:

(a) (...)

(b) sexual abuse, sexual commercial and non-commercial exploitation of a child, (...)

Are punished with imprisonment for a term of fifteen (15) up to twenty (20) years.

(3) The actions foreseen by the Sections 1 and 2:

(.....)

(b) committed against two or more children;

Are punished with imprisonment for a term of twenty (20) up to twenty-five (25) years.

Art. 208 (Introduced on 08.11. 2007, Unofficial translation)

Producing, spreading, showing, importing, exporting, offering, commercialization, sharing, using or possessing of pictures/images or imagery, representing one or more

children, involved in explicit sexual activities, genuine or simulated, or images/pictures representing sexual organs of a child, in a immoral and obscene manner, including the electronic form,

Is punished with imprisonment of 1 up to 3 years, fee, for juridical person – from 2.000 to 4.000 conventional units, with deprivation from the right to hold a particular activity.