



Romania

- Population: 21.6 million
- GDP per capita (in US dollars): 9,996
- Parliamentary regime
- Human development index (HDI): 0.793 (52nd rank among 187 countries)
- Gender inequality index (GII): 0.333 (64th rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 46 on a scale from 0 (highly corrupt) to 100 (very clean)
- Member of the European Union since 2007.

- The “official” estimate: 2,000 prostituted persons. ONG estimate: between 23,000 and 47,000 (*Fondation Scelles*, 2013). 757 identified victims of trafficking in 2014, 66% of whom had been exploited sexually.
- Since the 1st of February 2014, the Romanian Penal Code decriminalized prostitution, but if prostituted persons disturb public order, they can be fined. Procuring can be punished by 2 to 7 years in prison. Human traffickers are subject to be imprisoned for 3 to 12 years when the victims are of legal age, whereas when the victims are minors, they can be imprisoned for 5 to 15 years.
- Out of the 534 people that were pursued for trafficking in 2014, 269 were found guilty. The courts, however, suspended 73 prison convictions and 15 traffickers were sent free without any trial.
- The Roma community is particularly vulnerable to trafficking.
- Romania is a country of origin, and to a lesser extent, is a transit and destination country for sexually trafficked victims.
- Destination country for Romanian victims: Western Europe (UK, Italy, France, Spain), Eastern Europe (Czech Republic, Hungary), Greece, and the USA.

During the years 2013 to 2015, Romania made significant efforts to improve the circumstances of trafficking victims, yet there are still many improvements that must be made. The 2014 U.S. Trafficking in Persons report defines Romania as a tier 2 country, meaning it does not fully comply with the US’s Trafficking Victims Protection Act. Romania, however, is making significant efforts to rectify this. Regardless of the policy changes

implemented during these years, Romania is still one of the top European ruled by law countries for trafficking victims and for traffickers, according to the Eurostat 2015 Trafficking in Human Beings Report. Romania is a largely impoverished country and the economic crisis of 2008 rendered it more vulnerable to trafficking as unemployment rose and the standard of living fell. Romanians are the most likely citizens to be registered as victims of trafficking in other countries, with over 6,000 total registered trafficking victims of Romanian nationality in the period 2010-2012 (*EUROSTAT*, 2015). Romania was exclusively an origin country for Europe for many years, but it is now also a transit and destination country for victims of human trafficking. Primarily women and children are trafficked for sexual exploitation or forced labor in the construction and agricultural fields. Many children, particularly those with physical or mental disabilities of Roma ethnicity, are recruited for forced begging. Most victims of Romanian nationality are sent to the United Kingdom, Spain, and Italy. According to the National Agency against Trafficking in Persons (ANITP), there were 757 victims of trafficking identified in 2014, 66% of which were sexually exploited. Almost one-third of trafficking victims are underage girls, the most vulnerable group to trafficking. Some other susceptible groups include minors and people with mental and physical disabilities (*Fondation Scelles*, 2013).

Governmental Law and Efforts to Stop Trafficking

Romania has implemented several compelling legislative tools to combat trafficking. Trafficking is currently illegal under the Law on the Prevention and Combat of Trafficking in Human Beings (678/2001), which has been amended numerous times since its installment. The law regulates the prevention and violations of human trafficking and describes the safety and rehabilitation rights of the victims. Violation of the law results in three to twelve years' imprisonment for infractions against adults, and five to fifteen years' imprisonment for infractions against minors. For the protection of children against trafficking, law number 272/2004 was a large step in advancing the fight for child protection. Article 98 prevents all forms of trafficking against children. Article 99 protects the child against further forms of exploitation and designates the government and public institutions as those responsible for the wellbeing of the child in the face of virtual exploitation.

Romania modified its penalties for trafficking in its new 2009 Criminal Code, which came into effect in February 2014. Article 210 prohibits all forms of trafficking regardless of whether the victim originally gave consent, which is a new addition to the Penal Code. Traffickers receive penalties of 3 to 10 years for any infractions. The new Code is written more clearly and, according to the European Commission, "is likely to avoid different interpretations and inconsistent practice." The code also decriminalizes prostitution in order to eliminate penalties to those that prostitute themselves while any sort of exploitation, such as procuring, remains illegal. The government hopes to protect victims of trafficking with the decriminalization of prostitution by removing any penalties they might incur. The Code was altered to comply with the Optional Protocol of the United Nations' Convention on the Rights of the Child. This modified version of the Penal Code ensures that minors are treated as victims of prostitution instead of criminals and provides adequate rehabilitation services adapted to children.

One of Romania's strongest efforts against trafficking is the *Agenția Națională Împotriva Traficului de Persoane* (ANITP). This organization is responsible for monitoring and coordinating the anti-trafficking policies and coordinating with national and international NGOs and governments. During the 2012-2013 period, ANITP implemented 24 action plans and 91 campaigns, 12 of which were enforced at the national level. During this period, ANITP launched their Prevention, Identification, Protection (PIP) Project to identify vulnerable groups and potential victims through awareness campaigns and increase the involvement of the Romanian governmental stakeholders in the prevention and identification of victims of trafficking. The PIP Project also supplied local authorities with more resources for anti-trafficking programs and developed recommendations for improvement. At the end of the project in 2014, ANITP successfully created a framework for cooperation between local officers, institutions, and the public and increased the partnership between NGOs and governmental institutions.

ANITP has also implemented various national policies against trafficking, the most recent being the National Strategy against Trafficking in Persons 2012-2016 (SNITP). If successful, the ANITP will reconfigure the system for the protection and assistance to trafficking victims, improve the capacity of the country to identify victims and refer them to service providers, increase the availability of rehabilitation programs and the number of victims that use these services, and increase the financial compensation to victims that have been legally penalized for their actions. The ANITP could use the National Strategy as a guideline for their efforts, which appeared successful so far. In 2013, Romanian law enforcement investigated 714 cases of human trafficking, 552 of which led to prosecution, and 252 of which led to conviction. Over the span of 2010 to 2012, Romania doubled the number of convictions it investigated and accounted for almost half of all the convictions reported in the European Union (EU). According to the 2014 U.S. Trafficking in Persons report, only 59% of these convictions were prison sentences in contrast with 78% in 2012.

International and Regional Efforts to Stop Trafficking

As part of the EU, Romania must adhere to the EU's policies and laws against trafficking, such as the EU Strategy toward the Eradication of Trafficking in Human Being and the European Commission's Directive 2011/36. The European Commission's law holds member state accountable for the prevention and combatting of trafficking as well as the protection of victims. Romania is bound to this legislation as part of the EU. In addition to its obligatory efforts to end trafficking, Romania is part of the United Nations' Convention against Transnational Organized Crime and the Council of Europe's Anti-Trafficking Convention. Romania proactively joined the Southeast European Law Enforcement Center (SELEC) where it heads the Task Force Mirage on Countering Trafficking in Human Beings and Illegal Migration. One of SELEC's main objectives is the combat and prevention of organized crime such as human trafficking through the exchange of information and support in crime investigations. The Task Force Mirage assembles an evaluation report on trafficking every year and thus, facilitates regional cooperation, and furthers the fight against trafficking. Joining the European Police College (CEPOL) was another step toward international cooperation. The CEPOL is a European Union agency that promotes regional cooperation

through training, research, and the sharing of information with a focus on terrorism and trafficking. Romania supports the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism (*The Code*), an international organization that provides awareness and support to the tourism industry in order to stop child trafficking and child sex tourism.

Minors: A Vulnerable Group to Trafficking

Minors constitute a large vulnerable group to trafficking in Romania, a group that has been expanding since Romania joined the European Union and facilitated free movement in the continent. In 2014, there were 251 children between the ages of 14 and 17 that were victims of trafficking, representing 33% of the total number of victims in that year. According to ANTIP, the vast majority of minors originate from bi-parental families, however a violent or abusive family background creates more vulnerability for the minor. Minors whose parents live abroad are also more vulnerable to trafficking due to neglect. The traffickers trick minors by promising them good work abroad. One of the most common methods for recruiting minors is the “Loverboy method” in which young girls enter into a relationship with the trafficker with the promise of marriage. Once the trafficker has gained the victim’s trust, he or she transports the minor abroad and forces her into prostitution. Romania has implemented the National Strategy for the Protection and Promotion of Child Rights 2014-2020 to improve the development of children’s rights and access to adequate services and funding (*UNICEF Romania*, January 16th, 2015). The program combats violence against children, including the prevention of child trafficking. This strategy is a continuation of the previous program in 2008-2013 whose goals were to provide access to services, reduce the social disparities between different groups of vulnerable children, and create an inter-institutional intervention framework for children at risk to violence or trafficking (*ECPAT International*, 2012). The National Strategy against Trafficking in Persons 2012-2016 also includes provisions on the protection of children (*U.S. Department of State*, 2014). Regardless of the improvements Romania has made, there are still many problems that need to be addressed. The Group of Experts on Action against Trafficking in Human Beings (GRETA) recommends that Romania must address stereotypes against Romani people and women and begin looking into the long-term application of their programs. GRETA also suggests that Romania provides greater access to healthcare and housing for victims, improve cooperation between different governmental bodies, and create training programs for professionals on the identification and protection of victims.

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