

Progress Report
- 17 July – 17 August 2006 -
- Fight against Trafficking in Human Beings -

1. Legal framework

The Law no. 300 from 11 July 2006 for ratifying the Council of Europe Convention on Action against Trafficking in Human beings, adopted on 3 May 2005, open for signature and signed by Romania in Warsaw on 16 May 2005, was adopted. The law was published in the Official Gazette no. 622 from 19 July 2006.

Through the Government Decision no. 1083 from 16 August 2006, the Government Decision no. 1584/2005 on the setting up and functioning of the National Agency for Preventing the Trafficking in Human Beings and for Monitoring the Assistance provided to the Victims of the Trafficking in Human Beings was amended. The amendments mainly aim to increase the number of the personnel, both in the central structure and in the territorial structures and to strengthen the role that the Agency plays in coordinating the activities developed against trafficking in human beings, according to the recommendations of the EU Monitoring Report from May 2006. Thus:

- The new name of the Agency will be The National Agency against Trafficking in Human Beings;
- The number of the regional centres of the Agency has been increased from 8 to 15, which will be placed in the counties where Courts of Appeal function; this will ensure a better collaboration with the law enforcement agencies (police, border police), whose coordination structures function in the same counties, in order to take and refer the victims with maximum promptness to the specialized assistance services existing at the local and regional level;
- The organizational chart of the Agency includes 100 positions, out of which 55 in the central structure and 45 in the regional centres;
- The Agency is entitled to elaborate and manage National Programs on preventing the trafficking in human beings and assisting the victims, with funds from the state budget;

- The Agency is entitled to contract the assistance services for the victims of trafficking in human beings with specialized NGOs; by ensuring stable funds for the NGOs, their positive relevant experience on preventing trafficking in human beings and assisting the victims of trafficking will be made accessible for a larger number of persons, including those who are provided with assistance in the specialized state shelters;
- The Agency is nominated as the authorized institution for broadcasting official data on trafficking in human beings.

As regards the projects of the *National strategy against trafficking in human beings 2006-2010* and *the National Action Plan 2006-2007 for implementing the National Strategy against trafficking in human beings*, after the two documents were published for consultation on the website of the Ministry of Administration and Interior www.mai.gov.ro, and on the website of the NGOs involved in preventing the trafficking in human beings and assisting the victims of trafficking, www.antitrafic.ro, on 3 and 7 July 2006 two meetings of the Interministerial Working Group took place in order to analyze the proposals for amending both documents. The main guidelines of the new strategy refer to the creation of the national integrated system for monitoring and evaluating the trafficking in human beings phenomenon, the improvement of the inter-institutional coordination, the prevention of the trafficking in human beings, the protection, assistance and social reinsertion of the victims, the combat, investigation and criminal investigation of the traffickers and the strengthening of the international cooperation. The revised versions of the documents were sent for approval to the involved institutions and ministries. It is expected that both projects would be adopted by government decisions by the end of October.

The National strategy on protecting and promoting the child rights 2006-2013 and its *National Action Plan*, in which the children victims of human trafficking are included as a special interest target group, were finalized. The main objectives of the National Action Plan are the increase of the population and professionals' awareness level in order to prevent the phenomenon and immediately signal the cases of neglecting, abuse, exploitation, child trafficking and illegal migration as well as the increase the effectiveness of the specialized interventions for ensuring the observance of the child rights for the children victims' physical and psychical state of health recovery and social

reinsertion and in order to provide an unitary institutional frame for preventing and combating the abuse, neglecting and exploitation of the child, including the child trafficking, illegal migration, torture, cruel, inhuman and degrading punishments and other violence forms towards the children. Both documents are in progress of approval of the involved ministries. It is expected that these documents would be approved by government decisions during September 2006.

2. Institutional Development. Administrative Capacity

a. Staffing with personnel the National Agency for Preventing the Trafficking in Human Beings and for Monitoring the Assistance provided to the Victims of the Trafficking in Human Beings

Until this moment, after a legal and transparent process of selection, 25 positions from the 34 positions scheduled in the central structure have been occupied; this represents **73, 53%** from the total of the positions. The Agency is operational.

Between 31 July and 4 August 2006 the contest for occupying the 16 positions within the 8 regional centres of the Agency took place and 11 candidates passed the exam. These persons will be staffed in the regional centres from Craiova (1), Timișoara (2), Iași (2), Galați (2), Constanța (2) and Bucharest (2). The 5 civil personnel vacancies within the regional centres from Craiova (1), Cluj (2) and Pitești (2) will be staffed through the contest which will be organized between 23 and 28 August 2006. Subsequently, starting from September, the selection for the personnel from the other supplementary regional centres set up according to the GD 1083 from 16 August 2006 will be organized.

b. The budget assigned to the National Agency for Preventing the Trafficking in Human Beings and for Monitoring the Assistance provided to the Victims of the Trafficking in Human Beings

In accordance with the recommendations from the EU Monitoring Report from May 2006, an income and expenses total budget of 1.467.000 RON (approximately 420.000 EURO) was assigned to the Agency; out of this budget the amount of 350.000 RON (approximately 100.000 EURO) is destined to the activities for preventing trafficking in

human beings and for assisting the victims of trafficking. The budget of the Agency is operational starting from August 2006.

Previously to the operationalisation of its own budget, all the expenses were covered by the Ministry of Administration and Interior budget.

c. Integrated system for identifying and referring the victims

In order to operationalise the IT national system for the evidence of the victims of trafficking in human beings, as a basic component of the integrated system for identifying and referring the victims, so that the victims could receive in time the necessary assistance, the tender for purchasing the equipment necessary for the central structure of the Agency and the 8 regional centres (scheduled in the initial form of the GD 1584/2005 for setting up, organizing and functioning of the National Agency for Preventing the Trafficking in Human Beings and for Monitoring the Assistance provided to the Victims of the Trafficking in Human Beings) was organized. Currently, the procedures necessary for concluding the purchasing contracts of the equipments which are to be delivered to the Agency by the end of September are being performed.

As a consequence of the procedures for operationalising the regional centres of the Agency, 4 of the 8 nominated counties, respectively Galați, Iași, Timiș and Constanța confirmed the allocation of the necessary locations and the activities for the organization and endowment with furniture and equipments have already been started. During September, the prefectures and local authorities from the other 3 nominated counties, which are Arges, Dolj and Cluj and from Bucharest will finalize the procedures for assigning the locations.

According to the schedule, by the end of the year, the centres will be connected to the central structure of the Agency.

d. Victim evidence fiche

In order to improve the system for monitoring the assistance provided to the victims of trafficking in human beings by providing coherent and unitary statistics, the Agency has drawn up a victim evidence fiche proposal. After being published on the website www.antitrafic.ro for the consultation of the interested organizations and institutions, suggestions from the nongovernmental organizations have been received on the

indicators included in the proposed fiche; these suggestions have been centralized in the view of the final fiche elaboration.

On 25 July 2006 a meeting with representatives of the General Inspectorate of the Border Police, General Directorate for Countering Organized Crime within the General Inspectorate of the Romanian Police and NGOs took place; within the meeting there was agreed that the data from the victim evidence fiche would be transmitted in accordance with the responsibilities of each institution/organization.

Currently, the fiche is in the final consultation stage with these institutions and organizations and will be operational no later than the final quarter of 2006.

e. HelpLine

A contract with the main help-line services supplier was concluded so that the line became operational on the 19 August, 2006. The interested persons may call 0800 800 678 and find information on the risks associated to trafficking in persons and the possibilities to decrease these risks, information regarding local authorities and NGOs which provide assistance to victims of trafficking, tourism agencies and employment companies providing jobs abroad for which the caller may have doubts, conditions for obtaining a visa for working abroad, territorial structures for countering trafficking in persons.

The National Interest Programs are being drawn up; they aim at increasing the quality of the services for the victims of trafficking, improving the assistance and protection of the trafficked persons in a protected regime, implementing a national integrated system for identification and referral to assistance services with the view of social reinsertion of the victims of trafficking in persons. These programs will be approved in the last trimester of 2006 and will be implemented in 2007 from the Agency's budget.

3. Inter-institutional coordination

Within Phare Project RO 03/IB/JH-0 Resource centre on countering trafficking in human beings the Protocol for cooperation in the field of investigation, criminal prosecution and the trial of the trafficking in persons and migrants, which ensure the collaboration between the Romanian institutions of law-enforcement, data submission to the database regarding the casuistry in the field of countering trafficking in persons. Personnel of the Service for Countering Trafficking in Persons within the General

Inspectorate of Romanian Border Police attended the meeting with the Road Transport Romanian Authority, General Inspectorate of Romanian Police and the National Roads Authority on the issue of countering false tourism ; in this meeting the results of joint operations between the above mentioned institutions were analysed. A joint action plan between the Romanian Border Police and the Road Transport Romanian Authority was drawn up for monitoring the transportation companies which transit the Romanian western frontier

The National Agency for Preventing Trafficking in Persons and Monitoring the Assistance provided to the Victims of Trafficking signed a protocol with CARITAS Association, with the view of implementing in partnership a project for strengthening the cooperation in the field of trafficking in persons between Romania and Bulgaria. Moreover, the Protocol of collaboration between the National Agency for Preventing Trafficking in Persons and Monitoring the Assistance provided to the Victims of Trafficking and the Agency for Equal Opportunities between Women and Men signed a collaboration Protocol with the view of mutual information and organisation of joint activities (scientific events, seminaries, workshops). The necessary steps were taken for the conclusion of a collaboration Protocol with the United Nations High Commissioner for Refugees- Romanian representative.

4. Personnel training

Between 17.06 – 06.07.2006, an officer from the Service for Countering Trafficking in Persons within the General Inspectorate of Romanian Border Police attended the course on Advanced Police Management, which took place at the International Law Enforcement Academy - New Mexico, SUA.

Within a Phare Project, taking place between December, 2005 and June, 2007, the Public campaign for education on child's rights – *The right of children is law*- was carried on; thus, between 12-19 July 2006 a training of trainers session was organised on central level, for 30 trainers and 6 manuals are being drawn up, designed for a professional group each.

During this year two training sessions in the field of counselling the victims of trafficking in persons were organised within a Phare Project 2003, for 7 probation counsellors from the territorial probation structures.

5. Activities for preventing the trafficking in persons and assistance providing to the victims of trafficking

a) Preventing trafficking in persons

On the 19-20 August, 2006, the The National Agency for Preventing Trafficking in Persons and Monitoring the Assistance provided to the Victims of Trafficking in partnership with ADPARE, with the financial support of MTV Great Britain organised the EXIT (End Exploitation and Trafficking) prevention campaign in Costinesti youth resort, at the Black Sea. Within the campaign there were distributed 500 t-shirts with anti-trafficking message and almost 5000 leaflets supplied by MTV Great Britain, as well as 2000 flyers which promoted the Help-Line free number (0 800 800 678). There were 20 volunteers involved in this activity.

Between 26.06 – 14.07.2006, on the level of the territorial labour inspectorates, the national campaign for checking the conformity of the employment agents with the provisions of Law 156/2000 regarding the protection of Romanian citizens who work abroad was organised for preventing the trafficking for labour exploitation purposes.

The Ministry of Education and Research has included the problematic of trafficking in persons in the thematic of the discussion classes for the school year 2006-2007, approximately 3 hours per year.

b) Assistance provided to the victims of trafficking

-Number of victims who were provided assistance between 1 July – 17 August 2006

Age	TOTAL	Under age	Between	Between	>25 years
Sex		of 14	14-17 years	18-25 years	
Male	0	0	0	0	0
Female	19	4	3	9	3

TOTAL	19	4	3	9	3
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In the moment of thier identification and their registration by the authorities, the victims are provided with primary assistance, being informed on their rights and the assistance services available, and they have the option to be accommodated in shelters or not.

The majority of victims were sexually exploited, most of the cases representing external trafficking. The data were collected from the governmental centres for assistance and protection of the victims (12 persons out of the 19 reported) and from the following NGOs: Reaching Out (Argeş), ADPARE (Bucharest), Betania (Bacău), Generație Tânără (Timiș) și Mitropolia Banatului (Timiș).

Out of the reported total number of victims, 5 were referred by the International Organisation for Migration to the Centre for Assistance and Transit in Bucharest. All the 5 victims are females and were trafficked for sexual exploitation.

Between 17.07 – 14.08.2006 the probation services within the Ministry of Justice reported 8 victims of trafficking who received counselling and/or assistance outside the specialized shelters.

Regarding the assistance services for children, within the 1600 structures of General Directorates for Social Assistance and Child Protection, there are 161 specialized structures for preventing and protection of children against neglect, abuse, exploitation, migration in risk situations and trafficking in human beings, as follows:

- 39 emergency call lines (out of a minimum 47 such services stipulated in the new legislation in the field);
- 80 centres for emergency protection;
- 22 specialized services for supporting recovery and social reinsertion of the children victims of abuse, neglect, exploitation and trafficking (out of 47 such services services stipulated in the new legislation in the field);
- 12 centres for transit for the protection and assistance of repatriated children in difficulty and of children victims of exploitation or traifficking of in human beings (organised in Bucharest and in 11 counties, most of them border counties like: Mehedinți, Arad, Timiș, Bihor, Satu Mare, Botoșani, Iași, Suceava, Neamț, Galați, Giurgiu) – with overall capacity of 122 places for accommodation;

8 services for preventing labour exploitation in children

“Improving the services provided to the children victims of trafficking in persons in Bucharest and in Giurgiu, Iasi and Botosani counties” project, developed by the National Authority for Child Rights, in partnership with ILO-IPEC and Save the Children Organization, between April 2005 – September 2006, aims at rehabilitating and reintegrating children victims of trafficking in persons by improving the quality and diversifying the types of services provided to them in Bucharest and in Giurgiu, Iasi and Botosani counties.

„Creating opportunities for employing children/youngsters from Bucharest, vulnerable to trafficking and for adults within their families” project, developed in partnership with other public institutions and NGOs between October 2005 and September 2006, aims at reducing the vulnerability to trafficking in children/youngsters by promoting the employment of the young people and adults belonging to the deprived areas of Bucharest.

Currently, a project financed and technically assisted by UNICEF is being developed (June-September 2006). Its objective is to draw up an ensemble of methodological documents regarding the problematics of trafficking in children: compulsory minimum standards concerning the center for protecting and assisting children victims of trafficking in persons, a methodological guide for implementing the standards, an inter – institutional working methodology for trafficking in children cases and procedures for monitoring and reporting the trafficking in children cases. These methodological documents will be sanctioned by the NAPCR and the NAATIP, and approved through a GD.

6. Countering the Trafficking in Persons

With respect to the countering the trafficking in persons, the precursory acts and the activities disposed through delegation by the DIOOCT prosecutors in 21 criminal records were finalized. Thus, in the criminal cases instrumented on countering the trafficking in persons researches were conducted concerning 41 traffickers, out of which 3 were Italian

citizens, 23 individuals were detained by prosecutors within the DIOOCT structures, according to Law no. 678/2001 and Law no. 39/2003; subsequently, preventive arrest warrants for 29 days were issued for 26 of the 41 traffickers and 62 victims were identified.

At the level of the entire DIOOCT structure, between 1-31 July 2006. 107 cases were recorded and 45 solved, out of which 12 through a indictment and 33 through SUP/NUP solutions. 35 victims were assisted.

15 data and information exchanges were carried out with the authorities on trafficking in persons from the EU Member States. Following the information submitted by the BCOC Alba regarding the sequestration of a young Romanian female in an apartment in Budapest, 2 Hungarian citizens were arrested and the victim was set free

Regarding th evolution of the criminal phenomenon, during the reference period, at the level of the Romanian Border Police, 8 trafficking in persons channels were discovered, 75 traffickers and 85 victims were identified. In a criminal record regarding the traffickin in persons, currently open at the level of the Border Police Directorate of Timisoara, the specific indictment was drawn up, one individual being arrested.

7. International Cooperation

On August 4, 2006, the conference marking the finalization of the „Resource Center on countering the trafficking in persons ” PHARE RO 03/IB/JH-07 TL Project, developed y the MAI (GIRP) in partnership with the Austrian Federal Ministry of Interior took place. Among other things, within the project an evaluation of the national legislation in the field of traffickin in persons was carried out, a protocol of collaboration among the institutions for countering the phenomenon was drawn up, police officers were trained in the field of public relations, the data base prototype in the field of trafficking in persons cases was created.

On July 20, 2006, the MLSSF launched the „*Developing Social Services*” open Call for project proposals within the „Economic and Social Cohesion – Non-refundable financing scheme for developing social services” PHARE Program 2004-2006. Among the eliglible activities, there are integrated/ specialized serviced like hosting, caring,

recovery, social rehabilitation and reinsertion for victims of domestic violence or traffickin in persons.

The Agency has drawn up and submitted the „Improving the institutional capacity of the agencies involved in preventing the trafficking in persons, in line with the European standards and the current best practices” PHARE Project Fiche, the general objective being the reduction of the trafficking in persons phenomenon dimensions at the national and regional level by preventing and improving the integrated system for assistance and social reintegration of the victim. Among the expected results, there are the existence of an operational IT integrated system, to include a centralized data base on trafficking in persons phenomenon, and the setting up of an IT network to comprise the regional centers and the other institutions involved;

- a data collecting methodology;
- a greater level of awareness at the national level regarding the risks associated with trafficking in persons and a decreasing number of trafficked persons;
- setting up of a Research and Public Informing Center, endowed with the necessary equipment and expertise to carry on national studies regarding the trafficking in persons phenomenon, to elaborate materials for various national and local campaigns, for carrying on the training sessions on preventing and countering the trafficking in persons, etc.;
- implementing common indicators and the data collecting methodology;
- trained personel on collecting data, operating with the data base, carrying on studies and research in the field, creating policies, developing national prevention campaigns, identifying and reffering the victims, operating the HelpLine service, instrumenting the trafficking in persons cases, etc;
- a guide for drawing up national studies on trafficking in persons;
- a national study on trafficking in children, etc.

The Fiche was submitted to the Ministry of Public Finances, the Management Authority for Communitarian Support Framework, where the opportunity for its financing is analyzed.

The Agency has drawn up in partnership with UNDP Romania a project proposal entitled „Support to the establishing of the National Agency for Preventing Trafficking in Human Beings and Monitoring Assistance provided to the Victims of the Trafficking in Human Beings”, which has as objectives making the Agency operational (in the central and territorial structures), strengthening the inter – institutional collaboration and coordination, facilitating the regional and international cooperation. The Project proposes a 2 year implementing period, with an estimated budget of \$500.000. It is estimated that in September 2006, UNDP will communicate the decision of the financier to include or not the project proposal on the short list, case in which the consolidated project proposal will be drawn up.

Following the visit in Romania of an UNODC delegation, on 12-16 June, 2006, an evaluation report was drawn up, and based on the proposals of MAI and the European Commission, the project of a Joint Action Program regarding the Consolidation of the State Law in Romania was developed. UNODC expresses its intention to support the Romanian authorities in the following fields: creating a national system for victim identification and referral, the development of minimum standards provided to victims of trafficking, the development of a national awareness and prevention campaign on trafficking in persons, elaborating trafficking trends and strategic analysis, improving criminal justice procedures in relation to child witnesses and victims of trafficking, and training non-specialist police officers in recognising and responding to trafficking in persons. The Romanian authorities were invited to express their point of view on the document, which is going to be submitted to UNODC on diplomatic channel, no later than the end of August 2006.

Starting with July 1, 2006, the temporary mission of various officers within the RGIBP – Service for Countering the Trafficking in Persons at the French-Spanish border and Hungarian – Austrian border was recommenced.

Regarding the international judiciary cooperation in criminal matters, in the field of trafficking in persons, in the reference period, within the directorate with attributions in the field from the Ministry of Justice, 2 proceedings of rogatory commissions, dealing with offences related to the trafficking in persons were solved.

The Directorate for Investigating the Offences related to Organized Crime and Terrorism within the General Prosecutor’s Office within the High Court of Cassation and Justice

has recorded 14 proceedings of rogatory commissions dealing with trafficking in persons, out of which: 9 asked for by the foreign authorities (4 – France, 3 – the Netherlands, 2 - Italy), 5 asked for by DIICOT to other states. Out of the 14 requests, 13 are currently in process of being solved.