

2018-2022

NATIONAL STRATEGY AGAINST TRAFFICKING IN PERSONS

I. INTRODUCTION

Trafficking in persons continues to be an evolving phenomenon both from the point of view of the interest shown by traffickers, in a permanent search for means of rapid and illegal enrichment, and, in a natural and proportional manner, of the interest shown by the most accomplished international bodies involved in fighting this phenomenon.

Taking into account the income criterion, trafficking in persons is one of the most profitable offenses in the world, outpaced only by drug trafficking and arms trafficking. At the same time, it continues to be one of the crimes with the most serious consequences in the humanitarian plan, therefore the statement "behind every number lies a life, a soul, a destiny, and what is above zero is already too much"¹ finds its place in a context in which the actions of modern societies tend to specialize their resources - politics, social actions, well-trained professionals, etc. - to address all forms of organized crime and, in particular, human trafficking a ruthless, intelligent and adapted response, likely to reduce the number of victims as much as possible, to reduce and control as much as possible the risks and vulnerabilities, and to punish as hard as possible the growing number of traffickers.

In this context, it is very important to understand that, in a global vision, where the boundaries against "individual" and organized crime have long ceased to exist, trafficking in persons and economic, sexual or any other type of exploitation of the millions of human beings will probably accompany humanity until its sunset, and the contemporary societies can only try to pursue the "eradication" of trafficking in human beings with no total success whatsoever.

For more than 15 years, in an attempt to limit the scale of this phenomenon, governments, intergovernmental and nongovernmental organizations around the world have given trafficking in persons a significant importance, signing extensive international treaties and partnerships for that purpose, adopting the necessary legislative framework and establishing standards for assistance provided to victims of trafficking and for prosecuting the traffickers.

¹Sorin Fildan, Speranța Milancovici, Multi-disciplinary perspectives on preventing and combating trafficking in persons, Cordial Lex P.H., Cluj-Napoca 2012, page 7.

Romania too, in its desire to harmonize its national legislation with the international standards in the field, has given due attention to such an approach, adapting its working tools and thus drafting laws and mechanisms that address the phenomenon at national, regional and local level.

The interest and concern to fight the impact of this type of crime have been visible in most of society's layers, from civil society to Parliament, each using the tools available to prevent and combat trafficking in persons. One powerful example of political and parliamentary interest is *the Parliamentary Group for the Fighting against Human Trafficking*, which, since its inception in 2009, has increased its involvement in the public awareness efforts to address the danger of trafficking in persons by supporting other social actors both through the Group's activity, but also through the direct action of various MPs, members of this Group. This manifestation comes in the context in which the Romanian Parliament was the first of the national parliaments of the EU Member States to initiate a procedure to establish the partnership and the information exchange among the relevant actors from all sectors of public administration and civil society, in order to effectively prevent and combat trafficking in persons, managing to impose at the Parliament level a medium and long-term vision with an impact on the national anti-trafficking effort, during the implementation of the 2012-2016 National Strategy against Trafficking in Persons. At the same, the Group contributed to the organization of hearings, consultations and conferences with internal and international participation focused on essential and concrete themes regarding the concerted interest of various social segments on the deficient issues in the field.

The importance of the normative regulation of the phenomenon of trafficking in persons plays a consistent role in guiding the institutional actions of the social actors participating in the different areas of intervention, either in the fight against crime or the intervention based on prevention concepts - specialized victim assistance and protection or inter-institutional cooperation (among state institutions or between state institutions and non-governmental organizations).

Having this in mind, but also to respond to the call made by decision makers in the European Union to provide a clear and comprehensive response of multidisciplinary, coherent and coordinated policies, the 2011-2012 period in Romania is characterized by the cumulative efforts of the representatives of various central public authorities and civil society organizations to develop the 2012-2016 National Strategy against Trafficking in Persons (SNITP).

Thus, as a result of the legislative regulatory steps in the public policy area, the 2012-2016 SNITP set itself the goal of stimulating the activities of state institutions, encouraging the participation and involvement of international and non-governmental organizations in the fight against trafficking in human beings, motivating inter-institutional and international cooperation, bringing into collective concern the problematic reality of this phenomenon by referring to the negative effects involved and adapting and improving the quality of assistance services offered to victims of trafficking in persons.

Beyond the analysis of the strong and weak points of the Romanian authorities regarding the implementation of this public policy document over 5 years, a remark that we consider opportune and which should be considered is also the manifestation of the trafficking of persons

as a social and criminal phenomenon with a strong international character, within a demand-supply equation whose approach must be taken from a perspective in which Romania's efforts must be doubled and supported by those of the destination countries in a conjugate attempt to limit the effects of this phenomenon.

This statement appears necessary in the context in which, in recent years, Romania has been mainly a country of origin for victims of trafficking in persons, in a situation of increased vulnerability of some segments of the population in search of better living opportunities. At the same time, the European countries continued to maintain their status of destination countries for Romanian citizens trapped into trafficking and exploitation situations. The demand from buyers of sexual services, from employers looking for cheap and "contracted" workforce outside or at the limit of the legal framework encouraged the supply of the "market" in some European countries with secure victims, vulnerable to rudimentary living conditions or to attitudes and prejudices that have put them in extremely risky situations, involved in various trafficking and exploitation situations of their skills, more or less qualified (exploitation through forced labor, sexual services supplied, begging, the obligation to commit thefts, exploitation by identity theft², etc.).

Facing a dynamic and complex phenomenon that involves the constant appearance of new and new forms of manifestation, techniques, tools and working methods and analyzing some statistics, research papers and recent results in the field, the need for intensification and adaptation of efforts in order to increase the level of understanding and approach of the traffic phenomenon is more than obvious.

Noting the limited effectiveness of some of the actions carried out, as well as the fact that trafficking through exploitation of any kind remains high, the reactions towards those affected still not being exactly adequate, in the context of ending the implementation period of the 2012-2016 National Strategy against Trafficking in Persons, the National Agency against Trafficking in Persons, as the responsible institution of developing the national strategy against trafficking in persons, initiated the drafting of the current strategy involving the main public institutions with responsibilities in the field, as well as non-governmental organizations that carry out prevention and assistance activities for victims of trafficking in persons.

In order to draft the Strategy, several working meetings were organized, mainly aimed at identifying the problems encountered in carrying out specific activities in the areas of action against trafficking in persons and outlining the general objectives of the Strategy.

The institutions involved in the development of the strategy were: the **Ministry of Internal Affairs** (the National Agency against Trafficking in Persons, General Inspectorate of the Romanian Police - Directorate for Combating Organized Crime, General Inspectorate of the

² Starting with 2013, 30 Romanian citizens have been recruited and taken to Denmark with the promise of a job. Once arrived in Denmark, their real identity was used to fraud the Danish tax system, various banks, credit institutions and Danish commercial units. The case was known as "The Wasp Nest".

Border Police, General Inspectorate for Immigration), the **Public Ministry** (Directorate for Investigating Organized Crime and Terrorism Offences), the **Ministry of Justice** (National Probation Directorate, National Agency for the Management of Seized Assets), the **Ministry of Labor and Social Justice** (Labor Inspectorate, National Authority for the Protection of the Rights of the Child and Adoption, National Agency for Employment, National Authority for People with Disabilities, National Agency for Equal Opportunities for Women and Men), the **Ministry of Foreign Affairs** (Directorate of Human Rights, Protection of Minorities and Council of Europe, Directorate for Consular Relations), the **Ministry of Health** (National Transplant Agency, General Directorate for Medical Assistance and Public Health), the **Ministry of National Education** (Directorate for Lifelong Learning).

The involvement of civil society in drafting the current strategy was quite limited. The implementation period of the measures in this strategy is 2018-2022.

II. 2012-2016 HIGHLIGHTS ON VICTIMS OF TRAFFICKING IN PERSONS

Trafficking in persons during the period 2012-2016, with all the elements defining the intervention against this social and criminal phenomenon, was on the agenda of the Romanian institutions and organizations responsible for combating this activity and for protecting and supporting the victims. In 2016, the police investigations and prosecution activities led to a high number of persons (**333**) sentenced for crimes of trafficking in persons, child trafficking and child pornography. The same investigative activities, complemented by the punctual intervention of Romanian and foreign NGOs for the prevention of acts of exploitation and support of victims of trafficking, led to 4330 identified victims recorded by the Romanian system, during the period 2012-2016.

The number of the victims identified during the period 2012-2016 is 40% lower than in the implementation period of the previous National Strategy, namely 2006-2010. Thus, 4330 victims, women and men, mostly Romanian citizens, have been victims of exploitation of any kind, both on the territory of Romania and on the territory of other states, especially European ones.

If the period of 2006-2010 was seen by anti-trafficking specialists as the period when Romania's accession to the European Union and the opening of Romania's borders to the European states, followed by the global economic crisis, accentuated the need of the Romanian citizens to engage in high-risk activities, such as migration to work abroad due to the loss of employment in their country, the period 2012-2016 was not necessarily characterized by significant geo-political or economic changes. However, the low socio-economic conditions in our country, compared to many other European countries, interpolated with other demographic and cultural risk factors, have contributed to a continuous activity in the sphere of trafficking in persons and to the identification of a significant number of victims.

The peculiarities of this period are also influenced by the expansion of Internet, the technological development, the high access of the Romanian citizens to Internet and the use of this developments in supporting and developing criminal activities in the field of trafficking in

persons. Technological development and an increased use of Internet in the everyday life reconfigure forms of social networking. Thus, the environment created by social networks, influenced by their anonymous characteristics and through viral propagation of content, becomes an adequate space for initiating and even coordinating criminal activities.

More and more diverse and complex forms of exploitation, much harder to be approached by the judicial authorities and by those responsible for the protection and assistance of victims, bring into discussion the need for an anticipatory reaction, flexibility in action and adjustment of services for victim assistance.

The crisis of the European states to manage the strong migration flow from the Middle East and the African States, affected by armed conflicts or terrorist groups, brings into discussion the capacity of European states to support and integrate refugees into integration and asylum programs, but also their capacity to prevent criminal offenses and contextual medical and socio-economic problems in refugee camps and in the European regions heavily populated with refugees.

Trafficking in migrants from the above-mentioned regions has reached alarming proportions in recent years, and specialists in human rights and the fight against illegal migration consider that there is a risk of increasing trafficking in persons, pimping, abuse and exploitation. In this context, the Romanian authorities responsible for drafting public policies on immigration, human rights and crime prevention, through focused efforts, could have a proactive attitude of handling such situations in the event of significant number of migrants coming to Romania and deciding to remain here.

The socio-demographic particularities of the identified victim population can substantiate national anti-trafficking guidelines to prevent and improve knowledge of the risk of trafficking in persons, especially when presented in connection with the specific national, demographic and social context of Romania.

Trafficking in persons – A victimological perspective

Rate of national and local victimization

The condition of vulnerability and the multitude of factors contributing to victimization through trafficking in persons must be understood taking into account the community, local, individual and familial context. The closest tool available at this moment to highlight the magnitude of trafficking in persons at the local level is to analyze victim data in relationship with the population. The identification of the micro-social situation can be translated into the concentration of anti-trafficking resources at the local level. Thus, for the period 2012-2016, the average annual victimization rate³ of trafficking in persons at national level was 4.33⁴, in other words: *"Every year, 4 out of 100,000 Romanian citizens were victims of trafficking in*

³ The victimization rate is measured at a ratio of 100,000 inhabitants. For a Romanian population reported by the National Institute of Statistics through TEMPO of: 20,095,996 inhabitants in 2012, 20,020,074 inhabitants in 2013, 19,953,089 inhabitants in 2014, 19,870,647 inhabitants in 2015, 19,760,314 inhabitants in 2016.

⁴ For a total number of victims, N = 4318.

persons". The number of victims identified is a unit of measure that gives us the quantitative picture of victimization, but the victimization rate is the unit of measure that links this social and criminal phenomenon to the population, managing to change the perception of the national and local dimension of this problem (for example: look at Ialomita and Covasna counties of by comparing their ranks in the two tables). **The higher the victimization rate, the greater the likelihood of the population experiencing higher vulnerabilities conditions and factors.**

County ranking according to the victimization rate through trafficking in persons/ minors in a population of 100,000 inhabitants		County ranking by incidence (no of victims identified between 2012-2016)	
10.04221	Ialomita	Mureş	242
8.824532	Mureş	Bacău	232
8.336767	Covasna	Dolj	220
7.622975	Bacău	Braşov	206
7.482476	Braşov	Constanţa	199
7.438797	Olt	Iaşi	188
7.088112	Galati	Galati	187
6.794861	Salaj	Timiş	173
6.764523	Dolj	Argeş	159
6.184484	Vaslui	Olt	159
5.893271	Botosani	Bihor	145
5.821387	Constanta	Ialomita	135
5.407964	Brăila	Prahova	132
5.271911	Arges	Vaslui	121
5.162727	Giurgiu	Botoşani	119
5.059998	Bihor	Dâmboviţa	97
5.005209	Timiş	Bucureşti	93
4.954666	Mehedinţi	Covasna	87
4.908161	Vrancea	Brăila	84
4.903894	Călăraşi	Teleorman	82
4.819994	Iaşi	Vrancea	82

4.815012	Tulcea	Sibiu	76
4.463915	Teleorman	Sălaj	75
3.803698	Sibiu	Călărași	74
3.791631	Dambovita	Cluj	73
3.641862	Gorj	Giurgiu	72
3.514949	Prahova	Suceava	71
3.378298	Bistrita-Nasaud	Mehedinți	64
3.246142	Caras-Severin	Arad	63
2.946657	Arad	Gorj	61
2.901472	Valcea	Buzău	60
2.718627	Buzau	Hunedoara	54
2.640306	Hunedoara	Neamț	53
2.600555	Alba	Vâlcea	53
2.304692	Neamt	Tulcea	50
2.247114	Suceava	Bistrița-Năsăud	48
2.085531	Cluj	Caras-Severin	47
1.945471	Maramures	Maramureș	46
1.91411	Ilfov	Alba	44
1.582435	Satu Mare	Ilfov	41
1.547735	Harghita	Satu-Mare	27
1.001121	București	Harghita	24

Gender and age

The predominant female gender - 69% and the increased risk of trafficking - are also confirmed by a high rate of reported victimization among the female resident population of 5.84 versus 2.76, the victim rate among males. In other words, every year, **for each 100,000 female residents, 6 women were victims of trafficking in persons, and for every 100,000 male residents, 3 were victims of trafficking in persons.**

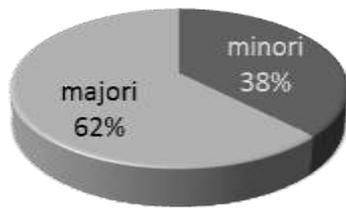


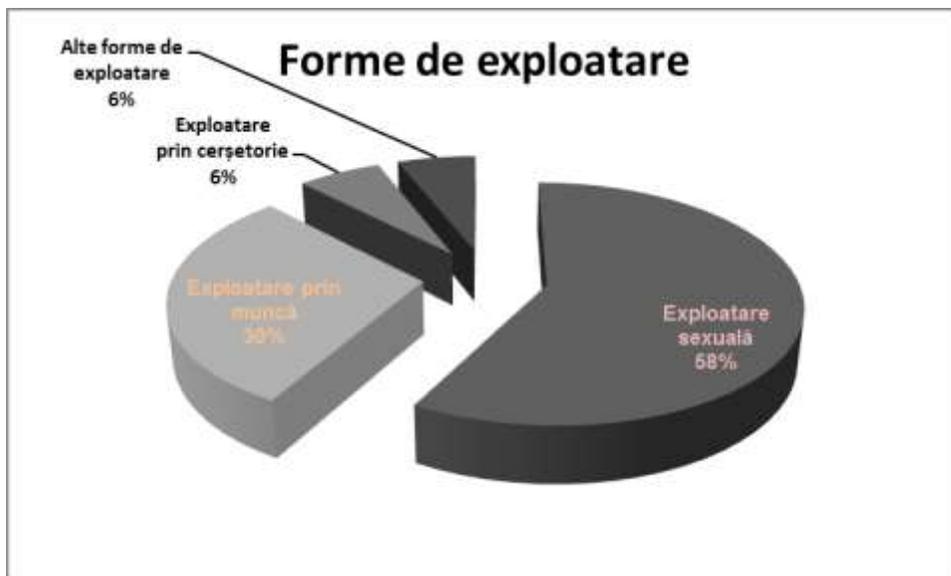
Figure no. 1 – Age distribution of victims

The distribution of the victims identified during the 5 years analyzed shows the image of a still high risk of exploitation and trafficking among children. From a quantitative point of view, the number of adult victims was higher (see Chart 1), but for a proper dimension of the problem, the age-related victimization rate in the population changes the perception strictly based on victim data. Thus, for each year analyzed, the average victim rate was 8.65 among children, compared to 3.33 among adults. In other words, **every year, for every 100,000 children residing in Romania, 9 children were victims of trafficking and for every 100,000 Romanian adults, 3 adults were victims of trafficking in persons.**

Exploitation

If during the post-implementation evaluation of the previous National Strategy against Trafficking in Persons the main focus was on trafficking of persons for the purpose of labor exploitation, currently we would like to emphasize the need for action in the field of trafficking for sexual exploitation focusing on children aged 13-17 and young people up to 25 years of age.

The number of victims recruited on the Internet or exploited by forcing them to give pornographic representations using technological means has steadily increased from year to year starting with 2012. Even though the size of this exploitation is not high, attention should be focused on reducing and preventing exploitation through the use of new technological means, most of exploitation situations occurring mainly in domestic trafficking.



The main type of exploitation for this period is sexual exploitation. If during 2006-2010 there was a shifting towards labor exploitation, the last two years (2015-2016) bring back into attention the sexual exploitation, with all its forms, including pornographic acts. Sexual exploitation has the same forms of organization, regardless of its internal or external destination, the female genre being usually forced to practice prostitution on the street or in private homes in most cases. The increased number of domestic exploited minor girls, in parallel with the increased number of adult female victims (young women aged 18-25) exploited externally, is explained by the specific modus operandi, where domestic exploitation is used as a training period of those who, after reaching the age of 18, are forced to practice prostitution outside the country.

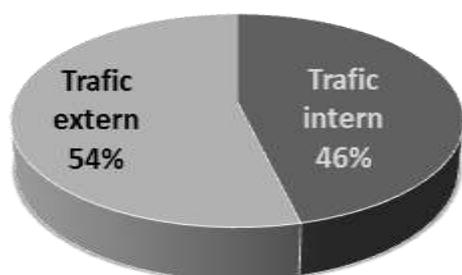


Figure no 2. Domestic/ Foreign destination among victims identified during 2012-2016

Out of the total of 4 330 identified victims in all 5 years the share of domestic trafficking was 46%, with a minimum of 39% registered in 2013 and a maximum of 57% registered in 2016.

Countries like Germany and Italy recorded a flow of 10% each, of the total victims of trafficking registered by the Romanian authorities in 2012-2016. The first 10 foreign destinations for trafficking in persons originating from Romania were:

Germany	442		
Italy	432		
Spain	305		
Greece	216		
UK	155		
France	88		
Austria	87		
Portugal	78		
Czech Rep	52		
Netherlands	46		

Foreign citizens

In the reference period, Romania is not considered to be a destination country for victims of trafficking – foreign citizens. 9 victims of trafficking, foreign citizens, were recorded in the Integrated Monitoring and Evidence System for victims of trafficking throughout the whole time framework, 6 coming from the Republic of Moldova, while 3 of them were EU citizens.

III. CURRENT PRIORITIES, POLICIES AND LEGAL FRAMEWORK

In a wider context, **the 2017-2020 Governing Program**, published in the Official Gazette of Romania, Part I, no. 496 of June 29, 2017, chapter "Defense and National Security Policy",

within the "Defense Policy - Government Policy on National Security in the Period 2017-2020" has a security objective regarding: "*Countering the activities of organized crime, in particular the smuggling of highly accountable or counterfeit products, arms trafficking, drug trafficking, trafficking in persons and illegal migration, money laundering, etc.*", in the context of organized crime, **trafficking in persons**, drug trafficking and smuggling continuing to be some of the most important issues that could jeopardize Romania's internal security.

Legislative Changes

In recent years, Romania has completed its progress in aligning with European standards on preventing and combating trafficking in persons, with national regulations in line with European and international standards.

On February 1st, 2014, the new Criminal Code came into force, according to Law no. 187/2012 for the implementation of Law no. 286/2009 on the Criminal Code, which brought about changes in the anti-trafficking legislative plan.

The new Criminal Code, as named during the debates, responds to the practical needs that have long been demanding adjustments to criminal legislation, also meeting the European standards in the field. The legal and social message of the new Code is primarily grounded on the purpose of reforming punitive policy, and the conceptual approach includes a review of punishments, a logical order by condensing legislation (in this respect a series of offenses under special laws have been included under the modified or unchanged form in the new Code), as well as facts and sanctions adapted to current realities.

According to an analysis of Directive 2011/36 / EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings, and protecting its victims, and replacing Council Framework Decision 2002/629 / JHA, most of the substantive and procedural criminal law provisions contained in the Directive were already contained in national law, without major interventions when transposing the Directive into Romanian law.

Another important legislative change, with consequences in the sphere of trafficking in persons, is the one regarding foreign citizens, which by amending Art. 5 ^ 1 of the Law no. 122/2006 on Asylum in Romania, as subsequently amended and supplemented (amendment made by Article I, point 7 of Law No. 331/2015 for the modification and completion of some normative acts regarding foreign citizens), includes victims of trafficking in persons in the vulnerable persons category, the legislative provisions in the field regarding vulnerable persons also applying to victims of trafficking.

Main normative acts

A. The vision of this strategy is also to meet the intervention needs, identified through the various national strategic documents, namely **the Government Decision no. 779/2015** for the

approval of the 2015-2020 National Strategy for Public Order and Safety, which, in line with the COSI - Standing Committee on Internal Security analysis on the proposals of the Member States as well as with the 2013 SOCTA (Serious and Organized Crime Threat Assessment) report, established trafficking in persons as being one of the priorities of the 2014-2017 EU policy cycle. This action continued to be a priority in the next EU policy cycle on organized crime and serious international crime for the period 2018-2021, therefore the 1.3. Specific objective proposes activities to prevent and combat trafficking in persons, including by raising awareness among vulnerable social categories and ensuring the protection of victims of trafficking in persons.

B. The main international legal instruments and the most relevant European documents relating to trafficking in persons ratified by Romania, or which have an impact on trafficking in persons and human rights are as follows:

1. The United Nations Convention against Transnational Organized Crime, adopted in New York on November 15, 2000, ratified by Law no. 565/2002. Romania signed the United Nations Convention against Transnational Organized Crime on December 14, 2000 in Palermo, as well as the two additional protocols, adopted in New York on November 15, 2000: Protocol on the Prevention, Suppression and Punishment of the Trafficking in Persons, in particular women and children, as well as the Protocol against the Illicit Trafficking of Migrants by Land, Air and Sea;
2. The Council of Europe Convention on Action against Trafficking in Human Beings, adopted on May 3, 2005, opened for signature and signed by Romania in Warsaw, on May 16, 2005, ratified by Law no. 300/2006;
3. Directive 2011/36/EU of the European Parliament and of the Council of April 5, 2011 on preventing and combating trafficking in human beings, and protecting its victims, and replacing Council Framework Decision 2002/629/JHA;
4. Directive 2012/29/EU of the European Parliament and of the Council of October 25, 2012, establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA;

C. International instruments that explicitly deal with the rights of the child, trafficking in children and the fight against all forms of exploitation of children:

1. The Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on November 20, 1989, ratified by Romania by Law no. 18/1990, republished, and further amended;
2. International Labor Organization Convention no. 182/1999, on the Prohibition of the Worst Forms of Child Labor and the Immediate Action for their Elimination, adopted at the 87th

Session of the General Conference of the International Labor Organization in Geneva on June 17, 1999, ratified by Law no. 203/2000;

3. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, signed in New York on September 6, 2000, ratified by Law no. 470/2001;

4. The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, adopted in Lanzarote on 25 October 2007 and signed by Romania in Lanzarote on 25 October 2007, ratified by Law no. 252/2010.

D. Main national normative acts in the field of trafficking in persons:

1. Law no. 678/2001 on preventing and combating trafficking in persons, as subsequently amended and supplemented;

2. Law no. 248/2005 regarding the regime of free movement of Romanian citizens abroad, with subsequent amendments and completions;

3. Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented;

4. Law no. 135/2010 on the Code of Criminal Procedure, as subsequently amended and supplemented;

5. Government Decision no. 299/2003 for the approval of the Regulation for the application of the provisions of Law no. 678/2001 on preventing and combating trafficking in persons;

6. Government Decision no. 1.238 / 2007 for the approval of the National Specific Standards for specialized services for assistance and protection of victims of trafficking in persons;

7. The Order of the Minister of Internal Affairs and Administrative Reform, of the Minister of Labor, Family and Equal Opportunities, of the Minister of Education, Research and Youth, of the Minister of Public Health, of the President of the National Authority for the Protection of Child's Rights, of the General Prosecutor of the Prosecutor's Office attached to the High Court of Cassation and Justice and of the Minister of Justice no.335/2007/2881/2007/1990/2007/1072/2007/266/2008/A6.880/2008/409/C/2008/2353/C/2008 for the approval of the National Mechanism for the Identification and Referral of Victims of Trafficking in Persons.

E. National legislation on child trafficking, the rights of the child and the fight against all forms of child exploitation:

1. Law no. 272/2004 on the protection and promotion of children's rights, republished, as subsequently amended and supplemented;

2. Government Decision no. 1.443/2004 on the methodology for the repatriation of unaccompanied Romanian children and the provision of special protection measures for them;

3. Government Decision no. 617/2004 on the establishment and organization of the National Steering Committee for the Prevention and Combating of the Exploitation of Child Labor, as subsequently amended and supplemented;

4. Government Decision no. 867/2009 on the prohibition of hazardous work for children;

5. Government Decision no. 49/2011 for the approval of the Framework Methodology on Multidisciplinary and Networking Prevention and Intervention in Child Violence and

Domestic Violence and of the Multidisciplinary and Interinstitutional Intervention Methodology on Exploited Children Who are Involved in Occupational Risks, child victims of trafficking, as well as Romanian migrant children victims of other forms of violence on the territory of other states.

F. Other national legislation in the field of trafficking in persons:

1. Law no. 156/2000 on the protection of Romanian citizens working abroad, republished, as subsequently amended and supplemented;
2. Law no. 416/2001 on the minimum guaranteed income, as subsequently amended and supplemented;
3. Law no. 116/2002 on preventing and combating social marginalization, as subsequently amended;
4. Law no. 682/2002 on witness protection, republished;
5. Law no. 39/2003 on preventing and combating organized crime, as subsequently amended;
6. Law no. 211/2004 on certain measures to ensure the protection of victims of crime, as subsequently amended and supplemented;
7. Law no. 302/2004 on International Judicial Cooperation in Criminal Matters, republished, as subsequently amended and supplemented;
8. Government Emergency Ordinance no. 78/2016 for the organization and functioning of the Directorate for the Investigation of Organized Crime and Terrorism, as well as for the modification and completion of some normative acts, approved with amendments by Law no. 120/2018;
9. Law no. 95/2006 on the health reform, republished, as subsequently amended and supplemented;
10. Law no. 292/2011 on social assistance, as subsequently amended and supplemented;
11. Government Emergency Ordinance no. 194/2002 on the regime of aliens in Romania, republished, with subsequent amendments and completions.

IV. DEFINING THE PROBLEM

The results obtained after analyzing the level of implementation of the activities set out in the 2012-2016 National Strategy against Trafficking in Persons, as well as the difficulties encountered during the implementation period were the starting point for defining the overall problem in the field, still having the phenomenon of trafficking in persons at a fairly high level due to the existence of a large number of victims, as well as a relatively limited anti-trafficking response capacity.

Various related issues have been identified in connection with this central problem, namely:

1. Misconceptions about victims of trafficking still present at social level;

Despite the very high number of implemented information campaigns, trafficking is still associated with collective prejudices and social stereotypes about the victim. Often, the victim is considered to be a prostitute. At the same time, the majority of population believes that a person deserves to bear the consequences of exploitation if she did not show vigilance and caution when she was recruited. These preconceived ideas are occasionally supported, not necessarily in an explicit manner, by police, prosecutors, judges, teachers or doctors, which may affect the positive results of anti-trafficking efforts.

2. Maintaining an incomplete and incorrect perception of the phenomenon of trafficking in persons in the media

In many cases, the media still selectively focuses on the phenomenon of trafficking in persons, retaining those facts and data that present the characteristics of breaking news, which contributes to an incomplete image and perpetual stereotypes regarding the victim's profile and types of exploitation. The presentation of inaccurate and ambiguous information on some aspects of trafficking in persons contributes to an imperfect promotion of anti-trafficking messages and thus to a low level of awareness and reaction of the public towards trafficking.

3. Not enough relevant educational programs (sexual education, couple relationships, social education, etc.) aiming at a proper and adapted training to the specifics of the current society

Given the current characteristics of the society, marked by numerous and complex challenges, the need for sustained implementation of relevant educational programs is increasingly evident. Reducing the degree of vulnerability associated with the categories at risk requires the dissemination of ideas, knowledge, behaviors and attitudes that can be used by individuals in life and in society. Currently, the lack in the educational system of a sufficient number of programs intended to prepare the individual for the different social realities is invoked as one of the main causes of the deficient anti-trafficking training.

4. The existence of an increased vulnerability to trafficking for certain categories of people, due to the national socio-economic context

The low standard of living of the population and the lack of real opportunities to overcome the difficult situations, in the long term, generate feelings of discouragement/ distrust in the chances of individual well-being within the national borders and favor the migration. Also, the lack of sufficient income for daily living pushes people in search of a job to take very high risks, ignoring or bypassing the preventive measures aimed at avoiding dangerous or harmful situations.

5. Partial assumption of responsibilities of assistance and protection of victims of trafficking in persons by institutions with responsibilities in the field, both in terms of regulation and application and monitoring of the necessary measures

The confusion regarding the institutions involved, their role and responsibilities, the insufficient adaptation or integration of the specific legislative norms to each institution and, in particular, the approach/ management of the problem of the assistance of the victims of trafficking, in a wider context that also covers other categories of vulnerable persons/ with special needs, are factors that determine overlaps and gaps on different intervention plans, a non-unitary coordination and an inadequate response to existing needs. The perpetuation of the deficiencies regarding the organization and functioning of specialized services, respectively the small number and the existence of disparities in their development at national level, is one of the consequences that significantly affect the duration and the quality of the assistance provided to the victims of trafficking in persons.

6. The difficulty of effectively benefiting from certain rights, such as medical assistance, legal assistance, civil damages or financial compensation granted by the state

The limited knowledge of the existing resources and their use in particular situations (by experts) and the low degree of implementation of some provisions regarding the assistance and protection of the victims of trafficking generate a fragmented support to victims of trafficking in persons.

7. Limited understanding of the phenomenon of trafficking in persons and minors by the anti-trafficking law enforcement professionals

In most of the times, the specialists who carry out their activity in the area of investigation of crimes of trafficking in persons and trafficking of minors limit the understanding of the phenomenon of trafficking by checking various objective criteria and by rigorously applying the legislative provisions in the field, which have a negative impact on the act of justice, both due to the behavior and the measures that are taken towards the victims of these crimes, as well as due to the activities carried out in order to investigate the crime. This limitation, often corroborated with prejudices related to victims of trafficking, has increasingly revealed the need to raise awareness among these professionals by a better understanding of the human/ victimological perspective, of the psychological consequences of a victim of this type of crime, of the concepts of re-victimization and secondary victimization, as well as the identification of the victim of trafficking outside the criminal process.

8. Restricted capacity to investigate crimes of trafficking in persons and trafficking of minors by specialized law enforcement authorities

Lately, the growing crisis of human resources felt at the level of the Ministry of Internal Affairs, as well as of the Public Ministry (Directorate for the Investigation of Organized Crime and

Terrorism Offences) creates great difficulties in the effective management of the responsibilities related to combating the criminal phenomenon of trafficking in persons and the consequences generated by its evolution. The same crisis, coupled with the lack of specialization and continuous training of the professionals remaining in the system, as well as with an inefficient cooperation of structures in areas related to trafficking in persons, invariably affects the number of prosecutions of traffickers, as well as the investigation and prosecution of crimes of trafficking in persons and trafficking in minors.

9. Low quality of information disseminated in the field of trafficking in persons

The collection of data in the field of human trafficking remains a sensitive topic for the institutions with responsibilities in the field, a better collection and interpretation positively affecting both the way in which the national and international efforts of the institutions and organizations involved in prevention and combating are oriented, but also in Romania's ability to respond to requests from international organizations. The general tendency is that of collecting incomplete data and in a non-unitary way, thus altering, generically speaking, the quality of the information disseminated in this field of activity.

10. Insufficient funds to carry out activities related to trafficking in persons

For a correct and comprehensive approach to the problem of trafficking, it is necessary to provide increased financial support in this field. This requirement can be achieved by increasing the specific budget allocated to the institutions with responsibilities in carrying out prevention activities or through international projects and national interest programs.

11. Insufficient human resources at the level of public institutions

The problem of human resources is one that affects the whole state apparatus and not specific only to the field of trafficking in persons, but it is one of the important obstacles that impede the successful and qualitative achievement of the objectives proposed at institutional / strategic level.

12. Limited knowledge of the role and attributions of institutions with responsibilities in the field of trafficking in persons, as well as of the provisions of the National Identification and Referral Mechanism

Incomplete and unclear knowledge of the role and attributions of each institution involved in the fight against human trafficking, at national level, as well as the lack of knowledge of the provisions of the National Identification and Referral Mechanism among those responsible for its implementation generate difficulties in taking the most effective measures to prevent and combat the phenomenon, but also for the assistance and protection given to the victims of trafficking.

13. Increased risk of trafficking in persons in the context of the migrant crisis

Although, initially, Romania was not a destination country for migratory flows from the Middle East and African states affected by armed conflicts or terrorist groups, the three main migration routes to Western Europe that transit Romania, respectively: Eastern route, Eastern - Mediterranean route and the Western Balkans route, as well as the tougher conditions for granting asylum in the countries in which they wish to arrive, increase the probability of entry and staying of an increasingly significant number of migrants in Romania.

The intensification of the migration phenomenon, as well as the increased vulnerability of the immigrant population, outline the framework and the premises of manifestation of negative effects, increasing the risk of committing crimes, abuses and exploitation in any form among the members of this population and also determine the Romanian responsible authorities to develop those mechanisms and procedures that prevent or even speed up the identification of possible victims of trafficking in persons, foreign nationals on the territory of our country.

14. An increased number of Romanian victims exploited on the territory of other states

This aspect requires the improvement of international cooperation efforts by all institutions with responsibilities in the fight against trafficking in human beings, especially with the institutions from the countries of destination, in order to identify the most effective answers to prevent the phenomenon, to dismantle the networks of traffickers and to protect the rights of victims, but also to improve the socio-economic conditions of the vulnerable population, which is one of the main factors favoring the victimization of Romanian citizens abroad.

V. THE OBJECTIVES OF THE STRATEGY

The present national strategy aims to reduce the impact and the dimensions of trafficking in persons at national level by prioritizing and improving the activities carried out in the fight against this phenomenon.

GENERAL OBJECTIVES:

- 1. Strengthening and diversifying the measures to prevent trafficking in persons;**
- 2. Improving the quality of protection and assistance provided to victims of trafficking in persons for their social reintegration**
- 3. Developing the capacity to investigate crimes of trafficking in persons and trafficking in minors**
- 4. Increasing the quality of disseminated information regarding the phenomenon of trafficking in persons**
- 5. Developing and extending the cooperation process between the national and international relevant actors involved in the fight against human trafficking, as well as increasing the diplomatic efforts to prevent and combat trafficking and to protect the Romanian citizens in the countries of destination.**

VI. GENERAL PRINCIPLES

The activities regarding the prevention and combating of trafficking in persons and the assistance provided to victims, carried out according to the objectives of this National Strategy, follow, in their entirety, these principles, whose observance is essential and mandatory:

1. *Respect for fundamental human rights and freedoms* - all activities carried out by state institutions, non-governmental organizations and other structures of the civil society for preventing and combating trafficking in persons and providing the necessary assistance to its victims are carried out in compliance with the provisions of international conventions and treaties on rights and the fundamental freedoms of man, to which Romania is a party;
2. *The principle of observing and promoting with priority the best interest of the child* - the best interest of the child will prevail in all the decisions regarding children, taken by the public authorities and the bodies involved in achieving the objectives of the present National Strategy;
3. *The principle of legality* - the activities for achieving the strategic objectives are carried out according to the law and in accordance with it;
4. *The principle of prevention* - it implies that the entire activity carried out to achieve the strategic objectives must ensure the prevention of human trafficking, both through good cooperation between the institutions and organizations involved, as well as through a unitary coordination of the implementation of the National Strategy;
5. *The principle of complementarity, transparency and social dialogue* - it implies, on one hand, the transparency of the decision-making process, and, on the other hand, the consultation of the members of civil society within this process. The implementation of the National Strategy shall be done in a transparent way, with the participation of civil society, together with the government institutions, in order to achieve its objectives;
6. *The principle of cooperation* - the institutions and organizations involved in preventing and combating trafficking in persons and assisting the victims shall cooperate, so as to ensure a coherent and integrated approach of the envisaged issues and measures and an adequate coordination of the efforts and measures undertaken;
7. *The principle of public-private partnership* – it is related to the cooperation of civil society in the concrete activities of implementing measures to prevent human trafficking, to provide assistance for victims, as well as to the involvement of civil society members in the decision-making process;
8. *The principle of responsibility* - it implies the obligation of the institutions responsible for carrying out the activities designed to accomplish the objectives set by the National Strategy, as well as of the partner institutions, to fulfill in the best possible way the tasks set;
9. *The principle of confidentiality* - the activities carried out will be available to the general public only under the conditions provided by law, so as not to jeopardize their implementation and purpose, nor the rights and freedoms of the persons involved;
10. *The principle of adaptability* – all anti-trafficking actions are in line with the needs arising from the dynamics of the phenomenon and with the new national and international normative acts;

11. *The principle of sustainability* - it implies the allocation of the financial and human resources necessary to achieve the strategic objectives;
12. *The principle of subsidiarity* - it means ensuring that the decision making process is as close as possible to the citizen's needs and permanently verifying the necessity of taking specific actions to achieve the strategic objectives, according to the existing national, regional or local context;
13. *The principle of proportionality* - none of the actions taken must exceed the necessary level to achieve the objectives set.

VII. LINES OF ACTION, GENERAL OBJECTIVES AND SPECIFIC OBJECTIVES

VII.1. PREVENTION OF TRAFFICKING IN PERSONS

The analysis of the prevention activities carried out in the period 2012-2016, the specificity of the phenomenon of human trafficking, as well as the current trends of this type of crime, require the ongoing development of public policies for the prevention of the trafficking in persons, for a better effectiveness of the Romanian anti-trafficking efforts.

The prevention activity aims to cover a wide spectrum both from the point of view of the main types of manifestation of this phenomenon (sexual exploitation, forced labor and begging), as well as from that of vulnerable persons, the element of unity and coherence being represented by channeling the message towards the risks associated with human trafficking.

At the same time, it should be taken into account that the measures for the prevention of trafficking in persons are not just about informing and raising awareness among the target groups, but also implementing social, economic and educational measures that will definitely lower the vulnerability to trafficking.

In this context, the involvement of the private sector in supporting the prevention activities can ensure an efficient anti-trafficking action.

Also, the strategic approach in the field of preventing trafficking in persons aims to transpose as much as possible the general approach at international and European level into the anti-trafficking efforts in Romania, while also trying to match the needs for intervention identified through different national strategic documents (for example, the 2015-2020 National Strategy for Public Order and Safety).

General objective 1: Developing and strengthening various measures to prevent trafficking in persons

Specific objectives:

1.1. Increasing the level of information provided to the population in order to raise awareness of the implications of trafficking in persons

1.2. Reducing the risk factors leading to victimization

1.3. Monitoring the activity of the economic operators in the professional fields with high fluctuation of the labor force (construction, agriculture, wood – processing industry, tourism, etc.)

VII.2. PROTECTION, ASSISTANCE AND SOCIAL REINTEGRATION OF TRAFFICKING VICTIMS

The protection and assistance services are provided to victims of trafficking in persons, either in the state centers of assistance and protection of victims of trafficking, or in the centers or shelters of non-governmental organizations, in supported living shelters, day centers, but also at their homes.

In 2015 the system of assistance and protection of victims of human trafficking, especially of public centers, was analyzed, with the purpose of highlighting its strengths and weaknesses, in terms of organizational dimension, but, in particular, regarding the capacity to respond to the needs of victims' reintegration into social life.

This analysis represented an approach imposed by the need to plan and introduce a substantial/consistent change, adapted to the reality, with the active involvement of the practitioners. The conclusions and recommendations of the evaluation confirmed and supplemented the existing data on the assistance provided to victims of human trafficking, respectively, they helped to define the current situation and the need for intervention, as well as to channel specific actions.

General objective 2: Improving the quality of protection and assistance provided to victims of trafficking in persons for their social reintegration

Specific objectives:

2.1. Strengthening the inter-institutional dialogue and the coordination of the assistance and protection of victims of trafficking in persons and trafficking in minors

2.2. Increasing the capacity of the social assistance system to respond to the specific needs of victims of trafficking

2.3. Providing specific assistance and protection to the main categories of identified victims

VII.3. COMBATING TRAFFICKING IN PERSONS

In the context of analyzing human trafficking as a dynamic phenomenon, the Romanian criminal justice system and the law enforcement authorities are confronted with increasingly consistent difficulties regarding the prevention and control of trafficking and exploitation of persons. This system is almost forced to deal with an obscure area of the manifestation of trafficking, facing increased limited institutional resources, on the one hand, and the continuous specialization of national and cross-border criminality, on the other hand.

Thus, building a coherent and efficient national response from actors with responsibilities in the field of combating trafficking in persons, by creating and developing new levers and means of control, as well as by adapting the tools and working techniques already used appears as an essential condition in ensuring the sustainability of the entire national anti-trafficking system.

General objective 3. Developing the capacity to investigate crimes of trafficking in persons and trafficking in minors

Specific objectives:

3.1. Developing and strengthening the professional knowledge and skills through the necessary continuous and updated training of the professionals in the anti-trafficking judicial field and of those experts from the other law enforcement structures

3.2. Increasing the participation of victims of trafficking in persons in the criminal process

3.3. Developing the capacity to use financial investigations in the investigation of the crime of trafficking in persons and trafficking of minors, as well as in the identification and tracking of the goods and profits obtained from committing the crime of trafficking in persons

3.4. Improving the working techniques and tools in order to optimize the identification, tracking and seizing of the goods and profits obtained from committing the crime of trafficking in persons / minors

3.5. Developing the judicial cooperation among the structures in the fields related to human trafficking that can contribute to the investigation of crimes of trafficking persons and trafficking in minors, at national level

3.6. Strengthening international judicial cooperation among the units for combating the organized crime, specialized in combating trafficking in persons

VII.4. MONITORING AND EVALUATION OF TRAFFICKING IN PERSONS AND POLICY IMPLEMENTATION

Through its institutional actors, Romania manages to ensure at least a quantitative evaluation of the anti-trafficking activities carried out, by providing data on the specific activities. However, in the absence of a unitary approach of the institutions involved in data collection, processing and reporting, the quality of the disseminated information regarding the overall image of the phenomenon of human trafficking in Romania can be seriously affected.

In this context, the permanent collection and improvement of the way of collecting data that reflects as accurately as possible the existing reality remain some of the main activities targeted by the institutions with attributions in the field, these being the basis for the elaboration, development, implementation and effectiveness of all the actions carried out in the fight against trafficking in persons.

General objective 4. Increasing the quality of disseminated information on the phenomenon of trafficking in persons

Specific objectives:

4.1. Improving the collected data and the procedure of data collection by the institutions with responsibilities in the field

4.2. Improving the knowledge regarding the dimension of the phenomenon of trafficking in persons

VII.5. INTER-INSTITUTIONAL AND INTERNATIONAL COOPERATION

Although "variations" are encountered in cooperation actions, often due to bureaucracies or sometimes unconsolidated relationships, cultivating cooperation in an authentic and consistent manner in cases of human trafficking has resulted, to a large extent, in remarkable benefits for both victims and anti-trafficking actions of the institutions and organizations with attributions in the field, thus increasing the efficiency of the whole process of fighting against trafficking in persons.

Without losing sight of the obstacles, delays, difficulties or failures, it is increasingly evident that the positive results were possible as an effect of the way in which the actors involved understood the formal and informal cooperation between the responsible structures, both from national and international level.

Thus, in the current foreign context of the emergence of more and more new and complex threats to the internal security of the European Union and, implicitly, of Romania, the migrant crisis, terrorism, the evolution of radicalization and the instability at regional level, aspects that determine an increased number of risk situations in which Romanian citizens who are in countries known as favorite destination for human trafficking are involved, it is necessary to ensure a high level of knowledge and understanding of the conditions and premises for which these states become attractive and also to strengthen the bilateral cooperation between Romania and different other states, as well as within the European and regional mechanisms and other bodies of cooperation.

Internally, the strong partnership between public institutions, trade unions, associations of employers and non-governmental organizations remains the basic pillar for an unitary development, coordination and evaluation of activities for preventing and combating the phenomenon of trafficking in persons.

General objective 5. Developing and extending the cooperation process between the relevant national and international actors involved in the fight against trafficking in persons, as well as strengthening the diplomatic efforts to prevent and combat human trafficking and to protect the Romanian citizens in the countries of destination

Specific objectives:

5.1. Strengthening the cooperation between relevant institutions with responsibilities in preventing and combating trafficking in persons and in providing assistance and protection to victims of trafficking

5.2. Diversifying the collaboration in the field of human trafficking between public institutions, civil society and representatives of the private sector

5.3. Developing international cooperation relations with similar institutions abroad, international organizations and bodies or institutions/ bodies of the European Union

5.4. Strengthening the cooperation with the destination states in order to coordinate actions and efforts to prevent and discourage human trafficking and to provide assistance to Romanian citizens.

5.5. Continuing the policy of attracting non-reimbursable external funds

VIII. THE RESULTS OF THE STRATEGY

General objective 1. Developing and strengthening various measures to prevent human trafficking

Result: Increasing the efficiency of preventive measures by emphasizing the actions taken to reduce vulnerability in social, economic and educational level

General Objective 2. Improving the quality of protection and assistance provided to victims of trafficking in persons for their social reintegration

Result: Increased quality and efficiency of assistance services provided to victims of trafficking in persons

General objective 3. Developing the capacity to investigate crimes of trafficking in persons and trafficking in minors

Result: Increased level of professionalism of the specialists who carry out research activities, the criminal prosecution and conviction of traffickers.

General objective 4. Increasing the quality of disseminated information on the phenomenon of trafficking in persons

Result: Increased quality of disseminated information

General objective 5. Developing and extending the cooperation process between the relevant national and international actors involved in the fight against trafficking in persons, as well as strengthening the diplomatic efforts to prevent and combat human trafficking and to protect the Romanian citizens in the countries of destination

Result: Functional mechanism of cooperation, at national and international level, between the relevant actors involved in preventing and combating trafficking in human beings and in providing assistance and protection to victims of human trafficking, as well as an increased level of protection of Romanian citizens in the countries of destination.

IX. THE RESULT OF ACTIONS:

General objective 1. Developing and strengthening various measures to prevent human trafficking

Results:

- a) high level of knowledge held by the population/ risk groups / professional categories regarding the phenomenon of human trafficking;
- b) increased awareness of the population on the causes and consequences of human trafficking;
- c) increased degree of self-protection of persons belonging to vulnerable groups;
- d) reducing the vulnerability to trafficking through economic, social and educational measures;
- e) national, regional or local implemented campaigns/ projects/ prevention initiatives, addressing the target groups;
- f) ensuring a high degree of compliance with the legal norms regarding working conditions, payroll, health and security.

General Objective 2: Improving the quality of protection and assistance provided to victims of trafficking in persons for their social reintegration

Results:

- a) increased capacity for integrated coordination of measures to assist victims of human trafficking;
- b) increased capacity to provide specialized assistance to victims of human trafficking;
- c) assistance and protection adapted to the specific situation and individual needs.

General objective 3. Developing the capacity to investigate crimes of trafficking in persons and trafficking in minors

Results:

- a) specialists trained in the investigation of crimes of trafficking in persons and trafficking in minors;
- b) an increased degree of identification of the victims of trafficking and of intervention of the specialists from the structures for combating organized crime, as well as of the professionals from the other structures of law enforcement, in the cases of human trafficking;

- c) increased ability to work with victims of human trafficking, by increasing the degree of empathy and understanding of the human perspective;
- d) high degree of participation of victims of trafficking in persons in the criminal process;
- e) increased capacity to prove the crimes of trafficking in persons and trafficking in minors, as well as to identify and track the criminal proceeds;
- f) increased level of recovery of the damage resulting from the crime of trafficking in persons and trafficking in minors;
- g) increased level of cooperation at national level in order to increase the capacity to investigate crimes of trafficking in persons and trafficking in minors;
- h) active use of tools of international judicial cooperation.

General objective 4. Increasing the quality of disseminated information on the phenomenon of trafficking in persons

Results:

- a) an unitary and comparable way of measuring and interpreting data;
- b) knowledge of the evolution of the phenomenon of human trafficking;
- c) knowledge of the consequences of the new legislative provisions in the field of trafficking in persons.

General objective 5. Developing and extending the cooperation process between the relevant national and international actors involved in the fight against trafficking in persons, as well as strengthening the diplomatic efforts to prevent and combat human trafficking and to protect the Romanian citizens in the countries of destination

Results:

- a) an efficient, coherent and transparent national anti-trafficking response;
- b) active channels of communication and cooperation at global level in the field of preventing and combating human trafficking;
- c) an increased quality of the anti-trafficking activities carried out in partnership by the relevant actors;
- d) a coordinated and efficient response of the authorities of the states of origin and destination in order to reduce human trafficking;
- e) increased quality of anti-trafficking activities financed through non-reimbursable external funds.

X. INDICATORS

General Objective 1

Indicators:

- a) number of implemented campaigns/ projects/ prevention initiatives;
- b) number of beneficiaries of prevention campaigns/ projects/ initiatives;

- c) number of articles/ TV shows related to trafficking in persons, promoted by the media;
- d) number of training programs for persons from vulnerable groups.

General Objective 2

Indicators:

- a) mechanism for monitoring and coordinating the implementation of assistance and protection measures;
- b) number of specialized services developed;
- c) number of victims who benefit from specialized services;
- d) categories of services accessed by the victims of human trafficking;
- e) duration and quality of assistance programs.

General Objective 3

Indicators:

- a) the number of courses of specialization and training of professionals in the anti-trafficking field and from the law enforcement structures lectured;
- b) an improved program of coordination of victims in the criminal process;
- c) the number of joint activities carried together with financial structures;
- d) the number of solutions implemented in order to optimize the identification and tracking of assets and profits obtained from committing the crime of human trafficking;
- e) the number of joint activities with structures active in areas related to human trafficking;
- f) the number of joint activities of cooperation with international anti-trafficking structures.

General Objective 4:

Indicators:

- a) a proposed conceptual framework regarding the unitary and comparable way of data measuring and interpreting;
- b) issued reports of evaluation of the phenomenon at national level;
- c) an impact analysis on the new legal provisions in the field of human trafficking (the new Criminal Code, the new Criminal Procedure Code) carried out.

General Objective 5:

Indicators:

- a) number of partnerships concluded in order to carry out activities in the field of preventing and combating trafficking in persons;
- b) number of activities carried out in partnership by the relevant actors in the field of human trafficking;
- c) number of activities carried out in order to develop the international dialogue, to coordinate activities on the European agenda, to continue the already initiated projects/ to identify new opportunities for cooperation, as well as to promote Romania's interests within various international organizations;

- d) number of activities carried out to prevent and combat trafficking in persons in cooperation with the countries of destination;
- e) number of projects and partnerships under implementation with non-reimbursable external funds.

XI. BUDGETARY IMPLICATIONS

The financial resources needed to implement the National Strategy come mainly from:

- a) multiannually programmed funds from the state budget, allocated to each ministry and to each institution with competencies in the implementation of the National Strategy;
- b) funds established at the level of the European Union for the management of human trafficking and the development of anti-trafficking activities;
- c) non-reimbursable external funds made available by European or international funders;
- d) donations and sponsorships offered/ accepted according to the law.

XII. LEGAL IMPLICATIONS

In the legislative plan, it is necessary to evaluate the normative acts related to the field of prevention and combating of human trafficking, the legislative measures aiming mainly at clarifying the competences and responsibilities of the structures with attributions in the field, the correlation of the subsequent fields, as well as the harmonization with the related European acts.

The legislative initiatives to amend and/ or supplement some normative acts of higher level (laws, Government Ordinances) and those of lower level (Government Decisions, as well as orders and instructions of the Minister of Internal Affairs) shall be carried out according to the annual legislative plans, based on the new opportunities arising from the National Strategy.

XIII. MONITORING AND EVALUATION PROCEDURES

The organizational framework necessary for the implementation, monitoring and evaluation of the National Strategy implies the collaboration of all the institutions involved and interested to implement, in an efficient way, the directions of action, the general objectives and the specific objectives provided in this strategy.

In order to carry out the activities stipulated in the Action Plan and in order to ensure the achievement of the objectives of the Strategy, the Monitoring Committee for the implementation of the Strategy shall be set up. It will be made up of representatives at the decision-making level of the institutions involved (secretary of state, inspector general, director) and will be coordinated by a state secretary from the Ministry of Internal Affairs. The secretariat of the Committee will be provided by the National Agency against Trafficking in Persons.

In order to obtain information regarding the level/ method of implementation of the National Strategy, as well as the results generated by the achievement of its objectives, the monitoring will follow two directions:

a) *Monitoring the implementation of the strategy.* This direction of action provides information on how to implement the actions mentioned in the strategy. For this purpose, each institution carrying out activities to prevent and combat human trafficking, to provide assistance and reintegration of victims will prepare periodic monitoring reports in which they will present the way of fulfilling the tasks assumed by the action plans for the implementation of the National Strategy. The monitoring reports will be sent on a half-yearly basis to the National Agency against Trafficking in Persons or at its request;

b) *Monitoring the achievement of the objectives.* This direction of action provides information on the concrete results obtained in the activity of each institution with responsibilities in the field of combating trafficking in human beings. In this respect, the results of the monitoring will consist in identifying the stage of achieving the objectives and the results of each activity measured using the performance indicators established and described in the action plans for the implementation of the strategy, comparing the obtained results with the estimated results, as well as meeting the deadlines set.

In order to ensure that relevant, complete and unitary information is obtained, the Committee will appoint a monitoring team made up of representatives, at expert level, of the involved institutions that will elaborate monitoring questionnaires and will conduct evaluation visits.

The reports of the monitoring team will highlight the progress made in achieving the objectives of the National Strategy and, as the case may be, the reasons for the partial or non-fulfillment of the objectives and will include conclusions and recommendations regarding possible measures to improve the implementation process, respectively proposals for improvement/ revision of the proposed objectives, proposals for solutions to solve certain situations, or necessary measures for a better evolution of the indicators.

As part of the monitoring and evaluation process, the Committee will analyze how the tasks undertaken by each institution will be carried out and will establish the measures that are required to achieve the objectives of the Strategy.

At the end of the implementation period of the action plans, the Committee will carry out an evaluation of the results obtained in relation to the objectives set.

The final evaluation of the implementation of the National Strategy against Trafficking in Persons, carried out by the Committee, will be presented to the Romanian Government.

XIV. RESPONSIBLE INSTITUTIONS

At national level, the main institutions that carry out activities to prevent and combat human trafficking, but also to assist and reintegrate victims are the following:

A. The Ministry of Internal Affairs, through its specialized structures:

1. *The National Agency against Trafficking in Persons* is the specialized body in the field of prevention, monitoring and evaluation of the phenomenon of human trafficking in Romania. The

role of the National Agency against Trafficking in Persons is to coordinate, evaluate and monitor at national level the way in which the state institutions implement policies in the field of human trafficking, as well as in the field of protection and monitoring of the assistance provided to its victims.

2. The General Inspectorate of the Romanian Police and the corresponding units in the territory are structures of the Ministry of Internal Affairs, which carry out criminal investigation activities on the line of trafficking in persons, using judicial police officers, specifically designated, who carry out their activity within the Directorate for Combating Organized Crime. When required, it provides measures to protect victims through officers from the National Office for Witness Protection.

3. The General Inspectorate of Border Police, with its subordinate units, is the structure within the Ministry of Internal Affairs that carries out activities on the line of preventing the illegal exit outside the national borders of Romanian minor citizens, possible victims of human trafficking, also having responsibilities in identifying and referring victims of human trafficking.

4. The General Inspectorate for Immigration is the specialized structure, with legal personality, organized within the Ministry of Internal Affairs, which exercises the attributes that are given by law for the implementation of Romania's policies and regulations in the fields of migration, asylum and integration of foreigners. With regard to the fight against trafficking in human beings, the General Inspectorate for Immigration has the following tasks: grants the right of residence or tolerance of staying on the national territory, under the conditions provided by law, for foreign citizens who are victims of trafficking; upon the written request of the competent authorities, the accommodation of foreign victims of human trafficking is ensured in the specially envisaged centers of the General Inspectorate for Immigration; dissemination of data and information obtained in the current specific activity to the competent structures in the field of combating human trafficking.

5. The prefect's institution, a public institution with legal personality, which is organized and operates under the prefect's leadership, the local government representative who manages the decentralized public services of the ministries and other central public administration bodies subordinated to the Government, organized at the level of administrative- territorial units.

B. The Ministry of Justice

C. The Ministry of Labor and Social Justice, as a coordination ministry of the Government's strategies and policies in the field of labor, family, equal opportunities, social protection and the protection of the rights of the child, has the obligation to ensure, through its services and institutions, as well as through their territorial structures, the normative and institutional framework in order to prevent the risk situations regarding the general population, through measures related to protection and social security, in order to reduce the risks regarding the vulnerable categories of the population, through sectorial strategies and programs, as well as for the assistance and social protection of the victims, for the purpose of their recovery and social reintegration. These responsibilities are also accomplished by coordinating and methodologically guiding the activity of the general directorates of social assistance and child protection, which operate within the county councils and the local councils of the districts of Bucharest (the capital city), and of the public social assistance services, which function within the local councils.

1. By taking over the functions and duties of the National Authority for the Protection of the Rights of the Child and Adoption within the ministry, the responsibilities of the Ministry of Labor and Social Justice in the field of preventing child trafficking and assisting the children, victims of trafficking, are exercised mainly through the *National Authority for the Protection of the Rights of the Child and Adoption*. These responsibilities are related to the overall mission of the ministry in the field of protection and promotion of the rights of the child at the national level and are materialized by the following specific tasks: ensuring the normative framework regarding the organization and functioning of the prevention services and of the specialized services for the protection, rehabilitation and social reintegration of the child victims of all forms of violence, including trafficking in children, as well as the methodological framework for the prevention and multidisciplinary and inter-institutional intervention in the field of child trafficking; ensuring the activities provided by law for the repatriation, protection and post-repatriation monitoring of Romanian children who are unaccompanied on the territory of other states and of children victims of child trafficking; monitoring the observance of the rights of the child on the Romanian territory.

2. *The National Authority for People with Disabilities* is a specialized body of the central public administration, within the Ministry of Labor and Social Justice, and coordinates at central level the activities of protection and promotion of the rights of persons with disabilities, elaborates policies, strategies and standards in the field of protection and promotion of the rights of persons with disabilities, monitors the implementation of the regulations in their own field of work and controls the activities of protection and promotion of the rights of persons with disabilities.

3. *The National Employment Agency*, through active measures of promoting employment, ensures equal opportunities on the labor market for all categories of people looking for a job and especially for those who have difficulties to access the labor market (women, victims of human trafficking, people with disabilities, Roma people etc.). For people at high risk of being trafficked, the National Employment Agency develops information programs regarding the labor market and the rights of employees, training programs, as well as programs for informing the economic operators of their situation and therefore to ensure priority in their employment.

4. *The Labor Inspection*, a specialized body of the central public administration, within the Ministry of Labor and Social Justice, has state authority in the field of labor relations, safety and occupational health and controls the unitary application of the legal provisions, in its areas of competence in the public, mixed and private sector units, as well as for other categories of employers. In the field of labor relations, the control activity is structured in the following directions: identification of employers who use undeclared labor; detection of cases of non-observance of the other normative acts that regulate the activity of labor relations; the identification and eradication of forms of child labor exploitation; compliance with the legal provisions regarding: employment of foreign citizens, protection of Romanian citizens working abroad, equal opportunities between women and men.

D. The Ministry of National Education has responsibilities in preventing trafficking in persons among children and young people, as well as in providing counseling and school reintegration services for victims of trafficking.

E. The Ministry of Foreign Affairs, an institution whose activity is influencing both the sphere of national and international cooperation, has responsibilities, as a partner, both in the field of preventing trafficking in persons and in providing consular assistance to Romanian citizens, victims or potential victims of human trafficking (including ensuring the conditions for the repatriation of victims of human trafficking), providing statistical data regarding the trafficking in persons phenomenon and disseminating them, if requested, to the institutions concerned, (for example, a list of destination states for victims of trafficking in persons).

F. The Ministry of Health develops, at the level of vulnerable communities, information and education campaigns regarding sexually transmitted diseases and participates in the implementation of public information campaigns on the causes, risks and consequences of trafficking in persons.

G. The Public Ministry, through the Directorate of Investigation of Organized Crime and Terrorism Offenses, is the structure with legal personality, specialized in combating organized crime and terrorism offenses, able to carry out the criminal prosecution for the offenses stipulated in the Government Emergency Ordinance no. 78/2016, approved with amendments by Law no. 120/2018, and in the special laws, which also include the offenses of trafficking in persons, as well as able to conduct, supervise and control the criminal investigation acts carried out by the judicial police bodies, at the disposal of the prosecutor.

H. The Superior Council of Magistracy, as guarantor of the independence of the judiciary, provides statistical data on the cases pending in the courts and prosecutor's offices dealing with human trafficking offenses, as well as data on the number of ordered confiscations and the value of the confiscated goods.

I. Other responsible or partner institutions/ authorities that may have responsibilities in the sphere of trafficking in persons, in the implementation of the 2018-2022 National Strategy against trafficking in persons are:

- The National Agency for the Management of Seized Assets within the Ministry of Justice;
- National Agency for Fiscal Administration within the Ministry of Public Finance;
- National Agency for Equal Opportunities for Women and Men within the Ministry of Labor and Social Justice;
- National Agency for Health Programs within the Ministry of Health;
- National Agency for Roma;
- National Council for Combating Discrimination;

- The general directorates of social assistance and child protection within the county councils;
- The Directorate General of Education University within the Ministry of National Education;
- The directorates of social assistance/ Public social assistance services within the local councils;
- The Social Policies Services Directorate within the Ministry of Labor and Social Justice;
- The Ministry of Culture and National Identity;
- The Ministry of Regional Development and Public Administration;
- The Ministry of Public Finances;
- The Ministry for the Business Environment, Commerce and Entrepreneurship;
- The Ministry for Romanians Abroad;
- The Ministry of Youth and Sports;
- The Ministry of Tourism;
- The International Organization for Migration;
- The Central Unit of Intelligence Analysis within the Ministry of Internal Affairs;
- The National Association of Romanian Bars.