

MINISTRY OF THE INTERIOR AND ADMINISTRATION REFORM
NATIONAL AGENCY AGAINST TRAFFICKING IN PERSONS

REPORT
ON TRAFFICKING IN PERSONS
IN ROMANIA
2006

Bucharest
2007

ABBREVIATIONS & ACRONYMS

NAATP	National Agency against Trafficking in Persons
NAPCR	National Authority for the Protection of Child's Rights
NAR	National Agency for Roma
DGCSAP	Directorate General for Child's Social Assistance and Protection
DGCOG	Directorate General for Combating Organized Crime
IGBP	General Inspectorate of Border Police
IGRP	General Inspectorate of the Romanian Police
ILO	International Labor Organization
MATRA	Dutch Ministry of Foreign Affairs Program "The Dutch for Social Transformation"
MIRA	Ministry of the Interior and Administration Reform
IOM	International Organization of Migration
UN	United Nations Organization
OSCE	Organization for Security and Co-operation in Europe
SECI	Southeast European Co-operative Initiative
PSSA	Public Service for Social Assistance
UNICEF	United Nations Children's Fund
UNICRI	United Nations Interregional Crime & Justice Research Institute
UNODC	United Nations Office on Drugs & Crime
UNPD	United Nations Program for Development
DIOCTO	Directorate for the Investigation of Organized Crime and Terrorism related Offences
CIPC	Centre for International Police Cooperation
NFP	National Focal Point

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OVERVIEW

Trafficking in persons constitutes a violation of human rights and a crime to the dignity and integrity of the person. For Romania, a country of origin and of transit but increasingly a country of destination, the protection of victims of trafficking and their rights, and the fight against the trafficking in persons as well, have become objectives of primary importance.

Trafficking in persons phenomenon has witnessed and covered several stages brought about by the economic and socio-political changes Romania underwent over the last years.

The May 2006 European Commission Monitoring Report assessed the progress our country had made in the fight against trafficking in persons, particularly in combating trafficking networks. The report stated that Romania “remains a country of transit and to a lesser extent a country of origin and destination” for trafficking. The paper also made some recommendations as to the need to substantially improve human and financial resources within the National Agency against Trafficking in Persons and to set up an IT system for data on repatriated victims to Romania, so that upon their arrival to the country immediate assistance could be provided to them.

The European Commission also drew attention to the still existing vulnerabilities of the co-operation among various institutions and the necessity to develop clearer and better-founded national statistics which could increase/improve the strategic planning of law enforcement agencies in their fight against human trafficking.

US Department of State Trafficking in Persons Report issued in June 2006 confirmed that Romania significantly increased its anti-trafficking law enforcement efforts and took steps to improve government coordination of anti-trafficking activities by creating the National Agency for the Prevention of Trafficking. Though the minimum standards for the elimination of trafficking were not fully met, the various laws adopted to punish offenders of trafficking crimes more harshly, the increase of police resources to investigate and prosecute such offenders and the development of projects to set up state-run shelters for the trafficked victims demonstrated the great concern and active participation of the Romanian government in managing this social phenomenon.

The relatively little progress made by Romania in the field of victim assistance and protection mentioned by the US Department of State Office to Monitor and Combat Trafficking in Persons and the European Commission

Monitoring Report of May 2006 required courses of action with a great impact upon the general public and noticeable results.

As a result, the US Department of State Trafficking in Persons Report issued in June 2007, highlights the progress Romania already achieved in 2006, with special emphasis on the following:

- the rapid development/growth of the National Agency against Trafficking in Persons and with its regional centers becoming operational ;
- the trafficked victims data base, run by National Agency against Trafficking in Persons, became operational by the end of 2006 ;
- the increase of prison sentences for traffickers (more than 40% higher as compared to 2005);
- the relevant rise in the number of assisted victims ;
- the successful implementation of the “Victim – witness co-ordination project”;
- the promotion of various prevention campaigns over the year;

Taking into consideration the global evolution of the trafficking in persons phenomenon, the present report shows information in relation to: the problem of the trafficking in Romania, the legal framework in the field, the main institutions and organizations involved and their counter- trafficking and victim protection and assistance related activities carried out in 2006.

National Agency against Trafficking in Persons drew up this report in close co-operation with other structures within the Ministry of the Interior and Administration Reform, on the basis of information provided by public institutions and organizations involved.

We take this opportunity to convey our sincere thanks to all our partners who supported us in writing this report.

National Agency against Trafficking in Persons

Chapter 1 General Principles of Trafficking in Persons

1.1. Definitions

1. The clandestine nature of the phenomenon makes it difficult to estimate exactly how many victims are trafficked.

The US Department of State Trafficking in Persons Report issued in June 2007 says that an estimated 600,000 to 800,000 people are trafficked across international borders annually. Eighty per cent of the cases are represented by women and girls.

OSCE estimated that in 2002 about 200,000 women were trafficked by trafficking networks in the Balkans.

According to the Europol estimates for 2004, every year over 700,000 persons are trafficked internationally for the purpose of exploitation.

IOM assessed that approximately 2,500,000 people are annually trafficked worldwide for forced labor¹.

2. Therefore, it was necessary to develop international instruments to govern the fight against human trafficking and the protection of the victims of this global calamity. Though trafficking in human beings takes different and ever changing forms, the basic elements still remain and a common definition was agreed.

3. **Trafficking in persons** is defined as:

“The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, or deception, of the abuse of power or of position of vulnerability or of

„Romania is a source and transit country for men and women from Moldova, Ukraine and Russia trafficked to Italy, Spain, Germany, Switzerland, the Czech Republic, Cyprus, Greece and Austria for the purposes of forced labour and commercial sexual exploitation”.

(US Department of State Report, June 2007)

giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of

exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution or of other forms of sexual exploitation, forced labor or services, slavery, or practices similar to slavery, servitude or the removal of organs”².

The recruitment, transportation, transfer, harboring or receiving of a child for

¹ ILO, a global alliance against forced labor, 2005

² internationally agreed and used definition, according to article 3, paragraph a of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention on Transnational Organized Crime, adopted by UN General Assembly, 15 November, 2000

the purpose of exploitation shall constitute “trafficking crimes” even if any of the means set forth above have been used.

4. Under the national legislation trafficking in persons is defined in articles 12 and 13 of Law 678/2001 on preventing and combating trafficking in human beings with subsequent amendments and supplements. The definition is nationally used and corresponds to the definition provided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children³.

5. Starting from this definition a clear distinction can be made between trafficking in persons, smuggling in migrants and prostitution.

The smuggling in migrants⁴ is defined as:

“ the procurement, in order to obtain, directly or indirectly a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national or a permanent resident”. It can be concluded that this is a crime against the state as it implies the facility the smuggler provides to illegally cross people over the border in order to obtain financial or other material benefit. The relationship between the smuggler and the migrant will end when the border is crossed and there is no exploitation involved. Under the Criminal Code, trafficking in persons is a crime against individual freedom committed by traffickers within or over the borders for the purpose of exploitation⁵, while human smuggling constitutes a crime against public order. Prostitution is the act committed by a person for the purpose of earning his or her means of living by having sexual intercourse with different persons. Under the Criminal Code this is an act of gross indecency while human trafficking implies exploitation of the person for various purposes.

Exploitation of the person implies⁶:

- forced labor or other services with the violation of norms related to working conditions, payment, health and security;
- slavery or practices similar to deprivation of liberty or servitude;
- forced prostitution, pornographic performances and materials or other forms of sexual exploitation;
- removal of organs;
- other such activities which represent a gross violation of the fundamental human rights and freedoms;
- forced begging.

³ according to article 3, paragraph c of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

⁴ according to article 3 of the UN Protocol on Smuggling of Migrants on Land, Air and Sea, supplementing the UN Convention against Transnational Organized Crime, 2000 and article 331 of the Criminal Code

⁵ according to article 204, 205 of the Criminal Code

⁶ according to article 2 of Law 678/2001 and article 207 of the Criminal Code

6. The specific elements of human trafficking which differentiate it from the other two phenomena mentioned above rely on their relation to other types of crimes and offences against the person, including sexual freedom. In most cases, the constituent elements of the phenomenon include deprivation of liberty, slavery, forced labor, threats, blackmail, rape, and even death. Trafficking in persons is therefore a violation of human rights and freedoms, freedom of movement, speech and communication, the right of the individual to dignity, security, physical and mental integrity and ultimately a violation of the right to life.

7. Trafficking in persons is a complex, multifaceted phenomenon taking a multitude of forms and punishable by gradual sanctions according to the seriousness of the criminal act. Human trafficking can be linked with other criminal enterprises, including transnational organized crime and international terrorism. Trafficking in persons is caused and maintained by a diversity of other social phenomena such as: poverty, corruption, marginalization and discrimination in all forms. Due to its complexity, the phenomenon of human trafficking can be analyzed from different perspectives: legal, economic, psychological, sociological, human rights.

8. From the **judicial** point of view, human trafficking comprises slavery, forced labor, physical and mental abuse, breach of trust.

The **economic** perspective reveals the existence of illegal financial interests, local, national or regional and international networks, and illicit flow of cash.

From the **psychological** point of view, the traumatic experiences of trafficking can have damaging effects upon the victim's mental state, especially on children, and can cause a variety of Post Traumatic Stress Disorder related symptoms, such as: shock, anger, fear, anxiety, isolation, self denial, suicide attempts, depression, dissociation.

The **sociological** perspectives defines the trafficking in persons as a social process involving many stages, different actors, relationships built among the actors, as well as trafficking related factors (e.g. the correlation between trafficking in persons and international migration within the context of globalization).

The **human rights** aspect of trafficking in people implies the violation of the fundamental status of human existence, that of a person, the status from which all human rights and fundamental freedoms derive. The trafficked victim is deprived of any right and turned into a negotiable and manipulative object; it becomes a *commodity* with a certain value attached. The conditions and purposes of the trade are independent of the victim's will.

9. For a better understanding of this complex phenomenon, an interdisciplinary approach is needed in order to develop policies to efficiently prevent and combat trafficking in persons.

1.2. Legal framework

10. All nations of the third millennium view the person as the most important social asset of modern society. The EU considers human rights protection a prerequisite for accession. It was not by accident that among Romania's accession criteria to EU, set up in Copenhagen, in 1993, the first in importance established that the candidate state should have stable institutions to safeguard democracy, the rule of law and human rights. Therefore, article 1 of the Romanian Constitution guarantees human dignity, human rights and freedoms, free development of personality, justice and political pluralism as inalienable values.

11. Since trafficking in persons constitutes a violation of human rights and a crime to the dignity and integrity of the person as provided by all relevant international

instruments, including the recent paper of the Council of Europe Convention signed in Warsaw, on 16 May, 2005, Romania along side other countries in

„(...) Romania continued its law enforcement efforts during the reporting period. Romania prohibits trafficking for the purposes of both sexual and labor exploitation through Law no. 678/2001, which prescribes penalties of 3 to 13 years' imprisonment.”
(US Department of State Report, June 2007)

the world, particularly the EU Member States, adopted a body of legislative measures aimed at building and further consolidating and increasing the efficiency of the national mechanism in the context of enhanced international co-operation to fight and prevent trafficking in persons.

1.2.1. Main international legal instruments on human rights and trafficking in persons adopted by Romania

UN Convention against transnational organized crime adopted on November 15, 2000, in New York, ratified by Law 565/2002

12. On 14 December 2000, in Palermo, Romania signed the UN Convention against transnational organized crime and its two protocols adopted on November 15 2000, in New York:

- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention on Transnational Organized Crime,

- UN Protocol on Smuggling of Migrants on Land, Air and Sea, supplementing the UN Convention against Transnational Organized Crime.

13. The international community aware of the increasing phenomenon of the human trafficking over the last decades considered that an immediate and efficient worldwide response was needed. Therefore, at the beginning of the 21st century, in Italy, the UN Member States agreed to co-ordinate their efforts in the fight against trafficking in persons and smuggling of migrants.

Council of Europe Convention on Action against Trafficking in Human Beings, signed by Member States of the Council of Europe on May 16 2005, in Warsaw, **ratified by Law 300/2006**.

14. The purposes of this Convention are:

- to prevent and combat trafficking in human beings, while guaranteeing gender equality;

- to protect the human rights of the victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, as well as to ensure effective investigation and prosecution;

- to enhance international cooperation on action against trafficking in human beings.

EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings

(Official Journal of 9.12.2005)

15. The plan aims to strengthen the EU and Member States commitment to prevent and fight against trafficking of persons for the purpose of all forms of exploitation and to protect, assist and re-integrate victims of trafficking. The

“I was 15 when I left Romania. When I was 12 my mother died and my father started drinking and he would beat me and my brother most of the time. A cousin of mine promised to help me get away and live a normal life. He sold me like a slave.”

EU action requires all Member States and the Commission to continuously improve their knowledge on the scale and nature of human trafficking, including its root causes in the countries of origin, as well as the factors which facilitate the development of trafficking and other exploitation

related forms. The EU Plan establishes objectives and specific means for the following fields of action at EU level:

- ✓ Coordination of EU action
- ✓ Scoping the problem
- ✓ Preventing trafficking
- ✓ Reducing demand
- ✓ Investigating and prosecuting
- ✓ Protecting and supporting victims of trafficking
- ✓ Returns and reintegration
- ✓ External relations

1.2.1.2. International legal instruments concerning the rights of the child, trafficking in children and fight against any form of child exploitation

Convention on the Rights of the Children adopted on 20.11.1989 by the UN General Assembly, entry into force 1990, ratified by Romanian Law 18/1990.

16. Article 35 of the **Convention** requires that States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form. These provisions which guarantee the right of the child correlated to the state obligation to protect the child from any form of trafficking are supplemented by:

- article 11 (States Parties shall combat the illicit transfer and non-return of children abroad.);
- article 32 (the right of the child to be protected from economic exploitation);
- article 34 (the right of the child to be protected from all forms of sexual exploitation and sexual abuse);
- article 36 (the right of the child to be protected from any form of exploitation).

17. Reviewing the measures undertaken by the states to fulfill their obligations as provided by article 35, the *UNICEF Guidelines on the Protection of the rights of the trafficked child in Eastern Europe, 2003*, considers that it is vital that the following principles should be taken into consideration :

- measures and actions undertaken shall ensure an interdisciplinary approach of the phenomenon;
- measures taken shall respect the whole range of rights set forth in the Convention, which fully define the best interest of the child;

- the involvement of the child victim of trafficking in the commission of crimes shall not cast a shadow on his or her status as a victim or the right to protection;

- all trafficked children have the right to equal and fair treatment and protection, regardless his or her nationality, gender, language, ethnic or social origin;

- the child has the right to voice his or her opinion with regard to any measure or decision taken in his respect, such as the decisions to be repatriated to his or her country of origin;

- the child victim shall be informed in a language he or she can understand about his/her condition and the incident legal provisions, his/her chances of family reunification, the legal consequences and his rights in the matter;

- any decision concerning the child shall be taken with **celerity**, including protection measures, too.

- any measure taken shall be appropriate to the particularities and specific needs for intervention and re-integration of this group.

International Labor Organization Worst Forms of Child Labor Convention, no. 182/1999, adopted on 17 June 1999 by the General Conference of the International Labor Organization at its eighty-seventh session ratified by Law 203/2000 and the Optional Protocol to the Convention on the rights of the child, sale of the child and child prostitution and pornography

18. The 182/1999 Convention defines the worst forms of child labor as the following:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;

- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

- Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

1.2.2. Main national legal instruments on trafficking in persons

Law 678/2001 on preventing and combating trafficking in human beings, subsequently amended and supplemented

19. A main characteristic of the trafficking phenomenon is the involvement of offenders from different countries as members of transnational organized groups engaged in the trafficking chain. Under the circumstances, a rapid and efficient response of national authorities is not possible but for the joint efforts of other concerned states and regional and international organizations.

20. Romania responded to the warnings of international organizations about the phenomenon by adopting Law 678/2001 on preventing and combating trafficking in human beings, subsequently amended and supplemented.

This law criminalizes all forms of trafficking and sets up the legal framework for specialist agencies to use modern investigative techniques in detecting such crimes. Measures to protect and assist trafficked victims and their families, as well as witnesses, were introduced.

The provisions of the law are further reviewed and detailed in Guidelines for Application of Law 678/2001, approved by Government Decision no. 299/2003.

21. By subsequent amendments and supplements, law 678/2001 has become an efficient instrument of Romanian legislation in the fight against human trafficking, aligned to the legislative changes at European level.

Government Ordinance no. 79/2005 to amend and supplement Law 678/2001 brought major changes in this respect. A trafficked victim, who may have committed an offence as part of the trafficking process, shall not be punished for it unless, before the prosecution for the crime, he informs competent authorities about it. The same shall apply to the victim who facilitates the arrest of the offenders, after the prosecution has begun or the offenders have been identified. The person, who commits an offence under the present law and during the prosecution for the offence gives information and helps authorities identify and bring to justice other offenders of crimes stipulated in this law, shall benefit from mitigation of his sentence by half as imposed by the law.

Government Ordinance no. 79/2005 harmonizes national legislation with the *Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.*

All Member States are required to apply this decision to third country citizens, victims of trafficking, even if they have entered a member state territory illegally. Non-nationals about whom there is reason to believe they are victims

of trafficking, shall be entitled to a minimum of 90 days to recover and escape from the influence of the traffickers and to take a decision regarding their possible co-operation with the authorities and a short-term permit of stay shall be granted. A renewable residence permit may be granted by the Authority for Aliens upon request of the prosecutor or the Court. When the reflection period expires, alien victims of trafficking may be granted, upon personal request a temporary residence permit.

Government Decision no. 299/2003 to approve Standard Rules for Application of Law 678/2001 on 2001 on preventing and combating trafficking in human beings⁷

22. The Standard Rules fall into 5 chapters as follows:

✓ Chapter I, “General Provisions”, identifies the legal framework of the activity to prevent and combat trafficking in human beings as well as the government bodies carrying out this activity.

✓ Chapter II regulates the prevention of trafficking by laying out the responsibilities for each institution with a view to their commitment and effectiveness.

„(...) In December 2006, the government launched a national database to assist victim identification and referral efforts.”

(US Department of State Report, June 2007)

The chapter also includes stipulations relating to the establishing, structure, operation and responsibilities of the Inter-ministerial Working Group to Coordinate and Evaluate the prevention and combat of trafficking in human beings. The Group is a central consulting body to co-ordinate policies and measures in the field of human trafficking developed at national level.

The Inter-ministerial Group consists of representatives of all ministries and central institutions with responsibilities in the field. Representatives of any other concerned government or non-government organizations can attend the Group’s working sessions. The Group’s coordinator is a Ministry of the Interior and Administration Reform official.

✓ Chapter III regulates the **Methodology for the repatriation of Romanian citizens, victims of trafficking**. The Ministry of Foreign Affairs and Romanian embassies, diplomatic missions and consular offices abroad play an essential role. Supported by national competent authorities, they have the obligation to take initial actions to assist victims and ensure their repatriation in an expeditious and safe manner, so that they can be provided appropriate protection, support and counseling.

⁷ Government Decision no. 299/2003 is to be amended/supplemented during 2007

✓ Chapter IV, “Trafficked victims’ protection and assistance”, governs the ways to assist victims upon their arrival in the country, special emphasis being placed on the necessary conditions ensured for victims to fully exercise their rights. There are also stipulated recommendations related to the facilities provided by victim protection and support centers, in respect of accommodation, victim’s rights and obligations within the center, appropriate treatment for women and minors, responsibilities of staff.

✓ Chapter V, Final provisions/dispositions, relating to the responsibility of transport companies involved in human trafficking and the possibility to grant government financial aid to associations and foundations engaged in trafficked victim projects.

Government Decision no. 1584/2005 concerning the establishment, organization and operation of the National Agency against Trafficking in Persons, subsequently amended and supplemented

23. One of the most important legislative measures of the Romanian Government is the creation of the specialized body of the central public administration responsible with the coordination at the national level of the policies in the field of trafficking in persons.

24. Romania ratified in 2002 the UN Convention against transnational organized crime and its 2 protocols, adopted in New York on 15 November 2000, but until 2006 there was no legal comprehensive framework nor the concrete mechanisms to monitor its implementation and the trafficking in persons phenomenon’s evolution, as well as the assistance and protection provided to victims. At the same time, it was not clearly nominated a central institution having a strong mandate for this purpose.

25. A major stage that Romania undertook in the fight to reduce human trafficking was the set up of the National Agency against Trafficking in Persons in response to the widespread of the phenomenon which required rapid and effective actions. At a national level, the Agency co-ordinates, evaluates and monitors the implementation of anti-trafficking and victim protection and assistance policies by public institutions.

Government Decision no. 1654/2006 to approve the National Strategy against trafficking in persons 2006-2010

26. The National Strategy covers all areas of concern: trafficking in human beings in the Romanian, European integration and international context, as well as the evolution, root causes and risk factors of the phenomenon.

27. The National Strategy lays out the institutional framework, collection of information about trafficking and research, prevention and awareness raising of

“When we arrived there they took us all to a hotel room and told us to wait for the owner to come. Later, a man came and said that we had been sold to him and each of us had to pay her debt back to him and for that we had to prostitute ourselves. At first, we all said no but they beat us. Some time after that, they came and took four of the girls. They would force us to go with eight and even twelve customers, as many as they wanted to. We were given alcohol and all kinds of pills. Once, one of us attempted to call home from one of the customers’ cell phone. Then, she was badly beaten”.

the phenomenon, prosecution of traffickers, aims and guidelines and financial resources of the anti-trafficking system.

28. The National Strategy establishes the National Integrated Monitoring System of the phenomenon.

29. The main

strategic objectives of the National Strategy are aimed at improving the following areas of action to diminish the human trafficking:

- inter-institutional co-ordination
- prevention of trafficking
- protection, assistance and social re-integration of trafficked victims
- fight against trafficking in persons
- international co-operation.

Government Decision no. 1720/2006 to approve the National Action Plan 2006 – 2007 for the implementation of the National Strategy against Trafficking in Persons 2006 – 2010

30. In order to implement the National Strategy against Trafficking in Persons 2006 – 2010, the National Action Plan 2006 – 2007 for the implementation of the National Strategy against Trafficking in Persons was approved.

31. The ways of accomplishing and evaluating the strategic objectives stipulated in the National Strategy are detailed in the National Action Plan for its implementation.

32. The National Action Plan elaborates specific objectives and activities, partners, time frames, criteria to evaluate the objectives set forth in the National Strategy.

1.2.2.2. Legal national instruments and special provisions with reference to trafficking in children, rights of the child and fight against any form of child exploitation

Law 272/2004 on the protection and promotion of the rights of the child

33. Law 272/2004 comprises the whole range of principles and provisions set forth in both UN Convention on the rights of the child and many other relevant international conventions and treaties Romania is party to. The law establishes the area of statutory regulations for the whole population of children, both children of Romanian nationality, within the country or abroad, or children of other nationalities present on the Romanian territory as result of some emergency situations or seeking refugee status.

The law stipulates responsibilities for parents, local communities or government and lays the foundation of inter-institutional co-operation to safeguard, under all circumstances, the rights of the child and the prevalence of the child's best interests in all decisions concerning the child.

Article 10 defines the specific mission and role of the National Authority for the Protection of Child's Rights in the context of inter-institutional co-operation.

34. Law 272/2004 is structured in 13 chapters. Chapter VI is dedicated in particular to regulations concerning the protection of the child against abuse, negligent treatment, all forms of exploitation and trafficking, abductions.

The following are specifically stipulated:

- The right of the child to be protected against illicit transfer and non-return to legal guardians, against national and international adoptions for any purposes other than the child's best interests, against sexual violence and exploitation, against any form of exploitation or trafficking;

- The responsibilities of MIRA, NAPCR and Ministry of Education to take the necessary steps in adopting legislative, administrative and educational measures to ensure effective protection of the child against any form of domestic or international trafficking for any purpose or in any form, including his or her natural parents;

▪ The right of the child in a foreign country unaccompanied by any adult responsible for him (whether by law or custom) and for as long as they are not effectively taken into the care of such persons to be returned in an expeditious and safe manner to those having the responsibility for him. Responsibilities of the Romanian diplomatic missions and consular offices abroad, MIRA and NAPCR to pursue full implementation of this right are also provided.

▪ The obligation of parents, legal guardians, public authorities and private organizations to take appropriate measures to facilitate the psychological

readjustment and social reintegration of every child victim of any form of neglect, exploitation or abuse, torture or

„(...) In November 2006, the government implemented a new trafficking specific victim-witness coordination program and assisted 26 victims of trafficking.” (US Department of State Report, June 2007)

punishments, and other cruel, inhumane or degrading treatment, as well as the obligation to ensure the necessary conditions that readjustment and reintegration shall promote the child’s health, self respect and dignity.

35. The stipulations of the law 272/2004 are supplemented by legal provisions and national action plans approved through decisions of the government in the field of prevention and combating trafficking in children, sexual abuse and exploitation of children with commercial purposes and labor exploitation of children as follows:

Government Decision no. 1295/2004 to approve the National Action Plan on preventing and combating trafficking in children

36. The National Action Plan approved by Government Decision no. 1295/2004 aims to reducing trafficking in children and sets up government objectives and measures for 2004 – 2007, in the following fields of action:

- Evaluation, analysis and research
- Prevention
- Combating trafficking in children
- Improvement of the legal framework
- Victim protection, rehabilitation and social reintegration
- Development of institutional capacity of relevant bodies in the field

37. Based on this Decision, the Working Sub-group to co-ordinate and evaluate prevention and combat of trafficking in children was created under the subordination of the Inter-ministerial Group. The Sub-group mission is to ensure implementation of NAP. The National Authority for the Protection of Child's Rights ensures the methodological coordination of the Sub-group.

Order no. 123-429/2004 of the National Authority for Child Protection and Adoption and Ministry of Administration and Interior, (Official Journal, 6 December 2004), to set up the Regulations concerning the Sub-group organization and operation.

38. The Sub-group is an expert group comprising representatives of ministries and other central administration institutions with responsibilities in the field of the protection of the rights of the child and counter-trafficking: the National Authority for the Protection of the Rights of the Child, Ministry of the Interior and Administration Reform, Ministry of Labor Family and Equal Opportunities, Ministry of Education Research and Youth, Ministry of Justice, Ministry of Health, Ministry of Foreign Affairs. The working sessions of the Sub-group are regularly attended by representatives of government and non-government organizations (UNICEF, ILO and IOM). Depending on the meeting agenda, officials of various public authorities and institutions, other than those represented by permanent members, are also invited.

Government Decision no. 1443/2004 with regard to the methodology for repatriation of unaccompanied Romanian children outside the country and measures to ensure their special protection

39. The Decision sets up the conditions and terms for inter-institutional co-operation in order to facilitate immediate protection in the host country for unaccompanied Romanian children potential victims of neglect, abuse, exploitation or trafficking to be safely returned, as well as the necessary measures for their protection, rehabilitation and social reintegration.

Government Decision no. 1504/2004 on the approval of the National Action Plan to prevent and combat sexual abuse and commercial sexual exploitation of children

40. The Decision was established on the basis of the international conventions in the field Romania is party to, as well as the obligations taken by signing the Stockholm Agenda for Action, 1996 and Yokohama Global Commitment, 2001, to eliminate sexual exploitation of children.

Government Decision no. 1769/2004 on the approval of the National Plan of Action to eliminate labor exploitation of children

41. The Decision is based on the ILO Convention 182/1999, ratified by Law 203/2000.

1.2.2.3. Other legal national instruments in respect of trafficking in persons

Law 211/2004 concerning measures to ensure protection to victims of crime

“We were held there like animals, without any exaggeration at all. We didn’t have any possibility to wash ourselves. We didn’t have enough water to drink, not to mention the food. They would feed us once a day, once only and the food was terrible”.

42. Law 211/2004 is a major legal instrument in the field of trafficking. The four categories of measures to address the victim’s

needs (victims of crimes under Law 678/2001 are also included) are:

- Notification of victims of crime about their rights
- Psychological counseling
- Free legal assistance
- Subsidiary state compensations for victims of specific crimes

43. The law clearly refers to psychological counseling for victims of crimes stipulated by Law 211/2004. The institutional mechanism to provide psychological counseling for victims is represented by probation and victim protection services attached to the courts of justice. These services provide free psychological counseling for a maximum period of 3 months and 6 months in cases involving victims under the age of 18. Services for psychological counseling or other forms of assistance can also be established by NGOs independently or in partnership with public administration authorities. To this end NGOs can benefit, under legal provisions, from government financial aid.

44. Free legal assistance is granted primarily to direct crime victims but also to indirect victims of serious crimes (husband, children, dependants of direct victims deceased as a result of the crime). Such measures complete the common law provisions stipulating that, on a regular basis, in cases of legal representation where a person has no defender or financial means to pay for legal counseling the court will appoint a public defender.

45. The most important victim protection mechanism provided by the law is related to subsidiary state compensation. The law establishes several categories of terms/ conditions for direct or indirect victims of given crimes to be granted financial compensations.

Law 302/2004 on international judicial co-operation in criminal matters

46. The law lays out various procedures of international judicial co-operation in criminal matters, such as:

- Extradition
- Handing over based on European arrest warrant
- Transfer of proceedings in criminal matters
- Recognition and execution of judgments
- Transfer of sentenced persons
- Rogatory commissions
- Appearance of witnesses, experts and wanted persons
- Service of procedure documents
- Criminal record

Law 508/2004 concerning the organization and operation of the Directorate for the Investigation of Organized Crime and Terrorism related Offences within the Prosecutor's Office of the High Court of Cassation and Justice

47. The law lays out the structure, responsibilities and competencies of the Directorate (DIOCTO).

Law 39/2003 on prevention and combat of organized crime

48. This law stipulates specific measures to prevent and combat organized crime at national and international level. Trafficking in human beings and its related offences are mentioned in section 12.

Law 682/2002 on witness protection

49. The law establishes measures for the protection of witnesses' personal data, including home address. According to this law a witness can be heard by using another identity or by means of appropriate technical equipment that do not require him/her to be present in the courtroom. Other measures also include home surveillance or relocation.

Law 116/2002 to prevent and combat social marginalization

50. The law guarantees, particularly to young people, access to basic and fundamental rights, such as: the right to work and housing, medical assistance, education, and establishes measures to prevent and combat social marginalization.

Under the present law, social marginalization is defined as the outlying social standing and isolation of individuals or groups with limited access to economic, political, educational and communicative resources of the community. Marginalization is characterized by the absence of minimum social conditions.

Law 47/2006 on the National Social Welfare System

51. The law regulates the organization, operation and financing of the National Social Welfare System in Romania. The National Social Welfare System represents the whole of institutions and measures by which, through central and local public administration authorities, local community and civil society, the State intervenes in the prevention, restriction or elimination of permanent or short-term effects of situations that can cause the marginalization or exclusion of the individual, family, groups or communities.

Social welfare is a component of the national social protection system comprising the social work and support services to be granted with a view to develop the individual or collective capacity to provide social needs, improvement of the quality of life and promotion of social cohesion and inclusion principles.

Law 416/2001 on the minimum guaranteed income

52. In accordance with this law, families and single persons of Romanian nationality are entitled to a minimum guaranteed income as social welfare. The minimum guaranteed income is provided, under this law, by a monthly allowance. The establishment of the minimum guaranteed income is based on the principle of social solidarity.

1.3. Stages of the trafficking process

53. Even though each trafficking in persons case has its individual characteristics most follow the same pattern: people are abducted or recruited in the country of origin, transferred through transit regions and then exploited in the destination country⁸. Intervention in any of the above mentioned stages may interrupt the cycle, thus eliminating the risk of trafficking or re-trafficking.

The three major stages of the trafficking process are:
RECRUITMENT – threatening/coercion, kidnapping of victims
TRANSPORTATION – by air, sea or land
EXPLOITATION- sexual exploitation, forced labor, begging.

1.3.1. Recruitment of victims

54. The main methods to attire potential victims into trafficking are:

- Deception by promises of legal work in a foreign country or illegal entry
- Emotional manipulation – recently used by traffickers posing as lover boys and luring their victims with gifts, money or trips who will eventually fall victims into their traps
- Threats and coercion
- Kidnapping and confinement

55. Traffickers initiate contact with their victims:

- Directly – in discotheques, clubs, casinos
- Through relatives, close friends or acquaintances of the victim
- Indirectly – advertisements in newspapers or on the Internet placed by the traffickers

56. Potential victims are frequently lured with promises that will never be fulfilled or by use of blackmail. Traffickers' offers are mostly related to:

- False job offers in foreign countries in restaurants, hotels, households, as au pairs, secretaries, dancers, etc. Even though job offers do not require qualified skills, financial gains are emphasized.
- Invitations for private visits
- Marriage, etc.

⁸ Trafficking in Persons: Global Patterns, 2006, UNODC

57. Persons known to have been engaged in prostitution are recruited by:

- Purchase from other pimps
- Prospects of opportunities for higher profits
- Prospects of jobs in private clubs, massage parlors, etc

1.3.2. Transportation

58. Transportation implies the movement of victim by traffickers from the source country to the destination for exploitation. During this stage the victims are not aware of their situations because, generally, traffickers do not behave in an abusive manner. The process of movement can be done either within national borders of the country of origin or from the country of origin to another country of destination. Border crossing conducted by traffickers can be:

- **Legal** –victims have valid documents and all border crossing requirements are met. As a rule, transportation is arranged through travel or “rent a car” agencies.
- **Illegal** – victims do not have valid documents and border crossing requirements are not met. Traffickers will use false documents or ask guides’ assistance to illegally cross the border.

59. According to the transportation aspect of the trafficking process, countries are classified as:

- Countries of origin – the source country where victims are recruited

“... A policeman told me that if I came downtown he would help me. He introduced me to Mr. M.R and Mrs. G.C, so that I could fix my problems, clear my mind and talk about my worries. So far, he also arranged for my documents. At the police station, they told me to think it over and yet, it’s all right. Before getting here, I used to tell my mother that I didn’t want to come because they would lock me up in here and I wouldn’t be able to talk on the phone or send a letter, you know, stuff like this. But M.R explained to me that I was free to go if I didn’t like it there.” (R.T., a 20 year old victim, currently on residential assistance program)

- Countries of transit – refers to the countries that make up the transnational route by which a victim is transported from their country of origin to a destination country determined by the traffickers.
- Countries of destination- countries for exploitation⁹.

60. Countries of destination for Romanian victims are Albania, Belgium Bosnia Herzegovina, Germany, Greece, Italy, Holland, Turkey, Great Britain, Austria, Bulgaria, Cyprus, France, Hungary, Israel, Poland, Slovenia, Spain and

⁹ Trafficking in Persons: Global Patterns, 2006, UNODC

Macedonia¹⁰. According to the data provided by IGPR, most of the victims identified in 2006 were trafficked to Spain, Italy, Germany, France, Greece, Austria, Portugal and Turkey.

61. Romania is a country of transit and destination for victims coming from Ukraine and Moldova. Romania is reportedly a transit country for trafficked victims from Moldova, the Russian Federation and Ukraine to Western Europe, particularly to Italy and Greece, as well as to Albania, Bosnia Herzegovina, Macedonia and Turkey¹¹.

1.3.3. Exploitation

62. In this stage victims become aware of their difficult condition: documents are taken away, they are locked up, threatened, controlled and dominated and subjected to various forms of violence by the traffickers.

63. During the exploitation period traffickers control their victims through various means and their rights are violated.

The main actions connected to this stage are:

- Restriction of movement by false imprisonment
- Lack of the possibilities to communicate with others by confiscation of identity documents and denial of access to means of communication
- Physical and psychological damage inflicted on victim due to improper housing, denial of medical care, sweatshop work, exhaustion, physical and mental abuse, acts of violence.
- Reprisals against the victim's family when attempting to escape or threaten to disclose information about the traffickers.
- Debt bondage.

64. The main psychological effects of exploitation upon victims are: shame, humiliation, shock, denial, disorientation, and anxiety phobias, panic attacks, and depression, loss of control, feelings of helplessness, fear of the future, and fear of reliving what happened¹².

¹⁰ US Department of State Trafficking in Persons Report, June 2006

¹¹ Trafficking in Persons: Global Patterns, 2006, UNODC

¹² A general review of the psychological support and services provided to victims of trafficking, 2003, IOM

1.3.4 Other trafficking in persons related aspects

„ (...) Romania continued its efforts to improve victim protection. NAATP is, inter alia, responsible for implementing victim-witness coordination project and for identifying and referring victims to NGOs and government shelters. (...)”

US Department of State – Trafficking in Persons Report 2007

65. In the process of exploitation the victim can be sold and resold. The transfer occurs in the destination or transit countries without the victim's knowledge and thus becomes owned possession.

Trafficked victims enter the “debt bondage” chain as buyers allege they have to recover their money out of their “performance”. In most cases when a victim manages to pay his/her debt, there is a re-sale to another “patron” who wishes to get his investment back.

66. In some cases, under favorable circumstances, usually with the help of customers, police operations or taking advantage of traffickers' distraction victims manage to escape. When trafficking occurs in a country other than the victim's country of origin, international NGOs or embassies and consulates will assist the victim's repatriation with the necessary formalities.

67. Identification represents a key element in the provision of assistance to victims of trafficking (UNODC, 2005), but according to international statistics very few victims are identified. The identified victim is the person who, by formal or informal ways, has been identified as part of the trafficking process, whether he/she consents or not to help authorities track down the traffickers¹³.

68. Identification can be achieved through police operations, extradition or repatriation and self.

Identification can be:

- Formal – notification to the police is made by the victim or by his/her family
 - police operations (bar raids, routine controls)
 - multi -agency international co-operation.

¹³ First annual report on victims of trafficking in South Eastern Europe, 2003, IOM

Very often the victim fears retaliation from traffickers and is reluctant to communicate with the police.

- Informal - by interview, when rights violations are reported.

69. After identification, the victim can benefit from the protection and assistance of relevant national or international organizations. Lack of social support and stigmatization can cause re-trafficking.

1.4. Contributing factors to the phenomenon

70. There are many factors contributing to the increase in trafficking. They are grouped into several levels, such as:

Macro-social level

- Poverty
- Social disorder
- Unemployment
- Increase of international migration for labor
- Poorly developed system to track down and control trafficking in persons
- Ineffective social policy :
 - low financial support for social exclusion and counter-trafficking projects
 - lack of community social welfare services for protection
 - lack of opportunities for young people leaving the social welfare system
 - lack of relevant educational programs

Community level

- poverty
- geographical positioning of a community close to the borders
- previous examples within the community of successful stories about jobs in a foreign country
- lack of employment opportunities
- the belief that “ this can’t really happen to me”

Family level

- dysfunctional families
- adverse and conflicting relationships
- deviant conduct : alcohol abuse, domestic violence
- lack of information
- lack of access to available social work services and programs

Individual level

- low human resources
- age – according to assisted victims related figures recorded at NAATP level for 2006, most trafficked victims are aged 18 to 25;
- gender – as indicated by figures relating to identified and assisted victims reported by NAATP and IGRP reporting on identified victims for 2006, female victims of trafficking are prevailing;
- discrepancy between the level of individual expectations and resources to be attained through legitimate means
- lack of information

“G.R. started his car and we drove to his place, telling me that my neighbor would come and get me. It was there that I found out that I had been bought by my neighbor. They kept me on there against my will and the man sexually abused me. At about five o’clock one morning, I ran away from the place where they kept me locked in and I asked an acquaintance of mine to help me go to the police and make a complaint. After I had lodged the complaint, they advised me to go and live at another address in case G.R came looking for me. I went to my acquaintance’s place and, after about an hour, G.R with his brother and my neighbor came and broke into the house. They took me and forced me into their car. They drove me to the same place from where I had escaped and threatened to destroy me if I ever tried to run away again”.

Chapter 2

Trafficking in Persons in Romania

71. The trafficking in persons phenomenon has been visibly expanding since 1990. The geographical position of Romania in Southeastern Europe close to the main trafficking routes between Asia and Western Europe and the transition to democracy which gave people freedom of movement are the contributing factors for the phenomenon to emerge and develop. The decrease of quality in life, in terms of poverty and lack of opportunities, is a negative outcome of the long lasting transition which forced people to accept false promises of a better life and, thus, falling victims to traffickers. As in many other countries in the region victims are recruited and transferred to another country for the purposes of exploitation. Romania is reported to be predominantly a country of origin and transit¹⁴.

72. Trafficking in persons is a global phenomenon, which, regardless of gender and sex, has harming consequences on individuals and offers no structured profile. Due to its clandestine nature and the difficulties encountered in identifying the victims along with their reluctance to notify the authorities, statistics do not show the real dimension of the phenomenon.

73. The Inspectorate General of the Romanian Police (IGRP) and the Inspectorate General of Border Police (IGBP), and their specialist structures are the main recognized source institutions in Romania to report and produce data and official statistics regarding trafficking in persons issues.

The Directorate General for Combating Organized Crime within IGRP and, respectively IGBP, produced the centralized statistics for 2006.

The sources indicate that by the end of 2006 the number of victims identified by authorities is the following:

¹⁴ US Department of State Trafficking in Persons Report, June 2007

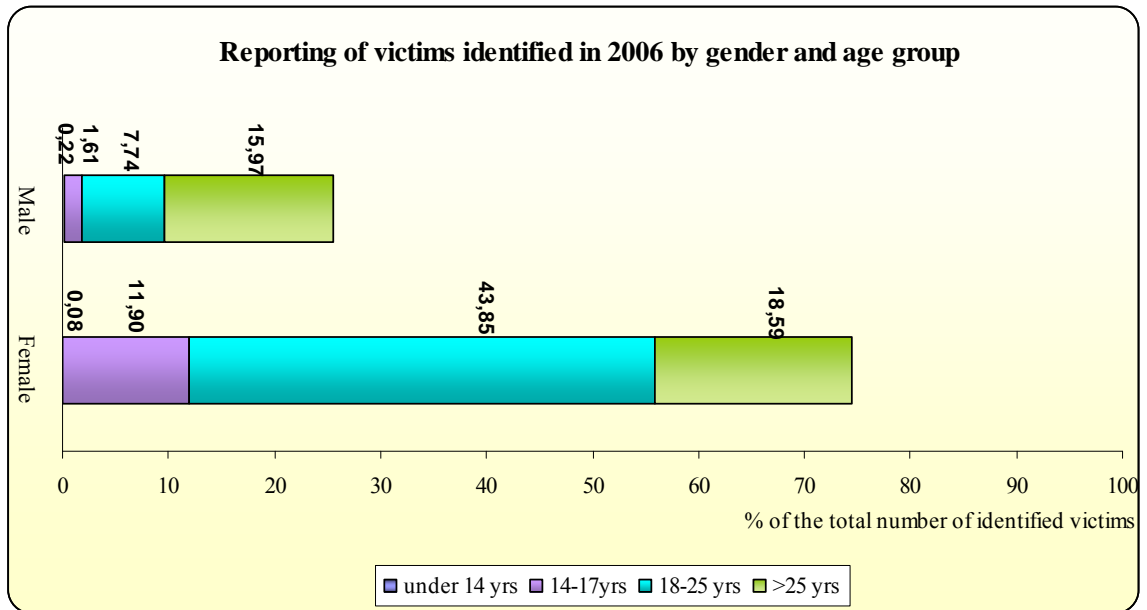


Fig. 1 Reporting of victims identified in 2006 by the specialized units of police (sources: DGCOC and IGBP, 2007)

74. Reported profile of victims by gender and sex indicates that women aged 18 to 25 accounts for 43.85% of the total number of victims identified at national level in 2006 by specialized police structures. This category is followed by women over 25 years of age, males aged over 25 and girls of 14-17 age group. (see Annex 1).

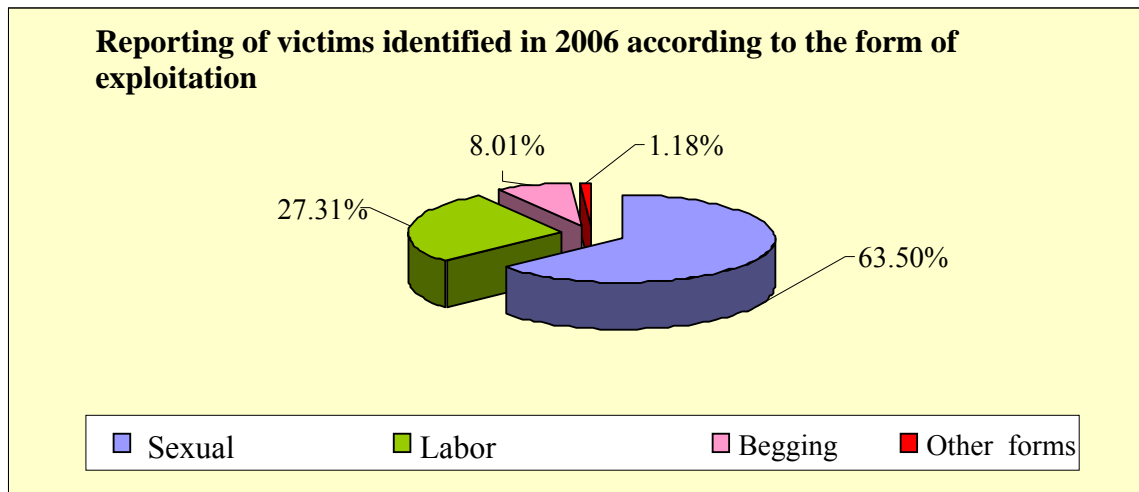


Fig. 2 Reporting of victims identified in 2006, according to the form of exploitation (sources: DGCOC and IGBP, 2007)

75. The 2006 reporting of victims identified in terms of the form of exploitation show that 63.5% of the victims were trafficked for sexual exploitation, 27.3% for labor, 8.01% for begging and 1.18% for other purposes.

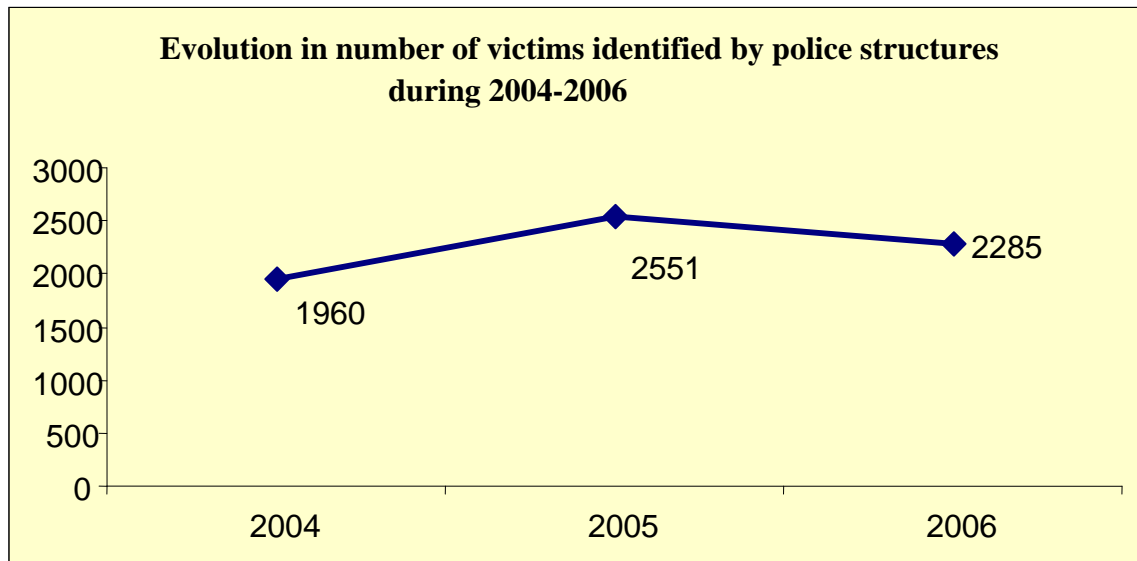


Fig. 3 Evolution in number of victims identified by the police units during 2004-2006 (sources: DGCOG and IGBP, 2007)

76. The evolution of the number of victims identified by the police in the year 2004-2006 indicates that the rate in 2006 recorded a fall as compared to 2005.

77. According to IGRP figures, out of a total of 1777 identified victims in 2006, 19.92% came from the north eastern regions of the country, 17.61% from the north western regions, 15.8% from the south, 14.58 from south-east, 9.9% from the central parts of the country, 8,6% from south western Oltenia, 7.6% from Bucharest and 5.85% from Banat region.

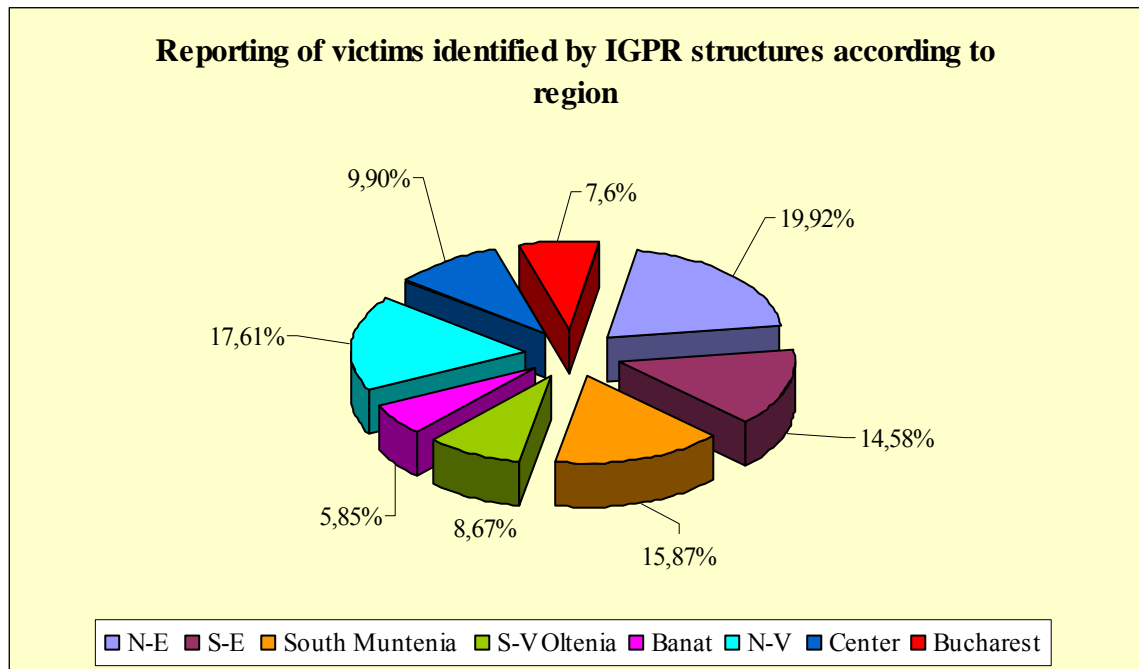


Fig. 4 Reporting of victims identified by the IGBP in 2006, according to the region of origin (source: DGCOC, 2007)

The figures confirm that the victims were exploited mainly in European Union countries, as follows: 567 in Spain, 466 in Italy, 281 in Romania, 95 in Germany, 64 in France, 42 in Greece, 36 in Portugal.

78. As compared to 2005, the figures in 2006 recorded a 21.02% fall in the number of victims identified by IGRP and an increase by 6.31%, respectively 12.59% in the north eastern and north western parts of the country. At a national level, the number of victims identified in 2006 decreased as follows: by 19.38% in Banat, by 28.25% in S-E, by 29.68% in Southern Muntenia, by 33.83% in the Central region, by 37.9% in S-V Oltenia and by 42.31% in Bucharest.

79. According to data provided by IGRP, in 2006 the main destination countries for victims of trafficking to be exploited are the EU Member States.

The figures confirm that out of 1777 identified victims 567 were exploited in Spain, 466 in Italy, 281 in Romania, 95 in Germany, 64 in France, 42 in Greece, 36 in Portugal.

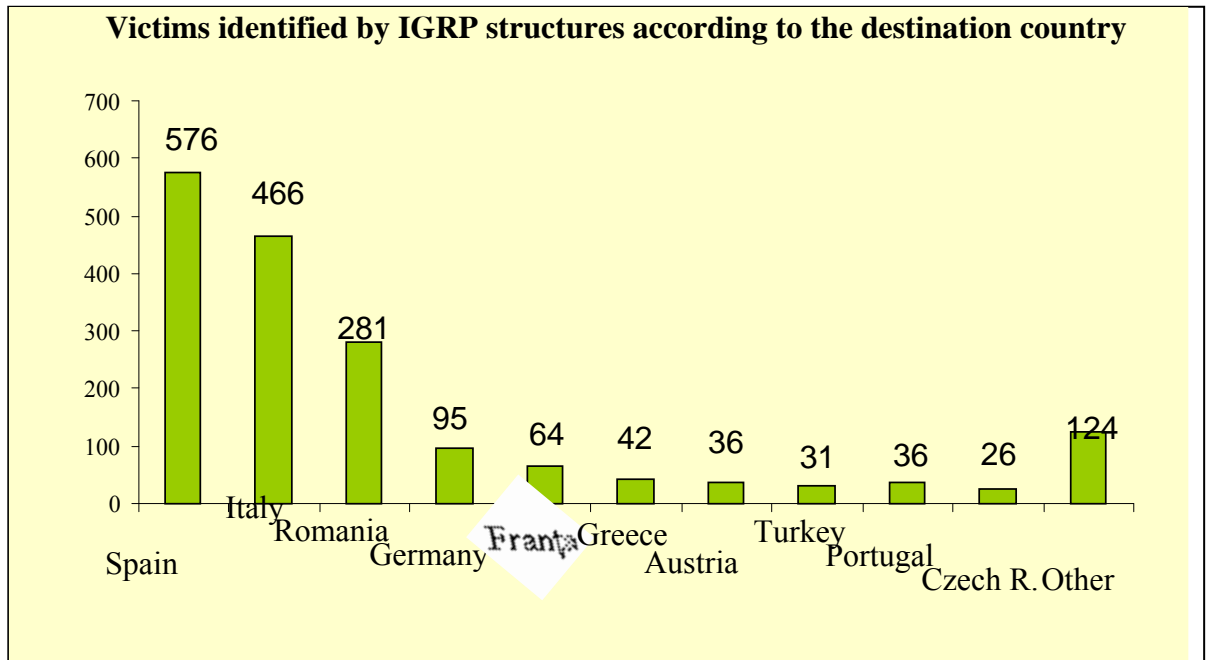


Fig. 5 Victims identified by IGRP structures in 2006 according to the destination country (source: DGCO, 2007)

80. Information provided by IGBP show that the number of victims identified by its structures increased from 115 in 2003 to 508 in 2006. The figure below is an example.

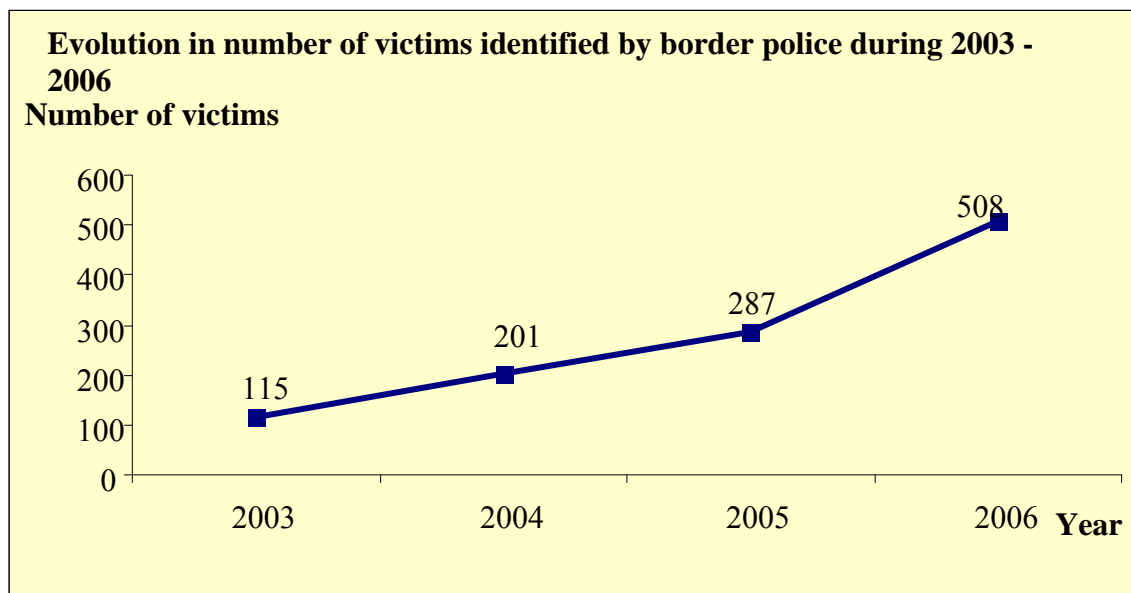


Fig. 6 Evolution in number of victims identified by the IGBP during 2003-2006
(source: IGBP, 2007)

81. Compared to 2005, in 2006, the main modification in the identified victims extent is the increase in the number of the victims exploited for labor and begging.

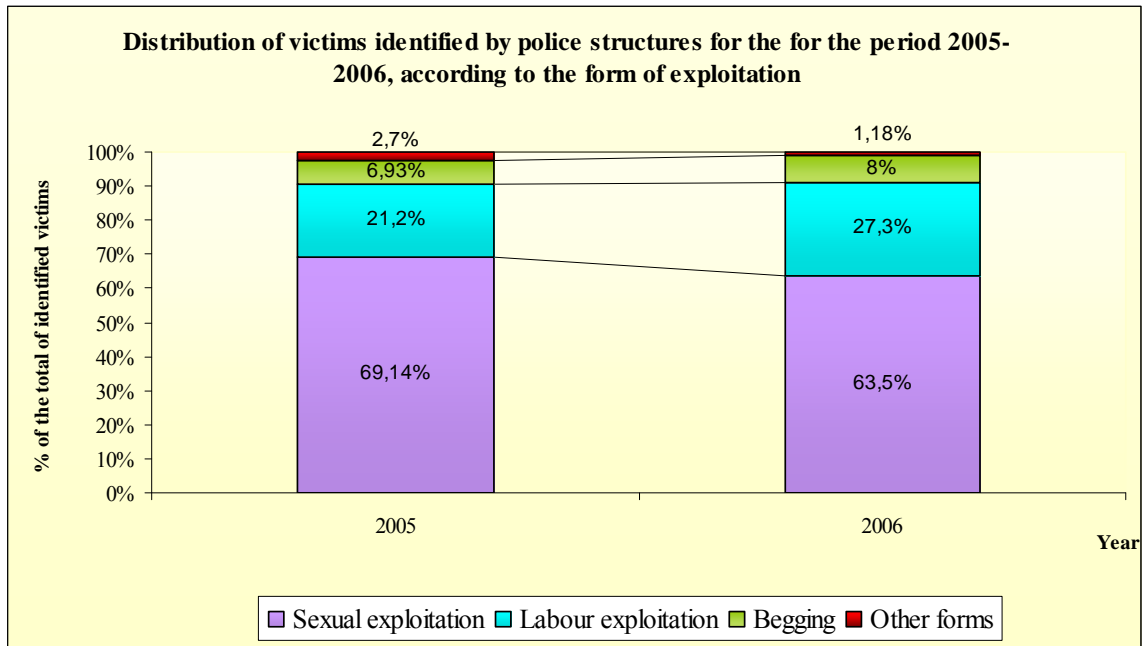


Fig. 7 Distribution of victims identified by the police structures according to the form of exploitation (DGCOC and IGBP)

82. The comparison of official data collected by IGRP for the year 2005 -2006 regarding identified victims shows some common aspects, as to the following:

- a fall in the number of identified victims aged 10 to 13, both for girls (from 0.15% of the total number to 0.08%) and boys (from 0.74% to 0.21%);
- the percentage of identified female victims aged 14 to 17 recorded a fall from 13.21% of the total number of victims identified in 2005 to 11.9% in 2006, while the rate for males rose from 1.21% to 1.61%;
- the rate of males aged 18 to 25 rose from 6.48% to 7.74% of the total of identified victims, while for males aged over 25, there has been recorded an increase from 13.4% to 15.97%. In most cases, these victims are exploited for forced labor;
 - the percentage of women aged 18 to 25 declined from 48.88% in 2005 to 43.85% in 2006;
 - as a result of the increase in the number of victims trafficked for labor, the percentage of women aged over 25 rose from 15,91% to 18,59%.

Chapter 3 **Institutional Framework for Combating Trafficking in Persons**

3.1 Government Bodies

83. The national legislation in the field provides clear and specific duties and responsibilities for institutions engaged in the fight against trafficking in persons. Government Decision no. 299/2003 establishes the main relevant institutions, their responsibilities and competences¹⁵.

84. **Ministry of Interior and Administration Reform**¹⁶ comprises the following structures that deal with issues regarding trafficking in persons:

- **Inspectorate General of the Romanian Police** and its specialist departments are assigned to conduct investigations into trafficking in persons related criminal offences, interview trafficked victims and, upon request, ensure protection measures for witness victims in trials¹⁷.
 - **Directorate General for Countering Organized Crime**
 - **Criminal Investigations Department**
 - **Directorate of Public Order Police**
 - **Directorate of Transport Police**
 - **Criminal Research and Prevention Institute**
 - **National Office for Witness Protection**
 - **Independent Service for Interventions and Special Actions**
- **Inspectorate General of Border Police** and its specialist units perform duties to track down persons engaged in criminal activities associated to human trafficking and to identify and refer victims of trafficking to specialist agencies.
 - **Trafficking in Persons Service** within **Illegal Migration Directorate**
 - **Territorial specialist units**
- **Center for International Police Co-operation.** The organizational structure of the center includes the **National Focal Point** and its **Operations Unit**, **EUROPOL National Unit**, **SIRENE Service** and the **National Office of INTERPOL**. Each component maintains its specific personality as provided by the law in force and complies with the obligations

¹⁵ According to G.D. 299/2003 approving the Regulation for application of the provisions of Law 678/2001 on prevention and combating trafficking in persons

¹⁶ According to G.D. 19/2007 following the merger, separation or other reorganization forms, the denomination of the Ministry of Administration and Interior was modified

¹⁷ www.politiaromana.ro

Romania assumed in respect of mutual legal assistance in criminal matters and international police data exchange¹⁸ related to trafficking crimes.

- **Inspectorate General of the Romanian Gendarmerie** with responsibilities to preserve public peace and order and protect people's fundamental rights and freedoms. In the field of human trafficking IGJR provides protection to victims and supports ANITP in conducting anti-trafficking activities

“Mistrust could be another reason for which victims do not ask for assistance, and since this is unheard of, it can't go publicly even if we are dealing with a successful case. On the other hand, I suppose that victims are not informed about assistance services. I think that down there, at the police station, the officer is doing his job but his main concern is to catch the trafficker. It's not his problem, though he might tell the victim that she is legally entitled to protection and assistance... The victims do not understand because nobody gives them clear explanations about the services they could benefit from... There's a big misunderstanding”. (Galati government centre official)

- **Aliens Authority** provides accommodation in special centers for non-national victims of trafficking who are not necessarily taken into public custody. The victims are informed in a language they understand about the judicial and administrative procedures applicable in their cases and, according to the law, are entitled to mental and psychological counseling, medical care and social assistance¹⁹.

- **National Office for Refugees** provides shelter for non-national victims of trafficking seeking any form of protection in Romania. (2 shelters in Bucharest and 1 centre in each of the following counties: Maramures, Timis and Galati).

85. **Ministry of Foreign Affairs.** The Romanian diplomatic missions and consular offices provide, upon request, assistance to national victims of trafficking in the countries where these missions and offices operate. The Ministry aims to adopting the necessary measures concerning the status of aliens in Romania in order to restrict entry to aliens about whom there are reasons to believe they might be involved in human trafficking.

¹⁸ See M.I.R.A web site http://www.mai.gov.ro/index08_4.htm

¹⁹ According to Government Emergency Ordinance no. 79/2005

86. **The Public Ministry.** The Directorate for the Investigation of Organized Crime and Terrorism related Offences, component part of the ministry, and its territorial structures conduct investigation and prosecution of trafficking crimes and notify courts in relation to these crimes.

87. **Ministry of Justice** is the central authority for international judicial co-operation in the field of trafficking in persons. According to provisions of Law 211/2005, article 8, paragraph 1, The Probation Services of Courts of Justice can provide, upon request, psychological counseling to victims of crimes committed on the Romanian territory as stipulated by Law 678/2001.

88. **Ministry of Labor, Family and Equal Opportunities**²⁰ contributes to the development of special short-term training programs for persons in victim assistance support centers and provides co-ordination of trafficked victims support centers. In addition, victims and persons entitled to public benefits as well as other persons at great risk of falling victims to trafficking are included as a “target group” in the National Plan for Employment and the National Plan for Annual Training.

89. The structures within the ministry with responsibilities to prevent and combat human trafficking are:

- **National Authority for the Protection of Child’s Rights** – provides co-ordination of special social protection and assistance activities consistent with the principle of the best interests of the child aimed at developing and implementing the plan for social rehabilitation/reintegration of children subjected to abuse, negligent treatment, labor and commercial sexual exploitation;
- **National Agency for Employment** develops information programs concerning the labor market and employees’ rights as well as vocational

“I met him in X bar where I worked as a bartender. He suggested I should go to Spain with him where he would find me a similar job in a bar where his wife was working, too. He said that a legal employment contract would be settled for 1000 euros”.

and
professional
skills
training
programs
for
particularly

vulnerable victims of trafficking;

²⁰ According to G.D. 19/2007 following the merger, separation or other reorganization forms, the denomination of the Ministry of Labor, Social Solidarity and Family was modified

- **National Agency for Gender Equality** supports measures to prevent and combat trafficking of women;
- **National Agency for Disabled Persons** provides social services with a view to maintain, rehabilitate and improve individual capacities to overcome social needs;
- **Department for Foreign Employment**²¹ through the **Directorate for the Protection of Romanian Nationals Working Abroad** promotes co-operation between competent authorities to ensure measures to safeguard human rights and liberties for Romanian nationals working abroad and protect them against abuse in any form.

90. **Ministry of Education, Research and Youth**²² carries out educational programs for parents and children, particularly for groups at high risk of falling victims to trafficking and provides extracurricular activities and educational opportunities for pupils and youngsters coming from dysfunctional families with tendencies to abandon school and homes.

91. **Ministry of Public Health** conducts educational and information campaigns regarding the healthy way of life and the prevention of sexually transmitted diseases within vulnerable communities by developing programs to target groups at risk.

92. Medical assistance and community mediators' networks have been set up in order to improve access to medical care for unprivileged segments of population especially within Roma communities where the risk of trafficking is high.

93. **Public Services for Social Assistance** ensure the implementation of policies and strategies of social assistance for persons in need or distress and provide information and counseling to trafficked victims, as well as other facilities imposed by the law, for instance priority to social dwellings²³.

94. **Directorates General for Social Assistance and Protection of Child Rights.** Their role is to ensure implementation of social assistance policies at county and national levels for needy people and trafficked victims irrespective of age²⁴.

²¹ Office for Labor Force Migration was dissolved following the reorganization of Government in April 2007, its attributions were taken over by other institutions

²² According to G.D. 19/2007 following the merger, separation or other reorganization forms, the denomination of the Ministry of Education and Research was modified

²³ According to art. 1 paragraph 2 of G.D. 90/2003 approving the Framework Regulation for organization and functioning of the Public Service for Social Assistance

²⁴ According to art. 101 of Law 215/2001 of local public administration

95. **The Inter-ministerial Work Group to Coordinate and Evaluate Counter-trafficking Activities**²⁵ set up by Government Decision no. 299/2003 has the following tasks:

- to evaluate the results of legislative actions or other types of measures designed to prevent and combat human trafficking;

- to analyze information and data in the field and based on this to

make proposals to revise present legislation or to enact new laws;

- to develop cooperative programs with other concerned institutions and representatives of non-governmental organizations ;

- to assist local anti-trafficking programs;

- to monitor fulfillment of tasks as laid down in the National Plan of Action.

96. **The National Agency against Trafficking in Persons** was created at the end of 2005 by Government Decision no.1584 of 8 December 2005, amended and supplemented by Government Decision no. 1083 of 25 August 2006 as component part of the Ministry of Interior and Administration Reform.

The Agency's responsibilities are:

- to co-ordinate, evaluate and monitor at national level the implementation of anti-trafficking and victim protection and assistance policies by public institutions²⁶;

- to collect, store, process and analyze data and information within the framework of its competence , as the authority responsible for supplying official data related to trafficking and facilitating the exchange of information between competent authorities nationally and internationally;

"I wasn't told anything. I had no idea about anything like this. The police here do not care too much.one day I found myself with the police from Timisoara at my door saying I was injured party in a trial. They had my pictures in the file, pictures of other girls, too, who had been in Italy. When I came back from Italy I didn't say anything and, after so many years, here come the police! "

(A.S., 30 year old victim, no assistance services requested until the date of the interview)

²⁵ According to G.D. 299/2003, the Inter-ministerial Working Group is composed of representatives of the Ministry of Administration and Interior, Public Ministry, Ministry of Justice, Ministry of Labor, Social Solidarity and Family, Ministry of Foreign Affairs, Ministry of Education and Research, Ministry of Health, Ministry of Culture and Cults, non-governmental organizations and international organizations

²⁶ According to G.D. 1584/2005, amended and supplemented through G.D. 1083/2006

97. According to legal provisions, the Agency shall develop the National Strategy against Trafficking in Persons and co-ordinate and monitor cooperative activities pursued by public institutions and non-governmental organizations in accordance with the objectives laid down in action plans to implement the National Strategy.

98. The Agency became operational in May 2006 and by the end of the year eight regional centers were set up in Bucharest, Cluj-Napoca, Constanta, Craiova, Galati, Iasi, Pitesti and Timisoara.

99. The Regional Centers monitor the local implementation of provisions pursuant to National Plan against Trafficking in Persons and initiate communication between local and regional structures engaged in the fight against human trafficking. The representatives of the Centers receive and refer victims of trafficking to public or private specialized structures and organizations for assistance and notify competent authorities in order to resolve matters that victims are facing in the process of assistance or reintegration. Victims are also informed as to the rights granted to them by virtue of the law. One of these rights confirms the victim's possibility to assist as witness or injured party in criminal actions against traffickers.

The Centre staff has the obligation to monitor victims' social reintegration for a minimum six months period.

3.2. Non-Governmental Organizations*

100. The main non-governmental actors in Romania engaged in activities regarding the prevention of trafficking and in particular the protection of victims are:

- **Association to Develop Alternative Practices for Reintegration and Education (ADPARE)** is involved in victim assistance activities for reintegration and immediate support in emergency situations²⁷

- **The Ecumenical Association of Romanian Churches (AidRom)** was established in 1991 for the purpose of unitary co-ordination of clerical actions focusing on spiritual development of the individual, mutual assistance, humanitarian aid and charity²⁸.

- **Social Alternatives** develops programs in order to facilitate inter-institutional co-operation. **The Coalition against Trafficking in Persons** was

* The list was drawn-up based on the Report Assessment of the policies on trafficking in human beings in Romania, 2005, UNICEF and the information on www.antitrafic.ro

²⁷ <http://www.adpare.ro>; <http://www.antitrafic.ro>

²⁸ www.aidrom.ro

initiated by the Social Alternatives Group in 2004. It is a regional coalition comprising NGOs from eight regions of the country²⁹.

- **Artemis, Women against Violence**, carries out mostly activities to prevent and assist victims of domestic violence³⁰.

- **Betania Association**, through its Trafficked Victims Centre provides shelter and support for victims in trials.

- **Bucharest Caritas Association** is a member of the Romanian Caritas Confederation promotes collaboration with other institutions regardless religion, politics or nationality. Its objective is to bring charity and social justice within the mission of the church and to improve strategies and projects for medical and social assistance to children and elderly people, large families, impoverished or disabled persons, victims of trafficking³¹.

- **The Conexiuni Foundation** in Deva, carries out prevention activities, programs and projects which may contribute to the development and improvement of social and educational practices³².

- **The Younger Generation Association** provides assistance to victims in terms of social reintegration³³.

“He was aware of my epileptic disease. All the girls would witness my epileptic fits, but there was nothing they could do for me medically as R. wouldn’t allow them to call the doctor. R. used to say that my fits were simulated and asked the girls to bite me to make me come around. At one time I took courage and attempted to escape, given the fact that R was away but I got caught by one of his trusted girls. R ordered her to beat me up and she cut my hands with the knife and kicked my with her heels over the head and face”.

- **The Western Retreat for Trafficked Victims** of Banat Metropolitan Church provides shelter and medical and legal assistance to victims of trafficking³⁴.

- **The Reaching out**

organization - its main objective is total recovery/recuperation of the victim through longer programs.

- **Save the Children** Organization and its 15 regional offices pursue the implementation of prevention campaigns and programs aimed at

²⁹ <http://www.antitrafic.ro>

³⁰ <http://www.antitrafic.ro>

³¹ www.caritasromania.ro

³² <http://www.antitrafic.ro>

³³ <http://www.generatietanara.ro>

³⁴ <http://www.antitrafic.ro>

safeguarding the child rights and providing special assistance to children in counseling centers³⁵.

- The **National Mutual Association “Louis Pasteur”**, established in October 2000, operates in Braila area and the south eastern region providing simple and complex social services to trafficked victims (identification of social needs, psychological and legal counseling and training activities).

101. Other non-governmental organizations, such as: Avicena Association, Pro Family Women Association or Saint Sava Children Fund, took active part in conducting prevention campaigns during the year 2006.

3.3. European and International Bodies and Organizations

102. The main European and international bodies and organizations to support the fight against and the prevention of trafficking in persons nationally and globally are:

- The **Representation of the European Commission in Romania** – its primary objective is to ensure the exchange of information between the European Commission and Romania.

At European level the Commission aims to harmonizing national legislations in the Member States. To this end the Commission adopted a variety of initiatives in the field of trafficking in persons.

In particular, mention should be made of Council Framework Decision on combating trafficking in human beings (2002/629/JHA) and the Council Framework Decision regarding the fight against sexual exploitation of children and child pornography. In April 2004 the Council for Justice and Home Affairs adopted the EU Directive concerning the legal basis for residence status for trafficked victims who choose to co-operate with competent authorities in Member States.

In addition the European Union financially supports Member States to develop and strengthen their policies and practices in combating human trafficking and enhance police and judiciary co-operation in criminal matters.

- **Europol** is the European law enforcement organization which aims at improving the effectiveness and co-operation of the competent authorities in the Member States in preventing and combating terrorism and other serious forms of international organized crime, including trafficking in persons³⁶.

³⁵ <http://www.salvaticopiii.ro>

³⁶ <http://www.europol.europa.eu>

- **Eurojust** was set up in 2002 with the view to facilitate optimal co-ordination of action for investigations and prosecutions of crimes, trafficking related offences as well, covering the territory of more than one Member State³⁷. Its main role is to improve judicial cooperation between the Member States further, in particular in combating transnational crime.

- **International Organization for Migration (IOM)** performs activities focusing on prevention of trafficking and protection of victims at international level, building institutional capacity, promoting co-operation between judiciary and law enforcement authorities.

Since 2000 the IOM Mission to Romania has been actively engaged in a variety of programs designed to make the necessary arrangements for the repatriation of Romanian citizens-victims of trafficking, airport assistance, and security protection during the journey home, referral to Assistance and Transit Centre where they can benefit from social, legal, medical and psychological assistance, shelter and food. The IOM Office to Bucharest continues victim assistance and social reintegration activities by partnership with 20 NGOs³⁸.

- **International Centre for Migration Policy Development (ICMPD)** is an inter-governmental organization carrying out activities related to migration management. ICMPD provides assistance to countries, at national or regional level, with the view to develop ant-trafficking policies in compliance to European and international standards in the field and to promote co-operation with their governments, other international organizations and NGOs³⁹.

- **International Labor Organization (ILO)** through its International Program on the Elimination of Child Labor (IPEC) supports and conducts programs regarding the reduction, restriction and prohibition of child labor and, in particular, the elimination of the worst forms of child labor, such as trafficking and prostitution⁴⁰.

- **Southeastern European Cooperative Initiative (SECI)** was set up through the joint efforts of 12 South Eastern countries with the purpose to counter attack cross-border crime in countries outside EU. The activities performed by SECI focus on operative actions to repress international trafficking networks⁴¹.

- **UNICEF Mission to Romania** is engaged in supporting measures taken to safeguard and protect child rights. The organization has been

³⁷ <http://www.eurojust.eu.int>

³⁸ Assessment of the policies on trafficking in human beings in Romania, 2005, UNICEF.

³⁹ <http://www.icmpd.org/thbdactlink00000.html>

⁴⁰ <http://www.un.ro/ilo.html>; Assessment of the policies on trafficking in human beings in Romania, 2005, UNICEF

⁴¹ <http://www.secicenter.org>

very active in financing special programs for children and prevention campaigns to reduce vulnerability to trafficking implemented by NGOs or public institutions officials⁴².

- **United Nations Office on Drug and Crime (UNODC)** is mandated to assist member states in the struggle against transnational organized crime by providing research and analysis of the phenomenon and by assisting them in improving national legislations and policies in the field⁴³.

- **The Organization for Security and Co-operation in Europe (OSCE)** conducts activities at regional or international levels, concerning the support for legislative reforms designed to improve anti-trafficking policies in OSCE member states⁴⁴.

“We were forced to work from 5 p.m. to 5 a.m. everyday. Prices for sexual favors ranged from 63 euros/ half hour to 123 euros/hour. We also had to produce a certain amount of money over a limited period of time, otherwise we were beaten”.

⁴² Assessment of the policies on trafficking in human beings in Romania, 2005, UNICEF; <http://www.unicef.org/romania/activities.html>

⁴³ <http://www.unodc.org/unodc/en/about.html>

⁴⁴ <http://www.osce.org/cthb/>

Chapter 4 **Prevention of Trafficking in Persons**

103. Any prejudice against society or the individual sets off the natural response to combat it as well as the will to prevent it from happening again.

104. Preventive actions can be oriented towards:

- **Initial prevention** – aimed at reducing the root causes of the antisocial behavior or people’s vulnerability to traffickers (educational background, social standing, etc.);
- **Secondary prevention** – with a view to reduce crimes by placing physical and psychological barriers to deter or stop an illegal act;
- **Tertiary prevention** – focuses on measures to be enforced after the antisocial act has been committed in order to:
 - Diminish the victim’s traumas caused by crimes (counseling and placement centers);
 - Reduce opportunities to re-offend and re-victimize (mediation, re-socialization and reinsertion);
 - Not repeat the mistakes that led to trafficking (factors to increase victim’s vulnerability).

4.1. National Prevention Programs and Projects

105. In 2006 the following programs and campaigns were developed:

4.1.1. National Campaigns

106. **Watch out! There’s a price to pay!** conducted by the National Agency against Trafficking in Persons with the view to raise the awareness of the public at large about trafficking issues and to promote the toll-free number 0800 800 678 to call for information which could help reduce vulnerability to trafficking and make trafficked persons aware they are victims of a crime and need assistance. The campaign was financed by the Agency. The total cost amounted to approximately 80,000Euros for advertisements on radio and television and in three daily newspapers of large circulation, promotional materials. The television advertisement project was partially sponsored by the American Cultural Centre of the US Embassy to Bucharest with \$5,000. the advertisement was broadcast on major national or regional TV stations.

The message of the campaign and the free-toll number were published in various newspapers of large circulation.

107. The promotional products of the campaign included leaflets, flyers, posters, banners, pens, key holders, pins, mouse pads and backpacks, all carrying the slogan of the campaign and the green line number.

108. The Roma national Agency contributed by translating the campaign leaflets into the Roma language and distributing them among the Roma communities.

109. The Bucharest division of the Electric Power Distribution Service assisted the campaign in displaying billboards in major public places in Bucharest – University Square, Romana Square, etc.

110. Other activities, such as : broadcasting of advertisements on local and national TV stations, distribution of posters and flyers in schools and public transportation means, display of billboards in public places, will be continued during the first semester of 2007 with the assistance of Bucharest Municipal Prefecture.

111. Bulgaria and Hungary also offered their support by distributing flyers in border crossing points.

112. **“You Don’t Pass off Humans”** is the anti-trafficking slogan of the campaign run by the National Agency and AIDRom to represent Romania in the general efforts of European countries to fight trafficking during the World Cup Football Championship 2006 in Germany.

113. The campaign **“The only way is the legal way”**, launched by IOM Office in Romania, aimed to inform the population about the risks of illegal migration and trafficking in persons.

114. **“Take legal migration for employment”** information campaign was launched by the Department for Foreign Employment together with the Office for Labor Migration to prevent black labor abroad and make Romanian citizens aware of their rights and obligations when traveling abroad for work.

115. The educational public campaign on child’s rights – **“Child Rights are the Law”** – was promoted during October 2004 through June 2007 with PHARE support. In 2005, one hundred seminars and workshops were conducted and attended by professionals from all over the country who interact with children in their everyday work (teachers, medical staff, judges and prosecutors, policemen, social workers). The discussions focused on the dissemination of provisions stipulated by Law 272/2004 regarding the protection and promotion of child rights and the increased awareness of the responsibilities of each professional group.

116. With the aim of disseminating the latest legislation in the field and increasing the awareness of the responsibilities that each professional group should take for implementing these laws and promoting co-operation among

the relevant groups, workshops were organized in close conjunction with the central authorities supervising the activities of these groups.

1,757 professional staff participated, among whom 456 teaching staff, 229 medical staff, 270 judges and prosecutors, 232 police officers, 104 priests and 457 social workers. During the campaign there were conducted 8 train the trainer's sessions for 188 participants with another 182 sessions to be conducted for 5,460 participants.

117. At the end of March 2006 the actions included in the National Interest Program "**Social Reintegration of Unaccompanied Returned Children and of Children Victims of Trafficking**" were evaluated. The evaluation results are as follows:

- 2 new centers for the protection and assistance of trafficked children were set up in Mehedinti and Giurgiu counties. The total number of such centers is 12 providing accommodation for 122 children;
- 10 additional inter-institutional teams were established in counties which do not have specialized centers for assistance. As of today there are 19 such teams at national level;
- 109 professionals with DGASPC units from 23 counties received relevant training;
- about 5,500 pupils attended the information campaigns launched in schools for the benefit of children, parents and teachers;
- 362 families were evaluated and counseled for prevention of illegal migration and trafficking of children;
- 24 returned children were assisted for family reintegration.

The program was implemented by 3 NGOs.

118. The AGIS 138 program "**Unaccompanied Alien Children**" was developed from October 2004 to June 2006 with the European Commission assistance. Initiated and coordinated by the French Ministry of Justice, the program involves France, Italy and Spain, as "host countries" and Romania and Morocco as main "countries of origin for migrant children". The Ministry of Justice, the Ministry of the Interior and the National Authority responsible for the protection of child rights in each member country are represented.

The objective of the program is the mutual understanding of relevant legislations in the member countries and co-operation in establishing working procedures to facilitate the protection, repatriation and social reintegration of unaccompanied children in distress in a foreign country.

4.1.2. Local campaigns

119. **“Be yourself!”** campaign is under way in Buzau County with the assistance of the Association for Equal Opportunities and financial support of MATRA Project. The aim of the campaign is to reduce the risk of victimization of high-school students aged 14 to 18 by traffickers.

120. **“Partnership for the Community”** was developed throughout October 2006 and June 2007 and aimed at increasing the commitment of community

“When I arrived he told me that in fact there wasn't going to be any job and I had to prostitute myself. He also said that I could go if I wanted but before that I had to pay back 500 euros he had spent for my passport, transport to Spain, a pair of slippers and pajamas”.

members in preventing trafficking in persons.

121. ADPARE Caritas and the National Agency

against Trafficking in Persons took part in the **MTV EXIT International Campaign** developing activities for the distribution of anti-trafficking leaflets and CD-ROMs.

13,000 youngsters aged 16- 25 participated.

122. **“Trafficking in Persons Equals Slavery”** campaign initiated by “Semina 2000 Roman” organization was conducted during December 2006 throughout June 2007 in Neamt County.

123. **“Regional Network to Combat and Prevent Human Trafficking”** launched by the Social Alternatives Association from October 2005 to September 2007 was designed to establish local networking of institutions involved in combating and preventing trafficking. An information guide was created and distributed to all networking members.

124. In 2005 **Save the Children International Alliance** started a regional program to prevent trafficking in children in seven countries: Albania, Bosnia and Herzegovina, Bulgaria, Romania, Kosovo, Serbia and Montenegro. In Romania the program has been running since October 2005. For three years, activities will be carried out in Bucharest and three other branches with a view to increase protection of the rights of trafficked children and children at risk of being trafficked.

Save the Children, Bucharest section conducted a series of interviews in 17 counties of Romania in order to assess present and future efforts in combating human trafficking and build the foundation for co-operation between concerned institutions.

125. **“Improvement of services provided to victims of trafficking (children and the young) and long-term reintegration”** program, developed

with the assistance of ILO- IPEC, was launched in April 2005 and finalized in February 2007.

The outcomes of the program were:

- a better understanding of the worst forms of child labor ;
- a training manual for professionals engaged in psychological counseling of children victims of trafficking and exploitation was developed;
- the national workshop was attended by 25 participants where issues about best practices in the field of rehabilitation of trafficked children were discussed ;
- 237 children (140 girls and 97 boys) benefited from the program.

126. During September 2005 and September 2006 the campaign “**Fight the vulnerability to trafficking, child! Get informed!**”, 10 briefings were organized within educational units where 400 students and 46 teachers participated. The campaign was initiated by the Enterprising Women Association – Pro family Agency in Bistrita County and financially supported by US Embassy in Bucharest.

127. The project “ **Preventing Migration and Trafficking of Minors in Oas Region**” was developed by the “Romanian Foundation for Children, Family and Community “ in Satu-Mare and consisted of 23 briefings on the consequences of trafficking organized in schools for 900 students and 400 teachers.

128. The National Forum of the Organisations for the Child Protection set up a **community centre** in Satu-Mare. The Centre, whose beneficiaries are 5th and 6th grade children, is operating as a pilot unit and will carry out preventive activities for the children in four neighboring communes. The aim of the centre is to identify the most efficient preventive measures.

129. “**Prevention and combat of trafficking in persons. Analysis and perspectives of co-operation between non-governmental organizations and public authorities**” developed in Cluj county in 2006 was started and financed by Ratiu Family Foundation – London and Ratiu Center for Democracy.

130. The “**Permanent Education**” campaign initiated and financed by Constanta Red Cross had as objective the prevention of child sexual abuse and trafficking. 30 school pupils received training and disseminated information among 900 pupils.

131. The project **“Romanian –Austrian Professional Exchange on the Internal and Bilateral System of Protection and Referral of**

“ In order to make us compete with each other and make more money which he took hold of entirely, every night the man used to give the girls who produced more some gifts perfume, jewelry or an outing to his apartment where he would sexually abuse us. I know that one of the girls had made 1700 euros that night and he took her to his place”.

Unaccompanied Migrant Children and Children Victims of exploitation and trafficking” carried out within the Subgroup to coordinate the

prevention and combating of child trafficking was initiated by the National Authority for the Protection of Child’s Rights (NAPCR) in conjunction with “Am Augarten”- the Public Centre for unaccompanied migrant children victims of trafficking, subordinated to the City Administration of Vienna.

During the first stage of the project, between 3-13 October, there were organized 4 seminars on increasing the operational capacity of the transit centers for the protection and assistance to Romanian returned children and children victims of trafficking and exploitation, as well as the intervention capacity of institutional partners at local and central levels.

The local administrations in Timis, Arad, Bihor and Satu Mare counties together with the Directorates General for the Child’s Protection and Social Assistance (DGCPSA) and their subordinated transit centers for the protection and assistance to repatriated children and children victims of internal and international trafficking assisted in the organization of the seminars. The seminars focused on the mutual knowledge of the legislation in both countries and the intervention methods to be used in the field in order to strengthen the co-operation with the Austrian counterparts and enhance the intervention capacity of social services and institutional partners dealing with trafficking issues. Representatives of the following institutions attended: local councils, DGCPSA, the Transit Center for Repatriated Children and Victims of Trafficking, the County Police Inspectorate (Border Police, Combating Organized Crime Service, Criminal Investigations Service, Prevention Service, Passport Service), Educational Services, the Employment Agency, Directorate for Employment and Social Solidarity, NGOs with an active part in the field of combating and preventing illegal migration and child trafficking.

The second stage comprised a training course for 8 Romanian specialists from the 4 above mentioned counties and members of the Subgroup Technical Secretariat, organized in Vienna to examine the best practices and

efficient mechanisms of the Austrian system which could be adopted into the relevant legislation and working methodology in Romania.

Perspectives 2006-2007. The evolution of the project led to the necessity of negotiating and signing a partnership protocol between NAPCR and the Vienna Municipality with the aim to extend bilateral professional exchanges in all counties with operational transit centers for trafficked children and other concerned counties as well.

132. The project „**Improvement of Services provided to Children Victims of Trafficking in Bucharest and Giurgiu, Iasi and Botosani Counties**” (ILO- IPEC - Save the Children) was run throughout Aprilie 2005 and September 2006.

The aim of the project is to improve the quality of services provided for children victims of trafficking in 4 selected areas: Bucharest, Iasi, Botosani and Giurgiu.

In accordance with the provisions laid down in the National Plan of Action (NPA) for 2004 – 2007 on combating and preventing trafficking of children the **objectives** of the project are:

- Objective 6 –the setting up of a service system to ensure protection, rehabilitation and social reintegration of trafficked children at national and international levels;
- Objective 10 – training of the personnel of local and central structures with responsibilities in the field.

The project objectives aim to:

- increase the capacity of services for rehabilitation and reintegration of children;
- provide psycho-social counseling and vocational training to 200 children removed from trafficking;
- increase the Inter-ministerial Sub-group capacity to monitor the implementation of NPA.

Financing of the project: US Department for Labor, the German government through ILO-IPEC and Save the Children Organization in Romania.

Direct beneficiaries:

- 200 children/ young people (75 boys and 125 girls aged 15 to 18) removed from national and international trafficking or about whom there is suspicion they had been trafficked for the purpose of sexual and/or labor exploitation;
- 45 social workers and psychologists
- 16 ONG members

Implementing agency: Save the Children, Romania

Partners in the project: National Authority for the Protection of Child's Rights, Directorates of Social Assistance and Protection of Child Rights in the selected areas, Criminal Investigations Directorate, Directorate General for Combating Organized Crime and Drugs, IOM, Labor Agencies in the areas.

133. The project „**Creating job opportunities for children/young people in Bucharest, vulnerable to trafficking and adult persons in their families**” (ILO-IPEC-CSDR).

Period for implementation: October 2005 – September 2006

Aim: to contribute towards reduction in vulnerability of children/young people to trafficking by promoting job opportunities for youngsters and adults within marginalized communities in Bucharest.

The objectives of the project are in accordance with the provisions contained in the NPA for 2004-2007 (objectives 6 and 10) and aim to:

- increase the capacity of specialists from partner institutions and teachers to help the young and the adult vulnerable to trafficking develop their life skills and offer them job information and career counseling;
- provide job training to minimum 100 children and 30 adults in their families.

Financing of the project: US Department for Labor, the German government through ILO-IPEC and CSDR (Confederation of Democratic Unions).

Direct beneficiaries:

- 100 boys and girls aged 15 to 18.
- 30 adult family members
- 57 union members, teachers, social workers and psychologists.

Implementing agency: Romanian Confederation of Democratic Unions (CSDR).

4.1.3. Programs to reduce the vulnerability to trafficking in persons

134. According to programs aimed at combating trafficking of, exploitation of, abuse and negligence of children, Save the Children organization, affiliated member of ECPAT, in partnership with the Ministry of Interior and Administration Reform represented by the National Agency against Trafficking in Persons (NAATP), the Criminal Research and Prevention Institute, the Federation of Hotel Industry and the National Association of Travel Agencies, is running a project with OSCE and Austrian Development Agency financial support. Save the Children, Romania organized 3 training sessions for the Sofitel Hotel personnel, 2 round tables with the participation of the national authorities, hotels and tourism schools and an information

campaign where 5,000 tourists in 4 seaside resorts were offered information materials and talked with representatives of the Save the Children organization.

135. In 2006, Save the Children Organization started conducting a the research “Sexual Exploitation of Children” with the purpose of identifying the factors which determine or contribute to the involvement of children into sexual exploitation and its consequences, as well as making legislative recommendations concerning the prevention of children entering prostitution and establishing the necessary mechanisms for the social reintegration of sexually exploited children. The research will be published in 2007.

136. „**Prevention of trafficking of children** „ program was launched by the Romanian Red Cross in partnership with NAATP and sponsored by the Danish Red Cross. The program aims to train volunteers in the organization in relation to the risks of trafficking, particularly to minors in special circumstances (street children, minors with a tendency to drop out of school).

137. The Inspectorate General of Border Police, according to the provisions contained in Law 248/2005 in respect of taking minors illegally out of the country, ensured that:

- vehicles are thoroughly searched at the Hungarian and Bulgarian borders in situations when the legal formalities for border crossing are not fulfilled and children might be concealed in the vehicles;
- parents’ statements and letters of attorney to take children out of the country, the type and contents of such documents as well as parents’ personal data are carefully checked.

4.2. Help – Line

138. On 19 August 2006 the Info Line with the NAATP became operational. The toll-free number **0 800 678** can be called for information and advice about the risks involved when traveling abroad for work, education or tourism, requirements for visas and assistance to victims of trafficking.

Victims and their families or acquaintances will be referred to specialized state – run institutions or NGOs at local or territorial levels to be provided with assistance and support.

139. Throughout 28 September - 20 December 2006, 90 calls were received from the general public inquiring about trips abroad and the conditions for work permits, education or marriages in those countries. Other calls informed about suspicious trafficking transactions.

4.3. Training

The specific training programs developed in 2006 by national and international organizations and NGOs reflect and support the priorities identified by the National Plan of Action.

140. **„Prevention of trafficking in human beings – Sens”**, developed by AIDRom in co-operation with „Partners for Change „and UNICEF Romania focused on training for law enforcement officials, educators and NGO personnel to increase their ability to identify and resolve potential situations of trafficking and to establish regional contacts with other partners in the field. Guidelines for best practices „More information, less risks” were developed and published in March 2007;

141. **„First-rate Services”** project aimed to train abilities to identify potential victims and increase the capacity to support their reintegration to the community. NAATI, the Foundation for Democratic Changes and “Equilibrium” Romania contributed to the project.

142. **„Illegal Migration and Exploitation of Unaccompanied Minors”** was initiated by NAATI and IOM with the aim of building co-operation between the Romanian and Italian professional groups involved in anti-trafficking activities, taking into account that both countries are main sources for trafficking. The project included a train the trainer module for NAATI personnel, community policing and rural police officials. The training was delivered by a representative of the Italian carabinieri.

143. **„Anti-trafficking measures in Romania”** program was developed by IOM in co-operation with the Ministry of Public Health. The program included training sessions for health professionals on the issues of trafficking.

144. The National Institute of Magistrates conducted a series of training activities for judges, prosecutors and lawyers:

- **Migration and Trafficking of Minors seminar**, in co-operation with „Terre des Hommes” – Lausanne and the „Association to promote justice for minors”, Bucharest, January 2006, focused on training 28 participants for trainers.
- **„Justice for Minors ”**, summer school organized in Bucharest, in December 2006, in co-operation with the Romanian Ministry of Justice, the French Ministry of Justice , the German Foundation for International Judicial Co-operation –IRZ and Terre des Hommes. 35 magistrates attended.
- **„Harmonization of legal norms in criminal matters and fight against transnational crime in EU – terrorism and trafficking in**

drugs and persons” seminar, October 2006, targeted professional training for magistrates and co-operation in criminal, civil and commercial matters. The seminar was organised within the framework of the Program for Technical Assistance to Romania developed by the European Institute for Public Administration and the Ministry of Justice, finance by the Ministry for Foreign Affairs in Luxemburg.

145. Within the framework of the „**Regional Response to Issues on Trafficking of Children**” project, a train the trainer course was organized in Timisoara, 4-5 December 2006, on the rights and protection of children victims of trafficking for sexual exploitation. The course focused on specialized training for groups of professionals with counter-trafficking responsibilities and enhanced co-operation among all concerned in the counties of Timis, Dolj and Hunedoara.

146. **Save the Children, Romania**, contributed to the Trafficking 3 Project, coordinated by ECPAT Netherlands by supplying reliable information which helped with the publication of the following manuals

“I met him, I fell in love with him and we got married. Soon after that we went abroad together. We were supposed to go to a bar owned by one of his friends. When got there I realized what that place was about. My husband simply left me there and went away. I was sold to a brothel”.

”Combating trafficking in children for sexual exploitation – Questions and Answers”, and ”Combating trafficking in

children for sexual exploitation – A Training Manual for Professionals”.

Chapter 5 Combating Trafficking in Persons

5.1. Offenders of trafficking in persons

147. Law 39/2003 on combating and preventing organized crime and the UN Convention against transnational crime explain the definition of the „organized criminal group” and what is entailed by transnational crime. It is considered that in most cases traffickers⁴⁵ are members of large organized crime networks⁴⁶.

148. In 2002 the United Nations Office on Drugs and Crime (UNODC)⁴⁷ undertook a pilot survey of forty selected organized groups in sixteen countries identifying a large diversity among the specific groups studied pointing out the very different forms that transnational organized crime can take with a variety of locations, activities and structures.

Of the forty organized crime groups in the survey, eight were found to have trafficking in persons activities; of those, two groups were almost exclusively involved in human trafficking.

149. Analyzing how groups were organized structurally two standard typologies of transnational organized crime groups were identified: the hierarchically structured group and the core group. This classification gives indication about the relationships established among the group members.

The ” standard hierarchy” group is characterized by strong internal lines of control and discipline with a single leadership structure,

150. The “core group” is characterized as consisting of a limited number of individuals forming a relatively tight and structured core group surrounded by a loose network of "associates", with the small size of the group helping to maintain internal discipline. Such a group seldom has a clearly defined social or ethnic identity. “Core groups” are considered as strictly profit-orientated groups, shifting between illegal activities.

⁴⁵ The trafficker is the person who commits a trafficking in persons related offence; according to the circumstances and consequences of the offence he/she may be sentenced to imprisonment for 3 up to 25 years for aggravating forms and interdiction of rights (according to Law 678/2001);

⁴⁶ A structured group of three or more persons existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention,³⁷ in order to obtain, directly, or indirectly, a financial or other material benefit (article2, UN Convention against transnational organized crime).

⁴⁷ Trafficking in Persons: Global Patterns, 2006, UNODC

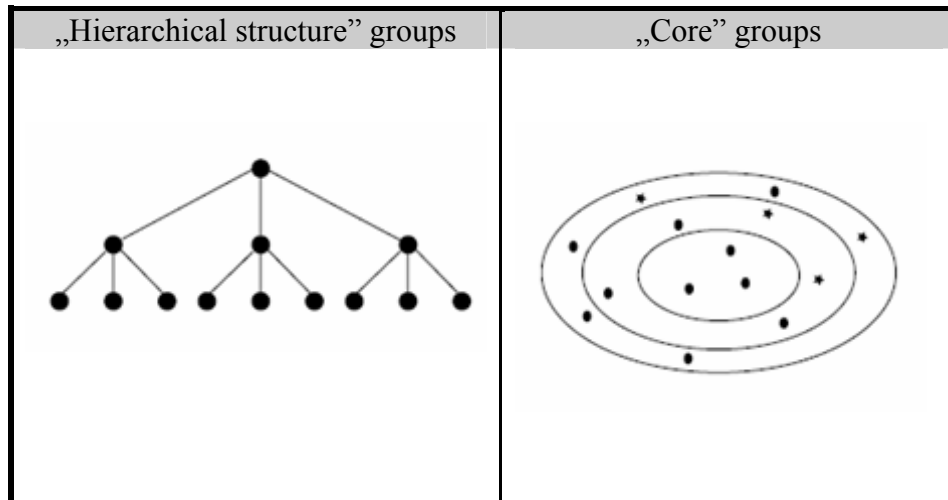


Fig. 8. Typologies of criminal groups of traffickers

151. In both groups each member has a specific role to play in the trafficking process⁴⁸:

- those who sell illusions, deceive and defraud and abuse people’s trust and credulity for recruitment;
- those responsible for smuggling and transport, they accompany the victims, watch their movement across the borders’;
- those providing, false or counterfeit identity and travel documents;
- those who watch the victims subjected to exploitation;
- those involved in the provision, management and control of safe houses, bars and nightclubs, brothel owners and pimps’, agricultural farms or job sellers, all of them involved in the exploitation of the victim;
- those involved in the transport/delivery of money;
- those involved in money laundering.

152. Depending on the size and type of the criminal group/network more than one person can perform the same role, or one single person can be assigned several functions. Based on their structure, criminal networks are classified as⁴⁹:

- **large - scale group**, with an international hierarchical structure, relies on international contacts both at political and economic levels in countries of origin, transit and destination. Such groups

⁴⁸ Trafficking of Human Beings for Sexual Exploitation in the EU: A Europol Perspective, EUROPOL

⁴⁹ According to Europol reports

use a wide range of recruiting methods and frequently transit several countries;

- **medium-scale group**, where the victims are kept for exploitation under the control of the group and not sold to other criminal rings;
- **low-scale group**, the modus operandi within the group is the following: the club owner in the destination country needs new victims; through contact persons in the prostitution and pimping circles the order is placed and they recruit, transport and deliver victims to the owner.

153. The distinctions between the trafficking groups, in terms of structure and size, are extremely important in conducting criminal investigations, as each type of group requires a different approach.

154. According to Europol, the majority of trafficking groups in Romania are included in the low-scale category, where the same persons can be both recruiters or transporters and supervisors or exploiters.

“The rules that R imposed were to work from 5 in the evening till 5 in the morning every day. Without exception the prices were of 50 euros/20 minutes, 60 euros/half hour, 100 euros/45 minutes and 125 euros/an hour. In cases where several girls shared the same room, customers had to pay for each. We were imposed to produce over 300 euros till midnight, otherwise we were beaten. I was beaten, then put in a bathtub filled with cold water to make me come to my senses and then sent back to work at the club”.

According to criminal justice statistics 36 cases of violations of Law 39/2003 regarding the prevention and combat of crime were recorded in 2006 as compared to a total number of 430 cases concerning violations of Law 678/2001⁵⁰. A possible explanation could be that the legal framework for such cases seldom

takes into account the trafficker’s activity within a criminal group structure based on family relations or the activity he rarely committed along the years in several foreign countries or in different regions in Romania.

155. Directorate General for Combating Organized Crime confirms the activity of both organized criminal groups of “standard hierarchy” and groups structured on family relations or their close acquaintances operating in Romania.

⁵⁰ Source: Superior Council of Magistracy, official communicate to the Ministry of Justice

156. According to police sources 1485 persons charged with trafficking related offences were investigated in 2006, of which 98.78% were Romanian nationals, as compared to 96.36% in 2005.

78.24 per cent of the total number of persons charged or accused in 2006 are males when compared to 75.94 per cent in 2005 while 21,75% for 2006 and 24.05% for 2005 are females.

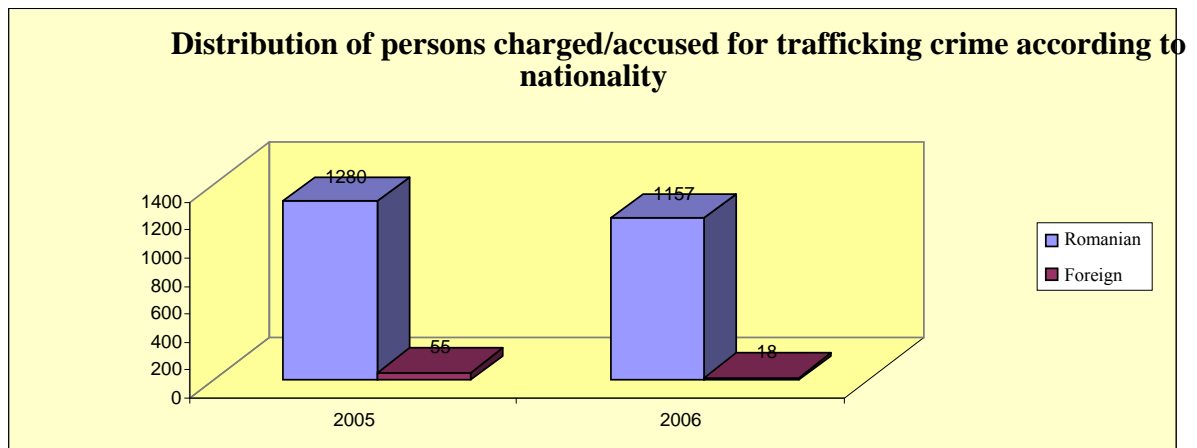


Fig. 9 Distribution of persons charged/accused of trafficking crimes reported by DGCOC and IGBP

157. It can be mentioned that the persons under investigation of having committed trafficking in persons related offences are mainly Romanian nationals and most commonly males, while one quarter of the total number is represented by females.

158. As regards the countries where trafficking crimes were committed and depending on the co-operation channels used, the figures show that for countries such as Austria, Spain, Italy, Germany, France and Netherlands the percentage of Romanian nationals involved in trafficking crimes remains unchanged in 2006 as compared to 2005⁵¹.

⁵¹ Source: Centre for International Police Cooperation, official communication to DGCOC, IGRP

5.2. Practice of the Courts

159. Throughout 2003-2005 there was recorded an alternate rise and fall of the number of persons accused of Law 678/2001 violations. The number increased from 1068 in 2003 to 1648 in 2004 but fell to 1567 in 2005 and to 1485 in 2006⁵².

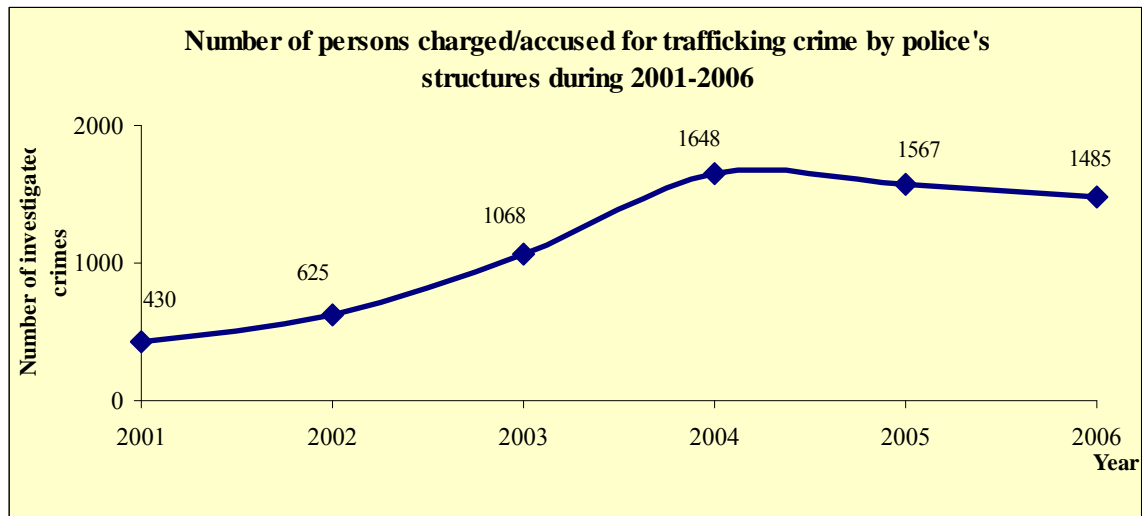


Fig. 10 Evolution in number of persons investigated by IGRP and IGBP for trafficking crimes under Law no. 678/2001, during 2001-2006

160. According to DIOCTO figures, 780 persons were charged/accused of trafficking crimes in 2006, with 271 under investigation while in custody awaiting trial. As a result 183 indictments were filed.

⁵² According to the information provided by DGCOC and IGBP for 2005 and 2006 and according to the Assessment Report of policies on trafficking in human beings in Romania, 2005, UNICEF

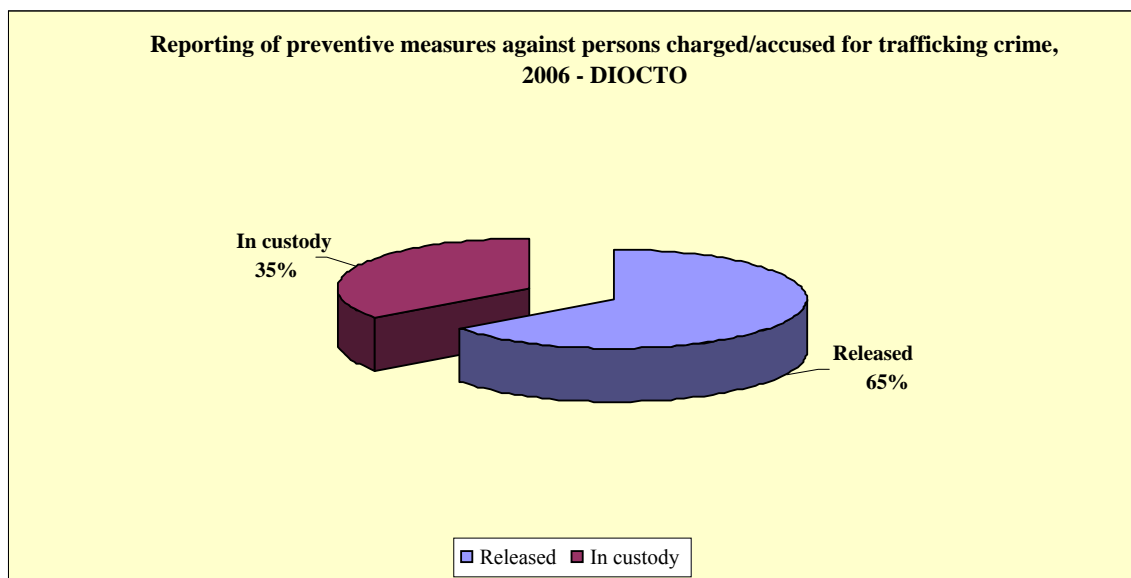


Fig. 11 Reporting of preventive measures against persons charged/accused for trafficking crime, 2006, DIOCTO

161. Official statistics produced by the Ministry of Justice⁵³ show that 324 new cases under the Law 678/2001 were recorded, twice as in 2005. However only 53% in 2005, respectively 44% in 2006 were dealt with, the rest of the cases are still on trial.

Number of cases to be dealt with under Law 678/2001

Year	In reserve	Cases presented	Total cases for disposition	Disposition of cases
2005	82	149	231	124
2006	106	324	430	189

⁵³ Source: Superior Council of Magistracy, official communication to the Ministry of Justice

Terms for disposition of cases

Year	0-6 months	6-12 months	1-2 years	2-3 years	Total cases
2005	69	38	12	5	124
2006	116	49	20	8	189

162. The number of persons convicted under Law 678/2001 gradually increased during 2003 – 2006: from 49 in 2003 to 103 in 2004, 146 in 2005 and 187 in 2006. Out of these, 77% (2005) and 80% (2006) were unemployed and 12% (2005) and 25% (2006) were repeat offenders.

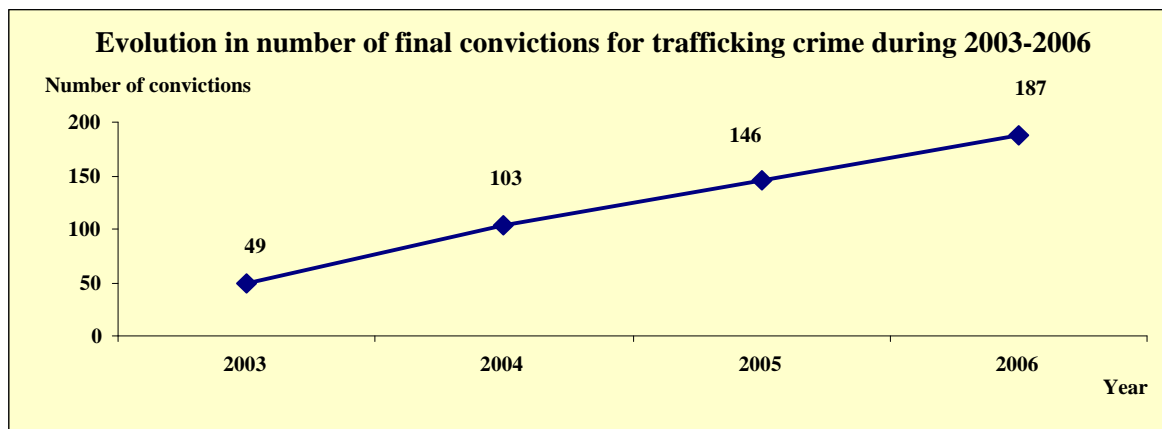


Fig. 12 Evolution in number of convictions for trafficking crimes during 2003-2006

163. A more effective comprehension and application of Law 678/2001 accounts for the rise in number of convictions for trafficking crimes as compared to the previous years.

The low number of convictions as compared to the total amount of cases to be tried in courts is due to the complexity of the phenomenon and the well structured trafficking networks. There are also situations when victims drop their charges against traffickers as they are threatened and intimidated or, as in most cases, traffickers are represented by more qualified lawyers than the public defenders appointed to victims, which can have a negative impact on the course of the legal proceeding of the case : judges are challenged, hearings adjourned, etc.

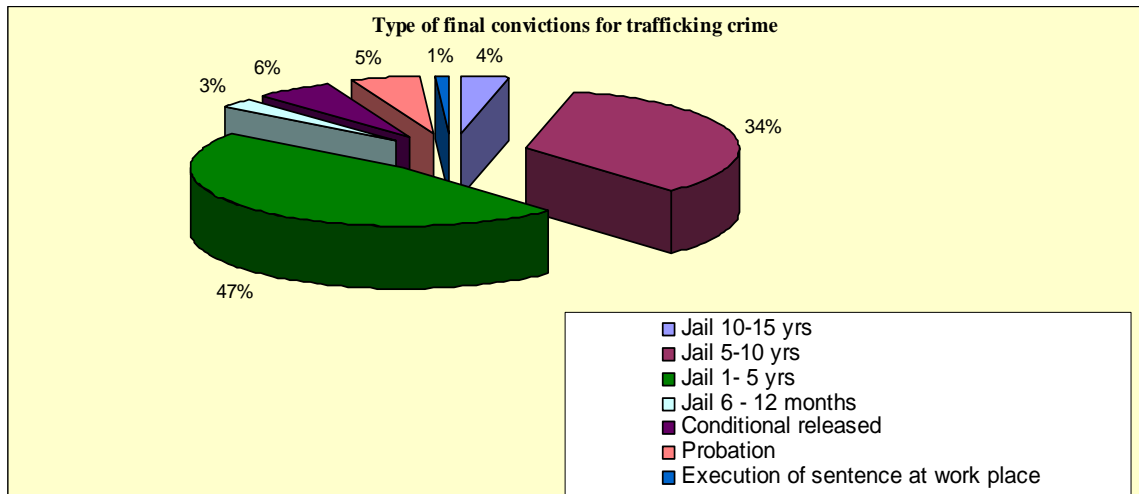


Fig. 13 Distribution of final convictions for trafficking in persons crime in 2006

164. In spite of all this, 38% of those convicted in relation to trafficking crimes were given prison sentences of over 5 years, while 62% were given minimum sentences. This is evidence that, although trafficking in human beings is considered to be one of the worst violations of human rights and individual freedoms, courts do not perceive it as such.

5.3 Witness Protection

165. Provisions regarding the measures to be taken for the protection of and assistance to the victim as a witness are laid out in Law 682/2002 and Government Decision no. 760/2004 on the regulations for application.

The authority responsible for the implementation of the Witness Protection Program is the National Office for Witness Protection, organized within the Ministry of Interior and Administration Reform and subordinated to the Inspectorate General of the Romanian Police⁵⁴.

166. The law provides specific measures to be ensured for the protection of and assistance to victims as witnesses and/or intelligence sources in cases involving serious crimes, including trafficking in persons, whose life, physical integrity and liberty are at risk.

⁵⁴ According to G.D. 760/2004 approving the Regulation for application of Law 682/2002 on witness protection

Requests for a victim witness to enter the Program are made at the suggestion of the investigative bodies during the prosecution or upon the Prosecutor's recommendation during the trial.

167. As of today, the National Office for Witness Protection has received six requests for persons contributing to a criminal investigation to enter the Witness Protection Program. Out of these, 4 persons have been admitted⁵⁵.

168. Witness protection measures include:

- confidentiality of the victim's true identity or the change of identity⁵⁶;
- the provision of accommodation or temporary residence;
- police house surveillance;
- personal security to/from the court house;
- court support measures during the period of testimony⁵⁷.

⁵⁵ Source: National Bureau for Witness Protection, official communication to NAATP;

⁵⁶ According to art. 86[^]1, paragraph 1 and 2, Code for Criminal Procedure;

⁵⁷ According to art. 86[^]5, paragraph 1, Code for Criminal Procedure

Chapter 6
Trafficked Victims' Assistance and Social Re-integration

6.1. Protection and Assistance Services to Support Victims' Social Re-integration Process

169. Trafficking in human beings can't be stopped unless particular attention is paid to the victim's rights and needs. All victims of trafficking should be entitled to protection and assistance without discrimination in any form.

170. In compliance with the laws in force⁵⁸, trafficked victims benefit from protection and assistance services in governmental centers and shelters or centers run by NGOs involved in assistance programs. Assistance services are provided at the centers headquarters or at the victims' homes, daily or residentially (shelter), depending on the victim's condition and the resources of the organization.

171. There are two categories of services in terms of duration:

- **emergency services** provided to persons identified as victims of trafficking include accommodation in shelters, food, clothes, emergency psychological and medical assistance, protection, access to information about the victim's rights as a witness or injured party in trial, new identity documents, contacts with the family;
- **long-term services** involve psychological, medical and legal assistance and protection to support the victim's social re-integration and to reduce opportunities for re-trafficking.

“Many of the victims who refused to be assisted returned in 2 weeks time. They rang us up. In any case they are offered information and persons to contact. At first they decline help, because they feel guilty, and as it's normal, after the trafficking they go back home, which, in some way, it is a form of self-inflicted punishment. Once at home, they fight hardships and then they come to ask for assistance services. It has happened many times. They usually say: “I don't need anything, all I want is to go home and be with my folks, that's all”. (Bucharest NGO official)

172. According to the victim's own wish and the specific needs identified by specialists as appropriate for the victim, the following services can be provided at national level:

⁵⁸ Law 678/2001, amended and supplemented through Government Emergency Ordinance 79/2005

- psychological assistance including crisis intervention, assessment, counseling and/or therapy;
- medical assistance facilitating access to public health services (medical check-up, diagnosis and treatment);
- legal assistance implies access to information about the rights and duty of the victim as a witness or injured party testifying in court , his/her social rights and legal representation in a court of law;
- social assistance provides lodging in shelters, financial support, new identity documents, mediation and family reunification, counseling for educational insertion/reintegration, vocational and professional training programs.

173. The government and non-government centres to provide social services aimed at the psychological reintegration of trafficked victims are as follows:

I. Centers for victim protection and assistance, set up under Law 678/2001 are subordinated to the local administrations.

174. The centers provide emergency services for maximum 10 days and , in cases where the victim assists in a criminal proceeding against traffickers, he/she is entitled to assistance for the entire period of testimony. Such centers are operating in the following regions of the country:

- **Arad** – accommodation: 20 beds and 4 isolation chambers for both minor and adult victims. The personnel consist of: 2 social workers, 1 legal adviser, 2 educators, 1 psychologist, 1 security guard. Specialized services are provided depending on the needs identified for each case.
- **Botosani** – accommodation available for 6 adult victims.
- **Bucharest City** - the centre for victim protection and assistance was created in 2005 following the protocol between IOM and the Romanian Ministry of Interior and Administration Reform (MIAR). The centre provides shelter and protection both to victims repatriated with the assistance of IOM and internal trafficked victims identified by the police.

The services are provided by IOM through NGOs involved in assistance programs: ADPARE, Save the Children, Romania, “The Church and the Society” Foundation. The centre can accommodate 14 persons assisted by 5 social workers. Minor victims can be assisted in special circumstances only.

- **Galati** - 8 beds and 7 employees for psychological, legal and medical assistance.
- **Giurgiu**- The centre in this region was established in November 2006 by NAATP in association with the Caritas Association, the Local Administration in Giurgiu and ADPARE, following the initiative of the “Meris House” Project. 11 victims are provided board and lodging at the centre under

the supervision of 8 specialists for psychological, legal, social and medical assistance.

- **Iasi** – 30 beds for accommodation and 5 members of the staff.
- **Mehedinti**- The centre has two secret locations, respectively two four-room apartments, for adult and child victims and 8 staff members to provide the necessary services. After leaving the centre, the victim is monitored for a six month period, during which the specialists watch his/her social, educational or professional reinsertion or provide support when needed.
- **Recas, Timis Region** provides assistance for a period of time ranging from 10 days to 3 month with a possible extension when the program is completed and the victim is monitored for 1 year maximum. The “Younger Generation” Association provides the necessary personnel for the victim’s recovery and social reintegration and covers all expenses incurred for management and staff.
- **Satu – Mare** – 11 beds available and 7 staff members to provide assistance and a safe environment for trafficked victims.

II. Emergency transit centers for unaccompanied minors or child victims of trafficking.

175. The centers, subordinated to the local administration under the coordination of Directorate General for Social Assistance and Protection of Children (DGASPC) are operating in Satu-Mare, Arad, Bihor, Timis, Giurgiu, Iasi, Neamt, Botosani, Suceava, Galati and Bucharest (sector 2) – Gavroche Centre. They were established in 2004 and 2005 by governmental funds, following the approval and implementation of the National Interest Program 415 by NAPCR in association with Save the Children, Romania.

The centers are specifically designed for the protection and assistance of children victims of trafficking.

III. NGOs

176. NGOs provide complex and specialized long- term services. Victims are assisted for at least 6 months or until the problems they are confronted with are solved (particularly mental problems caused by their traumatic experiences). Assistance is provided daily or residentially in shelters owned by several NGOs, such as ADPARE Bucharest, Betania Association- Bacau, Conexiuni – Deva, Younger Generation/-Timisoara, Metropolitan Church of Banat, IOM and Reaching out – Pitesti.

177. According to data collected and processed by NAATP during 2006, there were recorded 424 victims⁵⁹ assisted by authorities and NGOs, of which 50 males and 347 females.

Distribution of victims by age range:

- ✓ **Under 14 yrs. – 39** assisted victims
- ✓ **14 – 17 yrs. - 129** assisted victims
- ✓ **18 – 25 yrs. - 191** assisted victims
- ✓ **Over 25 yrs. - 65** assisted victims.

178. 294 of the assisted victims were trafficked for sexual exploitation, 49 for begging and 11 for forced labor. The low number of victims trafficked for the purpose of forced labor and subsequently received assistance is relevant for the distinct perception victims have about their own conditions and, as a result, most of them do not accept to be considered victims and decline any assistance.

179. The distribution of victims, according to the form of exploitation and age shows that, in 2006 there were assisted:

- 152 victims of sexual exploitation aged 18 – 25
- 94 victims of sexual exploitation aged 14 – 17
- 26 victims trafficked for begging aged under 14
- 18 victims trafficked for begging aged 14 – 17.

180. As compared to 2005 with 175 recorded assisted victims (150 females and 25 males) the rate in 2006 shows a significant increase by 140% in the number of assisted victims.

181. This positive account can be explained by a series of contributing factors. Firstly, mention should be made about the concerted efforts sustained by NGO and state-run centers personnel to improve services and facilities despite the lack of financial support and budget cuts from sponsors within and outside the country.

Secondly, access to information about shelters and other lodging facilities helped victims understand the advantages offered to them.

Last, but not least, the organization and operation of the National Agency against Trafficking in Persons (NAATP) in May 2006 and the establishment of its regional centers allowed for a better evaluation of each individual case and a more efficient referral of the victim to specialized assistance services consistent with the victim's needs and the available resources. In addition to that, NAATP effectively monitored assisted victims with a view to improve the quality of the services provided.

⁵⁹ This figure does not include the number of victims directly assisted by the IOM

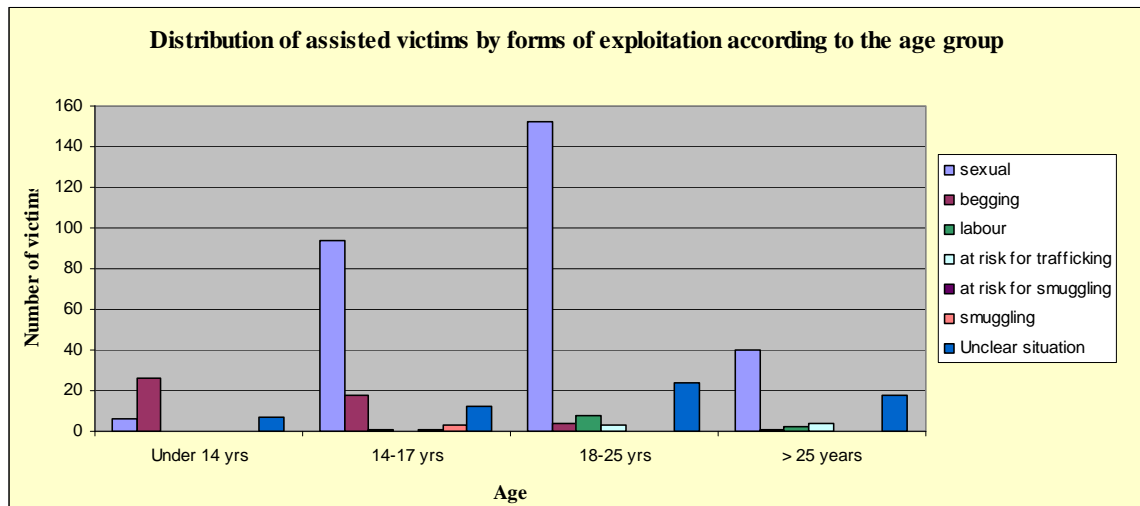


Fig. 14 Distribution of victims assisted in 2006, according to the form of exploitation and age

182. Yet, there is an apparently considerable difference between the number of victims identified in 2006 (2285) and the number of victims who benefited from special protection and assistance services in governmental and non-governmental centers which needs to be clarified.

- When identified victims were initially evaluated in terms of their needs for assistance and informed about their rights and services available to them. However, in some cases, this stage was rather formal and victims' decisions were not always substantiated by an exact understanding of the possibilities of their recovery. But things got better in the second half of 2006 when NAATP regional centers became operational and specialists (psychologists and social workers) individually or together with NGO specialists managed to gain the victims' trust and better communicate with them.
- Victims often reject assistance services and choose to return to their families, to a close and safe environment where they can recover from the traumatic experiences they had. Moreover, the discriminatory attitude of the general public towards victims viewed as "prostitutes" make them hide their experiences by refusing communication and avoiding any approach that their experiences could "be disclosed" to the local community.
- Most victims showed reluctance to being admitted to specialized shelters because of the preconceived idea that they are detention centers rather than psychological rehabilitation ones. Traffickers, too, have their part in creating this distorted image. While exploiting their victims,

traffickers resist any potential victim support from NGOs or law enforcement agencies by making victims believe they cannot be saved and nobody can do anything for them while shelters are nothing but “prisons”.

- Most of the victims identified in foreign countries are taken over by specialized institutions and organizations that provide them with the necessary support in the destination country for periods of time varying from one week to several months, sometimes longer (in victim witness cases) so that, upon their return victims are recovered to a great extent and carrying on the assistance is not always a priority.
- Victims trafficked for forced labor - an important segment representing 27% of the total number of identified victims - seldom agree to long-term assistance. Their needs require more legal counseling and support for repatriation and less psychological assistance in shelters.
- A great deal of victims received assistance outside the shelters (within the community, at home).

183. **In this context, the conclusion is that the percentage of assisted victims is higher as compared to the reported number of identified victims.**

184. In 2006, 301 victims representing 71% of the total number were assisted by **NGO centers**, as compared to 115 in 2005 and 123 victims (29%) benefited from **government assistance** (as compared to 60 in 2005).

185. Within the distribution of countries of exploitation according to victim’s age, **internal trafficking** comes first with 126 assisted victims of which approximately 50% of them were aged 14-17. As for **international trafficking**, most of the assisted victims were trafficked in:

- Italy - 96 of which 51 aged 18 – 25;
- Spain – 48 of which 21 aged 18 – 25;

Other countries are represented as follows:

- France – 16 ;
- Macedonia – 12 ; Serbia 12
- Germany 11; Netherlands 11;
- Turkey 9; Great Britain 6;
- Austria 5; Belgium 5.

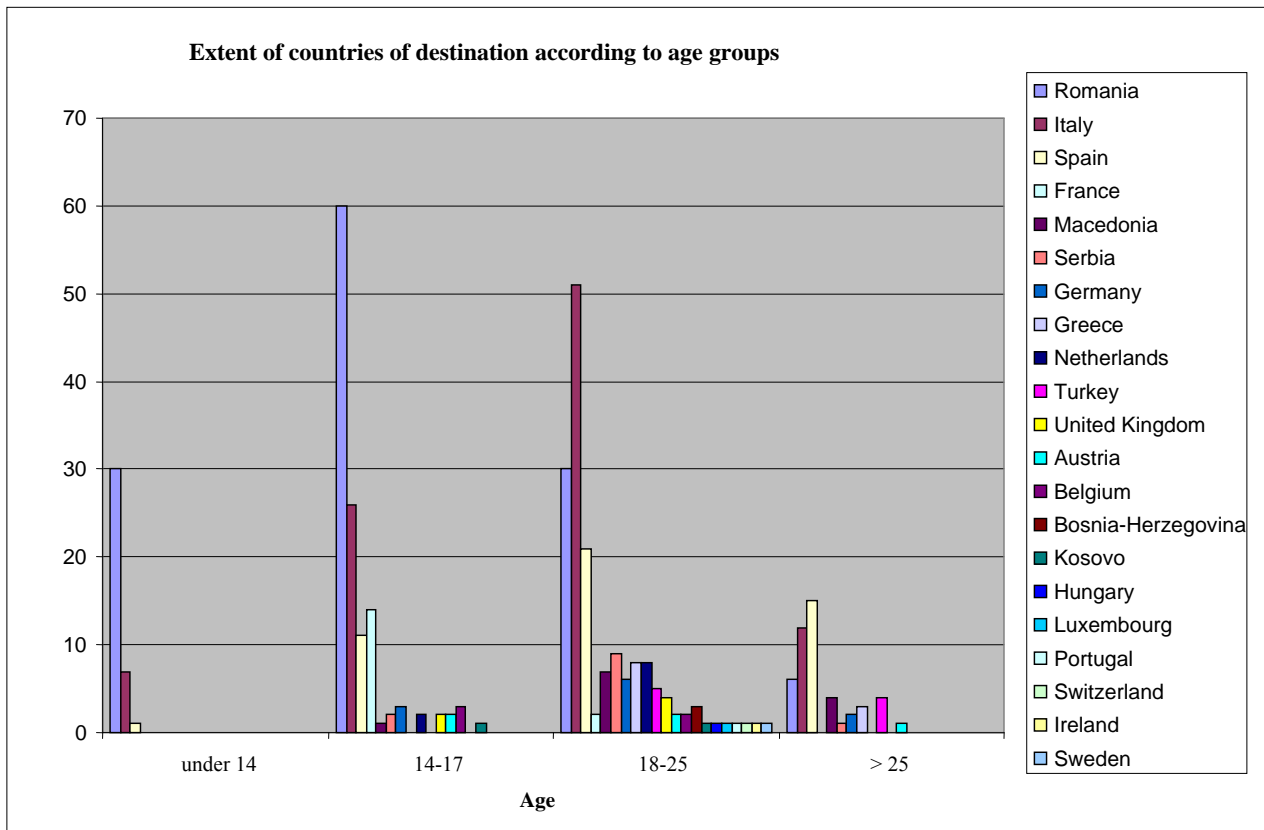


Fig. 15. Extent of victims assisted by country of destination and age

186. The number of assisted victims rose from 46 in 2005 to **126** in 2006 (internal trafficking) and from 129 in 2005 to **298** in 2006 (international trafficking) which accounts for the improved victim identification and referral system in internal trafficking cases.

6.2 Activities conducted by NAATP Regional Centers

187. NAATP regional centers conducted an initial evaluation of victims identified by the Directorate general for Combating Crime and its territorial units and the county inspectorates of the Border Police.

188. 83 victims or potential victims were monitored, 46.98% of which came from the rural areas and 53.02% from urban areas.

Annex 2 of the report shows the detailed situation for each centre.

189. **Bucharest Regional Centre** is monitoring 8 victims/potential victims of trafficking, 5 of them referred by police structures combating organized crime and 3 reported on the Help-line; 2 from rural areas, 6 from urban areas.

190. **Cluj-Napoca Regional Centre** is monitoring 7 victims/potential victims of trafficking, 6 of them referred by police structures combating organized crime and 1 reported by an NGO; 1 from rural areas, 6 from urban areas.

191. **Constanta Regional Centre** is monitoring 13 victims/potential victims of trafficking, 1 of them referred by police structures combating organized crime and 12 by the Directorate General for Child's Protection and Social Assistance (DGCPSA); 5 victims are from rural areas, 8 from urban areas.

192. **Craiova Regional Centre** is monitoring 13 victims/potential victims of trafficking, 10 of them referred by police structures combating organized crime, 1 by DGCPSA, 1 by NGO and in one case the victim's family contacted the centre. 8 victims come from rural areas, 5 from urban areas.

192. **Galati Regional Centre** is monitoring 6 victims/potential victims of trafficking, 2 of them referred by police structures combating organized crime, 2 by DGCPSA, one situation was reported on the Help-line, and one situation became the Centre's focus of attention following a newspaper story: 1 victim is from rural areas, 6 from urban areas.

193. **Iasi Regional Centre** is monitoring 20 victims/potential victims of trafficking, 4 of them referred by police structures combating

"My grandfather wrote down the telephone number from the TV and I made contact with them". (F.O., a 22 year old victim, no assistance services until the date of the interview)

organized crime, 13 by DGCPSA, 2 by NGO and IOM, 1 by a territorial gendarmerie unit; 9 of the victims come from rural areas, 11 from urban areas.

195. **Pitesti Regional Centre** is monitoring 5 victims/potential victims of trafficking, 2 of them referred by police structures combating organized crime, 1 case was reported on the Help-line, 1 by NGO and one case detected by the specialist inspector; 3 victims are from rural areas, 2 from urban areas.

196. **Timisoara Regional Centre** is monitoring 11 victims/potential victims of trafficking, 2 of the victims were referred by police structures combating organized crime and 9 by DIOCTO; 10 victims come from rural areas, 1 from urban areas.

Following the co-operation between NAATP and the Reflex Project one repatriated victim was taken over by the territorial centre in Bucharest and referred to a centre for assistance. As of now, the victim is being assisted at home.

197. The total number of cases referred to the regional centers is 83, out of which 62 were identified as victims of trafficking and 21 on suspicion of being in a trafficking situation. Only 58% of the identified victims agreed to be assisted but the rest will be monitored by the regional centers for any development of their situations or for support in case victims decide otherwise.

198. In terms of the institution to refer victims for assistance in NAATP regional centers the percentage is as follows :

- ✓ 38.55% by specialized police structures;
- ✓ 33.73% by DGASPC;
- ✓ 10,84% by DIICOT;
- ✓ 6% reported by NAATP Help-line;
- ✓ 10.84% by NGOs, the community, the Gendarmery structures and IOM.

199. Even if the period under evaluation covers only four months in the activities conducted by the NAATP Regional Centers, their staff accompanied the victims throughout the process of assistance by establishing links with local institutions and NGOs as competent service providers.

Chapter 7 Inter-institutional Co-operation

7.1. Inter-institutional co-operation to prevent trafficking in persons and assist trafficking related victims

200. The “**Meris House**” project was launched in November 2005 by NAATP in association with Caritas, Directorate for Social Assistance in Giurgiu and ADPARE, sponsored by Associazione Vicenza, Bucharest. The project aims to develop a public-private partnership by setting up a protection and assistance centre for victims in distress to ensure specialized services to victims identified within the jurisdiction of Bucharest Court of Appeal. Psychological, medical and legal assistance to victims are among the services provided by the Centre for their socio-professional reinsertion. The project was designed for a 6 month duration period which may be extended depending on the results achieved.

201. On 20 July 2006 the Ministry of Labor, Family and Equal Opportunities started the Open Call for project proposals – “Social Services Development”- within the framework of Phare Program 2004-2006 “**Socio-economic Cohesion – non-reimbursable financial scheme for social services development**”. The project includes integrated/specialized services associated to lodging, treatment, recovery and social reinsertion of victims of domestic violence or trafficking in persons.

202. In order to reduce the trafficking in persons phenomenon, NAATP has concluded and implemented a series of collaborative protocols with relevant agencies in the field, such as: Inspectorate General of the Romanian Police (IGRP), Inspectorate General of Border Police (IGBP), the Romanian Gendarmerie, the National Authority for the Protection of Child’s Rights (NAPCR) and National Agency for Equal Opportunities. The objectives contained in the protocols target the harmonization of anti-trafficking actions, mutual consultation and information about measures and actions at national or international levels taken by each party in the protocol or by third parties, identification of trafficked victims and provision of data necessary to develop the National Strategy or Action Plans in the field of human trafficking.

203. The “Conexiuni” organization in Deva organized several debates on **Victim’s Protection between Law and Application**. The debates were attended by major actors involved in combating and preventing trafficking from Hunedoara, Alba and Sibiu counties. During the discussions the groups reviewed the causes generating difficulties in enforcing the legal provisions in relation to trafficking and developed guidelines on victims’ rights to prevent re-victimization.

7.2. Inter-institutional Co-operation to Combat Trafficking in Persons

204. Joint investigation teams were set up composed of DIOCTO prosecutors and police officers of equivalent competence (DGCOC and IGBP) to carry out investigations and prosecutions of trafficking in persons related offences.

205. The **“Co-operation with a view to setting up the data base of trafficking in humans and migrants related cases”** project, concluded within the inter-institutional co-operation framework, will allow a more comprehensive approach on trafficking issues and harmonization with international standards on collecting and processing data. The project will provide the investigative bodies with an effectively applicable tool. It will also grant prosecutors access to data and information necessary to perform their tasks in carrying out criminal investigations and prosecutions.

206. In order to encourage victims to assist in investigations, the project **“Co-ordination of Victim-Witness in Trial”** was launched by NAATP in association with the Ministry of Justice Probation Department, DIOCTO with the Prosecutor’s Office and DGCOC, IGRP. The project is being developed with the support of US Embassy in Bucharest and aims to create a unitary and co-coordinated response to victims of trafficking as witnesses or injured parties in trials through the co-operation of all concerned institutions involving government authorities as well as social service providers.

207. The mandate of the project is to:

- ✓ keep constant contact with victims of trafficking;
- ✓ offer trafficked victims information about their rights and the services they can apply to for specialized assistance;
- ✓ inform victims about the court proceedings and developments in the case;
- ✓ inform and prepare victims in relation to the situations they may face during the trial.

208. During the first stage of the project a regional seminar was organized in Galati, during 15-17 November with the participation of:

- representatives of NAATP Regional Centers from Iasi, Galati, Constanta, Bucharest and Craiova;
- representatives of Units and Services for Combating Organized Crime ;
- prosecutors with DIOCTO;
- judges of Courts and Appeal Courts from Bacau, Neamt, Iasi, Suceava Vrancea, Braila;
- representatives of DGASPC;
- probation counselors of the above mentioned Courts.

209. The project is still under way and the evaluation of the results achieved during the first stage of the project is going to be conducted in the second semester of 2007. The partial results indicate that by the end of 2006 no victim-witness left the program.

Chapter 8 **Trafficking in Persons and the Media**

210. Media attention to anti-trafficking actions and the implementing institutions significantly increased in 2006.

211. Throughout August and December 2006 the following media channels were monitored:

- 17 central newspapers;
- 12 local newspapers
- 8 radio stations
- 8 television stations.

During the referred period a total number of 185 newspaper articles and radio and television broadcasts covered issues of trafficking in persons.

212. The topics of the articles reported on:

- apprehension of traffickers and annihilation of trafficking networks -48 articles ;
- NAATP activities (establishment, structure, the Help Line, the “Watch out! There’s a price to pay!” prevention campaign);
- accounts of the alarming growth of human trafficking in Great Britain after Romania and Bulgaria’s accession to EU - 22 articles quoting the British newspaper “ The Sun”;
- increase in the number of cases of child trafficking following the removal of border checks – 18 articles;
- concerted efforts of the authorities to deter trafficking – 12 articles;
- victims’ experiences -11 articles;
- international co-operation to fight trafficking, actions taken to strengthen border controls, the obligations of hotel, taxi and construction companies, as well as international transport agencies to report trafficking situations in accordance with the National Plan for Action 2006-2010 to implement the National Strategy on Preventing Trafficking in Persons – 33 articles.

213. A major step towards an increased level of information and awareness of the general public about trafficking in humans was the creation of NAATP site – <http://anitp.mai.gov.ro>.which became operational in October 2006. The site offers information on national and international anti-trafficking legislation, trafficking in human beings in terms of risk factors and victim’s and trafficker’s profiles, as well as information about non-governmental institutions and organizations the Agency cooperates with.

214. Additionally, brochures (150 copies), leaflets (200 copies) and flyers (2,000 copies) containing useful information about the Agency and the Help Line, were published and distributed to the public.

Chapter 9 European Affairs and International Co-operation

9.1. International co-operation to combat trafficking in persons and to protect and assist trafficked victims

215. In 2006 the NAATP staff members attended 10 international events on trafficking in persons issues.

- 23-29 May, New York – the 35th Session of the UN Committee on the Elimination of Discrimination against Women;
- 29-31 May, Belgrade – the Regional Conference on short –term residence permits for and assistance to victims of trafficking;
- 2-13 October, Warsaw – OSCE Reunion on the Implementation of Human Dimension;
- 9-18 October, Vienna – the Third Conference of Parties to the UN Convention Against Transnational Crime;
- 10-11 October, Vienna – meeting with local liaison officers within the framework of the Program to Support the Development of Transnational Referral Mechanisms for Trafficked Victims in South Eastern Europe, organized by ICMPD;
- 10-12 October, Warsaw – Conference on Combating Trafficking in Persons, organized by IOM;
- 7-9 November, Tirana – reunion of the Program to Support the Development of Trans-national Referral Mechanisms for Trafficked Victims in South Eastern Europe;
- 15-17 November, Vienna – “Alliance Against Trafficking in Human Beings” conference organized by OSCE;
- 27-28 November, Chisinau/ Republic of Moldova - Regional Workshop on Best Practices of Judicial Assistance to Trafficked Victims;
- 28 November – 1 December, Geneva – 92nd Reunion of the IOM Council.

216. “Transnational Co-operation to Combat Trafficking in Persons” project aimed at facilitating communication and harmonizing communication systems between the neighboring countries in order to improve effectiveness in the fight against human trafficking. The project was promoted by NAATP, Caritas and ADPARE.

Officials of institutions and organizations involved in anti-trafficking activities from Romania, Moldova and Ukraine participated in the project. Working meetings were held in Suceava, financial with the support of the USA Embassy in Bucharest, Giurgiu and Ruse (Bulgaria) where appropriate means

of communication were established between local administrations, border police, educators and NGOs.

217. Following the visit of the UNDOC delegation on 12-16 June 2006, an evaluation report was elaborated and, based on proposals made by MIAR, Romania and the European Commission, the “Joint Action on Strengthening the Rule-of-law in Romania” program was designed.

218. In August 2006, the US Ambassador in Romania visited the National Agency. During the discussions there were identified a number of opportunities for co-operation, of which one was set up for the initiation of the “Victim Witness Co-ordination” project, currently ongoing with NAATP and other associated authorities (Directorate for the Investigation of Organized Crime and Terrorism related Offences, Directorate for Combating Organized Crime and the Ministry of Justice).

The project aims to improve trafficked victims’ contribution to criminal investigations and prosecutions of traffickers and was launched during the first regional seminar held in Galati in November 2006.

219. On 25 September 2006, the Romanian Ministry of Interior and Administration Reform and ICMPD signed the co-operation agreement for the implementation of the Program to Support the Development of Transnational Referral Mechanisms for Trafficked Persons in South Eastern Europe. The program developed by ICMPD and financed by USAID is being implemented in association with ACTA, MARRI and the Ministry of the Interior in Bulgaria. Following the signing of the co-operation agreement in November 2006, the project manager in Vienna conducted an evaluation assignment concerning the situation of the trafficking in persons in Romania and had talks with representatives of the main institutions and NGOs with responsibilities in the field.

220. Romania’s objective in the field of European affairs was to develop the co-operation with the Member States and the relevant European institutions and to improve the exchange of information and best practices in the field at bilateral and multilateral levels.

To this end, Romania took part in various international events and training activities aimed at enhancing multidisciplinary co-ordination and co-operation to prevent and combat human trafficking:

- the training seminar on cooperation mechanisms between law enforcement agencies in EU member states and candidate countries , 13-16 June, Greece – AGIS 2005 program;
- AGIS 2005 Co-ordination Committee Reunion, 11-12 July, Brussels;

- seminar on concrete measures for identification, protection and reintegration of victims of trafficking in Romania and Bulgaria, 4-6 October, Bulgaria.

221. At the 12th Reunion of Romania and European Union Association Committee in Brussels, 7-8 June, EU officials made positive remarks about Romania's progress in combating trafficking in persons and expressed satisfaction with the creation of the National Agency against Trafficking in Persons.

222. NAATP representatives also attended the Conference on the Implementation of the EU Action Plan to Combat and Prevent Trafficking in Brussels, 28-29 June. Having regard of the recommendations of the reunion the National Strategy against Trafficking in Persons 2006-2010 and the National Action Plan 2006-2007 were developed in compliance with the recommendations contained in the EU Plan on Best Practices, Standards and Procedures for Combating and Preventing Trafficking in Human Beings.

223. Reports concerning the stage of the achievement of responsibilities that Romania assumed in the process of accession to EU were developed and referred to the European Commission. The reports highlighted the successful results obtained in the fight against trafficking in persons. The implementation of measures contained in the Plan of European integration priority measures for 2006 were weekly reported in order to amend issues presented in Romania 2006 Comprehensive Monitoring Report.

224. NAATP signed the joint declaration for the implementation of the "Operational networking and Co-operation and Joint Multidisciplinary Training Process for Judicial, Law Enforcement, NGOS and IO Specialists in Fighting Trafficking in Human Beings" project, part of AGIS 2006. The project has a 15 months duration, from 1 November 2006 to 31 January 2008. The aim of the project is to contribute to the fight against organized crime by promoting and enhancing co-operation, and sharing disseminating relevant best practices at EU level;

225. Seminar on the exchange of information in relation to human trafficking issues and the National Rapporteur's responsibilities, held in Brasov, 3-4 October, was conducted by the Dutch rapporteur on trafficking in persons issues, Dutch experts in the field and the President of NAATP.

226. The Inspectorate General of Border police conducted "one time actions" in co-operation with Hungarian and Austrian authorities with a view to combat illegal migration and trafficking in persons as "tourist" activities;

227. Throughout July and September 2006, 4 border police officers were assigned as liaison officers for MIAR on the Hungarian and Austrian border and respectively the French and Spanish border assisting the authorities in conducting border control activities and exchanging operational data about Romanian nationals traveling in the Schengen area;

228. Within the framework of the Reflex Project, the Directorate General for Combating Organized Crime co-operated with British police officers in 15 cases;

229. The Romanian Police and the BKA Wiesbaden cooperated in sharing operational information and data through the liaison officers assigned to Bucharest, organizing seminars on anti trafficking activities and exchanging visits.

230. The PHARE Project “Resource Centre on Combating Trafficking in Human Beings” developed by MIRA in association with the Federal Ministry of the Interior (Austria) was finalized.

9.2. International Judicial Co-operation

231. There has been recorded an increase in requests for international judicial co-operation between similar specialized police structures at European level or their representatives in Romania.

Requests made to CIPC through Interpol and NFP

Year	Requests for Romanian liaison officers	Requests for foreign liaison officers	Requests through EUROPOL	Requests from national cooperation structures
2005	105	57	17	266
2006	164	77	38	329

232. Romania received 48 rogatory commission requests, recorded by DIOCTO, of which 38 were dealt with and 10 are currently pending investigation.

During the reporting period Romania made 45 rogatory commission requests, 22 of them have been dealt with so far. Prosecutors with DIOCTO conducted exchanges of information with their counter-parts in neighboring and destination countries in 61 cases of trafficking.

233. According to information supplied by the Directorate for International Law and Treaties with the Ministry of Justice, Romania made 16 extradition requests related to trafficking in persons (9 to Italy, 5 to Spain, 1 to Greece and 1 to Netherlands).

234. The Reflex project plays a major part in the international co-operation framework. The project aims to enhance international co-operation between the Romanian and the British police forces with a view to combat illegal migration and trafficking in persons. Following the excellent achievements the project was extended in April 2006 as provided by the Memorandum of Understanding between the Romanian Ministry of the Interior and the Home Office, UK.

Chapter 10

Summary and Recommendations

235. Trafficking in human beings must not be seen primarily or exclusively as an occasional or recurrent problem; trafficking in human beings is a dynamic phenomenon with a negative impact upon the social structure of life.

Trafficking in humans has become a social priority which calls for an effective anti-trafficking response.

10.1. Summary

236. Having analyzed the situation and development of the phenomenon in Romania some final conclusions can be mentioned:

- For the first time in the last five years, there has been recorded a drop in the number of identified victims which can be accounted for by the enhanced and highly efficient efforts and specialist training of those responsible to identify and assist victims, corroborated with a better cooperation between counterpart institutions in the destination countries.
- Romania is a country of origin, transit and to a lesser extent a country of destination for trafficked victims. Romania's accession to EU and its increased economic development will attract more foreigners and the institutional system shall be called upon to match up to the challenges posed by the new status of country of destination.
- The opening of borders to the EU area will encourage, in the near future, the migration of Romanian citizens to other Member States for better- paid jobs and, equally, traffickers will turn this to their account. The number of victims trafficked for the purpose of forced labor is expected to rise.
- There is a series of characteristic factors of the current socio-economic situation which caused the expansion of the trafficking phenomenon, as well as family and individual factors which increase the vulnerability of the individual to victimization. A better comprehension of these factors and an improved system to collect and process data in the field will be useful in developing prevention campaigns and assistance programs targeting the social categories at high risk of becoming victims of trafficking.
- The relevant legislation recently enacted and its shortcomings made the implementation difficult. The National Plan of Action 2006-2007 establishes the development of an opportunity research with the view to

include victims of crimes under Law 678/2001 into the category of victims entitled to restitution and free legal assistance, as provided by Law 211/2004, through participative action of all concerned institutions.

- The inadequately developed institutional framework to ensure the effective implementation of legislative actions and the limited inter-institutional co-operation are major obstacles in reducing the trafficking phenomenon.
- The victim protection and assistance system is insufficiently developed and the services provided are not always consistent with the victims' needs. Therefore, the NGOs contribution in this field was essential, even if, more than often, resources needed were inadequate.
- During the relatively short period of time since its inception, NAATP has contributed to the enhancement of unitary co-ordination of anti-trafficking activities carried out by the responsible institutions.

10.2. Recommendations

237. Necessary measures shall be taken with the view to improve anti-trafficking policies. They shall aim to:

- enhance the capacity to disseminate information about trafficking in persons to vulnerable or closed communities, as well as communities with a potentially low access to information;
- support projects designed to improve abilities to identify job placement options;
- increase awareness and commitment of specialists working with trafficked victims;
- render media more sensitive to the social impact of trafficking;
- ensure the necessary resources in developing programs to reduce the vulnerability of groups at high risk of being victims of trafficking;
- maximize the capacity to develop European funding projects.

238. Policies of protection and assistance to victims of trafficking shall give priority to the following:

- review of Law 678/2001 provisions concerning the time period for protection and assistance to trafficked victims and the conditions imposed while in specialized government centers;

- training of the personnel directly involved in the social reintegration of trafficked victims, particularly minors and victims of exploitation for labor which represent the highest percentage of persons benefiting from social services;
- development of programs of national interest aiming at providing the necessary resources to perform victims' assistance and re-integration activities and targeting NGOs support as well;
- bringing the National Mechanism of Trafficked Victims' Referral into operation and developing standards of victims' protection and assistance in order to provide high quality services;
- implementation of a national integrated system to account for and monitor victims of trafficking;
- conducting research on the factors to determine victims' decisions to receive protection and assistance service;
- development and publication of progress reports on the quality of assistance provided and its impact on victims' reintegration into society.

239. In order to combat trafficking in persons, necessary actions shall be taken regarding:

- continued exchange and international co-operation between relevant structures combating trafficking in persons in order to facilitate the annihilation of criminal organized groups operating in Romania and their external branches;
- joint methods to collect information and monitor the activities of organized crime groups through wire tapes and undercover officers and standard investigative techniques used in criminal investigations and prosecutions which can result in successful convictions of traffickers;
- encouraging victims to assist in trials as witnesses or injured parties by taking further measures for their safety and setting up funds for restitution of expenses incurred during the trial. To this end, carrying on the "Coordination Victim Witness Project" could assist in the establishment of a mechanism for inter-institutional coordination aimed at improving victims' contribution to criminal prosecutions and their access to protection and assistance services within the community.

240. With regard to international co-operation, particular emphasis shall be placed on:

- intensifying actions for Romania's full membership to ICMPD;
- strengthening co-operation with the Southeast European countries with a view to improve exchange of information on trafficking of persons in the region;
- taking active part in the anti-trafficking activities initiated by EU institutions and promoting Romania's views and interests.

STATISTICS ON TRAFFICKED VICTIMS BY GENDER, AGE GROUP AND FORM OF EXPLOITATION.

Sources: DGCOC, IGBP

POLICE STRUCTURE	VICTIMS 2006														
	TOTAL	AGE GROUP								NATIONALITY		FORM OF EXPLOITATION			
		under 14 years		14-17 years		18-25 years		>25 years		ROMANIAN	FOREIGN	SEXUAL EXPLOITATION	LABOUR	BEGGING	OTHERS
		M	F	M	F	M	F	M	F						
DGCOC	1777	5	1	23	238	131	817	242	320	1776	1	1228	373	161	15
IGBP	508	0	1	14	34	46	185	123	105	508	0	223	251	22	12
Total	2285	5	2	37	272	177	1002	365	425	2284	1	1451	624	183	27

CENTRALISED STATISTICS ON ASSISTANCE PROVIDED BY REGIONAL CENTRES																						
September-December 2006																						
Regional Centre	Age group				Sex		Form of trafficking			Form of exploitation					Country of destination	Party in trial			Assistance received			
	under 14	14-17	18-25	> 25	M	F	external	internal	attempted	sexual	labor	begging	Criminal conduct	Adoption		Injured party	Witness	Non-involvement	Shelter		Residence	
																		Private system	Public system	Private system	Public system	
Bucuresti 8 active cases	-	1	6	1	-	8	7	2	1	6	1	-	-	-	Spain (2), Italy (1), France (1), Germany (3)	2	-	5	-	-	1	1
Cluj-Napoca 7 active cases	-	2	3	2	1	6	5	2	-	6	1	-	1	-	Spain (2), Italy (2), Switzerland (1)	6	-	1	-	1	2	3
Constanta 13 active cases	-	9	4	-	5	8	4	-	9	3	-	1	-	-	Turkey (1), France (1), Spain (1), Netherlands (1)	3	-	-	-	2	-	-
Craiova 13 active cases	-	5	7	1	2	11	8	3	2	8	1	2	-	-	Spain (1), Greece (1), Italy (1) and France (5)	4	1	1	-	-	-	5
Galati 6 active cases	1	2	2	1	-	6	5	1	-	4	1	1	-	-	Italy (2), Spain (1), , United Kingdom (1) and Belgium (1)	3	-	-	-	1	-	3
Iasi 20 active cases	-	12	8	-	2	18	8	11	1	16	1	1	2	-	Italy (2), Netherlands (3), Serbia (1), Germany (1)	4	4	2	-	7	4	1
Pitesti 5 active cases	-	-	3	2	-	5	5	-	-	4	1	-	-	-	Italy (1) and Spain (4)	1	1	2	-	-	-	4
Timisoara 11 active cases	-	-	5	6	6	5	11	-	-	2	9	-	-	-	Spain (9), Italy (1), France	10	-	1	-	-	-	-
TOTAL 18 active cases	1	31	38	13	16	67	53	19	13	49	15	5	3	-	Spain (20), Italy (10), Netherlands (4), France (8), Germany (4), Turkey (1), Greece (1), Serbia (1), United Kingdom (1), Belgium (1), Switzerland (1)	33	6	12	-	11	7	18

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