

Committee of the Parties  
to the Council of Europe Convention  
on Action against Trafficking in Human Beings



CP(2023)08

**Report submitted by the authorities  
of Romania  
on measures taken to comply with  
Committee of the Parties Recommendation  
CP/Rec(2021)05 on the implementation  
of the Council of Europe Convention  
on Action against Trafficking in Human Beings**

**Third evaluation round**

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# Report on the implementation by Romania of CP/Rec(2021)05 Recommendations on the application of the CoE Convention on Action against Trafficking in Human Beings

Reference period 2019-2022

## List of abbreviations used in the text:

<b>ANITP</b>	National Agency Against Trafficking in Persons
<b>ANOFM</b>	National Employment Agency
<b>ANPDCA</b>	National Authority for the Protection of Children's Rights and Adoption
<b>CoE</b>	Council of Europe
<b>CP</b>	Criminal Code
<b>CEPEJ</b>	European Commission for the Efficiency of Justice
<b>CSM</b>	Superior Council of Magistracy
<b>DCCO/BCCO/SCCO</b>	Directorate for Combating Organized Crime / Brigade for Combating Organized Crime/ Unit for Combating Organized Crime
<b>DGASPC</b>	General Directorate of Social Assistance and Child Protection
<b>DGA</b>	Anti-Corruption General Directorate
<b>DIICOT</b>	Directorate for the Investigation of Organized Crime and Terrorism
<b>EIL</b>	Local inter-institutional teams
<b>HG</b>	Government Decision
<b>IGPF</b>	General Inspectorate of Border Police
<b>IGPR</b>	General Inspectorate of the Romanian Police
<b>IGI</b>	General Inspectorate for Immigration
<b>IM</b>	Labor Inspectorate
<b>IJM</b>	International Justice Mission

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<b>JIT</b>	Joint Investigation Teams
<b>MFA</b>	Ministry of Foreign Affairs
<b>MAI</b>	Ministry of Internal Affairs
<b>MMSS</b>	Ministry of Labor, Social Solidarity
<b>MNIR</b>	National Identification and Referral Mechanism
<b>MJ</b>	Ministry of Justice
<b>NGO</b>	Non-governmental organization
<b>OIM</b>	International Organization for Migration
<b>UNBR</b>	National Bar Association
<b>PICCCJ</b>	Prosecutor's Office of the High Court of Cassation and Justice
<b>SCTP</b>	Unit for Combating Trafficking in Persons
<b>SNITP</b>	National Strategy Against Trafficking in Persons
<b>SSVI</b>	Crime Victim Support Service
<b>SPAS</b>	Public Social Assistance Service
<b>TFU/TP/THB</b>	Trafficking in Persons/ Trafficking in Human Beings / Human Trafficking
<b>VT/VTP</b>	Victim of trafficking in persons

### **Executive summary**

The fight against human trafficking remains a top priority on the executive agenda of Romania. Substantial anti-trafficking efforts have been undertaken in the reporting period by the Romanian authorities along with partners from civil society and the private sector. These efforts further develop previous years' initiatives and improve the coherence of Romania's anti-trafficking system. The long-term strategic vision is to ensure that this system maintains continuity and room for expansion as it develops in line with European and international approaches in this field.

Trafficking in persons is at the crossroads of many areas of intervention and therefore requires strategic coordination and planning across institutions. A number of important measures have been adopted in 2022 to further strengthen these efforts:

- **Leadership and Coordination:** As a result of the Prime Minister of Romania, a new architecture of the anti-trafficking system is in place since 2021. A national anti-trafficking coordinator has been appointed at the level of the Prime Minister Chancellery, a decision-making and strategic coordination Committee has been set up and led by the National coordinator, while the Rapporteur is represented by the National Agency against Trafficking in Persons. This ensures the continuity of the approach and cooperation between responsible state institutions and the other actors involved in these efforts at strategic level.

- **Integrated Plan:** The first Integrated Plan of Measures was developed and approved to respond to international recommendations on trafficking in persons.

● **Identification and Referral Mechanism:** An extensive process of updating the National Identification and Referral Mechanism was completed through a collaborative process with all actors involved and has been adopted through Government Decision. This is a strategic step which leads to a more effective response so that victims can benefit from integrated support based on their needs and specific situation.

● **Early identification:** The first government partnership to train frontline emergency physicians was completed to improve the identification of victims of human trafficking.

● **Action plan for Ukraine:** The Action Plan on the prevention of sexual exploitation, abuse, and risks associated with human trafficking for refugees from Ukraine has been approved and is being implemented. The measures taken by the Romanian Government have so far proved effective as no cases of trafficking in persons involving perpetrators or victims from Ukraine were identified in 2022.

● **Online registration system for minors from Ukraine:** A computer application for the registration of all children from Ukraine called Primero, has been launched by the National Authority for the Protection of Children's Rights and Adoption, with technical and financial support from UNICEF, as part of the coordination mechanism within the Ukrainian refugee crisis. It includes a child trafficking screening during the initial assessment, and if needed, a child may be referred as a potential victim of trafficking.

● **Statutory changes:** The Constitutional Court and the High Court of Cassation and Justice reinforced the special statute of limitations for criminal liability for the offences of slavery, trafficking in persons, child trafficking, and pimping. In 2022, the average sentence of a convicted trafficker increased to more than 5 years, compared to an average sentence of 3 years for the same offence in 2021.

● **Victim support:** 42 hearing rooms for victims of child human trafficking have been established across the country, where multidisciplinary teams can provide them with support services.

● **Surveillance:** An online forensics system has been deployed to the National Police improve the detection of online perpetrators of child sexual abusers and pedophiles.

● **New TIP strategy:** A dynamic evaluation process of SNITP has been conducted by a team of independent experts. The process to develop the new SNITP has been initiated. It will have priorities based on opportunities and needs, clear objectives and indicators, and a realistic action plan agreed upon by all partners, including civil society.

● **Immediate priorities:** consultative group of victims' survivor set up, strengthening the role of the local interinstitutional teams, streamlining and making available in friendly formats the new MNIR, extending the demand incrimination practice, rethinking the quality standards for social services to be more accessible to NGOs, neighbouring countries cooperation mechanism – UA and RMD in the area of fighting THB.

● **Estimated funding allocation:** The cost for combating, prevention and services supporting victims of human trafficking are estimated to be **151.400.000 Lei (roughly 30.280.000 Euro)** for the year 2022.

A. Recommends that the Government of Romania take measures to address the following issues for immediate action<sup>1</sup> identified in GRETA's report:

1. **Make additional efforts to facilitate and guarantee access to compensation for victims of THB, in particular by:**

a. **ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim or loss sustained by the victim, is part of the criminal investigation with a view to supporting compensation claims in court;**

<sup>1</sup> The number of the paragraph setting out GRETA's proposals in the report is indicated in brackets.

During criminal proceedings, DIICOT prosecutors carry out financial investigations and order ex officio precautionary measures, aimed at compensating injured parties and recovering legal costs.

Within the *LUPTA* project - *Leading a United Pathway to anti-trafficking Action*, implemented by IOM in cooperation with ANITP, DIICOT and NGO partners, victims of trafficking in persons have benefited from concrete support, accompaniment throughout the judicial proceedings, financial support and support in obtaining the clinical psychological expertise requested by the criminal investigation bodies or the court, specialized and free legal assistance, safe accommodation and transportation to hearings, expertise and complex judicial and extrajudicial psychological assessments (aiming at: proving abuse of vulnerability and establishing the consequences of the abuse suffered, and also a better estimation of the amount of moral damages), medical expertise.

**b. making full use of the legislation on the freezing and forfeiture of assets, as well as international co-operation, to secure compensation to victims of THB, and ensure that recoverable property which is seized in criminal proceedings is returned as soon as possible to the victim;**

According to Article 581 of the Criminal Procedure Code, the provisions of the criminal judgment concerning civil damages shall be enforced according to civil law. As a basic principle, enforcement is carried out voluntarily, by paying damages both in the context of compliance with the principle of reparation of the damage caused and compliance with a court judgment (according to Chapter I of the Civil Code, Art. 1469 - Art. 1515), and as an exception, it will be carried out by compulsory execution (according to Chapter II of the Civil Code, Art. 1516 - Art. 1530). Enforcement is carried out by a bailiff, the procedural aspects being regulated by the Code of Civil Procedure (Book V, Art. 622 - Art. 726) and by Law no. 188/2000 on bailiffs. We reiterate that, according to the Romanian legislation, damages are civil in nature, regardless of the nature of the proceedings in which they are claimed (criminal or civil). At the same time, the claim for damages is exempt from stamp duty, regardless of the civil or criminal nature of the proceedings in which the claim is made.

Several legal provisions were introduced **by Law no. 230/2022 amending and supplementing Law no. 318/2015** on the establishment, organization and functioning of the National Agency for the Administration of Seized Assets and amending and supplementing certain regulatory acts, as well as amending and supplementing Law no. 135/2010 on the Criminal Procedure Code (M. Of. no. 734 of 21 July 2022), in order to provide a comprehensive framework for the protection and assistance of victims of crimes of any kind, as follows:

1. The establishment of the National Crime Support Prevention Mechanism, through which the amounts allocated can be used exclusively for the assistance and protection of victims of crime - including emergency situations, crime prevention, and legal education.

Similar to the model followed by other countries, such as the French Republic, the Kingdom of Spain or the United States of America, the National Crime Support Prevention Mechanism was designed with the aim of extending the impact of the reuse of assets confiscated in criminal proceedings in the social and public interest, by better facilitating the payment of compensation to victims and the implementation of social projects aimed at assisting and protecting victims of crime, legal education and crime prevention. Thus, the new National Crime Support Prevention Mechanism, introduced by Law 230/2022, has been designed as an institutional and financial instrument aimed at prioritizing the allocation of resources, including for the protection of victims of crime.

The sources for the establishment of the Mechanism will be confiscated money, money resulting from the capitalization of confiscated goods, as well as money obtained from the enforcement of confiscation orders by equivalent in criminal proceedings. The recipients of the money are the Ministry of Education, the Ministry of Health, the Ministry of Internal Affairs, the Public Ministry, the Ministry of Justice and

ANABI, which may use it for the non-reimbursable financing of projects aimed at: legal education, crime prevention, assistance and protection of victims of crime, and strengthening the administrative capacity, including logistical capacity, of the institutions responsible for identifying, administering or capitalizing the seized assets. The money obtained through the establishment of the National Mechanism for Supporting Crime Prevention will be allocated in percentage shares between 15% and 20%. The mechanism became operational from January 2023 and will run for five years, with the possibility of extension by law.

2. The introduction in Law no. 318/2015 of a sub-section entitled *Access to compensation for victims of crime*, to facilitate the access of victims of crime (including victims of trafficking in persons) covered by Law no. 211/2004, as amended, to fair and adequate compensation for the damages suffered. By supplementing the budget of the Ministry of Justice with 15% of the amounts established through the National Crime Support Prevention Mechanism, the Ministry will be able to ensure, in addition to financing crime prevention projects or programmes, **the allocation of the necessary funds for granting financial compensation or an advance payment to victims of crime according to the provisions of Law no. 211/2004, as amended**. By way of derogation from the provisions of Art. 27 para. (1) and (2) of Law no. 211/2004, as amended, victims of crime will be able to claim financial compensation for **moral damages suffered as a result of the crime**, as well as for material damages resulting from the destruction, degradation or rendering useless of the victim's property or, the deprivation of the victim's property as a result of the crime.
3. Regulating, within the same subsection of Law no. 318/2015, of the possibility for victims of the crimes referred to in Article 21 of Law no. 211/2004, as subsequently amended and supplemented, to request an advance of the financial compensation in the form of a voucher, to cover expenses for food, accommodation, transportation, medicines and sanitary materials, as well as hygiene and personal use materials. According to the adopted provisions, victims of the crimes referred to in Article 21 of Law no. 211/2004 will be able to apply for an advance of this financial compensation, up to an amount equivalent to 5 national gross minimum basic salaries<sup>2</sup> (approx. 15,000 RON - equivalent to about 3,000 EUR). The vouchers will be granted within 72 hours from the approval of the application.

The methodology for issuing, distributing and settling vouchers, their amount, as well as the criteria for selecting public and private entities, aimed at implementing the above-mentioned provisions, will be established by Government decision. The draft Government decision is currently in the approval procedure.

4. According to Article 38 of Law no. 318/2015: "The Agency shall develop and manage the national integrated information system for the registration of claims arising from criminal offences as a single system for monitoring seized, confiscated and recovered assets in the criminal process". These aspects are complementary to the data on compensation granted to victims according to Law no. 211/2004, as subsequently amended and supplemented, for the purpose of monitoring financial compensation for moral and material damage suffered by victims through the commission of crime or, where appropriate, the advances obtained from the financial compensation, including vouchers under the provisions of Law no. 211/2004, as subsequently amended and supplemented. The development of the capacity to access information systems, according to Art. 138 para. 1 letter b of the Criminal Procedure Code and the interception of communications carried out by means of applications using the Internet, pursuant to Art. 138 para. 1 letter of the Criminal Procedure Code.

During the criminal trial, for securing the funds to be used in the event of a judgment awarding the payment of damages to the victim by the defendant, precautionary measures may be taken to repair the damage caused by the crime and to guarantee the enforcement of legal costs against the assets of the suspect or defendant and of the person civilly liable, up to their probable value. Moreover, these measures become mandatory if the victim is a person who lacks or has limited capacity to act (Article 249 para (6) and (7) of the Criminal Procedure Code).

<sup>2</sup> From 1 January 2023 the minimum gross wage is 3,000 RON

**The number of precautionary measures ordered in the cases solved with indictments and plea agreements for the period 2019-2022, from the perspective of DIICOT's efforts:**

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
art.210 Trafficking in persons	8,635,538	2,967,623	2,608,419	5,739,391
art.211 Trafficking in minors	907,396	4,988,075	5,522,434	2,466,099
art.213 Pimping	5,830,144	1,327,623	3,187,097	3,151,251
Art.212, 214-217 Other offences	0	0	230,700	0
<b>Total Trafficking and exploitation of vulnerable persons</b>	<b>15,373,078</b>	<b>9,283,321</b>	<b>11,548,650</b>	<b>11,356,741</b>

The Ministry of Justice has requested the courts of appeal to provide a centralized situation on the compensation awarded to victims of the offences referred to in Articles 210 – (trafficking in persons), 211 – (trafficking in minors) and 216 (use of the services of an exploited person), of the Criminal Code, both in the criminal trial and in civil actions, by final judgments, with a breakdown of the amounts awarded in moral and material damages, as well as the number of victims compensated (with a breakdown of the gender and minority of victims). **After analyzing the data submitted by the 15 responding courts of appeal, the following conclusions emerged:**

- the amount awarded in damages amounted to 1 050 067 EUR, out of which 160 867 EUR in material damages and 889 200 EUR in non-material damages;
- 118 victims received compensation, out of which 75 were minors.

Regarding the statistical data on the awarding of compensation in 2020, the figures are: 43 decisions – out of which, in 25 cases, the civil action of the victims was admitted, the defendants being obliged to pay compensation to victims of crimes under art. 210/art. 211 of the Criminal Code, and 18 to victims of crimes under art. 374 of the Criminal Code. 56 victims benefited from these decisions: 33 victims in cases concerning art. 210/art.211 of the Criminal Code, and 23 victims in cases concerning art. 374 of the Criminal Code.

**In 2021**, in the cases that were closed with final convictions, 235 victims, who were civil parties in criminal cases, received compensation. The total amount of moral or material damages ordered by the courts, in RON or EUR, was: 796,679 RON and 572,125.05 EUR (approx. 733,226.05 EUR, at the Romanian National Bank exchange rate of 11.01.2022).

**In 2022**, the centralization of data showed a total of 86 injured persons/civil parties, who were awarded **moral damages** of 490,800 EUR and 764,000 RON; the total **material damages** awarded were 40,961.98 EUR, 603,845.17 RON and 4428.01 pounds, and the total compensation from mediation agreements: 9500 EUR. The task of enforcing the provisions for compensation of damages lies with the enforcement court.

**Annex 1 shows examples of court decisions to award compensation to victims of trafficking in persons.**

**c. reviewing the procedure to facilitate access to judicial public aid for victims who wish to claim compensation in civil proceedings;**

As the awareness of the need to intensify institutional efforts for protecting victims of trafficking in human beings increased, and taking into account the recommendations of European and international bodies addressed to Romania, the Ministry of Justice carried out an analysis of the functionality of the mechanism for granting financial compensation stipulated by Law no. 211/2004 on some measures to ensure information, support and protection of victims of crime. The analysis started with a quantitative component, by collecting relevant statistical data on the cases settled in the period 2015 - 2021 by the commissions for granting financial compensation to victims of crimes, established, in accordance with the provisions of Law no. 211/2004, at the level of each court. The results of the centralization of the information submitted by the Courts of Appeal revealed a low degree of access to financial compensation by victims.

We also underline that Law no. 230/2022, which currently allows claiming both types of damages, has removed the legal impediment of claiming moral damages through the mechanism of state compensation to victims of THB

Compensation has been obtained from defendants in criminal cases brought before the court, to the extent that they have been civil parties or in the case of minor victims (in which case the civil action is mandatory *ex officio*).

**d. supporting victims to effectively enforce compensation orders, including by ensuring that they have access to free legal aid;**

Ensuring the effective restitution of compensations to victims, including victims of THB crimes, has been translated into a series of legislative policies that form a robust framework.

According to Article 581 of the Criminal Procedure Code, the provisions of the criminal judgment concerning civil damages shall be enforced according to civil law. As a basic principle, enforcement is carried out voluntarily, by paying damages both in the context of compliance with the principle of reparation of the damage caused and compliance with a court judgment (under Chapter I of the Civil Code, Art. 1469 - Art. 1515), and as an exception, it will be carried out by compulsory execution (under Chapter II of the Civil Code, Art. 1516 - Art. 1530). Enforcement is carried out by a bailiff, the procedural aspects being regulated by the Civil Procedure Code (Book V, Art. 622 - Art. 726) and Law no. 188/2000 on bailiffs.

We reiterate that, according to the Romanian law, damages are civil in nature, regardless of the nature of the proceedings in which they are claimed (criminal or civil). At the same time, the claim for damages is exempt from stamp duty, regardless of the civil or criminal nature of the proceedings in which the claim is made.

As mentioned in the response provided at recommendation 1b, an important mechanism for granting victims with an emergency advance from the compensation budget has been established through Law no. 230/2022. For more details concerning the mechanism, please see the information provided for recommendation 1b, point 3.

The Victim Coordination Programme, implemented by ANITP in cooperation with other public anti-trafficking actors such as IGPR, DIICOT, IGPF, IGJR, and IGI, provides the general framework for supporting and informing victims about their rights and obligations during criminal proceedings. Free legal assistance is provided to victims of trafficking under Law no. 211/2004 on measures for victims of crime. To the same extent, Articles 43 and 44 of Law no. 678/2011 on preventing and combating trafficking in persons regulate compulsory legal assistance for victims of trafficking in human beings.

*The LUPTA project - Leading a United Pathway to anti-trafficking Action*, initiated by the IOM Romania Office, together with ANITP and DIICOT, complemented the Coordination Programme. The project aimed at carrying out multidisciplinary, holistic investigations as a synergistic approach between law enforcement agencies, prosecutors and victim protection coordinators, has proven to be essential for obtaining the



victims' participation in criminal proceedings, based on their informed consent and with full respect for the needs and rights of victims. In addition, victims of trafficking in persons have benefited from concrete support, accompaniment throughout the judicial proceedings, financial support and support in obtaining the clinical psychological expertise requested by the criminal investigation bodies or the court, specialized and free legal assistance, safe accommodation and transportation to hearings, complex judicial and extra-judicial psychological expertise and assessments (with the objectives of proving abuse of vulnerability and establishing the consequences of the abuse suffered, as well as a better estimation of the amount of moral damages), medical expertise.

A "Toolkit on victim-centric best practices in investigations and prosecutions" was developed within the project, for practitioners in the field of justice and not only. This Toolkit is in line with international normative regulations, providing access to a set of practical and interactive activities to support governmental and non-governmental actors to improve collaboration and coordination for optimal capacity building, in an effective manner.

To support victims of THB, the legislator also regulated the following specific aspects::

- granting the necessary amount for the enforcement of the judgment is subsumed to the notion of free legal assistance for victims of crime, including THB, and is provided from the state budget, through the budget of the Ministry of Justice, according to Art. 19, in conjunction with Art. 18, para. (2) of Law no. 211/2004 on measures to ensure information, support and protection of victims of crime;
- the application (request) for the provision of the amount necessary to enforce the judgment awarding civil damages to the victim of the THB offence is exempt from stamp duty, according to Article 20, para (3) of Law no. 211/2004 on measures to ensure information, support and protection of victims of crime;
- in order to ensure that the procedure for enforcement of the judgment is initiated, the victim of the THB offence may request to the Commission for financial compensation for victims of crime for an advance on the financial compensation, up to an amount equivalent to 10 national gross minimum basic salaries established for the year in which the victim applied for the advance, in accordance with Law no. 211/2004;
- during the criminal proceedings, in order to secure the funds to be used in the event of a judgment awarding the payment of damages to the victim by the defendant, precautionary measures may be taken to repair the damage caused by the crime and to guarantee the enforcement of legal costs against the assets of the suspect or defendant and the civilly liable person, up to the probable value of such assets. Moreover, these measures become mandatory if the victim is a person who lacks or has limited capacity to act (Article 249 para (6) and (7) of the Criminal Procedure Code);
- In order to simplify and streamline the victims' access to vouchers, the text of the provisions of Article 37 para. 15 of Law no. 318/2015 took into account:
  - categories of urgent needs of victims of crime, i.e. the need to cover the costs of food, accommodation, transport, medicines and sanitary materials, as well as hygiene and personal use materials;
  - the maximum limit of the advance of the financial compensation in the form of a voucher, i.e. the limit of an amount equivalent to 5 national gross minimum basic salaries (approx. 15,000 RON - equivalent to about 3,000 EUR), established for the year in which the victim requested the advance;
  - how to distribute the vouchers in accordance with the criterion of geographical distribution so that all victims have the opportunity to access this advance, through competent public institutions and authorities, as well as associations and foundations working in the field of victim protection and social assistance, enrolled in the voucher distribution mechanism;
  - publishing and updating the list of public and private entities involved in the mechanism for distributing vouchers to victims of crime on the Ministry of Justice's website;

- regulating the Methodology for issuing, distributing and settling vouchers, their amount, as well as the criteria for selecting public and private entities by Government Decision.

See also the changes instituted by the operationalization of the National Crime Support Prevention Mechanism and other legislative changes to support the process of compensating victims of crime, as described in detail in Recommendation 1.b).

Moreover, both the Ministry of Justice and the National anti-trafficking coordinator have developed a series of ongoing conversations with the National Bar Association to identify practical solutions meant to streamline and improve the free legal aid provided to victims. The process is ongoing and the principle of strengthening and improving free legal assistance for victims of trafficking in persons is a strategic priority assumed by the Government of Romania both in the National Action Plan in Response to International Recommendations and for the next programmatic period.

**e. including the topic of compensation in training programmes for lawyers, prosecutors and judges and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of THB;**

#### **INM courses**

**In the period 2019 - first quarter of 2023**, the National Institute of Magistracy (INM) organized 6 training activities in the field of trafficking in persons, in which 40 Romanian judges and 53 Romanian prosecutors participated. A first seminar on combating trafficking in persons was organized in 2019, with the participation of 7 Romanian judges and 7 Romanian prosecutors.. This training addressed the following topics: the phenomenon of trafficking in persons at the national and international level, criminal typologies, specificities of the investigations concerning these crimes, trauma and its impact on the victim's ability to make statements in criminal proceedings, the rights of victims of trafficking in persons in national and international legislation, national mechanisms for the prevention of trafficking in persons, identification, referral and assistance to victims, international judicial cooperation on trafficking in persons.

During 2020, it was not possible to carry out training activities on combating trafficking in human beings due to the health restrictions in place in that period.

In 2021, 2 training sessions in the field of combating trafficking in human beings were held, attended by a total of 17 Romanian judges and 14 prosecutors.

In 2022, 2 training sessions were organized, attended by a total of 9 Romanian judges and 19 prosecutors.

In the 2023 training programme, a seminar was held in the first quarter, attended by 7 Romanian judges and 13 prosecutors. These training activities were organized within the POCA Project "Justice 2020: professionalism and integrity" (SIPOCA code 453, MySMIS2014+ code 118978), and were focused on the following topics: the phenomenon of trafficking in persons at the national and international level, criminal typologies, peculiarities of the investigation of these crimes, issues related to the hearing and protection of victims in national and international legislation, procedural aspects and best practices in the field of trafficking in human beings. Issues of international judicial cooperation in the field of trafficking in human beings were also discussed: European investigation order/international letters rogatory, EUROJUST/EJN, joint investigation teams, and hearing by videoconference.

According to the Continuous Training Programme for **2023**, 4 more training activities will be organized in the field of combating trafficking in human beings, one of which will be similar to the one carried out in the first quarter, while the other three will be carried out in collaboration with the *International Justice Mission (IJM)*. These 3 sessions are part of the project "*Strengthening Proactive Criminal Justice Response to Trafficking in Persons in Romania*", implemented by IJM, with the support of the Office to Monitor and Combat Trafficking in Persons of the US Department of State. The programme aims to support the Romanian authorities and other relevant actors to address trafficking cases in a multidisciplinary, victim-

centered manner. The topics to be covered include the evolution of trafficking in persons from a victim's perspective, techniques for investigating trafficking in persons with a focus on hearing victims of trafficking in persons, stress, trauma and the impact of these hearing procedures on victims, the victims' rights and obligations, procedural issues, inter-agency and international cooperation, etc.

The “*Strengthening Proactive Criminal Justice Response to Trafficking in Persons in Romania*” project has been carried out by IJM (in collaboration with ANITP, DIICOT and DCCO-IGPR) through the reporting period. It aims to support the Romanian authorities and other actors to address trafficking in persons in a multidisciplinary, victim-centered manner, to strengthen victim protection and compensation policies, and to enhance the quality of regional social service delivery.

The regional trainings for police officers and prosecutors carried out under the above-mentioned project, during September 2021-June 2022, covered topics such as: victim-centered, trauma-informed law enforcement response, overcoming gender bias in law enforcement response to trafficking in persons, legal context of trafficking offences, interviewing techniques for children, use of internet and social media in investigations, cognitive interviewing of victims of trauma, interviewing the suspect.

In addition, in January 2023, MJ sent requests to the UNBR and INM for the topics related to THB to be constantly included in the training programmes managed by these institutions.

Furthermore, during September 21-22, 2022, ANABI organized training sessions aimed at providing law enforcement professionals with the theoretical and practical means and specialized tools necessary in the field of financial investigations and recovery of proceeds of crime in cases of trafficking in persons (within the project "Further strengthening the capacity to combat trafficking in human beings with a focus on prevention, cooperation and recovery of proceeds of crime - WESTEROS 2"). The training sessions covered the main ingredients for successful investigations, by using parallel financial investigations, intelligence gathering, financial profiling, asset tracing for debt recovery, pre-planning of precautionary measures and confiscation, pre-judicial cooperation, EU and international cooperation. The benefits of using Asset Recovery Offices (ANABI), the European Investigation Order (EIO) and Joint Investigation Teams (JITs) to improve financial investigations in the area of trafficking in human beings were also highlighted. Judges, specialized prosecutors, financial experts and investigators, as well judicial police officers from Romania, Belgium, Spain, Germany and the Netherlands attended the sessions.

**f. facilitating access to state compensation by setting up as a matter of priority a victim compensation fund which uses confiscated assets of perpetrators of human trafficking to fund compensation and reparation, and simplifying the procedure and eligibility criteria for claiming compensation (paragraph 87);**

Romania has taken important steps towards achieving the ultimate goal of justice, which is to eliminate the negative effects of crime on victims and to facilitate their access to state compensation by setting up, with priority, of a victim compensation fund. The main instrument to achieve this goal is the 2021-2025 National Strategy on the Recovery of Crime-Related Assets, entitled "Crime is not profitable!" initiated by the Ministry of Justice. This strategy focuses on modernizing the system of social re-use by allocating confiscated sums and recovered assets to finance preventive programmes or projects in the field of combatting crime, prevention, education, assistance and protection of victims. The main objectives of the National Strategy on the Recovery of Crime-Related Assets are the following:

- modernization of the social re-use system by using confiscated sums and recovered assets to finance preventive programmes or projects in the field of crime prevention, prevention, education, assistance and protection of victims;
- the establishment of a National Crime Support Prevention Mechanism, through which the money allocated could be used exclusively for the protection of victims of crime - including in emergency situations, crime prevention, legal education;
- developing a legal framework for the rapid recovery of high-value assets (e.g., real estate).

See also the contribution on the National Crime Support Prevention Mechanism, detailed in point 1b).

**2. take measures to strengthen the criminal justice response to THB, including by:**

**a. ensuring that human trafficking offences are proactively and promptly investigated, making use of all possible evidence, including evidence collected through special investigative techniques and financial investigations, in order not to rely exclusively on testimony by victims or witnesses;**

During the reference period, the mobility of criminal groups operating in destination/exploitation countries has been maintained as criminal groups reoriented themselves to new destinations where there is a greater demand for sex, begging and labor (54 criminal cases out of those registered during the reference period had multiple destinations of exploitation).

150 requests for letters rogatory and European investigation orders active in 2021, formulated by DIICOT prosecutors, were addressed to the judicial authorities of Germany, the United Kingdom, France, Switzerland, Italy, Spain, Belgium, Austria, Norway, Denmark, Lithuania, Hungary, the Netherlands, Bulgaria, Cyprus, the United States of America and Ireland, as follows: 75 cases concerning human trafficking offences, 21 cases concerning child trafficking offences, 15 cases concerning child pornography offences and 39 cases concerning pimping offences committed by an organized criminal group.

55 requests for letters rogatory and European Passive Investigation Orders were issued by judicial authorities in Switzerland, Norway, Ireland, Spain, the United Kingdom, the Czech Republic, the Republic of Moldova, France, Belgium, Poland, Italy, the Netherlands, Germany, Luxembourg, Sweden and Russia, as follows: 44 cases concerning offences of trafficking in persons, 4 cases concerning offences of trafficking in minors, 5 cases concerning offences of child pornography and 2 cases concerning offences of pimping committed by an organized criminal group. These cases involved complex investigative activities, including financial investigations, interception of communications, obtaining traffic data processed by public network providers, audio, video or photographic surveillance, house searches, interviews of victims, witnesses and suspects, and taking of precautionary measures.

As part of a joint investigation team, on 28.09.2021, DIICOT prosecutors - Central Structure, together with prosecutors from the Crown Prosecution Service of the United Kingdom and in collaboration with specialized police officers from the London Metropolitan Police and criminal police officers from BCCO Brasov, carried out a joint action on the territory of the two countries, 9 house searches being carried out in Brasov County and 6 in London, in a case aimed at breaking up an organized criminal group of 18 people, specialized in human trafficking and child trafficking. As a result of the joint action, 29 victims were identified in Romania, 4 of whom were minors, and 55 victims were identified in the UK, who were taken to protection centers for material support and medical and psychological counselling. The action was coordinated by EUROJUST, which provided logistical and financial support<sup>3</sup>.

In 2022, 4 new Joint Investigation Teams (JITs) Agreements have been concluded with the authorities of the UK(1), Ireland(2) and Spain(1) on offences of trafficking in human beings for the purpose of sexual exploitation. In addition, during 2022, cooperation continued with the judicial authorities of the UK, France, Republic of Moldova, Germany and Hungary within the framework of 10 other Joint Investigation Team Agreements, set up during the previous years. During 2022, at national level, the structures specialized in combating trafficking in human beings, within the Romanian Police, carried out activities in a number of 693 cases of cross-border nature, out of which 202 registered in 2022.

It is imperative to mention that no case **is constituted and prosecuted solely on the basis of the victim's statement**, and further evidence used in human trafficking cases is highlighted below.

<sup>3</sup> <https://www.eurojust.europa.eu/labour-exploitation-victims-brought-to-safety-with-eurojust-support>

From the perspective of DIICOT's efforts, we emphasize the use of the software Cellebrite - Digital Intelligence For A Safer World, which allows computer searches and the recovery of computer data used as evidence in criminal proceedings. Another technical mean used in the proactive and prompt investigation, is the interception of telephone communications, in real time, carried out via the GSM network. However, the volume of information is reduced because the perpetrators no longer use this communication network, but rather Internet communication networks and electronic communication applications such as WhatsApp, Telegram, Signal, etc.

Financial investigations are part of the investigation and are carried out both by DIICOT prosecutors and by the police bodies of the Unit for the Financial Investigation of Criminal Groups, organized at the DCCO level. This Unit is the specialized structure that carries out investigative and procedural activities concerning the assets of persons under investigation for the commission of offences that may be the subject of criminal offences in criminal cases and the investigation of the commission by these persons of the offence of money laundering.

In terms of practical examples combining proactive and complex investigations, from an investigative perspective, we highlight the "MANU" operation:

*Thus, by 2018, the named S.J.I., S.M., N.C., F.F., C.C., I.N.O.I. and B.F. established a cross-border organized crime group with the purpose of committing the crimes of human trafficking, pimping and money laundering.*

*The members of the group have consistently used methods to determine victims not to give incriminating statements or to withdraw statements already made against them. They usually did not hesitate to use physical or moral intimidation on the victims, through threats, blackmail or acts of violence, especially after the young women had been recruited for sexual exploitation. Twenty-four victims were identified in the case.*

*Young women from Romania were recruited, transported, hosted and forced into prostitution in Germany, Austria, Italy and Spain. Victims were recruited in different counties in Romania mainly through the "Lover Boy" method and sometimes using false promises of jobs abroad.*

*The members of the group exchanged roles among themselves in recruiting and supervising the young girls, a particular feature of this group being that they were relatives and the money obtained from the crimes were kept exclusively within the family.*

*The German authorities, through the Dusseldorf Police - Wuppertal Prosecutor's Office, have also started an investigation into some of the members of the group, and on 13.06.2018, the transfer of proceedings to the Romanian judicial authorities was carried out.*

*The offences of trafficking in human beings, pimping, money laundering, influencing statements, aiding and abetting the offender were investigated.*

*A peculiarity of this case was the situation of a lawyer who was supposed to defend the rights and interests of the victims, but it was established that, in fact, he was supporting the interests of the criminal group.*

*Thus, at various times, the lawyer P.X. helped the defendant S.M. in an attempt to determine the victims of trafficking in human beings to withdraw their statements in order to protect the members of the group. The victims of the defendant S.M., whom he claimed had wrongfully accused him of very serious acts motivated by jealousy, helped to demonstrate the lawyer's complicity in the criminal activity of the group and his repeated attempts to protect them by making the victims withdraw their statements.*

*The defendants developed techniques to launder the money resulting from the criminal activities, setting up bank deposits and investing money in luxury cars or buying real estate, thus creating the appearance of legality of possession of the assets. The members of the group set up companies with the help of accomplices, buying goods in their names, which, in fact, belonged to the group members.*

*The financial investigations revealed that all three stages of the money laundering offence (placement, layering and integration) were carried out and concealed through the accomplices.*

*Financial investigations have also shown that the sums obtained by the members of the group from trafficking in human beings (private as criminal proceeds) were considerable. For example, S.M. - approximately 1,577,480 EUR and S.J.I. - approximately 697,000 EUR.*

*In order to avoid the concealment, destruction or alienation of assets subject to special confiscation measures and to guarantee the coverage of legal costs and damages caused by the commission of the offences, the confiscation of the following amounts and assets was a priority: - 90,000 EUR; - 3 luxury cars - BMW 730 - Opel Insignia - BMW 530; - 10 real estate; Jewelry.*

*All the defendants were convicted, and by way of example, we highlight the convictions of the relevant perpetrators: S.M. - 13 years and 10 months imprisonment; F.F. - 9 years and 10 months imprisonment; N.C.M. - 10 years and 10 months imprisonment; S.J.I. - 10 years and 8 months imprisonment.*

**b. requiring consideration of allocation of specialist financial investigators to every THB case;**

Following an analysis of the dynamics of the phenomenon of human trafficking, the evolution of criminal cases on certain components that require additional measures, such as online investigations, the MAI approved the addition of 66 posts, including 17 posts of financial investigation officers, at the level of DCCO and territorial structures.

From the perspective of DIICOT's organization and functional competence, the specialization of prosecutors in the investigation of human trafficking offences is carried out at the level of the territorial structures and at the level of the Central Structure, where the Unit for Combating Trafficking in Persons has been established.

**By Decision No 272/2021 of 6 April 2021 of the Superior Council of the Magistracy - Section for Prosecutors**, published in the Official Gazette No 431 of 23 April 2021, the Regulation on the organization and functioning of the Directorate for the Investigation of Organized Crime and Terrorism was approved.

Thus, at the level of the central structure of the DIICOT, the Unit for Combating Trafficking in Persons has been set up within the Unit for Combating Organized Crime, and the prosecutors of the service prosecute cases concerning trafficking in human beings, trafficking in minors, pimping, setting up of an organized criminal group, money laundering and related offences.

**The Unit for Combating Trafficking in Persons** operates with one chief prosecutor and seven executive prosecutor positions, with 7 prosecutors currently working in the service (one position is temporarily vacant during a prosecutor's childcare leave).

At the level of the territorial structure of the Directorate for the Investigation of Organized Crime and Terrorism, prosecutors from the 14 Territorial Units and 26 Territorial Offices investigate the above-mentioned offences.

**c. sensitising prosecutors and judges to the rights of victims of THB, and encouraging the development of specialisation amongst prosecutors and judges to deal with THB cases;**

During the reporting period (1 January - 31 December 2020) the National Institute of Magistracy had 3 continuous training activities scheduled in the field of combating trafficking in human beings under the Project "Justice 2020: professionalism and integrity", code SIPOCA 453, code MySMIS2014+ 118978, which were rescheduled and subsequently held as soon as the restrictions related to the epidemiological context allowed them to be carried out, during 2020.

See also the contribution presented in point A.1.e on the participation of judges or other professional categories in special training courses.

**d. strengthening efforts to investigate, prosecute and convict traffickers of labour exploitation;**

The following figures are presented relating to investigations and persons investigated for human trafficking and related offences, **including those specific to trafficking for labor exploitation:**

**In 2020**, 549 cases were registered on art. 210 of the Criminal Code and art. 211 of the Criminal Code, out of which **54 for labor exploitation** and 742 cases on art. 374 of the Criminal Code - child pornography. At the same time, in 2020, DIICOT was working on 730 cases concerning art. 210 C.C. and art. 211 C.C., including **48 cases registered for the purpose of labor exploitation** and 718 cases concerning art. 374 C.C. - child pornography. During the same period, **7 defendants were investigated under arrest for the offence of trafficking in persons for the purpose of forced labor**, out of the 14 defendants whose prosecution for alleged offences of trafficking in forced labor was initiated during 2020. **During the same period, another 37 defendants were prosecuted for alleged offences of trafficking in forced labor in cases opened in previous years.**

Number of indictments issued in 2020 - 97 in total, out of which 84 with trafficking for sexual exploitation (prostitution/sex industry) and **13 with trafficking for labor exploitation** (domestic work/agriculture). In these cases, precautionary measures were imposed on the defendants' assets/moveable/fixed assets, in the total amount of 7,955,698 RON.

**In 2021**, out of 1467 investigations and 3655 persons investigated, concerning art. 210 Criminal Code and art. 211 Criminal Code, **there were 76 investigations related to forced labor**, some of them initiated in 2021, others initiated in previous years but continued in 2021. 163 persons were investigated for forced labor-related issues in 2021, in investigations initiated in 2021 or in previous years. Out of 175 convictions related to art. 210 Criminal Code and art. 211 Criminal Code, **35 persons were convicted on forced labor**, and 127 persons convicted for the purpose of sexual exploitation, the rest being convictions related to other forms of exploitation. During the same period, 748 new investigations were opened into the offence of child pornography under Article 375 of the Criminal Code. 272 defendants were indicted, 64 of whom were remanded in custody. Following the centralization of the data on convictions ordered in 2021, it was found that the courts ordered the sentencing of 171<sup>4</sup> individual defendants to 495 years, 8 months and 16 days of imprisonment with execution and 85 years, 6 months and 20 days of which the execution was conditionally suspended.

**In 2022**, out of 1296 investigations and 2873 persons investigated regarding art. 210 Criminal Code and art. 211 Criminal Code, **264 persons were investigated for acts of labor exploitation**, in 96 investigations initiated in 2022 or in previous years.

Following the centralization of data on convictions in the year 2022, it was found that the courts have ordered the final sentencing of 137 defendants, individuals and one legal entity, to sentences amounting to 707 years, 6 months, 29 days - imprisonment with execution; 38 years, 2 months - imprisonment with suspension under supervision, resulting in an average sentence of 5.60 years imprisonment for traffickers, adults. A criminal fine of 50,000 RON was also imposed on the legal person. 16 persons were finally convicted in 2022 for trafficking in persons/minors offences related to labor exploitation.

The labor exploitation of victims of trafficking in human beings associated with the crime of trafficking in human beings and minors is the second most common form of trafficking among victims notified to the Romanian anti-trafficking system. During 2021-2022, the share of such exploited victims in the SIMEV<sup>5</sup> was 15%. This percent is also maintained for the investigation, prosecution and conviction of persons for crimes of trafficking in persons for the purpose of labor exploitation, with an average share of 10% of cases

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<sup>4</sup> For those situations where the penalty awarded is known;

<sup>5</sup> Integrated Victim Assessment and Monitoring System, administered by ANITP;

in progress at the level of DIICOT and even a 20% share of the total number of persons convicted for labor exploitation during the same period (2021-2022).

**e. ensuring that THB cases are prosecuted as such and lead to effective, proportionate and dissuasive sanctions for those convicted, including in cases involving public officials. If an alternative charge is preferred in THB cases, this should be recorded and monitored by the Prosecutor's Office. The plea-bargaining procedure should be used only exceptionally in human trafficking cases, subject to appropriate safeguards, where the reduction of a sentence is clearly outweighed by the advantages offered by the plea agreement (these advantages being indicated in the judicial decision approving the agreement) and the agreement is not in any way detrimental to the rights of the victims, including their access to compensation;**

The number of persons finally convicted for trafficking in persons and minors remains at a consistently high level, and an analysis of the average sentences given to convicted traffickers in the last two years shows an increase in the average sentence given to traffickers finally convicted in 2022 to over 5 years, compared to the average sentence of 3 years given in 2021.

**In 2019** a public official<sup>6</sup> was detained and placed under judicial control. In the case, a defendant who at the time of the commission of the offences was a non-commissioned officer of the gendarmerie was sentenced for the commission of the offences of *child trafficking and pimping, sexual act with a minor, use of child prostitution*. The DIICOT ordered the imposition of a measure of seizure of movable and/or immovable property belonging to the accused.

**In 2020 one person<sup>7</sup>** was sentenced to prison.

**In 2021 and 2022**, indicted defendants for trafficking in persons were identified as public officials at the time of the crime in the following cases:

- the indictment of a defendant, a secondary school teacher, for the offences of trafficking in minors, sexual act with a minor, child pornography. The defendant manipulated the victim and, shortly afterwards, induced her to have sexual relations with other men for a fee, assuring her that this was a way for her to make money and live a life free of material worries, part of which (a maximum of 30%) was his. The defendant, a 56-year-old adult male teacher with a consistent life experience, took advantage of the victim's psyche (a child raped at the age of 8 by the biological father), the disorders the victim suffered from and he was aware of, the victims' state of need and the lack of parental authority, so that it was extremely easy for him to persuade the victim to have sex with men for a fee. The defendant was remanded into custody. By prosecutor's order, a seizure order was imposed upon the defendant's property and car.
- the indictment of two defendants, civil servants certified as professional maternal assistants, for the commission of the offences of trafficking in minors in a continuous form: from 2018 until April 2022, the defendants, in their capacity (civil servants certified as professional maternal assistant), took into foster care, at their home, four minors (two aged 14, one aged 11, and one aged 15), while receiving a monthly payment of 3600 RON from the DGASPC, consisting of 2000 RON + 1600 RON (800 RON - allowance and monthly allowance for the minors in placement). The defendants took advantage of the minors' young age, their family situation and the fact that they had authority over them, by exploiting them through physical labor, also using acts of physical and mental aggression (cutting wood in the forest, taking care of animals, harvesting the field etc.), in the financial interest of the defendants. In the course of the criminal proceedings, a search of ANAF database was for identifying the income obtained by the defendants and the assets they owned. According to the financial investigation report, it emerged that the defendants have no sources of income and no assets or property in their names.

<sup>6</sup> geandarm

<sup>7</sup> Civil servant - social services



**In 2022**, eight defendants, including a mayor, were indicted for committing the crimes of trafficking in minors, rape and complicity in rape in a continuous form, influencing statements, assault and other violence, possession of risk drugs for own consumption.

In the course of the prosecution, the defendants were detained and subsequently arrested, and measures were taken to secure their assets.

See also the response to Recommendation 2d on the mention of the application of the guilty plea procedure.

**f. ensuring that the length of court proceedings in cases of trafficking of human beings is reasonable, in line with the case-law of the European Court of Human Rights (regarding Article 6, paragraph 1, of the ECHR) and the standards set by the European Commission for the Efficiency of Justice (CEPEJ) (paragraph 108);**

Since the new architecture of the anti-trafficking system is in place in Romania (National anti-trafficking coordinator, Decision-making and coordination Committee and Rapporteur) many challenging processes have been improved and reformed at managerial, administrative and strategic level between the institutional actors, while the digitization of the public administration and the judicial system has been assumed as a governmental priority. Accordingly, the digitization process is set as a priority including in the National Recovery and Resilience Plan and the work on dedicated benchmarks is ongoing, led by the Ministry of Digitalization. Consequently, at the level of DIICOT, there are initiatives to digitize the judicial proceedings and to move to electronic filing for which the necessary resources have been provided. These digitization initiatives will also contribute to a faster response by the authorities during court and judicial proceedings.

**3. extend the scope of Article 20 of the Anti-Trafficking Law to cover all offences (including administrative ones) which victims of THB have been compelled to commit (paragraph 114);**

The principle of non-punishment stipulated in the Romanian legislation in **Article 20** of Law 678/2001, following the amendment made by Law No 136 of 24.05.2023, is defined as follows: (1) A person subject to trafficking in persons who has committed, as a result of his or her exploitation, the offence of fraudulent crossing of a state border or the donation of organs, tissues or cells of human origin, shall not be punished for these offences. (2) A person subject to trafficking in persons who has committed one of the offences referred to in Article 2, paragraphs 3 and 6 of the Law No. 61/1991 on the punishment of offences against the rules of social coexistence, public order and safety, republished, as subsequently amended and supplemented, shall not be punished.

Concerning GRETA's observation according to which *Article 20, paragraph (2), of the Anti-Trafficking law makes reference to Article 3 of an unspecified law, which can be understood as referring to Article 3 of the same Law (which sets out the role of anti-trafficking actors)*, we would like to underline that this was indeed a material error, repaired by the above mentioned 678/2011 Law modification.

**4. make full use of the available measures to protect victims and witnesses of THB and to prevent their intimidation during the investigation, as well as during and after the court proceedings, including by applying the measures provided for particularly vulnerable victims and threatened witnesses, making more frequent use of the witness protection programme, banning the publication of trafficking victims' names on judicial websites, without affecting the ability of civil society to monitor cases with suspicion of corruption, and effectively investigating any cases of intimidation and threats against victims and witnesses (paragraph 125);**

The Romanian State has regulated, in the Criminal Procedure Code, the protection of victims of trafficking in persons who participate in criminal proceedings. Thus, it provides:

- protective measures ordered in the course of criminal proceedings and during trial for the threatened witness (victim of trafficking in human beings);
- hearing of the protected witness (victim of human trafficking);
- protective measures for the vulnerable witness (victim of trafficking).

The National Office for Witness Protection (ONPM) applies all necessary measures for including witnesses at risk in the Witness Protection Programme, and seeks to achieve this objective in the best conditions for the safety of the victims. During 2019-2022, according to ONPM, two victims of human trafficking have acquired the status of protected witness and protection measures (increased security measures at home, change of residence) and assistance measures (reintegration into another social environment, provision of income until finding a job) have been ordered.

In criminal cases handled by DIICOT, prosecutors have issued reasoned orders, either *ex officio* or at the victim's reasoned request, depending on the factual circumstances of the case and the state of danger/threat in which the victim found itself, granting the status of threatened witness/vulnerable witness and thus taking the protective measures provided for by law (protection of identity data - whereby the victim is assigned a pseudonym under which he/she will sign the statement and under which he/she will be identified in all the documents of the criminal case and before the court, protection of the victim's or of the family members' movements, surveillance and security of the home, hearing by technical means with distorted voice and image). The Criminal Procedure Code provides that the same set of protective measures may also be taken regarding the victim that participates in the criminal proceedings as an injured person or civil party, as the case may be.

For example, in 2022, two DIICOT Territorial Services were identified as having established witness protection for 3 victims of human trafficking. In order to limit the process of re-victimisation, 2 victims were heard in advance by the judge of rights and freedoms. Case prosecutors take constant measures to limit as much as possible the re-victimisation of victims through extensive hearing procedures in which all issues are clarified so as to avoid further hearings, by reasoned avoiding/rejection of requests for confrontation by defendants. If the victim wishes to benefit from assistance and support, law enforcement bodies take all necessary measures to ensure the effective enforcement of rights, by involving representatives of ANITP, DGASPC, NGOs and appointing public defenders, to the extent that legal assistance is not fully provided by NGOs, through lawyers working with the NGOs involved.

According to Article 26 of Law no. 687/2001 on preventing and combating trafficking in human beings:

- Victims of trafficking in human beings are granted special physical, legal and social protection and assistance.
- the privacy and identity of victims of trafficking offences are protected.
- victims of trafficking in human beings have the right to physical, psychological and social recovery.
- minor victims of trafficking offences are granted special protection and assistance in accordance with their age.
- women victims of trafficking in human beings, as well as those at high risk of becoming victims of such crimes, are granted specific protection and social assistance.

Moreover, according to the specific provisions contained in Law no. 678/2001 on preventing and combating trafficking in human beings and the working principles and procedures contained in the MNIR, approved by GD 88/2023:

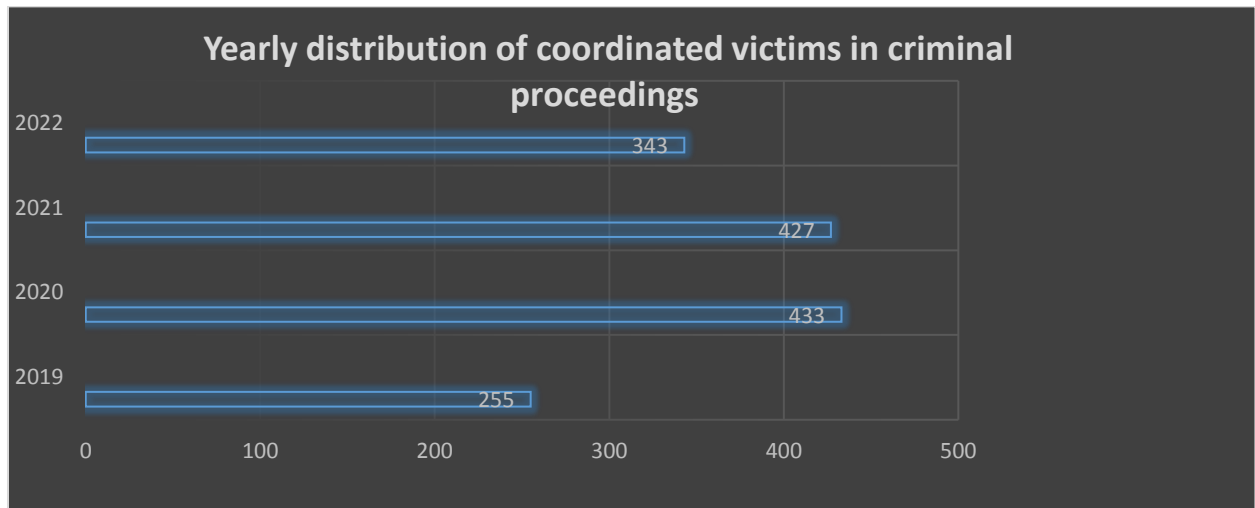
- Romanian citizens for whom there are reasonable grounds to be considered victims of trafficking in human beings are granted a recovery and reflection period of up to 90 days, either to allow them to

recover, to avoid the influence of traffickers or to take an informed decision in cooperation with the competent authorities.

- during the period of recovery and reflection, Romanian citizens are provided with psychological counselling, medical and social assistance, medication and food, as well as accommodation, upon request, in sheltered centers or housing, and are informed about the applicable judicial and administrative procedures.
- victims are entitled to assistance and support as soon as the competent authorities have reasonable grounds to believe that they may have been trafficked.
- victims have the right to assistance and support before, during and for a sufficient period of time after criminal proceedings.
- the provision of assistance and support is not conditional on the victim's willingness to cooperate during the investigation, prosecution or trial.
- assistance and support are granted unconditionally at least during the 90-day reflection period.
- assistance and support can be provided only with the victim's informed consent.
- victims have the right to necessary medical treatment, including psychological assistance, counselling and information.

At the same time, victims may be heard in separate rooms, via videoconferencing, or video-recorded hearings may be used during the prosecution.

***The coordination programme*** implemented by ANITP and other anti-trafficking structures has as its target group all victims of trafficking who choose to be parties in criminal proceedings and who are not involved in a witness protection programme. Participation in the programme is voluntary. The results of the centralization of data on victims of trafficking in persons, who have benefited from services under the *Programme* as a result of choosing to cooperate with law enforcement authorities in the years in question, are presented in the chart below. The data measures the share of victims who have chosen to participate in criminal cases, out of the total number of victims identified in the years in question, and who benefitted from support provided by ANITP's Regional Centers, in cooperation with other structures: accompaniment to court, provision of information on the applicable procedures during criminal proceedings, provision of emotional support during the specific hearing procedures, the adjustment of interventions and procedures to the specificities of the victims, maintaining contact with the victim, but also with the competent authorities in charge (in cases where the ANITP specialist noticed a behavioral change in the victim, the specialist proposed to interrupt or reschedule the hearing session).



**Figure 1 Centralized ANITP data on victims included in the Coordination Programme of Victims in the Criminal Trial of out of those identified in the years in question.**

The measure prohibiting the publication of the names of victims of trafficking on judicial websites was implemented in 2020 by anonymizing the names of the victims on the courts' portal, except in cases where the victim is a civil party.

**5. ensure that there is a sufficient number of specialized, trained and well-resourced investigators and prosecutors to deal with THB cases throughout the country (paragraph 136);**

Concerning DIICOT's organization and functional competences of, there is a specialization of prosecutors in investigating human trafficking offences. A Unit for Combating Trafficking in Persons has been organized at the level of the central structure. Prosecutors in the other 40 territorial units prosecute all cases under DIICOT's jurisdiction and support requests and proposals before the courts. In addition, there is a specialization of prosecutors from the territorial services and offices in different categories of offences, even if informally, resulting from experience, skills and knowledge.

GD no. 744/2021 increased the maximum number of posts for DIICOT by 11 prosecutors, 45 specialists and 40 auxiliary staff and the necessary funding to fill these positions was granted. Taking into account the specificity of some regions where the phenomenon of trafficking in human beings is at risk of spreading due to socio-economic realities (counties in the region of Moldova), vacant positions were redistributed at the level of DIICOT in order to supplement the number of prosecutors in Iași, Vaslui, Bacău and Vrancea counties.

In 2022, 248 prosecutors, out of 306 positions, were working within DIICOT, while 58 positions were vacant, most of them due to the filling of several chief prosecutor positions, by delegation.

During the reporting period, MAI **approved 66 additional positions**, out of which 17 for financial investigation officers for DCCO and its territorial structures. Moreover, we are currently focusing on enhancing the **quality** of financial investigations, especially with regard to the new development trend of tech facilitated THB. Several cooperation mechanisms with international partners have been set up and identified as available with regard to training the police officers and the ANABI experts in financial investigations, as well as in crypto-currencies 'investigations. However, the identification and retention of such experts in the judicial system is challenging as in most of the countries with developed anti-trafficking systems in place.

**6. ensure that all child victims of THB are in practice afforded the protection measures foreseen by law (paragraph 156);**

Regarding the situation of children, victims or presumed victims of trafficking, their situation is managed in accordance with the provisions of national law on the protection and promotion of the rights of the child. If the social services' assessments indicate the existence of a situation of risk for child within the family or the involvement of the family in the activities that led to the trafficking situation, a special protection measure is instituted and the child is taken in charge by the General Directorates for Social Assistance and Child Protection.

A special identification and referral mechanism of children victims of trafficking has been adopted by ANDPDCA in 2021, resulting in a consolidated partnership with DCCO through which any suspicion of trafficking in relation with the children in the state care is reported, verified and addressed in real time. Special focal points are designated in all care facilities, as well as at the level of DCCO to address THB suspicions.

In 2022, in response to the prioritization by the Government of the protection of the children victims of THB, 42 hearing rooms for victims of child trafficking across the country have been set up and currently functional at the level of all County Police Inspectorates, where multidisciplinary teams provided support services to victims. On the same note, the Government of Romania has set up a special emergency toll-free number for children, 119, available 24/7, by means of which frontline teams are ready to intervene in any suspicion of child abuse or other crime related situations. As well, a RO-ALERT system for missing children has been set up in 2022 through which civilians can contribute to the identification of missing children by receiving text messages with relevant information about the missing children. Over 20 missing children have been identified with RO ALERT in the past year and over 2000 children have been rescued from dangerous situations with the support of the 119 service. All these measures are part of the National Government Program "Caring for children" approved by GEO 105/2021.

According to the available data, at the level of the DGASPCs there are 7 hearing rooms, especially equipped for hearing child victims of violence (Bacău, Botoșani, Buzău, Cluj, Constanța, Iași and Bucharest - district 1). The rooms comply with the standards provided by the law, namely: one-way mirror, audio-video recording system, child-friendly facilities (e.g. anatomical dolls, symbol books, symbol/picture boards or boxes, cards with letters, words, pictures and other similar instruments aimed at improving communication with children, especially young children, children with disabilities and/or special educational needs).

At the prosecutor's office level, there are 4 hearing rooms especially set up for hearing child victims of violence (Bucharest, Constanța, Vâlcea and Vrancea).

In view of the Council of Europe Committee of Ministers' Child-Friendly Justice Guidelines (2010), information concerning hearing rooms for child victims of violence, including trafficking and offences, which comply with the guidelines' recommendations, has been presented above. , Brief information concerning the multidisciplinary team and professional training, which are also covered by these guidelines, is presented below.

The normative framework based on which situations of violence against children, including child trafficking, are identified, reported, assessed and managed is composed of:

- Law no. 272/2004 on the protection and promotion of the rights of the child, republished, as amended and supplemented;
- GD no. 49/2011 approving the Framework Methodology on prevention and intervention in multidisciplinary teams and networks in situations of violence against children and domestic violence and the Methodology for multidisciplinary and inter-institutional intervention on exploited children and children at risk of labor exploitation, child victims of trafficking in human beings, as well as Romanian migrant child victims of other forms of violence in other countries;
- GD no. 88/2023 approving the National Identification and Referral Mechanism for the victims of trafficking in persons.

Annex 1 of GD no. 49/2011 details the case management for situations of violence against children and, briefly, for child trafficking, as follows:

- The notification of DGASPC is mandatory, according to Law no. 272/2004 on the protection and promotion of children's rights, republished, with subsequent amendments and supplements. At the beginning of 2022, through the national programme "Caring for children", approved through GEO no. 105/2021, a single national number (119) was established for reporting cases of violence against children. The number is managed by the DGASPCs, as required by law. In the case of child trafficking, ANITP must also be notified.
- Field assessment (initial assessment) is mandatory. In emergency situations, such as trafficking in minors, which are defined by GD no. 49/2011, the DGASPC mobile team, which includes a police officer and a social worker/psychologist, intervenes within one hour. On the spot, it is decided whether the child needs immediate medical care and whether a special protection measure is needed.
- Subsequently, the multidisciplinary team, which mandatorily includes a representative of ANITP's Regional Centre, assesses the child in his/her social and family context, from a social, medical, psychological, legal and risk point of view (detailed assessment), and proposes a rehabilitation and social reintegration plan for the child and his/her family. At the same time, as trafficking is a crime, a criminal investigation is initiated, with the police officer being part of the multidisciplinary team. A case manager appointed by DGASPC coordinates this team.
- The services provided for in the plan are granted throughout its implementation period and, if necessary, during the court process; the child is monitored 6 months after the implementation period of the plan ended, i.e., the court decision.

In 2022, ANPDCA carried out training programmes on trafficking in human beings/ minors for DGASPC specialists, taking into account the massive influx of refugees in Romania, caused by Russia's military aggression against Ukraine, in partnership with the following NGOs:

- e-Liberare - 350 participants from the 119 national hotline, on detecting cases of human trafficking;
- International Justice Mission - 60 participants, on multidisciplinary team in support of victims of trafficking in human beings;
- Save the Children - 150 participants, on working with refugees from Ukraine.

DIICOT participated in the development of the *Guide on interviewing techniques for victims of trafficking in human beings, including minors*, within WESTEROS 2 - ISFP-2019-AG-THB Project "Further strengthening the capacity to combat trafficking in human beings with a focus on prevention, cooperation and recovery of the proceeds of crime". The project is funded by the European Commission through the ISF-Police 2019 Internal Security Fund and continues and builds upon the results of the previous WESTEROS project ISFP-2017-AG-THBX-815267; it aims mainly at facilitating and improving knowledge sharing at strategic, operational and public policy level between project partners in the field of combating trafficking in human beings.

The project consortium: the Public Ministry - Prosecutor's Office of the High Court of Cassation and Justice (PICCJ) and the Directorate for the Investigation of Organized Crime and Terrorism (DIICOT), the National Agency for the Administration of Seized Assets (ANABI), the National Agency against Trafficking in Persons (ANITP), the Belgian Federal Police (BE) and the Polish National School of Magistrates (KSSIP PL).

Project objectives: to improve the institutions' capacity to investigate and prosecute human trafficking cases, to improve capacity in the area of financial investigations by organizing specialized training for institutions in partner states, to decrease the demand for human trafficking services by developing a theory of change in public behavior.

In addition, specialists from the Public Ministry and IGPR have produced another hearing guide (Methodological guide on hearing minors, victims of violence). This Guide was developed within the project "*Multidisciplinary and Intersectoral Intervention Model for a Coordinated and Effective Response to the Needs of Child Victims of Domestic Violence*", co-financed through a grant from Switzerland, (through the Swiss Contribution to the enlarged European Union). The project was implemented by the Federation of Non-Governmental Organizations for Children (FONPC), in partnership with ANPDCA, DGASPC Dolj, DGASPC Cluj, Terre des hommes Foundation in Romania (Tdh), International Foundation

for Child and Family "Dr. Alexandra Zugrăvescu" (FICF) and Women Against Violence Association – ARTEMIS. The French Embassy in Romania also supported the production of this material.

**7. further improve the identification of victims of THB, including by:**

**a. ensuring that the NIRM adopts a multi-disciplinary approach, involving specialised NGOs working with victims, and making a budgetary allocation of the implementation of the NIRM;**

The Government Decision for the approval of the National Identification and Referral Mechanism for victims of human trafficking was adopted on 31.01.2023.

MNIR is the formal framework for cooperation under which institutions and organisations involved in the fight against trafficking in human beings carry out their statutory tasks for the protection and promotion of the rights of victims of trafficking in human beings, with a view to improve the capacity to identify victims and ensure their protection and assistance, irrespective of the person, institution or organisation with whom they come first into contact. MNIR thus implies formal, multidisciplinary and cross-sectoral cooperation between all the actors involved, with precise roles, obligations and responsibilities. The appropriate monitoring and evaluation tools can enable the measurement of the results achieved and the planning of future strategies and actions, with the aim of providing victims of trafficking with the appropriate forms of assistance and protection.

MNIR is a programmatic and guiding document for specific activities in the area of identification and assessment of trafficking situations, including risks and needs, and for the referral of victims of trafficking for assistance. This programmatic document takes into account the institutional competences and responsibilities of public and private institutions in the area of preventing and combating trafficking in human beings, ensuring its implementation through the specific budgets of the institutions involved.

**b. training labour inspectors throughout the country, as well as law enforcement officers, prosecutors and judges, on combating THB for the purpose of labour exploitation and the rights of victims;**

During the reporting period, training/information sessions continued for socio-professional categories who may encounter victims and who can support the detection/identification of victims.

Through the IJM project "Strengthening the Proactive Criminal Justice Response to Trafficking in Human Beings in Romania" - a training session was organized in May 2021 for the labor inspectors to enable them to identify and respond to cases of human trafficking. The training was based on already existing tools and processes, such as MNIR, and addressed topics such as vulnerabilities, trafficking indicators and referral procedures.

A training session, specifically dedicated to labor inspectors at regional level, was carried out on the best ways to identify victims of forced labor in Romania, in collaboration with the Labor Inspectorate and IJM, within the above-mentioned Project.

**During 2022**, 242 sessions were held, involving 5489 beneficiaries (labor inspectors, police officers, prosecutors, judges).

**In the first two months of 2023**, 28 sessions were held, with 796 beneficiaries (labor inspectors, police officers, prosecutors, judges).

**c. ensuring that the Labour Inspectorate has adequate resources to carry out inspections and outreach work with a view to preventing and detecting cases of THB for the purpose of labour exploitation, including in remote locations;**

Law no. 156/2000 on the protection of Romanian citizens working abroad, republished with subsequent amendments and supplements regulates the activity of the Romanian citizens working abroad, in “remote locations”. In 2018, a number of amendments were made to the law:

1. Placement agents carry out, free of charge, mediation activities for Romanian citizens, for employment abroad, and are prohibited from charging them commissions, fees or taxes.
2. The registration of employment agencies abroad, established on the Romanian territory, is carried out at the territorial labor inspectorate in whose jurisdiction they are established.
3. In order to carry out mediation activities on the territory of Romania by employment service providers established on the territory of an EU Member State, other than Romania, or of the EEA (European Economic Area), they are obliged to notify the territorial labor inspectorate in whose jurisdiction they have registered their permanent headquarter on Romania’s territory. The registration of employment agencies, i.e., the notification made by employment service providers, does not constitute accreditation and failure to comply with the registration/notification conditions is punishable by a fine.

In order to prevent cases of human trafficking for labor purposes or cases of labor exploitation of Romanian citizens looking for a job abroad, the Labor Inspectorate has two telephone lines providing information on the conditions of mediation and placement of labor abroad. In 2022, there were no recorded calls referring to potential trafficking situations.

Every six months, the Labor Inspectorate holds meetings with foreigners applying for a form of international protection on Romanian territory, in order to inform them about the conditions under which they can work on the national territory, as well as about their rights and obligations as employees.

**d. strengthening co-operation between labour inspectors, law enforcement officers, tax authorities, trade unions and other civil society actors, with a view to collecting evidence necessary for successfully investigating and prosecuting cases of THB for the purpose of labour exploitation;**

During the reporting period, the Labor Inspectorate and the General Inspectorate for Immigration have concluded a cooperation **protocol** with the purpose of preventing and combating undeclared work by foreigners; the protocol is constantly adapted to the needs of the two institutions. IGI and the Labor Inspectorate conclude annually an Operational Cooperation Plan for detecting illegal foreign employees and combating undeclared work of foreigners, adapted to current challenges. IM, in its capacity as control body, is obliged according to its competences to refer any suspicious information or cases with indicators related to trafficking in human beings to the police units. Moreover, according to the legal provisions in force, in case of reasonable suspicion of a possible trafficking situation, IM workers also urgently refer the case to the prosecution body, to which they will refer the potential victims.

**e. providing systematic training to asylum officials, migration officials, border police staff, as well as social workers, medical and other staff working at facilities for asylum seekers and detained migrants, on the identification of victims of trafficking and the procedures to be followed, including by providing operational indicators to enable staff to proactively identify victims of trafficking and refer them to specialised structures which can support them prior to their formal identification;**

From 2019 to 2022, the specialized training provided by ANITP to professional categories that (may) come in contact with vulnerable persons or victims of human trafficking has been an ongoing process aimed at meeting the needs identified in the field. Thus, ANITP specialists have organized training sessions both independently and in collaboration with representatives of other governmental and non-governmental organizations involved in the fight against trafficking in human beings.



In this respect, 692 training sessions were conducted during the reporting period, with over 15.500 beneficiaries from several socio-professional categories, such as: police officers from the National Police (County Police Inspectorates, Criminal Investigation Offices/Services, Organized Crime Brigades, etc.), police officers from the Romanian Border Police and the General Inspectorate for Immigration, local police officers, gendarmes, specialists from the National Administration of Penitentiaries, childminders, nurses and medical staff, representatives of local public authorities, teachers and school/educational advisors, social workers and psychologists, DGASPC representatives, priests, 112 SNUAU operators as well as representatives of other professional categories involved in the fight against trafficking (prosecutors, volunteers, workers in associations and NGOs, etc.).

The topics addressed in the training sessions were tailored to the needs and specificities of the professional categories of the beneficiaries, covering a diverse range of subjects such as: the legislative framework applicable to the phenomenon of human trafficking; the objectives and priority actions of the 2018-2022 National Strategy against Trafficking in Human Beings; the detection, identification, referral, assistance and protection of victims of trafficking; indicators for the recognition of trafficking situations; forms of recruitment and types of exploitation found within the phenomenon; management of trafficking cases based on a victim-centred approach; understanding the trauma and psycho-social vulnerabilities of victims; victim psychology and the trafficker profile; issues related to the importance of prevention activities and inter-institutional cooperation in the field of trafficking in human beings.

Among the most important steps taken in the training of specialists involved in the fight against trafficking, we mention:

- Training sessions, organized and provided by eLiberare Association and ANITP, with the support of the National Corps of Police Officers, the Operational Centre of IGPR and the British Embassy in Bucharest, on "The impact of trauma on victims of human trafficking", during which ANITP representatives presented the role of the institution in the anti-trafficking mechanism in Romania, as well as issues related to MNIR;
- Training sessions organized by the International Justice Mission with the support of ANITP and the Bucovina Institute, entitled *"How to respond to the Ukrainian refugee crisis with a safe and informed approach that contributes to the prevention of human trafficking"*;
- Training sessions organized by the International Organization for Migration, ANITP and ADPARE, for anti-trafficking specialists (prosecutors, representatives of DGASPC, DIICOT, DCCO) on the referral of victims of human trafficking and coordination in the criminal process;
- A training session organized by ROconect Association, with the support of ANITP, in London, UK, in the framework of the *"Church for Freedom"* event, for Romanian priests in London, representatives of several churches and religious groups. The aim of the session was to present the phenomenon of human trafficking, the main indicators for detecting potential victims in the recruitment and exploitation stages, as well as to strengthen the channels of collaboration between churches, public institutions and NGOs;
- Training sessions for DGASPC specialists, organized by Save the Children Romania, in the context of refugees from Ukraine, where aspects of trafficking in persons and minors were also addressed;
- In 2021, DIICOT held two online training sessions organized by the French Embassy in Bucharest in collaboration with the ENM (French National School of Magistrates), which provided the necessary instructors in order to organize a customized training session on *"Techniques for hearing minor victims of human trafficking and the protection of minor victims during the proceedings"*;
- Training sessions for labor inspectors on how to detect possible cases of human trafficking, provided by ANITP specialists in 2019-2020;

- Training sessions held by ANITP specialists in 2019-2022 for hotel staff (receptionists/front-desk staff, security staff, room service, housekeeping, etc.). the training activities were conducted under the protocol concluded with the Federation of the Romanian Hotel Industry - FIHR. During these training sessions, information was provided on the phenomenon of human trafficking - forms of exploitation, types of recruitment, risks and implications, how to detect a potential victim based on a series of indicators, as well as the need to get involved in such cases by making a referral to the responsible institutions;
- Within the framework of the PDP1 project - Improving the National Asylum and Migration System, 9 training sessions on human trafficking were held for immigration workers. During these sessions, ANITP workers provided training to IGI representatives in the field of trafficking in human beings, on the following topics:
  - Psychosocial aspects of the victim of trafficking in human beings.
  - "Typology of trauma and its consequences in victims of human trafficking".
  - Inter-institutional cooperation in the fight against trafficking in human beings".
  - Development of inter-institutional cooperation on prevention of trafficking in human beings"
  - Cooperation of all actors involved in the fight against trafficking in human beings;
  - Inter-institutional cooperation in the fight against trafficking in human beings";
  - Human trafficking from a legal and victim-approach perspective.

The 9 training sessions (including the above-mentioned topics related to trafficking in human beings) took place in 2019-2023 (2019-2, 2020-1, 2021-1, 2022-4, 2023-1), reaching a total number of 280 participants (joint sessions -IGI, IGPR, IGPF, ANITP).

- Specialized training for professionals who (may) come in contact with vulnerable persons or victims of trafficking in human beings is a continuous and dynamic process, designed to constantly meet the needs identified in the field. Over the course of two years (2021 - 2022), ANABI implemented the project "Further strengthening the capacity to combat trafficking in human beings with a focus on prevention, cooperation and recovery of proceeds of crime - WESTEROS 2", in partnership with the Prosecutor's Office of the High Court of Cassation and Justice, through the Directorate for the Investigation of Organized Crime and Terrorism (as coordinating partner), ANITP jointly with similar structures in the Kingdom of Belgium and the Republic of Poland. Within the framework of the project 212 prosecutors, judges, judicial police officers and specialists benefited from 3-day courses organized in Romania.

Examples of courses carried out within the framework of the above-mentioned project:

- In 2021, two training sessions were held on "Specialized training on THB victims interview techniques" attended by both prosecutors and criminal police officers from IGPR-DCCO as well as judges and other professional categories;
- Victim identification, ANITP notification, trauma and resilience, a course financially supported by e-Liberare NGO, addressed to the 350 professionals who operate the 119 hotline, dedicated to reporting child abuse, neglect, exploitation and any other form of violence, including child trafficking;

Between 2019-2022 and in addition to the above-mentioned activities, ANITP's efforts to provide specialized information to the actors involved in the fight against human trafficking consisted, , in participating organizing 166 meetings of the county inter-agency anti-trafficking teams. Thus, at county level, meetings were held with representatives of governmental and non-governmental organizations supporting local anti-trafficking efforts, ensuring the exchange of experiences and best practices in preventing and combating trafficking in persons, as well as assistance and protection of victims, and informing relevant actors with updated data on the evolution of the criminal phenomenon. Concerning the training activities held in response to the Ukrainian refugee crisis, ANITP has distributed, since the onset

of the Russian's Federation military aggression against Ukraine, a set of indicators for identifying potential victims, according to the provisions of MNIR, in order to inform frontline specialists in support of refugees, migrants and displaced persons and to ensure the earliest possible detection and notification of possible cases of trafficking in persons. Also, with a view to train the staff of state authorities, ANITP, together with the IOM-Bucharest Office and the ProTECT platform produced and distributed at the border crossing points Romania - Ukraine (IGPF) an information material containing the identification indicators and the mechanism for reporting and referring possible cases of trafficking in persons. A series of materials on indicators of trafficking in human beings have also been developed and disseminated to governmental and non-governmental partners in order to update the knowledge of specialists who may come into contact with possible victims of trafficking. At the same time, ANITP staff is carrying out nationwide information/training activities for specialists who may come into contact with potential victims on trafficking indicators and how to act in such situations.

From November 2021 to September 2022, ANPDCA held an online course on preventing and combating violence against children, which included discussing the newly revised MNIR. These sessions were attended by 97 specialists from DGASPC, representatives of the local Intersectoral Teams as well as the abuse, neglect, trafficking, migration and repatriation intervention departments.

In 2023, a guidebook to be used as a training tool for labor inspectors is planned to be created, in order to identify possible cases of trafficking for forced labor and to report them according to the working tools of the MNIR. ANITP also proposes to continue the training sessions for labor inspectors based on the above-mentioned guidebook.

**f. enabling specialised NGOs with experience in identifying and assisting victims of trafficking to have regular access to facilities for asylum seekers and detained migrants;**

It is important to mention that *access of national, international and non-governmental organizations and bodies with responsibilities in the field of migration is carried out in accordance with the provisions of Article 103 para. (4) of O.U.G. 194/2002 on the regime of foreigners in Romania, republished, with subsequent amendments and additions, as it follows:*

*"National, international and non-governmental organizations and bodies with competence in the field of migration, authorized and licensed according to the Law, have the possibility to visit the centers, based on collaborations protocols with IGI or with a pre-authorized request. In exceptional cases and motivated a possibility to visit a center in 48 h can be granted"*

During 2022, there were no requests from NGOs specialized in the field of trafficking in human beings to carry out activities in asylum centers or IGI public custody centers.

IGI's NGO partners (which have ongoing projects funded by FAMI (Asylum, Migration, Integration Fund) or have signed cooperation protocols) have carried out information and counselling activities for beneficiaries and have collaborated with IGI staff in the early identification mechanism for potential victims of trafficking.

**g. systematically informing all asylum seekers, in a language they can understand, about their rights in the framework of the asylum procedure, and the legal rights and the services available to victims of trafficking (paragraph 203);**

At the end of 2021, ANITP initiated the campaign "Get the right information to be safe on Romanian territory", together with the Romanian General Inspectorate of Police, the Romanian General Inspectorate of Border Police and the General Inspectorate for Immigration as partners. The main objective of this Campaign was to raise awareness among migrants and asylum seekers in Romania about their rights and the risks and implications of human trafficking.

During 2022, 1,000 posters and 20,000 leaflets were produced in Pashto, Arabic and English in support of the activities of the above-mentioned Campaign.

In the context generated by the Russian Federation's military aggression against Ukraine, ANITP carried out information activities addressed to Ukrainian citizens at border crossing points (Halmeu, Sighetu Marmăției, Siret, Sculeni, Oancea, Giurgiuilești, Isaccea, Porțile de Fier-Mehedinți), as well as in asylum centres and accommodation centers for refugees from Ukraine (hotels, hostels, boarding houses, shelters in worship-places, student dorms cultural/sports halls, monasteries, ambulatory-care centers, NGO offices, etc.). These activities aimed to provide refugees and displaced persons with information on their rights, access to governmental and non-governmental resources and anti-trafficking prevention advice and recommendations. To support the outreach efforts, ANITP developed and distributed several sets of informative-preventive materials in Ukrainian, Russian and English, produced in partnership with: IGPR - ICPC, IOM-Bucharest Office, e-Liberare Association and ProTECT platform, International Justice Mission (IJM), Ecumenical Association of Churches in Romania - AIDRom, ROconect Association and Union of Ukrainians in Romania. To date, ANITP has carried out over 690 information-preventive activities targeted at persons coming from Ukraine, during which approximately 55,000 information-preventive materials have been distributed to approximately 29,000 people. In addition to these activities, safety information for Ukrainian citizens, in Ukrainian and English, was posted on the ANITP and I.G.P.R. websites, and anti-trafficking messages and information aimed at reducing vulnerability to trafficking are constantly posted on ANITP's social networks in Ukrainian, Russian and English.

Furthermore, in June 2022, the Necuvinte Association in partnership ANITP, the Romanian Police and the Border Police, launched the campaign "Together in safety", an information campaign on domestic and gender violence, human trafficking, reproductive and sexual rights. The campaign is aimed at female refugees from Ukraine entering Romania, regardless of age. Throughout the campaign, 100,000 information materials, on the rights of persons entering our country, and available in Romanian and Ukrainian languages, were distributed to Romania's border points.

## **8. step up efforts to provide assistance to victims of trafficking, regardless of their nationality, in particular by:**

### **a. providing a sufficient number of shelter places around the country for all victims of trafficking who need safe accommodation for the duration necessary to achieve their recovery, based on individual needs assessment;**

In August 2020, Order No. 1335/2020 approved the Minimum Quality Standards for social services providing accommodation, organized as residential care and assistance centers for child victims of trafficking. These Minimum Quality Standards apply to the centers for assistance and protection of victims, code 8790CR-VTP-I according to the Nomenclature of Social Services, approved by Government Decision no. 867/2015. The Order successfully regulates the specific minimum standards, both through the section dedicated to the specific description of the conditions to be provided to minors-victims of trafficking in persons in residential care, ranging from their access to the center and through the evaluative section that offers the possibility to measure the way each social provider ensures the fulfilment of the standards.

An increase in the number of services was achieved in 2020, with the operationalization on 04.03.2020 of the services created by the POCU project: 465/4/4128038 "VENUS - Together for a safe life!", namely: 126 new services integrated in all counties of the country in support of victims of domestic violence (42 sheltered housing with a capacity of 262 places, 42 support groups and 42 vocational counselling offices). The sheltered housing is a new and free social service providing specialized assistance to victims of domestic violence, and the period of accommodation is up to 1 year, depending on the complexity of the case. Within the Sheltered Housing, in addition to food and accommodation, a wide range of related interventions is provided, on a case by case, depending on the needs of the victim: psychological counselling/support group, legal counselling, social assistance, vocational counselling, vocational guidance and training, employment and social reintegration/medical assistance, as appropriate.

It is worth mentioning that the inclusion of individuals in various social assistance programmes is a comprehensive process based on both a needs assessment performed by professionals and based upon an informed decision by the victim accepting the services. Thus, every year there are also situations where victims refuse any form of cooperation or contact with the authorities, including social protection authorities. At the same time, there have been situations in which victims initially refused any form of assistance, but after a certain period of time in which they were in contact with workers from ANITP's Regional Centers they agreed to be referred to and included in certain support programmes.

From the EIL annual reports for 2021, the following licensed public services (DGASPC) provided for trafficked children were identified:

- 3 residential services (Cluj, Iasi and sector 2 - Bucharest) and 1 counselling centre (Cluj);
- other specialized services for child victims of violence, which also receive child victims of trafficking;
- 2 emergency reception centers (Harghita and Vrancea);
- 1 multifunctional counselling center for abused children, which also receives child victims of trafficking (Arad);
- 1 counselling office for street children, repatriated children and trafficked children (Bacău) Assistance and protection centers for victims of trafficking in persons who also receive children: 2 (Dolj and Mehedinți).

Concerning the social services exclusively dedicated for adult victims of human trafficking, there are currently 5 residential centers (4 public and 1 private) and 5 day centers for information and counselling (3 public, 2 private) available nationwide.

In 2022, 29 Social Services for Victims of Crime (SSVI) were operational at the DGASPC, where victims could receive social assistance, legal counselling and psychological counselling, all services being provided free of charge, including for family members of victims.

**b. ensuring adequate funding and staff to work with victims of THB and facilitate the reintegration of victims of trafficking into society by providing them with vocational training and access to the labour market;**

The National Agency for Employment, , ensures equal opportunities on the labor market for all categories of job seekers and especially for people who have difficulties in entering the labor market (women, victims of human trafficking, people with disabilities, Roma, etc.), through active measures to stimulate employment

In order to reduce the risk factors that lead to victimization, ANOFM has developed information programs on the labor market and employees' rights, vocational training programs, as well as information programs for economic operators to hire – individuals who have difficulties in entering the labour market with a priority.

Some of the concrete measures that have contributed to this are:

:

- mediation to get a job;
- professional and social reintegration of victims of trafficking in human beings, by guiding the victim towards further education, (re)qualification and professional training in order to facilitate their access to safe work opportunities adapted to their level of development;
- enrolment in the professional qualification/ retraining course;

- job placement with an employer whose job offer has been selected as being suitable according to the the professional training and other elements included in the file submitted when registering as a jobseeker with the employment agency.

For persons at high risk of being trafficked, ANOFM, through its territorial structures, has carried out actions to meet the objectives set out in the *National Action Plan against Trafficking in Persons* for the implementation of *the 2018-2022 SNITP*. In accordance with the provisions of Law 76/2002 on the unemployment insurance system and the stimulation of employment, as subsequently amended and supplemented, ANOFM has ensured registration in the records and the provision of specialized employment services for all those seeking employment.

During the reporting period, 73 victims were included in vocational counselling programmes, 12 victims were retrained and 25 victims were reintegrated into work<sup>8</sup>.

The National Employment Agency draws up an annual *National Employment Programme which includes a special programme for young people at risk of social marginalization*. The programmes aim to *increase employment and promote social inclusion, especially of individuals belonging to vulnerable groups on the labor market*.

ANOFM also draws up annually the *National Vocational Training Plan*, in accordance with the provisions of Article 65 of Law no. 76/2002 on the unemployment insurance system and employment stimulation, with subsequent amendments and additions, which it submits to the Ministry of Labor and Social Solidarity for approval.

In Romania, the public employment service does not charge fees for recruitment. Employment agencies carry out free mediation activities for Romanian citizens seeking employment abroad, without charging them any commission, fees or taxes. According to Article 59 of Law 76/2002, employment mediation services are provided free of charge, with the territorial agencies ensuring the pre-selection of candidates in accordance with the requirements of the jobs offered and in accordance in line with training, skills, experience and interests of the persons seeking employment. According to the provisions of Article 10 of Law no. 76/2002, as subsequently amended, it is mandatory for employers to notify the county/Bucharest employment agency(ies), within the territorial area of their headquarters, or domicile, concerning all job vacancies, within 5 working days of their vacancy.

The Public Employment Service provides employment services (job mediation information and career counselling) free of charge, including for jobs in the European Economic Area offered through the EURES network. Individuals interested in taking up a job can view the vacancies by accessing [www.eures.anofm.ro](http://www.eures.anofm.ro), or they can offer guidance.

**In 2022**, the Joint Order of the Minister of Labor and Social Solidarity, the Minister of Family, Youth and Equal Opportunities, the Minister of Internal Affairs and the Minister of Justice was issued to amend and supplement Joint Order No 173/65/3042/C/2021 approving the Methodology for multidisciplinary and inter-institutional assessment and intervention in the provision of support and protection services for victims of crime (published in MO No 123/13.02.2023). The amendments regulate the information procedure for each person, victim of a crime, who contacts the Crime Victims Support Service (SSVI) of the DGASPC or other public or private social service providers.

Victims are initially offered an information material; the information activity is not limited to this brochure/form and can be tailored to the needs of each individual case.

### **c. providing adequate financing to ensure the range and quality of the services delivered by NGOs;**

<sup>8</sup> From the information made available to ANITP;

The Ministry of Labor and Social Solidarity runs an annual programme of grants from the state budget for Romanian associations and foundations with legal personality that set up and manage social assistance units under Law 34/1998, in which NGOs with licensed social services dedicated to victims of human trafficking can also apply. The budget for grants from the state budget for 2022 was 26,748,280 RON (5,350,000 EUR).

For 2023, the amount of grants has increased to 117,510,000 RON (23,500,000 EUR). In 2022, no accredited NGO in the field of assistance to victims of trafficking in human beings or assistance to victims of crime of any kind has applied for such grants.

In addition, a budget of €10 million is foreseen for public and private providers who will develop social services for victims of human trafficking under the Social Inclusion and Dignity Programme, part of the European grant mechanism 2023 - 2027, approved in December 2022. The programme will provide sheltered housing services for both victims and minors in care, psychological counselling, vocational counselling, legal counselling, material support for basic needs (clothing, food, sanitary materials, medicines, transport).

**d. continuing to build strategic partnerships with NGOs and other civil society actors;**

Following Prime Minister's Decision No 22/2023, an Interministerial Committee for Strategic Intersectoral Coordination of the Fight against Trafficking in Persons was set up, headed by a State Counsellor in the Prime Minister's Office, Head of the Department for Community Social Responsibility and Vulnerable Groups, who also acts as the National anti-trafficking coordinator, to ensure continuity of approach and cooperation between the responsible state institutions and other actors involved in these efforts. According to the Rules of Organization and Functioning of this Committee, members of non-governmental organizations have the status of permanent invitees.

Cooperation between public institutions, non-governmental organizations and representatives of the private sector is certainly a central tool in the overall national efforts to prevent human trafficking. Thus, as in previous years, inter-institutional cooperation has been the main tool to achieve the information, awareness-raising and sensitization efforts developed by ANITP. This translates into , 45 cooperation protocols concluded, between 2019-2022, especially with non-governmental organizations and representatives of the private sector, among which we mention: the Federation of the Romanian Hotel Industry (FIHR), OLX Romania, Sentimente platform.ro (Machteam Soft SRL), BlânduBen System SRL, the National Union of Road Hauliers in Romania (UNTRR), the Justice and Care Romania Association, the Save the Children Romania Organization, the Romanian Airports Association, the Vodafone Romania Foundation, the General Federation of Trade Unions FAMILIA, the Arte Dell'Anima Association, The Social Incubator Association, etc. The collaboration with public institutions dimension was also strengthened, with collaboration protocols being signed with the Bucharest City Hall, the Romanian Patriarchate, TAROM, the Institute for Research on Quality of Life, the Romanian Institute for Human Rights, the Chamber of Notaries Public of Bucharest, the National Airports Company of Bucharest, MAN - Military School of Masters for Communications, Information Technology and Cyber Defense, etc.

During the reporting period, the Inter-institutional cooperation during the reporting period was complemented by more than 3,500 partnership activities and 123 joint action plans.

At the same time, during the reference period, the inter-institutional cooperation activity was also highlighted by the active participation of the representatives of ANITP in a series of inter-institutional events, seminars, working meetings, round tables, workshops, etc., where essential aspects of the active collaboration against the phenomenon of trafficking in human beings were discussed. Some of the most important cooperation activities include:

- Organizing two round tables in 2019 on the following topic: "Partnership with civil society. Essential element in the fight against human trafficking". These events were conducted by ANITP in order to strengthen dialogue and cooperation with NGOs and private sector representatives involved in the fight against human trafficking;

- A seminar on "Exchange of good practices in the field of labor migration and labor exploitation", organized by AIDRom in partnership with ANITP. The event was attended by representatives of both ANITP headquarters and Regional Centers;
- Participation in the National Anti-bullying Forum organized by Telefonul Copilului Association within the project "STAND-UP - Increasing participation and the role of civil society in influencing and improving public policies";
- Participation in the conference organized by Pro Refugiu Association in Bucharest in the framework of the transnational project Anti-trafficking stakeholders and economic sectors networking, cooperation to combat the business of human trafficking chain, coordinated by Pro Refugiu Association in partnership with organizations from Bulgaria, Greece, Italy and Germany, with the financial support of the Internal Security Fund Police programme of the European Union;
- Organizing a round table on "Developing collaboration on trafficking in human beings between civil society, public and private sectors", in 2020. The activity took place via videoconference and was attended by more than 40 people, representing 26 institutions and organizations involved in anti-trafficking activities: International Organization for Migration - Romania Office, INCA Romania Association, A.D.P.A.R.E., eLiberare Association, Social Incubator Association, Terre des Hommes Foundation, World Vision Romania Foundation, International Justice Mission Bucharest, Justice and Care Association, Alba Iulia Orthodox Philanthropy Association, People's Development Foundation, Centre for the Study of Democracy, Youth and the Future Association, People to People Foundation, Oradea Philanthropy Association, Saints Spiridon and Irina Association, Bucovina Institute for Social Partnership, East European Institute for Reproductive Health, Mureș Community Foundation, Missio Link International Timișoara, L.O.G.S. Timișoara, J.A.D.W.I.G.A. Association, OLX Platform, National Union of Road Hauliers in Romania, National Authority for the Rights of People with Disabilities, Children and Adoptions. During the discussions, new elements of the anti-trafficking system in Romania were presented, as well as examples of best practices, partnerships and recent initiatives in the fight against trafficking in human beings;
- In 2021, ANITP organized two round tables during 2021 on the theme "Developing collaboration in the field of trafficking in human beings between civil society and representatives of the public and private sector". The events were part of the strategic concept of ANITP to strengthen dialogue and cooperation between NGOs working in the field of trafficking in human beings and representatives of the public and private sector by promoting the exchange of experience and best practices. As in the case of the round tables organized in previous years, the events benefited from increased interest and participation (representatives from 38 public and private organizations and institutions participated in the first meeting and from 35 organizations and institutions in the second). A very high level of involvement was ensured by the NGO platform ProTECT, for the two events;
- During 2022, ANITP, together with the Consular Department of the Ministry of Foreign Affairs (MAE), the Department for Romanians Abroad and with the support of the Directorate of European Affairs, Schengen and International Relations, organized a meeting with representatives of Romanian diplomatic missions and consular offices in countries with large communities of Romanian citizens. The meeting took place in videoconference format, at the MAE headquarters, with the participation of Romanian non-governmental associations/organizations from Austria, Belgium, Switzerland, France, Germany, Italy, Great Britain, the Netherlands, Portugal and Spain. The main purpose of the event was to identify and exploit new channels and ways of cooperation aimed at increasing the level of protection against human trafficking among Romanian citizens in the diaspora;
- In the sphere of inter-institutional cooperation on informative-preventive activities and measures for children and young people, in 2022, ANITP specialists participated in the "Children's Rights" Awards Gala organized by the Federation of Non-Governmental Organizations for Children FONPC. Also, ANITP together with partners from Save the Children Romania, ensured participation in the meeting of the Advisory Council of the "Net Hour" Project in order to find the best solutions for protecting children in the online space. At the same time, in the framework of the public-private partnership between ANITP



and FIHR, ANITP specialists participated in the activity organized by Accor Hotels Group - Urban Picnic, which took place in the Novotel Hotel, addressed to high school students who want a career in the hospitality industry.

In the context of the refugee crisis in Ukraine, generated by the military aggression of the Russian Federation against Ukraine, in 2022, ANITP participated in a number of activities in the sphere of inter-institutional cooperation, such as:

- The First meeting of the National Working Group for the Prevention of Sexual Exploitation, Abuse and Risk of Trafficking in Human Beings for displaced persons from Ukraine. The agenda of the meeting was based on the five lines of action based on the European Commission's plan: raising awareness on trafficking in human beings; strengthening prevention activities; monitoring law enforcement; improving early identification of and assistance to victims; risks related to trafficking in human beings in third countries (Republic of Moldova) and cooperation.
- Conference on promoting best practice models on inter-institutional collaboration on migration issues within the project "EoM - Supportive and Inclusive Communities for Immigrants in Romania". The project "EoM - Supportive and Inclusive Communities for Immigrants in Romania" promotes an active, multi-dimensional and multi-sectoral involvement and an attitude of acceptance, solidarity and tolerance in the protection of human rights and equal treatment of immigrants, especially asylum seekers and refugees, through working both at local community level and through information and awareness-raising campaigns on immigration among children and young people in educational establishments in communities with the highest numbers of migrants.
- "Future challenges and solutions for the humanitarian situation generated by the war in Ukraine" conference organized by AIDRom. The main theme of the meeting was to identify future challenges and find viable solutions in the context of the refugee crisis in Ukraine.
- "Preventing and Combating Trafficking in Human Beings" conference organized by the Union of Ukrainians in Romania, ANITP, the French Institute of Romania, TVR and Radio Romania International. The main points of the discussion were the role of Ukrainian women in Romanian society, preventing and combating trafficking in human beings among refugees and activities in counselling and social integration of displaced persons from Ukraine.

**e. guaranteeing access to health care to all victims of THB (paragraph 213);**

the Methodology for multidisciplinary and inter-institutional assessment and intervention in the provision of support and protection services for victims of crime was approved, by Order no. 173/65/3.042/C/2021 issued by MMPS, MAI, MJ,

Social services in support of victims of crime<sup>9</sup> developed within the County General Directorates for Social Assistance and Child Protection add-up the network of services available for victims of trafficking in human beings. By developing these departments and harmonizing the provisions of the Assessment and Intervention Methodology with the provisions of the National Mechanism for the Identification and Referral of Victims of Trafficking in Human Beings, additional conditions are ensured to make the referral of victims of trafficking in human beings at national level more efficient and to improve the assistance provided.

The Head of the Department for Community Social Responsibility and Vulnerable Groups of the Romanian Government has taken over the coordination of the Monitoring Committee for the implementation of the National Strategy against Trafficking in Persons, as of January 2022 which later has become the Strategic Coordination Committee headed by the National anti-trafficking coordinator. The National coordinator

<sup>9</sup> Established as a result of the amendment and completion of Law 211/2004 on measures to ensure information, support and protection of victims of crime;

initiated in 2021 and runs the technical working group for the provision of medical services for victims of post-exploitation/still in exploitation trafficking and for proactive identification of potential victims by different categories of medical staff and social workers. It consists of representatives of the Ministry of Health, the Department for Emergency Situations, the National Health Insurance House, ANITP, private health care providers and civil society representatives working directly with victims of trafficking in human beings within the ProTECT Platform.

Moreover, in 2022 the National coordinator concluded the first governmental agreement through which the emergency physicians in Romania are trained to proactively identify potential victims of trafficking in persons and to adequately intervene and refer them to the competent authorities. The governmental agreement is signed between the Government of Romania, the Department for Emergency Situations (MAI) and the PROTECT Platform, and has already trained a large series of physicians.

In transnational referrals – cases, the repatriation of Romanian citizens identified abroad as victims or potential victims of human trafficking remained a complex, lengthy, structured and procedural process, implemented by the institutions/organizations responsible for implementing the MNIR. This process includes, depending on the particular needs of the victim, the provision of shelter, emergency medical assistance, psychological counselling in case of crisis, as well as the provision of legal information to guide the victim in the post-repatriation process.

**9. strengthen efforts to identify child victims, including when the recruitment and/or exploitation take place online, and provide them with adequate assistance, in particular to:**

As part of the same Government Program, in 2022, the Romanian Police has been provided with the GRIFFEY software, a state of the art cyber forensic system, to support police officers in analyzing large volumes of data (photos, videos) in cases of child pornography. The software can help identify possible victims and it facilitates the connections between the crime scene and the material held/collected from the suspects. It is a useful tool, accessible to police officers with responsibilities in the investigation of child pornography offences.

Please see also the information included with the Recommendation no.6.

**a. ensure that child victims of THB benefit from specialized accommodation and services across the country;**

The 47 Child Protection Directorates (DGASPC) across the country are fully equipped to provide specialized accommodation and services both in residential and emergency facilities specially designed for children at risk. Moreover, if the situation requires a longer intervention, the DGASPCs have special procedures and services to refer and place the children in community services and with maternal assistants.

The General Directorates for Social Assistance and Child Protection and the County Police Inspectorates, have signed protocols of collaboration in each county in Romania, replicating the collaboration model set-up at the central level, where the National Authority for the Rights of Persons with Disabilities, Children and Adoption has concluded a collaboration protocol with the General Inspectorate of the Romanian Police. The provisions of these protocols reflect the problems and needs identified at the level of each county, including the cases of minors who are victims of human trafficking, the processing of cases of missing minors in residential services under DGASPC, the methods of intervention, reporting, identification and retrieval of children in this type of situation. Please see also the paragraph related to the same collaboration described for the Recommendation 6.

At county and district level, the Local Inter-Sectoral Teams (EIL) operate in accordance with the provisions of Government Decision no. **49/2011**, Annex 1 - Framework Methodology on prevention and team

intervention and multidisciplinary network in situations of violence against children and domestic violence. The main role of the EIJ is to carry out prevention activities, but they also have an advisory role for case managers, in terms of case specifics and cooperation between institutions involved in case management, and for decision makers, by making recommendations, in terms of developing strategies and setting up specialized services.

The data reported by EIL for the year 2021 on prevention activities in the field of trafficking in persons/minors are as follows: 73 activities, carried out in 24 counties, with 33,205 beneficiaries, out of which 30,112 were children.

Since 2022, the single national number for reporting cases of abuse, neglect, exploitation and any other form of violence against children - 119 - has been operating, with the aim of detecting and intervening with child protection specialists in real time in situations where the physical and psychological integrity of children is at risk, including cases of human trafficking. The 119 number benefits from a complex infrastructure of specialized intervention and support for children in real time: in the 47 Child Protection Directorates across the country there are 24-hour call-center operator offices that take calls. Other key points to note about calls:

- call-center operators use an integrated digital platform interconnected with the 112 number;
- every appeal is monitored, managed according to clear procedures and no case can be closed without resolution;
- there are specialized mobile intervention teams of the DGASPC in every county of the country made up of child protection specialists, who intervene in real time 24/7;
- in situations of immediate risk to the child's life, the number 119 is interconnected with the single emergency number 112, which takes cases under special arrangements;
- in situations where children only require psycho-emotional support, they are transferred by telephone to the teams of psychologists existing at the level of all DGASPC in the country.

**b. ensure that proper risk assessment is conducted before returning children to their parents, taking into account the best interests of the child;**

MNIR contains in the chapter on assisted voluntary repatriation a separate section detailing specific aspects of repatriation of minors - victims of trafficking in human beings, including provisions on risk and needs assessment. Among the proposals to amend GD 49/2011 for the approval of the Framework Methodology on prevention and intervention in multidisciplinary teams and networks in situations of violence against children and domestic violence and of the Methodology for multidisciplinary and inter-institutional intervention on exploited children and children at risk of labor exploitation, child victims of trafficking in human beings, as well as Romanian migrant child victims of other forms of violence in other countries, one of the main working tools in relation to intervention in cases of violence and trafficking in children, are the following:

- a) Ensuring an adequate and comprehensive legal framework to support the proactive identification of various situations of child trafficking, including those that have occurred within public institutions providing special protection to children;
- b) The formulation of clear legal provisions to support the stimulation of the identification and reporting of hazardous work in rural areas and the continuous training of SPAS specialists;

At the same time, ANPDCA, with technical and financial support from UNICEF, has developed a computer application to support the rapid identification and registration of all children in Ukraine, with a focus on unaccompanied and separated children (USC) - called PRIMERO. The application is being implemented since the end of July 2022. Child trafficking screening is included as part of the initial assessment, which includes an initial assessment form, based on which, depending on the information provided or observed

by the registrant, a child may be referred as a potential victim if these preliminary findings raise such a suspicion. As of 27 December 2022, 15,480 children from Ukraine have been registered and no suspicion of child trafficking has been recorded. In the current context, USC also refers to children travelling with the consent of their parents, with another family or with a caregiver. These children may be identified in movement, in transit or located in the general population; they may be children who intend to remain in the place of registration or who wish to move within Romania or across borders. The purpose of PRIMERO is to ensure that each child is registered and referred to child protection authorities for case management or other services relevant to the child's situation and to facilitate cross-border transfer or tracking if necessary (to maximize support and minimize suspicion of risk). The registration form, implemented in PRIMERO, is completed on spreadsheets, by social workers and psychologists from the DGASPC. Strict measures and procedures are in place to identify any unaccompanied children and detect any potential risks in order to provide them with the necessary protection. A joint order of the Ministry of Family, Youth and Equal Opportunities, the Ministry of Internal Affairs, the Ministry of Education, the Ministry of Health and the Ministry of Development, Public Works and Administration defines these measures to be taken for the registration, transit, stay and protection of minors.

Also, in partnership with UNICEF and UNHCR, 8 Blue Dot centers have been set up nationwide to serve as information centers on services available to Ukrainian refugees. Ukrainian children who have fled war and taken refuge in neighboring countries, including Romania, are at risk of violence, sexual exploitation and trafficking.

**c. Provide long-term monitoring of the social inclusion of child victims of trafficking (paragraph 221).**

Annex 1 of Government Decision (GD) no. 49/2011, - Framework methodology for the prevention and multidisciplinary intervention and networking in situations of violence against children and domestic violence sets the mechanism of intervention for the children victims of violence, including the monitoring phase regarding the rehabilitation and social reintegration plan issued for child victims of violence, including trafficking in children.

Services (and their monitoring) are provided for as long as the child needs it, . Furthermore, after the plan is implemented, the child is monitored for another 6 months. Also, in case of a trial, the services are provided throughout the duration of the court hearings and following the court's decision, the child is monitored for 6 months.

Monitoring is provided by the case manager appointed by General Department for Social Assistance and Child Protection and it consists of: issuing monitoring reports every at 3 months related to service provision, progress in rehabilitation and social reintegration, difficulties and solutions, risk evaluation, plan revision when needed and monitoring visits when parents refuse communication and collaboration.

**ANNEX 1****Examples of court decisions in Romania in which decisions to compensate victims from traffickers have been ordered****IN 2021 - THE FOLLOWING JUDGMENTS HAVE BEEN HANDED DOWN, BY WAY OF EXAMPLE:**

**In an investigation carried out by ST Craiova:** a civil party obtained moral damages in the amount of 10,000 EUR s, with two defendants being obliged in this respect; a civil party obtained moral damages in the amount of 50,000 RON, as well as material damages in the amount of 80,675.05 EUR s from one defendant;

**Within the framework of an investigation carried out by ST Cluj** - by Criminal Decision no. 796/A/2020 of 21 July 2020, the civil action brought by D.I.I.C.O.T. - Territorial Office Bistrița- Năsăud was partially admitted and a defendant was ordered to pay in favour of five civil parties civil damages representing *moral damages*, as follows: in the amount of 20.000 EUR (for one civil party); in the amount of 18,000 EUR (for one civil party); in the amount of 15,000 EUR (for two civil parties); in the amount of 4,000 EUR (for one civil party).

**In case no. 507/121/2018 of the Court of Galati**, by criminal sentence no.109/30.03.2020, a defendant was ordered to pay the sum of 1,500 EUR s as moral damages to the civil party.

**In case no. 236/121/2020 of the Court of Galati**, by criminal sentence no.184/03.07.2020, three defendants were ordered to pay the sum of 10.000 RON as moral damages to a minor victim and the sum of 10.000 RON to another minor victim;

**In case no. 2751/121/2015 of the Court of Galati**, by criminal sentence no. 89/17.03.2020, three defendants were ordered to pay the sum of 1,000 EUR s moral damages to a victim;

**In case no. 2399/121/2020 of the Court of Galati**, by criminal sentence no. 28/02.02.2021, a defendant was ordered to pay 140,000 RON as moral damages to a minor victim;

**In case no. 1410/121/2019 of the Court of Galati**, two defendants were ordered to pay moral damages in the amount of 30,000 RON to a victim, 30,000 RON to a victim, 20,000 RON to a victim, 20,000 RON to a victim, 20,000 RON to a victim, 20,000 RON to a victim.

**In case no. 2484/121/2021 of the Court of Galati**, a defendant was ordered to pay 1,200 RON material damages and 20,000 RON moral damages to a victim, 230,000 RON material damages and 40,000 RON moral damages.

**IN 2022 - THE FOLLOWING JUDGMENTS HAVE BEEN ISSUED, BY WAY OF EXAMPLE:****DIICOT - PITEȘTI Territorial Service**

During an investigation carried out by ST Pitesti, the court admitted the civil action brought by the civil party S.F.E. and ordered the defendant to pay the sum of 38,000 EUR s - material damages and 10,000 EUR s - moral damages.

In another investigation carried out by ST Pitesti, the court ordered the defendant to pay 20,000 RON - moral damages, in favor of the civil party P.M.E.

In another investigation carried out by ST Pitesti, the court ordered the defendant to pay the sum of 15,000 RON - moral damages, in favor of the civil party D.M.G.

Civil parties: 3 - TOTAL: 38,000 EUR s material damages; 10,000 EUR s and 35,000 RON moral damages.

**DIICOT - Territorial Service Iasi**

In an investigation conducted by ST Iasi, the court partially admits the civil actions brought by the injured persons G.D. and T.C.C. and orders the defendant to pay each civil party the sum of 15,000 RON in moral damages.

In another investigation conducted by the ST Iasi, the court partially admits the civil action brought by the injured minor M.E.L. and jointly and severally obliges the defendants to pay the civil party the sum of 30,000 EUR s in moral damages.

In another investigation carried out by the same public prosecutor's office, the court admits the civil actions brought in the case and orders the payment of 5,000 RON as moral damages to the civil party S.C. and to the civil party S.F. the sum of 5,000 RON as moral damages. At the same time, orders the defendants to pay civil damages to the civil defendant A.I.D. in the amount of 5000 RON by way of moral damages. The court orders the defendants to pay the sum of 5000 RON to each of the civil parties B.R., L.I. and L.C., by way of moral damages.

Admit the civil action brought by G.L. and G.B. and order the defendant to pay the sum of 5000 RON each by way of moral damages. The Court orders the defendants jointly and severally to pay the civil party S.S.I. the sum of 5000 RON by way of non-material damages.

In another case, the court allowed the civil action brought by the injured party B.A.I. and ordered the defendants to pay the sum of EUR 5 000 for the non-material damage caused.

In another case brought by ST Iasi, the court orders the defendant to compensate the minor civil party H.R. with the sum of 10,000 EUR s, representing compensation for moral damages.

Civil parties: 14 - TOTAL: 60.000 RON and 45.000 EUR s moral damages

#### **DIICOT - Territorial Service ALBA IULIA**

In a case brought by the ST Alba Iulia, a final order was made to pay €800 to a civil party as moral damages.

In another case, the court ordered the defendants to pay the sum of 50,000 EUR s to 5 civil parties, representing moral damages and material compensation totaling 79,978 RON for the same 5 civil parties.

In another investigation conducted by the ST Alba Iulia, the court ordered the defendant to pay the sum of €5,000 in moral damages to a single civil party.

Civil parties: 7 - TOTAL: 55,800 EUR s moral damages and 79,978 RON material damages.

#### **DIICOT - Territorial Service TIMIȘOARA**

Within the framework of an investigation conducted by ST Timisoara, the court orders the payment of 7,400 RON as material damages in favor of the civil party S.L.

In another investigation by the same public prosecutor's office, the court orders the payment of EUR 30,000 in moral damages for the minor civil party O.G.E.

Civil parties: 2 - TOTAL: 30,000 EUR s moral damages and 7,400 RON material damages

#### **DIICOT - TÂRGU MUREȘ Territorial Service**

In a case brought by ST Târgu Mureș, the court ordered, on the civil side, that the defendants be ordered to pay the sum of 22,860 RON as material damages and the sum of 20,000 RON as moral damages for a civil party; the sum of 72. The Court awarded the defendants the sum of 22,860 RON by way of material damages and the sum of 20,000 RON by way of non-material damages for a second civil party; the sum of 85,821 RON by way of material damages and the sum of 20,000 RON by way of non-material damages for a third civil party.

Civil parties: 3 - TOTAL: 180,681 RON material damages and 60,000 RON moral damages

#### **DIICOT - Territorial Office IALOMIȚA**

In a case brought by BT Ialomita, the court noted that the injured party had not joined the civil proceedings.

Injured party: 1

#### **DIICOT - Territorial Service GALAȚI**

In an investigation conducted by ST Galați, the court ordered the payment of 1,200 RON in material damages and 20,000 RON in moral damages to the civil party C.M. and 40,000 RON in moral damages to the civil party M.M.V.

In another investigation conducted by the same public prosecutor's office, the court ordered the defendant, jointly and severally with the civilly liable parties, to pay the sum of 30,000 RON in moral damages to the civil party G.L., and ordered the defendant to pay the sum of 20,000 RON in moral damages to each of the civil parties L.E.M., G.A.N., P.A.M.; the defendants jointly and severally with the civilly liable parties, to pay jointly and severally the sum of 20,000 RON by way of non-material damages to the civil party I.D.A.

Civil parties: 7 - TOTAL: 1,200 RON material damages and 170,000 RON non-material damages

#### **DIICOT - CLUJ Territorial Service**

In a case brought by ST Cluj, the court ordered the defendant to pay 184,000 RON to the civil party S.M. as material damages.

In another case brought by ST Cluj, the court ordered the defendant to pay 10,000 RON in moral damages to the civil party M.C.A.

Civil parties: 2 - TOTAL: 184.000 RON material damages and 10.000 RON moral damages

#### **DIICOT - Territorial Office CĂLĂRAȘI**

During an investigation carried out by BT Călărăsi, the court ordered the defendant to pay the sum of 10,000 EUR s in moral damages to the civil party V.A.M.

In another investigation, the court ordered the defendant to pay 50,000 RON in moral damages to the civil party C.G and 5,000 RON in moral damages to another defendant.

In another investigation by the same public prosecutor's office, the court ordered the payment of 30,000 RON to the civil party C.G. as moral damages and 30,000 RON to the civil party M.D. as moral damages.

In another investigation, the court ordered the payment of 30,000 RON in moral damages to the civil party G.L.

Civil parties: 5 - TOTAL: 145.000 RON and 10.000 EUR s moral damages

#### **DIICOT - Territorial Service BRAȘOV**

In a case brought by BT Covasna, the court ordered the civil action to be upheld in part and ordered the defendants jointly and severally to pay the civil party the sum of €15,000 in damages.

In a case brought by ST Brasov, the court ordered the defendant to pay 1,000 RON in material damages and 20,000 RON in moral damages to the civil party P.Ș.A and to the civil party Ș.B.V. 1,000 RON in material damages and 20,000 RON in moral damages.

#### **DIICOT - CRAIOVA Territorial Service**

In a case brought by BT Gorj, the court ordered the two defendants to pay RON 25,000 each to the civil party P.B.A. as moral damages.

In another case, the court ordered the payment of RON 10,000 in moral damages to the civil party P.L.L.B. and RON 10,000 to the civil party L.A.M. in moral damages.

In another case, the court ordered the defendant to pay 2,461.98 EUR s in material damages to the civil party T.N.G., 20,000 RON in moral damages to the same civil party and 20,000 RON in moral damages to the civil party C.E.M.

In another case, the court ordered the payment of 47,000 RON to the civil party M.L.L. as moral damages.

In another investigation, the court ordered the payment of 6,000 RON to the civil party G.I. and 4,000 RON to the civil party V.M.A. as moral damages.

In another case, the court ordered the defendants to pay the civil party P.G.D. the sum of EUR 10,000 in moral damages.

Civil parties: 9 - TOTAL: 2,461.98 EUR s material damages; 10,000 EUR s and 167,000 RON moral damages

#### **DIICOT - BACĂU Territorial Service**

In a case brought by ST Bacău, the court partially admitted the civil action brought by PICCJ-DIICOT - Territorial Service Bacău on behalf of the minor victim P.A. and ordered the defendant to pay her the sums of 150 RON as material damages and 10,000 RON as moral damages.

In another case brought by the same public prosecutor's office, the civil action was upheld and the defendants were ordered, jointly and severally, to pay the sum of 5,000 RON in moral damages to the civil party P.E.I., to pay the sum of 7,000 RON in moral damages to the civil party G.C. At the same time, it was noted that the injured party G.I.J. was not a civil party to the case.

Civil parties: 4 - TOTAL: 150 RON material damages; 22.000 RON moral damages

#### **DIICOT - PLOIEȘTI Territorial Service**

In the context of an investigation conducted by ST Ploiesti, the court ordered the defendant to pay the civil party C.A.M. the sum of 10,000 EUR s in moral damages.

In another investigation conducted by the same prosecutor's office, the court ordered the award of 10,000 RON to the minor civil party N.G.M. as moral damages.

In a case brought by the same public prosecutor's office, the court ordered the award of 20,000 RON in moral damages to the civil party M.C.

Civil parties: 3 - TOTAL: 10,000 EUR s and 30,000 RON moral damages

#### **DIICOT - CENTRAL STRUCTURE**

In a criminal case, the court admits the civil action brought and orders the defendants jointly and severally to pay the civil party N.L.M. the sum of 20,000 EUR s in moral damages; the civil party P.M. the sum of 25,000 EUR s in moral damages; the civil party H.R. the sum of 10,000 RON in moral damages; the civil party V.I. the sum of 20,000 EUR s in moral damages. Notes that civil party C.C.M. has concluded, on the civil side, a mediation agreement with the defendant (for the sum of EUR 5,000, the civil party stating that this mediation agreement extinguishes all obligations). Notes that civil party P.E.A. has concluded, on the civil side, a mediation agreement with the defendant (for the sum of EUR 2,500, the civil party stating that it wishes to extinguish the civil side in this case). Notes that the civil party B.N. has entered into a mediation agreement with the defendant on the civil side (for the sum of EUR 2,000, the civil party stating that it no longer wishes to be a civil party and has no past, present or future claims).

In another criminal case, the court orders the payment of the sum of 4428.01 pounds and the sum of 148,436.17 RON in material damages to the civil party S.M.; the sum of 20,000 EUR s in moral damages to the civil party D.S.S.; the payment of 30,000 EUR s in moral damages to the civil party A.N.; the payment of 500 EUR s in material damages to the civil party H.M.

In another case, the court ordered the defendant to pay EUR 50,000 in moral damages to the civil party G.A.N.

In another case, orders the defendants, jointly and severally, to pay the civil party the sum of EUR 20 000 in respect of non-material damage.

In another case, the court orders the defendants to pay EUR 10,000 in moral damages to the civil party L.R.A.

In a criminal case, the court orders the defendants to pay the civil party P.A.V. the sum of EUR 30,000 by way of moral damages; the civil party R.M.I. the sum of EUR 30,000 by way of moral damages; the civil party G.M.C., the sum of EUR 10 000 by way of non-material damage; to civil party B.A.M., the sum of EUR 10 000 by way of non-material damage; to civil party P.O.A., the sum of EUR 30 000 by way of non-material damage; finds that the injured persons I.C. and M.I. have not submitted any civil claims.

Civil parties/injured parties: 23 - TOTAL: 305,000 EUR s and 10,000 RON moral damages; 4428.01 pounds, 148,436.17 RON and 500 EUR s material damages.



## **Annex to GRETA Recommendations Report on measures taken during the reference period (2019-2022) in the area of legislative and institutional harmonization, public policies and MNIR, national campaigns to prevent trafficking in persons.**

Law no. 217/2020 amended Article 211 (trafficking in minors) of the Criminal Code by increasing the penalties for trafficking and taking into account additional aggravating circumstances. Thus, the new amended article reads as follows:

### **"ART. 211**

- (1) The recruitment, transportation, transfer, harboring or receipt of a minor for the purpose of exploitation shall be punishable by imprisonment for a term of 5 to 10 years and denial of certain rights.*
- (2) The penalty shall be imprisonment for a term of 7 to 12 years and denial of certain rights, when:*
  - d) the act was committed by a family member or a person living with the victim;*
  - (e) the act was committed by a person in whose care, custody, upbringing, guardianship or treatment the minor is placed, or the offender abused his recognized position of trust or authority over the minor or the minor's obviously vulnerable situation due to a mental or physical disability, a situation of dependence, a state of physical or mental incapacity or any other cause."*

Law no. 286/2009 on the Criminal Code, published in the Official Gazette of Romania, Part I, no. 510 of 24 July 2009, with subsequent amendments and supplements, was amended through Law no. 186/2021, published in the Official Gazette no. 657 of July 2, 2021, as follows:

- Article 153 paragraph (2) letter(c) has been modified and, because of this legislative amendment, the statute of limitations on criminal liability no longer constitutes a cause for excluding criminal liability for the offences of: slavery, trafficking in persons, trafficking in minors, procuring, contained in Chapter VII of the Criminal Code, on "Trafficking and exploitation of vulnerable persons".
- Article 154, paragraph (4) has been amended and now reads as follows: *"(4) In the case of offences of trafficking and exploitation of vulnerable persons and offences against the sexual freedom and integrity, other than those referred to in Article 153 para. (2) letter (c), as well as the offence of child pornography committed against a minor, the limitation period shall begin to run from the date when the minor reaches the age of consent. If the minor has died before reaching the age of consent, the limitation period shall begin to run from the date of death."* The amendment intends to reduce the number of cases where the offender would be exonerated from liability because the limitation period for criminal liability has expired because the minor victim did not know or was unable to report or to provide the investigating authorities with essential information necessary to identify and punish the offender.
- A new paragraph, (1<sup>^</sup>1), has been inserted at Article 266, after paragraph (1), with the following content: *"(1<sup>^</sup>1) The act of a person who, having knowledge of the commission of an offence under the criminal law of trafficking and exploitation of vulnerable persons or against sexual freedom and integrity committed against a minor, does not immediately notify the authorities, shall be punishable by imprisonment for a term of 6 months to 2 years."* This legislative amendment incriminates the state of passivity in relation to the phenomenon of trafficking in persons as a form of committing the offence of failure to report, stipulated by Article 266 of the Criminal Code.
- Article 374 para (3<sup>^</sup>1) letters (c) and (d) (child pornography) have been amended and now read as follows:
  - "(c) the act endangered the life of the minor;*
  - (d) by a person who has previously committed an offence against sexual freedom and integrity against a minor, a child pornography offence or pimping against a minor, the special penalty limits shall be increased by one third."* This legislative amendment creates two new aggravated forms of the offence of child pornography: one relates to the actual circumstances of the commission of the offence which was likely to endanger the life of the victim, while the second relates to the personal circumstances of the perpetrator, a person who has previously committed offences against a minor, such as the ones mentioned above.

Government Decision no. 930/2021, published in the Official Gazette no. 898/20.09.2021, approved the 2021 - 2024 National Strategy against Organized Crime. This strategy is an offensive, vigorous, organized and coherent response and combating instrument of the Romanian state institutions regarding the phenomenon of organized criminal groups.

The vision of this strategy is to strengthen and guarantee the safety of individuals and to support a legally developed social and economic environment by effectively preventing and countering the risks, threats and vulnerabilities associated with serious organized crime.

Government Decision no. 436 of March 30, 2022, published in the Official Gazette, Part I, no. 322 of April 1, 2022, approved the 2022 - 2025 STRATEGY for the Development of the Judiciary System. The strategy mentions as the direction of intervention the fight against corruption and criminality, the strategic objective being to intensify the fight against corruption and crime, while one of the specific objectives is to ensure the material and human resources necessary for the functioning of DIICOT's Unit to Combat Trafficking in Persons Anti-Trafficking.

By GEO no. 71 of May 30, 2022, published in the Official Gazette no. 531 of May 30, 2022, Article 155 para. 1 of the Criminal Code was amended, thus, removing the legislative gap mentioned in the previous point, by regulating, in a clear and predictable manner, the conditions for interrupting the course of criminal liability. Currently, the text of Art. 155 para. 1 of the Criminal Code reads as follows: (1) *The period of limitation of criminal liability shall be interrupted by the performance of any procedural act in the case which, according to the law, must be communicated to the suspect or defendant.*

#### **I. Anti-Trafficking Public Policies and the Anti-Trafficking Committee;**

##### **The Monitoring Committee of the implementation of the 2018-2022 National Strategy against Trafficking in Persons -**

In order to implement the activities set out in the 2018-2020 National Action Plan and to ensure the achievement of the objectives of the 2018-2022 National Strategy against Trafficking in Persons, a Monitoring Committee for the implementation of the National Strategy was operationalized in May 2019. The Monitoring Committee was composed of representatives at the decision-making level of the institutions involved (Secretary of State, Inspector General, Director) and coordinated at the level of Secretary of State by the Ministry of Internal Affairs. The National Agency against Trafficking in Persons managed the Secretariat of the Committee..

In 2021, in order to continue the implementation of the 2018-2022 National Strategy against Trafficking in Persons, GD no. 1.064 approved the National Action Plan for the period 2021-2022.

By GD no. 104/2022 on the organization and functioning of the Department for Community Social Responsibility and Vulnerable Groups and for the amendment of the 2018-2022 National Strategy against Trafficking in Persons, approved by GD no. 861/2018, the coordination of the Monitoring Committee of the National Strategy was taken over by the Prime Minister, through the State Counsellor of the Prime Minister's Chancellery who heads the Department for Community Social Responsibility and Vulnerable Groups. At the same time, the Department for Community Social Responsibility and Vulnerable Groups ensured the Secretariat of the Committee, with the support of the National Agency against Trafficking in Persons. The mandate of the Monitoring Committee expired once the implementation period of the National Strategy ended.

##### **Interministerial Intersectoral Strategic Coordination Committee for Combating Trafficking in Human Beings**

In order to ensure a coherent and coordinated approach to the implementation of the public policies in the field of preventing and combating trafficking in persons and assisting victims of trafficking, the Prime Minister's Decision no. 22/2023 established the Interministerial Committee for Strategic Intersectoral Coordination of the Fight against Trafficking in Persons.

The Committee is chaired by the State Counsellor in the Prime Minister's Office who heads the Department for Community Social Responsibility and Vulnerable Groups, and is composed of representatives, at State

Secretary level, of the following ministries: the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Labor and Social Solidarity, the Ministry of Health, the Ministry of Foreign Affairs, the Ministry of Education, the Ministry of the Economy, the Ministry of Entrepreneurship and Tourism, the Ministry of Finance, the Ministry of Family, Youth and Equal Opportunities.

The Coordination Committee is supported by a Technical Secretariat managed by the National Agency against Trafficking in Persons and the Office of the office of the State Counsellor in charge of the Department for Community Social Responsibility and Vulnerable Groups.

Currently, the 2018-2022 National Strategy against Trafficking in Persons is under evaluation, undertaken by the Coordinating Committee and carried out by an independent expert, with the support of ANITP. Afterwards, the process of drafting a new Anti-Trafficking Strategy will be initiated.

In line with the intensification of efforts in the field of human trafficking,

The Government Decision no.88 of 31 January 2023 approving the National Identification and Referral Mechanism for victims of human trafficking, published in the Official Gazette of Romania no.95 of 3 February 3, 2023, is also relevant for the Romanian authorities' efforts in the field. Details concerning the functioning of the Mechanism have been presented in Romania's report on the implementation of CP/Rec(2021)05 Recommendations on the application of the Council of Europe Convention on Action against Trafficking in Human Beings.

The National Agency against Trafficking in Persons is also actively involved in the evaluation process of the 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.

At the same time, a Working Group for the Prevention of Sexual Exploitation, Abuse and Risks of Trafficking in Persons targeting refugees from Ukraine was created in the Chancellery of the Prime Minister. The Working Group drafted the National Action Plan for the Prevention of Exploitation, Sexual Abuse and Risks of Trafficking in Persons, , which was approved at the end of 2022.

## **II. Awareness-raising activities on the risks of trafficking in persons carried out or initiated in the period 2019-2022. Large-scale national campaigns to prevent trafficking in persons;**

The strategic vision of the preventive dimension developed by ANITP aimed at transposing as much as possible the general approach from the international and European level in the anti-trafficking efforts in Romania, while also seeking to meet the intervention needs identified through various national strategic documents, such as the 2018 – 2022 National Strategy against Trafficking in Human Beings (SNITP), the 2018-2020 and 2020-2022 National Action Plans for the implementation of the 2018 – 2022 SNITP, the 2015-2020 National Strategy for Public Order and Safety etc.

Thus, during 2019-2022, ANITP carried out both individually and in partnership with other public institutions, national and international non-governmental organizations involved in the fight against trafficking or with representatives of civil society, a number of 553 national and local prevention campaigns, educational projects and prevention projects. These were implemented through more than 11.800 prevention activities, and the anti-trafficking message reached more than 693,000 direct beneficiaries from different social and professional categories, namely: pupils, students, teachers, parents and childminders, volunteers, priests, job seekers, institutionalized young people, asylum seekers, persons involved in prostitution, anti-trafficking professionals and representatives of the public. The promotion of the anti-trafficking messages online, through social media platforms and networks (Facebook, Instagram, Twitter, LinkedIn, YouTube, TikTok) was also very complex and consistent process, with an impact of around 12,300,000 unique users.

The activities carried out by ANITP to inform and raise awareness on trafficking in persons have been developed using the best practices and experience gained in previous years, aiming to maximize the results obtained and to substantially increase the quality of prevention efforts. Diversification of the way anti-trafficking messages are disseminated through social networks, development of collaboration with the

private sector, development of prevention campaigns/initiatives aimed at discouraging the demand for trafficking and organization of preventive actions addressed to Romanian citizens living/working abroad were key elements of ANITP's strategy in the field of prevention of trafficking in persons.

The approach of the information-preventive dimension of trafficking was complex, aiming both at reducing the vulnerability to human trafficking of persons exposed to this threat and at discouraging the demand that fosters this phenomenon. In this respect, the anti-trafficking measures were aimed at raising awareness of the risks and implications of human trafficking among vulnerable groups such as children, young people, women, people from disadvantaged areas, people seeking work in the country or abroad etc., as well as among consumers of the services provided by victims of human trafficking (sexual services or cheap labor), in order to raise awareness of the role of demand in triggering the phenomenon and to discourage the use of such services.

The vast majority of the anti-trafficking initiatives were carried out in educational establishments, foster homes, multi-purpose or youth counselling centers, assistance and support centers, with more than half of the beneficiaries of the preventive messages being pupils, students, and young people in institutions, as well as specialists who come into contact with these categories, i.e., teachers, school counsellors, parents and foster cares. Thus, as part of these efforts, anti-trafficking specialists have paid particular attention to raising awareness among the most vulnerable and at-risk group of trafficked persons - children and young people - disseminating anti-trafficking messages both through face-to-face meetings and through social media.

Among the most important and far-reaching initiatives during the period under review, we mention the following:

- The national campaign *"Work safely abroad"*, implemented by ANITP together with Save the Children Romania. The preventive actions carried out within the campaign aimed at achieving the following objectives: increasing the level of information and awareness of the population on the risks and implications associated with the phenomenon of human trafficking, in its main forms of manifestation, informing the population on ways to reduce risks and manage vulnerabilities, reducing the vulnerability of children left alone at home as a result of parents leaving to work abroad, by informing parents about their obligations in such situations before settling abroad. The anti-trafficking message of the campaign was addressed to teenagers/young people and adults looking for a job, Romanian citizens wishing to work abroad and who would leave their children in the country in the care of others, representatives of different vulnerable communities (e.g., informal leaders), teachers and the general public.
- The national campaign *"Inform yourself to be protected"*, initiated by ANITP and Save the Children Romania, aimed to prevent and reduce the risk of victimization through trafficking in minors. The campaign was mainly addressed to students (children, teenagers and young people) aged 8 to 18, minors at risk and vulnerable to trafficking, adult representatives of different vulnerable communities (e.g., informal leaders), teachers and other people who can become multipliers (e.g., media, NGOs, etc.) of the anti-trafficking message of the campaign, as well as the general public. The campaign activities aimed to improve the level of awareness among minors about the forms, risks and implications of trafficking in human beings, with a particular focus on sexual exploitation and forced begging. At the same time, the campaign aimed to convey the anti-trafficking message and ways to reduce risks and vulnerabilities among minors, as well as to raise awareness among the general public about the consequences of abuse (physical, mental) and exploitation on the normal development of children and young people.
- The national campaign *"Destroy the wall of indifference! Trafficking in persons can be prevented"* was implemented in the framework of the project *"Reducing the extent of trafficking in human beings through better information of citizens - ISF02"*, aiming at preventing trafficking in persons for sexual exploitation. In order to implement the campaign, ANITP benefited from the support of the project partners, namely three non-governmental organizations: the World Vision Foundation, the Ecumenical Association of Churches in Romania (AIDRom), the eLiberare Association and three ministries: the Ministry for Romanians Abroad, the Ministry of National Education and the Ministry of Foreign Affairs. The activities of the campaign aimed at informing and raising awareness on the implications of

trafficking in persons from the perspective of sexual exploitation among minors between 8 and 18 (especially females), individuals likely to use the services of a victim of trafficking in persons, sexually exploited, representatives of institutions and organizations involved in preventing and combating trafficking in persons, opinion multipliers (e.g., media) and also among the population at large. The implementation process brought together the efforts of a large number of relevant actors in the field and addressed, in an integrated way, both the reduction of vulnerability to trafficking and the issue of discouraging the demand for trafficking. At the same time, the campaign addressed both Romanian citizens living in Romania and Romanian citizens abroad, with the support of the Ministry of Foreign Affairs, through the consular offices and diplomatic missions of Romania in the main destination countries, and the Ministry for Romanians Abroad. During the implementation of the campaign, 1,293 activities were carried out in more than 1,100 locations, which registered 95,369 direct beneficiaries, most of them being part of the main target group of the campaign, and more than 63,000 promotional materials were disseminated.

- The national campaign *"Give them Freedom! Don't pay for their exploitation!"* was implemented by ANITP with the support of the Ministry of Education and Research, the Ministry of Foreign Affairs, eLiberare Association, AIDRom Association, World Vision Romania Foundation and INCA Romania Association, also in the framework of the project "Reducing the extent of human trafficking through better information of citizens - ISF02". The campaign aimed at preventing trafficking in human beings for the purpose of exploitation through begging by conveying anti-trafficking messages to children and adults at risk, people willing to offer money to beggars, representatives of institutions and organizations involved in preventing and combating trafficking in human beings, opinion multipliers and the general public. During the implementation period of the campaign, 1840 prevention activities were carried out in both rural and urban areas to meet the continuous need for information of representatives of the target group. In addition, 46 round tables were attended by specialists from institutions and organizations involved in the fight against human trafficking. The implementation activities carried out during the campaign reached approximately 100,000 direct beneficiaries. In order to make the delivery of anti-trafficking messages more effective, more than 55,000 information and prevention materials were produced and disseminated during the campaign.
- The online campaign to prevent human trafficking for labor exploitation *"The perfect job - a one-way illusion"* was implemented by ANITP with the support and involvement of the OLX platform. The aim of the campaign was to prevent human trafficking by raising awareness among jobseekers using online platforms. During the implementation period, the campaign messages received a high degree of visibility online, with daily anti-trafficking information posts being distributed on the ANITP Central Facebook page. This resulted in 259 posts with 4,901 likes, 5,293 shares, 26,010 post interactions and a total impact of 500,114 unique users. Two articles were also created on the OLX platform, in the section "Your Safety on OLX", for tips and recommendations to prevent human trafficking for labor and sexual exploitation.
- The national campaign *"Because people matter, you stop human trafficking!"* was implemented by ANITP and the General Inspectorate of Border Police, with actions taking place nationwide at the main border crossing points, as well as online, by promoting anti-trafficking messages on the social networks of ANITP Central and Regional Centers and IGPF. The aim of the campaign was to prevent human trafficking by improving the level of awareness of this phenomenon among travelers at border crossing points, Romanian citizens wishing to go abroad to work, people who can disseminate the campaign's anti-trafficking message (ride-sharing company staff, airline staff, border crossing point employees, etc.) and the general public. Thus, for the implementation of the activities, police officers at the main border crossing points, i.e., international airports and land border crossing points, disseminated campaign materials when checking travel documents. At the same time, in order to promote the message of the campaign to as many beneficiaries as possible, ANITP representatives carried out informative-preventive activities in the area of competence of each Regional Center.
- The online prevention campaign *"Cherish women! Don't tolerate their exploitation!"* was implemented by ANITP in partnership with the National Company of Bucharest Airports and aimed to raise public awareness about human trafficking for sexual exploitation of women. The message "For victims of human trafficking freedom is the most precious gift!" was intended to draw the attention of the general

public to the real needs of women in exploitative situations and to encourage action to prevent them from being lured into a dangerous situation and becoming victims of trafficking. In addition to the informative-preventive role, the campaign also targeted the emotional side of the target groups, by sending as many positive and encouraging messages as possible to vulnerable girls and women, victims or potential victims of trafficking. In the same way, the campaign's messages sent via the ANITP's social media (Facebook - Central and Regional, Instagram, Twitter) and the CNAB (Facebook) were also addressed to the demand side of the trafficking chain, namely the consumers of sexual services, as well as to the general public.

- The national campaign *"Working without legal forms - one step closer to human trafficking"* was carried out by ANITP in partnership with INCA Romania Association, aiming to improve the self-protection capacity of the main target group - people working or looking for a job in Italy or in other countries - and the general public, about the dangers and risks they may be exposed to by accepting an offer of work without legal forms, one of the risks being that of becoming victims of human trafficking for the purpose of exploitation through forced labour. The campaign joined the Blue Heart Campaign, an international campaign coordinated by the United Nations Office on Drugs and Crime (UNODC). During the implementation period of the campaign, ANITP representatives carried out 1,443 information-preventive activities at national level, during which more than 33,000 campaign materials were disseminated, reaching approximately 78,000 beneficiaries. Activities to inform citizens and disseminate campaign materials also took place in Italy, with the involvement of INCA representatives. More than 37,000 materials were disseminated through the INCA offices in the regions where most requests for assistance from Romanian citizens were registered, namely Emilia Romagna, Lombardy, Veneto, Tuscany, Sardinia, Trentino Alto Adige, Lazio, Campania, Val d'Aosta, Liguria, Piedmont and Umbria.
- The national campaign *"Information and cooperation in the fight against trafficking in human beings!"* was carried out by ANITP with the aim of preventing trafficking in human beings in its main forms, as well as making the process of inter-institutional cooperation with the actors involved in the fight against trafficking more efficient. The approach encompassed both the dimension of preventing trafficking in human beings, by reducing vulnerability to trafficking and discouraging the demand that fosters this phenomenon, and the dimension of making the inter-institutional cooperation process with the actors involved in the fight against trafficking more effective. To support the activities of the campaign, 33,000 information-preventive and promotional materials were produced and disseminated both during prevention activities and during meetings and working groups with anti-trafficking specialists. Thus, during the implementation period of the campaign, 208 inter-institutional cooperation activities and 836 information-preventive activities were carried out, reaching more than 65,000 direct beneficiaries. The activities of the campaign contributed to achieving an important objective of the 2018-2022 National Strategy against Trafficking in Persons, namely the development and expansion of the cooperation process between relevant actors involved in the fight against trafficking in human beings.
- The national campaign *"Prison is not just behind bars!"* was carried out by ANITP in the framework of the transnational project "Further strengthening the capacity to combat trafficking in human beings with a focus on prevention, cooperation and recovery of the proceeds of crime - WESTEROS 2", financed by the European Union through the Internal Security Fund. The campaign activities were carried out both online and offline, with the main objective of discouraging the demand for services provided by victims of trafficking. The process of shaping the campaign design involved, among other things, profiling the consumers of sexual services and cheap labor, including the characteristics of this target group and the filters applicable on social media to establish a specific audience. The preventive approach contained a strategy of paid promotion of anti-trafficking messages in the online environment, Facebook, Youtube and Instagram on the social networks, this type of promotion resulting in a large number of beneficiaries, as well as the appropriate targeting of messages to people who could represent the demand for services in the mechanism of human trafficking. As a result of the paid promotion process, over 4,000,000 views of posts and advertisements made on Facebook and Instagram and an impact of over 2,500,000 unique users were achieved, including approximately 1,700,000 potential consumers of services provided by trafficking victims. In order to make the promotion of the campaign message more effective, a 10-minute information film was produced, moderated by a well-known Romanian artist, which addressed the issue of demand for services within the trafficking mechanism.

The material was promoted both on his YouTube channel, which has over 2 million followers, and on ANITP's account. In addition, in order to spread the anti-trafficking messages as widely as possible among the public, the campaign also benefited from the involvement of Horia SÂRGHI, a.k.a. Zaiafet, a vlogger who produced a video on trafficking in persons, with useful tips and recommendations and other preventive information. The 18-minute video was promoted on both the vlogger's YouTube account, which has more than 800,000 followers, and on ANITP's YouTube account. The outdoor component included the production and distribution of 61,500 prevention information materials (posters, leaflets, laptop backpacks and silicone wristbands). At national level, more than 680 prevention activities were carried out with more than 47,000 direct beneficiaries.

- The national campaign *"Spread your wings! Information means freedom"* was carried out in the framework of the project "PDP2 - Strengthening national capacities in the field of international police cooperation and the fight against crime", funded from the 2014-2021 Norwegian Financial Mechanism. The campaign was conducted exclusively online via the TikTok, Facebook and Instagram social networks and targeted adults and minors at risk/vulnerability to human trafficking as well as the general public. The central element of the online campaign was the promotion of anti-trafficking messages with the support of three well-known Romanian influencers, namely Vlada Grecu, Horia Sârghi - Zaiafet and Alex Cozma - Atenție Cad Mere. The paid promotion of the three influencers' anti-trafficking messages on the TikTok network resulted in an impact of over 2,700,000 unique users/views of the videos. Following the completion of the paid promotion phase, the materials were distributed organically on the Facebook social network via the Reels method. The campaign also included a paid promotion phase on Facebook and Instagram social media, with 3 separate audiences created for targeted delivery of anti-trafficking messages about labor exploitation, sexual exploitation and online child safety. The audiences were created using filters provided by the social networks mentioned (gender, age, background, education, interests, behaviors, membership of different groups, etc.) Following the paid promotion process of the materials on the two social networks, an impact of over 1,700,000 unique users was achieved.
- The international campaign *"Without clients, there's no trafficking!"* run by ANITP in partnership with the General Inspectorate of the Romanian Police and the Spanish National Police, both in Romania, as the country of origin, and in Spain, as the country of destination for victims of human trafficking Romanian citizens. The campaign aims to prevent trafficking in human beings for the purpose of sexual exploitation by reducing vulnerabilities to trafficking and discouraging the demand that fosters this phenomenon, representing a pioneering initiative in the field, as the first campaign at European level that addresses, in a coordinated manner, both dimensions of trafficking, i.e., the demand and the supply that fosters this phenomenon. The central element of the organizational phase of the campaign was the TV spot promoting the anti-trafficking message of this preventive approach. The effort of the campaign organization team was considerable and required permanent coordination and rigorous monitoring of the specific activities, with both the Romanian and Spanish sides mobilizing all the human and technical resources needed to produce this information-preventive material. The campaign spot contains messages aimed at reducing vulnerability to trafficking, as well as reducing and discouraging the demand that facilitates trafficking in human beings, with messages delivered by representatives of the 3 partner institutions. In order to maximize the impact on the target audience, the video was produced in 3 versions: Romanian, Spanish and Romanian-Spanish. The campaign and its activities were presented at national and international events (conferences, round tables, seminars, meetings, etc.) attended by ANITP and IGPR representatives in order to promote the initiative as an example of good practice, as well as to implement similar preventive approaches in other partnerships between countries of origin and destination.

Another series of particularly important initiatives during the reporting period were the preventive activities carried out on the European Anti-Trafficking Day - 18 October, under the umbrella of the *"Prevention of Trafficking in Human Beings Week"* campaign. Thus, during 2019-2022, under these annual campaigns, more than 780 informative-preventive activities were carried out both in the outdoor and online environment, registering approx. 39,500 direct beneficiaries, mainly pupils, students and teachers. Among the large-scale specific actions carried out, we mention the national conference held in 2019, which brought together a large number of representatives of institutions and non-governmental organizations involved in

the fight against human trafficking, as well as representatives of the private sector and diplomatic staff, journalists and media representatives, who ensured the visibility of the event among the population. During the conference, the message conveyed by Ms. Myria VASSILLIADOU, European Anti-Trafficking Coordinator, in appreciation of the anti-trafficking work carried out by Romania, was promoted, as well as the messages conveyed by singer Călin GOIA, moderator of the documentary film made as part of the *"Ask for help, don't beg!"* campaign and promoter of the campaign's anti-trafficking message and information, and that of the well-known actor Dragoș BUCUR, who in the past has promoted and supported the campaign to prevent human trafficking for the purpose of sexual exploitation *"You can be a victim of human trafficking!"*. In 2020 and 2021, the European Anti-Trafficking Day was marked by an intensive activity to promote the messages both outdoors and online, including an animated video with information about trafficking in human beings and the significance of the day on 18 October, created for this purpose by ANITP). One of the most important activities of the "Prevention of Human Trafficking Week" campaign in 2022 was the event *"360 degrees against human trafficking"*, organized at Henri Coandă Bucharest International Airport, in the framework of the public-NGO-private sector partnership between ANITP, the National Airports Company of Bucharest, Accor Hotels and Save the Children Organization. On this occasion, travelers inside the airport were informed about the phenomenon of human trafficking and were invited to promote anti-trafficking messages through a 360-degree video booth and a photo booth customized for this event. More than 13,000 pieces of anti-trafficking information material were produced to promote the anti-trafficking message of the campaign.

Another important initiative organized in the field of preventing and combating trafficking in human beings during the reporting period was the project *"LUPTA - Leading a United Pathway to anti-Trafficking Action"*, carried out by the International Organization for Migration - Romania, in cooperation with the US Embassy in Romania, ANITP and DIICOT. The project was financed by the U.S. Department of State through the Bureau of International Narcotics Trafficking and Law Enforcement (INL), with ANITP contributing with expertise and human resources in the initiation, organization and implementation stages of the project. Among the activities of the project carried out in 2022 is the production and promotion by ANITP and IOM of several videos on the issue of trafficking in human beings. Also, during 2022, ANITP continued to support, as partner, the preventive activities foreseen in the project *"Proactiv - Detection and notification of cases of human trafficking in the community"*, carried out by the eLiberation Association.

In addition, during the reporting period, the *#NOTFORSALE* project, a cultural-educational project aimed at encouraging young people and especially women to seek expert help when faced with a possible threat of human trafficking was developed and implemented by Arte Dell'Anima Association, in partnership with ANITP, which contributed with dedicated expertise and specialized human resources. Within this project, 4 workshops were held for students aged 12 to 18, from different educational establishments in Bucharest, as well as a theatre performance (named after the project), which addressed the issue of human trafficking.. A second play, entitled *"MEAT"*, was also produced within the project and staged in Bacău, Galați and Bucharest.

Of particular importance in the context of increasing information and awareness among children and young people is the national campaign *"Your safety is not a game"*, to be carried out by ANITP throughout 2023, in partnership with Telefonul Copilului Association. The main objective of the campaign is to prevent child trafficking and child pornography and to increase children's safety in the online environment by sending anti-trafficking messages and information about the risks of the phenomenon and online, social networks recruitment methods. Thus, the target groups of the campaign are minors at risk of becoming victims of child trafficking or child pornography, professionals/socio-professional categories who may encounter victims or potential victims of child trafficking, as well as representatives of the general public. The slogan of the prevention campaign sends a clear and strong message to the beneficiaries that the safety of children should not be treated lightly. The risks of trafficking should not be ignored or underestimated, especially at an early age when children are highly exposed and emotionally vulnerable. The message of the campaign *"A CHILD... away from trafficking and exploitation"* expresses a wish for society as a whole: that every child should be away from the risks of trafficking in human beings, from situations of exploitation and



should never have to live with the physical and, above all, psychological trauma that this phenomenon can cause.

***Informative-preventive measures adopted in the context of the COVID-19 pandemic (establishment of states of emergency and alert at national level)***

In order to ensure the continuity of preventive measures and to adapt them to the context imposed by the health crisis, starting from 24.04.2020, a wide-ranging Plan of Measures has been implemented at the level of ANITP, mainly aimed at carrying out consistent actions to prevent trafficking in persons during the state of emergency.

In this regard, in the context of the departures for working abroad during the state of emergency, actions intensely covered by the media, ANITP carried out 18 activities to distribute preventive information materials, with the support of border police representatives and airport authorities/border crossing points (Sibiu International Airport, Cluj-Napoca International Airport, Iași International Airport, Târgu Mureș International Airport, Deva train station, Borș border crossing point, etc.). Also, at national level, ANITP carried out a series of activities to distribute preventive information materials in quarantine/isolation areas and centers for persons recently arrived from abroad, as well as in various public areas and spaces, with approximately 13,000 materials containing useful information and advice.

The second preventive component of the Plan of Measures aimed at increasing online outreach. Thus, daily anti-trafficking messages/preventive recommendations on the main forms of exploitation (sexual, labor and begging) were sent via the social network Facebook.

The central element of the online component aimed to underline that actors involved in the fight against trafficking are quick to adapt and are active and mobilized even in exceptional situations and challenges, the fight against trafficking in persons being a continuous one. In this respect, ANITP has assumed the role of a link between the institutions and organizations involved in the fight against trafficking, developing with its institutional partners a broad awareness-raising action on trafficking in human beings.

Following the easing of the restrictions imposed by the state of emergency, a state of alert was established at national level as of 15.05.2020, during which the implementation of informative-preventive actions continued on the basis of several plans of measures updated monthly, along with the entry into force of the GDs extending the state of alert until the end of 2020.