

**JOINT EAST WEST RESEARCH PROJECT ON  
TRAFFICKING IN CHILDREN  
FOR SEXUAL PURPOSES IN EUROPE:  
THE SENDING COUNTRIES**

**ROMANIA REPORT**

October 2003

Compiled by:

Gabriela Alexandrescu – Executive President

Ioana Grigorescu – Programme Coordinator

Daniela Munteanu – Programme Coordinator

Edited by Muireann O'Briain



**ECPAT AFFILIATE MEMBER**

## **CONTENTS**

### **INTRODUCTION**

#### **I. METHODOLOGY**

#### **II. LEGISLATION**

#### **III. RESULTS OF INTERVIEWS**

##### **A. CHILDREN/ADOLESCENTS**

##### **B. NATIONAL LEGISLATION AND LAW ENFORCEMENT**

##### **C. CHILD CARE/PROTECTION**

##### **D. GENERAL OBSERVATIONS**

##### **E. ORGANIZED CRIME**

##### **PUBLIC AWARENESS**

#### **IV. CASE STUDIES**

#### **V. CONCLUSIONS/COMMENTS**

The Joint East West research project on trafficking in children for sexual purposes in Europe: the sending countries, has been co-financed by the European Commission STOP II programme and the OAK Foundation.

## **INTRODUCTION**

Over the last decade, the negative consequences of the transition process have led to a rapid and substantial deterioration in the living standards of an increasing proportion of the population, especially families with children.

The disparities between the different segments of the population have been accentuating during this period. The process of economic, political and social transformation was accompanied by an explosive increase in poverty, exacerbating basic human deprivation. If in 1989 an estimated 7% of the population was poor, the poverty rate had reached 44% by 2000 (Government White Book). “The economic collapse has been the main source of structural-economic poverty, distributional poverty caused by increasing inequality in the distribution of resources and inadequate social protection also play a significant role.” (National Human Development Report Romania 2001-2002, UNDP).

The opening of borders meant not only an enhancement of economic, cultural and political cooperation between Romania and other states, but also an increase in organized crime. Trafficking in human beings is recognized as one of the worst forms of trans-national organized crime, with multiple factors that encourage it, and also with multiple negative effects at the level of the individual and of society.

Trafficking in human beings is related to the complex socio-economic situation in the origin countries and also to the existence of a “market” in the destination countries. For Romania, trafficking in human beings is closely related to the migration of the labor force (both legal and illegal).

## I. METHODOLOGY

A qualitative methodology was adopted for the research, the main source of information being the interviews carried out with the main actors involved in combating organized crime.

In this respect, 18 representatives of governmental institutions and nongovernmental organizations, and one representative of an international organization (IOM) who are dealing with different aspects of the child trafficking phenomenon were **interviewed**, and a **discussion group** was organized with those persons.

The governmental institutions were selected following the provisions of the National Plan of Action, which stipulates the main institutions to be involved in preventing and combating trafficking, and their responsibilities in this field. Institutions with an important and permanent role in dealing with the issue were interviewed.

The interviews were carried out according to the agreed Guide, but focusing on the aspects on which the interviewed person had expertise.

**Questionnaires** were also filled in, which focused on the projects carried out by NGOs active in this field. The questionnaires sought to find out which are the most common target groups, what types of services are offered, what kind of projects are carried out, which are the main problems encountered, and what are the main recommendations for improving the actions undertaken. 50 questionnaires were sent by e-mail or by fax, of which 23 were returned.

The third method used to gather data was an **analysis of documents**: statistical data, legislation and studies. The statistical data and the other studies were very important for compiling a comprehensive overview of the child trafficking problem in Romania. In order to compile the chapter on legislation, the main legislative acts in this field were analyzed and, in addition, the comments and recommendations from the persons interviewed were taken into consideration.

Also, some **case studies** were analyzed which offered information not only about the trafficking process (recruitment, transportation, exploitation), but also on the process of recovery (social reintegration, psychological recovery etc.).

## **II. LEGISLATION**

The national legislation on human trafficking is rather new in Romania, the legislative acts having been adopted in 2001. Although the existing legislation refers to human trafficking, there are some specific provisions regarding child trafficking, defined as "trafficking in minors".

Regarding international treaties and conventions, Romania has signed or ratified the most important documents relevant to human or child trafficking:

### **UN Documents**

- The Protocol for modification of the Geneva Convention for the repression of trafficking in women and children and of the Geneva Convention for the repression of trafficking in women over the age of 18, 12.11.1947
- Universal Declaration of Human Rights, 10.12.1948.
- United Nations Convention on the Rights of the Child, 20 November 1989.
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 25 May 2000.
- Convention on the protection of children and cooperation in international adoption.
- United Nations Convention against Transnational Organized Crime, 15.12.2000.
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.
- Protocol against Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.
- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 21 March 1950.
- Final Protocol to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 21 March 1950.
- Convention on the Elimination of All Forms of Discrimination against Women, 18 December 1979.
- ILO Worst Forms of Child Labour Convention No. 182/1999, ratified in Romania by Law no. 203/15.09.2000

### **EU Documents:**

- European Parliament Resolution on pornography, 17.12.1993. Implemented by Romania.
- European Convention. Annex. EU Council nr. 95/C/ 316/01. Romania implemented the definition.
- Joint actions adopted by the Council of the European Union regarding the combating of trafficking in human beings and sexual exploitation of children, 24.02.1997. Implemented by Romania.
- Council Decision regarding the completion of the definition of the crime called

“trafficking in human beings”, in the annex of the European Convention, EU Council nr. 1999/C/26/05.12.1998. Romania implemented the definition.

- Plan of Action of the Council and Commission regarding the optimal modalities for enforcing the Treaty of Amsterdam regarding the establishment of a space of freedom, security and justice. Doc no. 13844/1998. Put in practice by Romania.
- Draft Framework Decision of COM on combating trafficking in human beings. 22.01.2001. Implemented by Romania.
- Draft Framework Decision of COM on combating the sexual exploitation of children and child pornography. 22.01.2001. Implemented by Romania.

### **Definitions in national legislation**

The main legislative act on human trafficking, Law No 678/2001, was drafted in accordance with the most recent European legislation and the Protocol supplementing the Palermo Convention on combating transnational organized crime of 13<sup>th</sup> December 2000, to which Romania is party.

Article 12 of the said Law (678/2001) defines trafficking in persons as the recruitment, transportation, transfer, accommodation or taking in of a person, by threat, violence, or other form of compulsion, by kidnapping, fraud or deception, misuse of authority or taking advantage of that person’s incapacity to defend him/herself or to express his/her will, or by offering, giving, accepting or receiving money or other benefits for obtaining the assent of the person that has authority over another person, with a view to exploiting the latter.

Recruiting, transporting, transferring, accommodating or taking in a person aged under 18, with the object of exploiting him/her, constitutes the offence of trafficking in minors. The age of the victim is a criterion for imposing increased penalties, the highest penalty being applicable if the victim is under 15 years of age.

The law also defines the term "exploitation" as:

- a) Performing forced labour or services, in violation of the legal requirements on labour conditions, payment, health and security;
- b) Keeping such persons in a state of slavery or in other way so as to deprive a person of his/her freedom or to force the person into submission;
- c) Compelling a person to engage in prostitution, in pornographic performances for the production and distribution of pornographic materials, or other forms of sexual exploitation;
- d) The removal of organs;
- e) Engaging in other such activities that violate fundamental human rights and liberties.

Law No. 196/2003 on preventing and combating pornography defines pornography as “actions of an obscene character as well as materials which reproduce and disseminate such actions”. Actions of an obscene character mean “gestures or specific sexual behaviour performed individually or within a group, images, sounds or words which offend moral principles by their meaning, as well as other forms of indecent manifestation regarding sexual life if they are produced in public”. Materials of an

obscene character mean “objects, photos, holograms, drawings, texts, prints, emblems, publications, movies, video and audio recordings, video spots, programs and electronic applications, songs as well as other forms of expression which specifically present or suggest sexual activity”.

This law defines as felonies and stipulates the penalties (imprisonment) for the use and involvement of children in pornographic activities, the distribution of pornographic materials to children, and performing pornographic activities in front of children.

### **National legislation concerning trafficking in children**

Law No.678/2001 on preventing and combating trafficking in human beings is the first law that criminalizes trafficking and sets out the main institutions responsible for combating this phenomenon:

- The various forms of trafficking in human beings, as well as the exploitation of persons, are criminalized, and severe sanctions are provided; these are greatly increased when the trafficked persons are underage or when the trafficking results in the victim’s suicide or death.
- The actions of the organizers, guides and carriers are criminalized, as well as situations in which persons belonging to groups organized for that particular purpose perpetrate the offences.
- The governmental institutions responsible for the prevention and combating of trafficking in human beings are: The Ministry of External Affairs, The Ministry of Labour and Social Solidarity, The Ministry of Public Administration and Interior, The Ministry of Education and Research, The Ministry of Health and Family, The National Authority for Child Protection and Adoption, The Ministry of Justice and other governmental bodies mentioned in the National Plan of Action.
- Provisions regarding physical and psychological protection, recovery and social reintegration of trafficked persons are contained in a special chapter.
- Procedural issues are covered by regulation, including those concerning the use of modern investigation technologies for the detection of human trafficking.
- Provisions on international cooperation are included.
- The institutions of liaison officers within the Ministry of Public Administration and Interior and of the liaison magistrates at the prosecutor’s offices within the court system were created, which is a matter of great importance in the light of Romania’s joining the Eurojust network.

The Regulation for the application of Law No. 678/2001, adopted by the Romanian Government on 13<sup>th</sup> of March 2003, details the responsibilities of the main actors in combating and preventing trafficking in human beings. It also sets up the modalities for the repatriation of Romanian citizens who are victims of trafficking. The provisions of this regulation supplement the provisions of Law No. 678/2001 and of the National Plan of Action.

The Government Emergency Ordinance 105/2001 regarding the State Border of Romania refers to the sanctions imposed on those who break this law. Art. 77, paras. 4 and 5 include provisions related to minors as follows:

(4) The penalty of imprisonment can be imposed on minors only if they have reached the age of 16; in this case, the extent of the sanction provided by the present emergency ordinance is reduced to a half.

(5) In the case of minors who are under 16, the provisions of the law are applied regarding the protection of some categories of minor persons.

With regard to minors who commit crimes described in the previously mentioned laws, the provisions of the Penal Code are applicable as follows: if the minor is under the age of 14 he/she will not be made legally responsible for the crimes committed. A minor aged between 14 and 16 years of age will be made legally responsible only if it is proven that he knowingly committed the crime. A minor who has reached the age of 16 will be made legally responsible for his/her crimes.

In 2001, the Government recognized the unwanted results of international adoptions (their close connection with child trafficking) and stopped them until a new law has been passed. We expect that the Law on Child Protection to be promulgated by the Government in 2004.

Aggravated felonies are defined in Law 39/2003 on preventing and combating organized crime as (inter alia) pimping, trafficking in human beings, and slavery. A group organized for the purpose of committing one or more felonies that qualify as aggravated is considered an organized criminal group. It is a felony to initiate, organize, belong to or support by any means, a criminal group, and such felony is punished with imprisonment for 5 to 20 years and the restriction of some rights. The law focuses on defining the procedures at national level and on international cooperation for preventing and combating organized crime.

### **NATIONAL PLAN OF ACTION for Combating Trafficking in Human Beings**

The actions envisaged by the Romanian Government for combating this phenomenon are regulated by Government Decision No.1216/2001 on the adoption of the National Plan for Combating Trafficking in Human Beings. This legal act provides for actions that include:

- Information and awareness-raising on the forms of and dangers involved in trafficking in human beings (organizing presentations in deprived areas, in schools and at community level).
- Improving the social and economic situation of the persons at high risk of becoming victims of trafficking (periodical labour force exchanges, a market for offers and demands for work).
- Elaborating a communication strategy for combating trafficking in human beings.
- Assistance on return and social reintegration for the victims of trafficking.
- Protection for trafficked victims.
- Enforcement of the new legislation in the field.

- International and regional cooperation with the European Union, and with the accession States, as well as with other states involved, in one way or another, in the fight against trafficking.

All the activities set out in the National Action Plan against trafficking in human beings are to be carried out with the direct participation of the communities, intergovernmental organizations, and NGOs.

In addition to the consolidation of the legal framework, the internal and regional law enforcement bodies and institutions have been reformed in order to improve their responses to the new challenges, and to liaise with their counterparts in the countries of the European Union. In this regard, the national police and the Romanian border police have acquired new mandates that allow them to strengthen and improve their activities at national, regional and international level.

### **Bilateral agreements between countries regarding trafficking in children**

The Romanian Government has signed cooperation protocols for combating crime, especially cross-border crime, with most of the countries in the region. One important field of cooperation is combating trafficking in human beings, since most of the bilateral agreements emphasize the need for common actions in the field of trafficking in children and sexual exploitation of children.

The terms of cooperation include the exchange of information, exchange of statistical data and legislative information, planning and developing common actions, organizing meetings. Romania has signed agreements with: Bulgaria, Greece, Albania, Armenia, Croatia, Moldova, Ukraine, Cyprus, the Czech Republic, and Poland.

An agreement on combating trafficking in human beings has also been signed between the member states of the Economic Cooperation on the Black Sea group: Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldova, Romania, the Russian Federation and Ukraine.

A memorandum of agreement referring to the protection of unaccompanied minors has been signed with France, in recognition of the alarming increase in the trafficking of children and the need for immediate action.

### **III. RESULTS OF INTERVIEWS**

Interviews were carried out with key officials, representing the institutions with responsibility for preventing and combating trafficking in children, and with representatives of the International Organization for Migration – Bucharest Office, as well as with NGOs that have projects in the field of preventing and combating trafficking in children. All the persons interviewed reported that the institutions/organizations that they represent use the definition of trafficking in human beings of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

From information obtained in the interviews, trafficking in children/adolescents is a priority for the institutions/organizations selected for the research. Starting in 1999, the first trafficking cases were assisted by IOM (6 cases). In 2000 and 2001 most of the projects that focus on trafficking in persons were developed, with a special emphasis on trafficking in children/adolescents. At the level of State institutions, a framework for programmes addressing trafficking in children was set up in November 2001 under Law 678 on preventing and combating trafficking in human beings and with the approval of those responsible for the National Plan of Action on combating trafficking in human beings. These legislative acts stipulate the institutions with responsibilities in the field of preventing and combating trafficking in human beings and also offer a framework for developing programmes in the field.

#### **A. CHILDREN/ADOLESCENTS**

Romania is primarily a country of origin for the victims of trafficking<sup>1</sup>. According to the US Department Report<sup>2</sup>, Romania is a source and transit country primarily for women and girls trafficked to Bosnia, Serbia, Macedonia, Kosovo, Albania, Greece, Italy, and Turkey for the purpose of sexual exploitation.

Romania is located between the former soviet block and the countries that experienced the negative impact of transition and the instability produced by war (in former Yugoslavia). Due to its geographical position, Romania is also an important route (transit country) for victims of trafficking from the Republic of Moldova, Ukraine and sometimes from Asian countries. Romanians and Moldavians<sup>3</sup> are trafficked from Romania, often first to Serbia and Montenegro, and then to other Balkan or western European countries. Women and children trafficked from Romania have been reported in Bosnia and Herzegovina, Macedonia, Montenegro, and Serbia (including Kosovo). In addition, such

---

<sup>1</sup> Trafficking in Human Beings in Southeastern Europe – UNICEF, 2000

<sup>2</sup> Victims of Trafficking and Violence Protection Act 2000 - Trafficking in Persons Report, June 2002

<sup>3</sup> A Human Rights Report on Trafficking of Persons, Especially Women and Children – Protection Project

cases can be found in Western European countries like Belgium, Luxembourg, and France.

Other European destinations for trafficked women include Albania, the Czech Republic, Ireland, Italy, The Netherlands, Spain, and Turkey. Outside of Europe, Romanian victims of trafficking have been reported in Cambodia, Canada, and South Africa.

The ECPAT Report<sup>4</sup> identifies the main western destination countries for Romanian victims of trafficking:

- Belgium (girls and boys are trafficked for sexual exploitation by Albanian gangs)
- Italy (Romania is the second country source of trafficked children, after Albania)
- Norway
- The Netherlands (especially boys)

The data reported by IOM Albania<sup>5</sup> show that, in 2000, 34% of the trafficking cases were Romanian, 9 of them being minors aged between 13 and 17 years.

The Protection Project Report shows that, at national level, almost 50% of the trafficked Romanian women come from the northeastern part of the country. Also, from IOM assisted cases it turns out that most of the Romanian victims come from the northern part of the country (Moldova), but also from other border regions.

Although there is no official evidence on foreign victims of trafficking found in Romania, the respondents (NGOs and the international organization interviewed) highlighted that some of the victims that transit Romania had ended up being exploited here. There is need for future assessments on trafficking in children to Romania for sexual and labour exploitation.

The lack of data is characteristic also for internal trafficking. Journalists spoke of cases of children involved in prostitution or in forced labour. We consider that the issue of internal trafficking needs more attention both from the State institutions and NGOs.

### **Trafficking in children - figures**

Although important progress has been achieved, Romania still does not have a coherent and unified method by which to estimate the numbers of trafficked children, nor a dedicated national data system on repatriated victims. Different stakeholders have data that reflect their own target groups: IOM – voluntary repatriations, Ministry of Interior – unaccompanied children repatriated through bilateral agreements with different governments, NGOs – assisted cases.

Some 778 Romanian trafficked victims were assisted between January 2000 and May 2003 in Romania. The number of foreign victims assisted in Romania was 40. These figures mainly comprise women and girls who returned voluntarily to Romania through assistance programmes managed by IOM and by NGOs.<sup>6</sup>

---

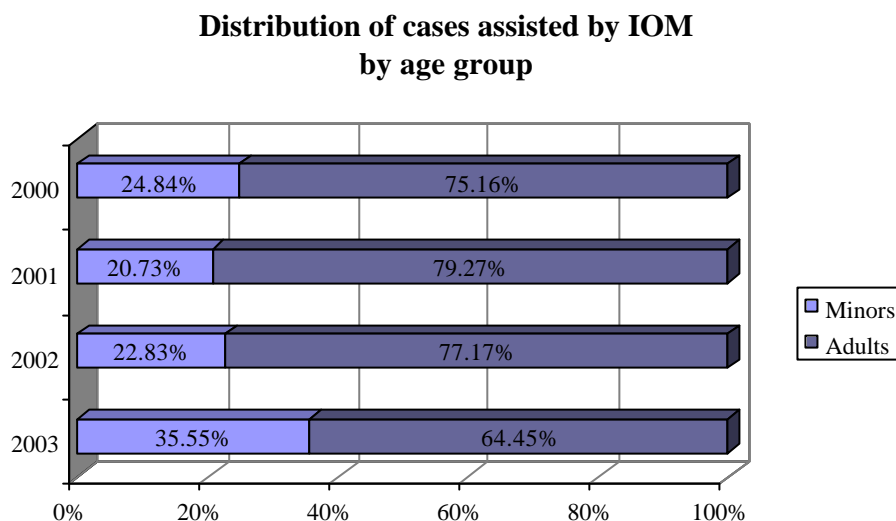
<sup>4</sup> Trafficking in children for sexual purposes from Eastern Europe to Western Europe –ECPAT, 2001

<sup>5</sup> Trafficking in Human Beings in Southeastern Europe – UNICEF, 2000

<sup>6</sup> Regional Clearing Point, First Annual Report, 2003

The number of repatriated trafficked children has increased in the last years (see Figure 2). Data provided by the International Organization for Migration, Bucharest Office, revealed that, since 2000, around 23% of the victims were children (Figure 1).

**Figure 1**



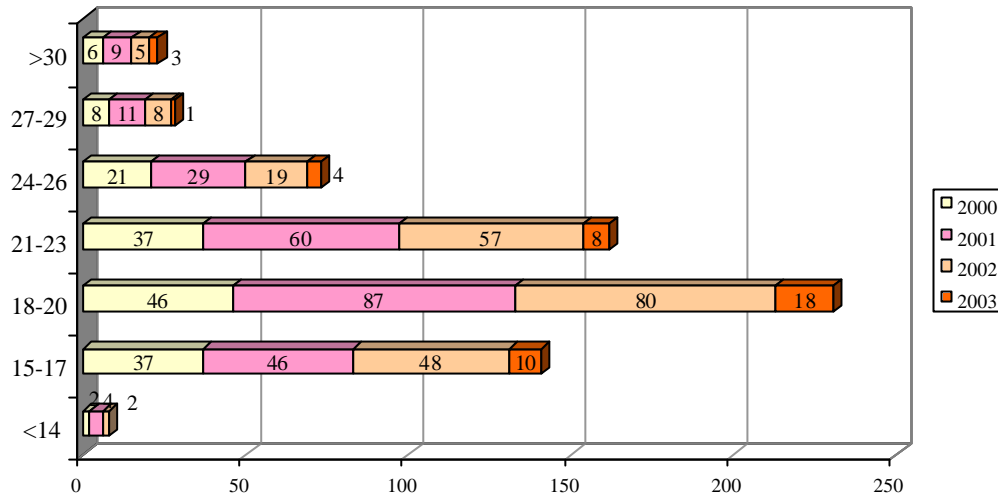
\*Data for 2003 is up to March

The figures show that the group most affected by trafficking in human beings is the cohort of 18 – 20 year olds. This is the age at which the young person is returning from the trafficking networks, and it is not possible to establish exactly what the age of recruitment was. Considering that “the period of trafficking varies from two months to two years”<sup>7</sup>, some of the repatriated adult victims became victims of trafficking while they were minors.

<sup>7</sup> Facts and Figures. Regional Clearing Point, First Annual Report, 2003

**Figure 2**

Cases assisted by IOM, by age group



\*Data for 2003 up to March

Data provided by the General Division for Combating Organized Crime and Anti Drugs shows that 192 separated children abroad in 2001 and 205 children in 2002 were repatriated. Of those children, approximately 25.3% stated that they had been trafficked.

**Profile of the victims**

Of the cases assisted by IOM, the most common age of trafficked children is 15 – 17 years, and most of them are girls. The educational level of the children is low, because they left school to go abroad. Most children come from the area of Moldova (in the north of the country), which is poor. From the interviews, we could not draw any conclusion about the environment of origin (urban/rural area) of the trafficked children, since the views expressed were contradictory.

One aspect emphasized by most of the respondents related to the family situation. Trafficked children usually come from dysfunctional families, with problems such as alcoholism, violence, sexual abuse, and low educational levels. Poverty is a common characteristic that aggravates all the other problems in the family. Due to the family’s problems, the children who end up being trafficked have a weak relationship with family members and also have a negative perception of their chances for social and professional integration and success in their native place.

Another factor that contributes to the vulnerability of children is the “success stories”: cases of people who went to the west and came back within a short period of time with a lot of money. From this point of view, the northern part of the country is known as an important source of cyclical migration for work abroad. In these conditions, it is easy to recruit children using false promises of jobs abroad. Also, a lot of parents leave together with their children to go abroad, or give their written consent for their children to go

abroad for work, not knowing, or not wanting to know, the type of “work” in which the children will be involved.<sup>8</sup>

### **Factors that increase children’s vulnerability to trafficking**

A combination of factors favours trafficking of children:

<p><b>GENERAL ECONOMIC FACTORS</b></p> <ul style="list-style-type: none"> <li>- Poverty and extreme poverty</li> <li>- High levels of unemployment</li> <li>- Low pay for unskilled work</li> <li>- Insecurity of employment</li> </ul>
---

<p><b>POLICY FACTORS</b></p> <ul style="list-style-type: none"> <li>- Inefficient strategies for combating unemployment and poverty</li> <li>- The educational system is inadequate compared to the demands of the employment market</li> <li>- A relatively new institutional framework for combating and preventing trafficking in human beings</li> <li>- Inadequate budgetary allocation to implement the National Plan of Action for Combating Trafficking in Human Beings</li> </ul>
--

<p><b>SOCIAL FACTORS</b></p>		
<p><b>Family situation</b></p> <ul style="list-style-type: none"> <li>- Low level of education in the family</li> <li>- History of abuse</li> <li>- Alcoholic parents</li> <li>- Lack of communication between parents and children</li> <li>- Dysfunctional families (divorced, single-parent families)</li> <li>- Living in a children’s institution</li> <li>- Living on the streets</li> </ul>	<p><b>Local characteristics</b></p> <ul style="list-style-type: none"> <li>- Lack of employment possibilities in the home place (rural areas, or big cities in the poorer areas of the country)</li> <li>- Living in an area with a high level of cyclical migration for work (seasonal jobs)</li> <li>- Local success stories from those who migrated for work</li> </ul>	<p><b>Lack of migration culture</b></p> <ul style="list-style-type: none"> <li>- Lack of information on the institutions involved in the migration process and on the legal opportunities for migration</li> <li>- Lack of information on the risks associated with illegal migration or illegal residence in a foreign country</li> <li>- Lack of information on the rights of employees</li> <li>- Lack of information on foreign countries (illusions about life in the west)</li> </ul>

<sup>8</sup> Research by Save the Children Romania for the “Rapid Assessment Survey on The Trafficking of Children For Labor and Sexual Exploitation in the Balkans and Ukraine” - ILO

## **PSYCHOLOGICAL FACTORS**

- Negative perceptions about the chances of personal success in the home country
- A spirit of adventure (due to age)
- Emotional instability

### **Children at risk of becoming victims of trafficking**

To summarize, children who are most vulnerable to trafficking<sup>9</sup> are:

- Abused children, victims of domestic violence and family neglect
- Street children
- Children without protection (orphans or abandoned children)
- Roma children (due to the poverty of their families and to the high rate of school drop-out)

The Protection Project Report underlines the problem of children without parental care: "Street children are a major problem in Romania. Children in orphanages and other state institutions are in particular danger of becoming victims of trafficking". At present, 38,599 children are in institutional State care (another 5,104 children are in institutions run by NGOs, and 41,782 children are in foster care).<sup>10</sup> The biggest problem with regard to the social integration of these children is the lack of future prospects for them, due to their lack of skills for an independent life. Even if efforts are made by the NGOs to develop children's life skills, the number of the children included in these programmes is quite small compared to the total number of children in State care institutions.

Another category of children at risk of becoming victims of trafficking is separated Romanian children in foreign countries. Whether alone, or accompanied by relatives or acquaintances, separated children have to deal with a lot of difficulties in the destination country: they do not have legal stay permits, they do not know the local language, they do not benefit from State services (health, education, protection), they have to work to survive. All the difficulties that they face in the destination country make them vulnerable to exploitation and to trafficking for labour and sexual exploitation.

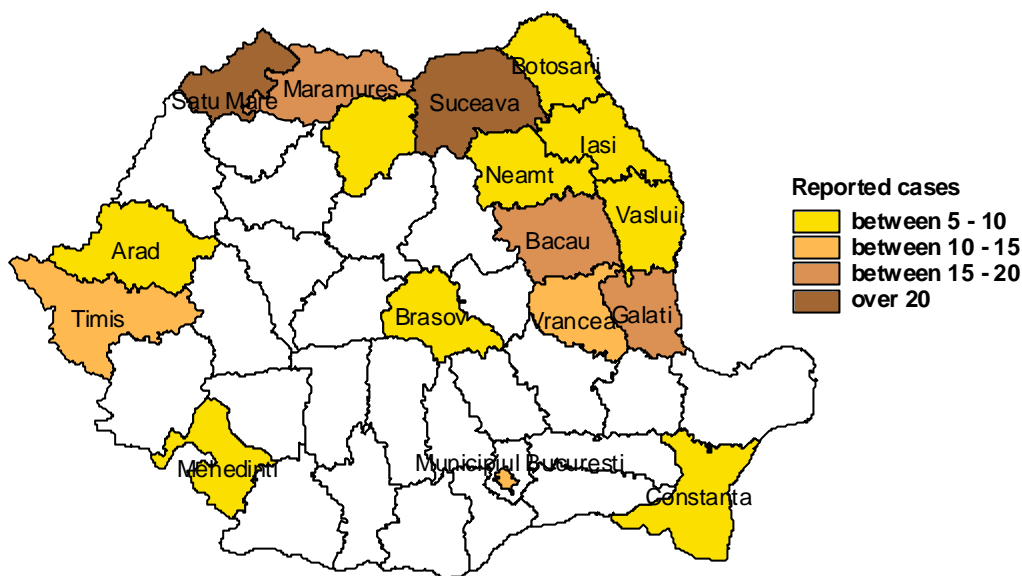
Related to the issue of separated children abroad, in a programme developed by Save the Children Romania in cooperation with the International Social Service of Italy, we were involved in documenting 248 cases of Romanian children found in Italy between 1<sup>st</sup> August 2001 and 31<sup>st</sup> January 2003. For all the cases, we collaborated with the local child protection departments, which made social inquiries to trace and investigate the children's families. The majority of these children had come from the north of the country and from counties near the border:

---

<sup>9</sup> Exploatarea sexuala a copiilor (Child sexual exploitation) – ECPAT International, Salvati Copiii Romania

<sup>10</sup> Data from the National Authority for Child Protection and Adoption, September 2002

**Counties with the highest number of separated children reported to Save The Children Romania during July 2001 - January 2003**



Of these children, 71% were boys and 29% were girls. The majority were aged 17 – 18 years. Trafficking for sexual exploitation was suspected in the case of 22 girls, exploitation for work (begging, stealing) was suspected in relation to 3 of the boys. Another child had been involved in an armed robbery.

**Recruitment**

The respondents highlighted different types of recruitment, all of them taking advantage of the children’s vulnerability.

The most common way of recruitment is the false promise of work abroad made by acquaintances, relatives or friends. Even parents can be involved in their children’s trafficking by giving their written consent for the child to leave the country, even if they know what will happen. Sometimes friends or new acquaintances approach the child victims and promise them a job abroad (usually as a babysitter, waitress or housekeeper), telling them that they do not require special skills and will be very well paid. The approach happens in locations frequented by the child (a bar, a disco, in the street, even at home).

Most of the time, the recruiter does not allow time to think, all the preparations for leaving the country take just a few days (sometimes 2 or 3 days). In this way, they do not allow the victim to think too much about the offer and to talk with other persons that might stop them.

It was reported<sup>11</sup> that in the cases of minors known to be actively prostituting, the recruitment consisted either in promising a job that involves “innocent” sexual activities in private clubs or massage parlours, by presenting the chance of earning more money by prostitution, or by buying them from local pimps.

An important aspect of recruitment is the fact that some of the children that are trafficked for labour exploitation (begging, petty crimes), or for sexual exploitation, leave the country with their family (parents, relatives) who have sold them to traffickers in the destination countries. Some of those families come back to Romania where they are in regular receipt of money from the traffickers who are exploiting their child.<sup>12</sup>

As we already mentioned, unaccompanied children abroad are at high risk of being trafficked. Trafficking networks in the destination countries recruit some of these children, but there is no official information available about it.

Another way of recruitment, used to a lesser extent in the case of children, is through ads in the printed media offering jobs abroad. The advertisements are addressed to a broad category of age groups, but usually to girls over 18. The ads are attractive from three aspects: they offer a job in a western country (usually Italy, Greece, Spain, France), the main requirement being the physical aspect, not the educational background, of the applicant, and they usually offer a salary that is impossible to earn at home. This type of recruitment takes advantage of the lack of information on the legal ways to work abroad. People do not know how to check up on the companies that are authorized to negotiate jobs abroad, what their rights as workers are, what documents they need to leave the country legally, and what are the procedures.

Ads can also be placed by matrimonial agencies. Girls are leaving the country convinced that they will marry someone they saw in a picture or to whom they were talking on the phone.

In both types of cases, children can leave the country using false documents that have been prepared by traffickers.

Kidnapping is another way of recruitment, but these cases are rare. These are the cases where violence is used against the victim from the beginning.

### **Profile of the recruiter**

As already mentioned, false promises of jobs abroad is the most common way of recruiting victims for trafficking in Romania. From the victims’ statements, in most cases the first recruiter is a woman, aged between 35 and 45 years. She is a model of success, telling stories about how easily you can earn money abroad doing an honest job that does not require any special ability. This woman takes advantage of the girls’ naivety and on their weak relations within the family. She becomes a substitute for the girl’s relationship with her mother or the family, gaining the girl’s complete trust.

---

<sup>11</sup> Interview – Romanian Ministry of Interior and Public Administration

<sup>12</sup> Interview – IOM Bucharest

Usually a woman is the first person that recruits the girls. These women are 35 – 45 years of age, with the profile of a mother for the girls, who are usually 16 – 18 years of age. These women show a picture of a girl, stating that this is her daughter and that her situation is really good in the destination country. The woman asks the girls if they want to go abroad to a decent job that can earn them 1,000 Euro per month. Usually the jobs that are offered are babysitter, housekeeper or waitress. The woman tells the girls that she can arrange with her daughter to get a similar job for them, and that it is really easy and does not require any special qualification.

*D.S. – Psychologist, Save the Children Romania*

In cases where the recruiter is a man, he is aged between 25 – 35 years, with the trappings of high social status (expensive clothes, jewelry, money). He uses his charm to attract the girls and to gain their trust.

In both cases (whether the recruiter is a woman or a man) the elements that characterize the recruiter are very important (their age and the way they approach the girls). The trappings of a high social status and stories of success are common elements.

In some cases, a relative or an acquaintance persuades the family to give their consent for the child to go abroad to work.<sup>13</sup> We found the majority of trafficked boys were recruited in this way. It was reported<sup>14</sup> that in some cases the victims themselves became recruiters when they got back home.

Trafficking networks are not involved in all cases. Sometimes, criminal groups formed by just a few persons are involved, but there are cases where the traffickers are independent persons. In a lot of cases, parents or relatives become traffickers of their own children.

From my experience, the girls usually leave the country with the help of so called trustworthy persons, most of the time friends, or recent acquaintances that gain the girls' trust. There is no big difference between recruiting women and girls. Unfortunately, in many cases, members of the family are involved in selling their girls, even if they are aware of what will happen to them.

*G.S. – Social Assistant, Turnul*

### **Leaving the country/travel**

Trafficked children can cross the border by legal or illegal means. Until the visa requirements for the Schengen area were abolished (on 1<sup>st</sup> January 2002), the majority of trafficked victims left the country illegally. After 2002, illegal border-crossings diminished. The respondents identified a possible relationship between the age of the victim and the means of leaving the country; if the victim is younger, the chances of an illegal border crossing increase, because of the extra documentation needed at the border.<sup>15</sup>

---

<sup>13</sup> Both parents' agreement is needed for a child who travels abroad.

<sup>14</sup> Interview – Romanian Ministry of Interior and Public Administration, General Department for Combating Organized Crime and Anti-Drugs

<sup>15</sup> Interview – IOM Bucharest

In the cases of legal border crossings, many techniques are used, the most common being:

- The use of legal papers that show tourism as the purpose of the trip (individual or group travel)
- The use of legal papers and invitations from relatives
- Fictitious marriages

When the destinations are France, Italy or Spain, parents or relatives usually accompany the children. For these children, the family is the exploiter and sometimes the trafficker. There are cases where the adults in the family go back to Romania, because they cannot stay illegally in a foreign country, and the child is forced to join begging or stealing networks. The child is being exploited, and the head of the trafficking network sends money to the family back home. This is the situation of many unaccompanied children abroad. Some of the unaccompanied children had left the destination country by themselves, being at great risk of being trafficked while they remained there.

The means of transportation most frequently used for crossing the border legally are:

- In the traffickers' cars
- By taxi
- By public transportation (buses, trains).

The same means of transportation are also used in the case of illegal crossings of the border. Trafficked children are transported near to the border in the traffickers' cars, or by public transport (taxi, train, bus). At the border, the children are taken over by another person (the guide) who knows how to avoid the border control points. During the night they cross the border walking through the woods, or by boat.

### **Routes**

Since 1<sup>st</sup> January 2002, Romanian citizens do not need visas for the Schengen area. This has resulted in an increase of child trafficking for labour and/or sexual exploitation, using the legal ways to leave the country. Unfortunately, there is no official data on this; most of the children found abroad were considered only as separated children, with no record of a trafficking history.

Most of the people trafficked through and from Romania are brought first to Timisoara or Turnu Severin, on the western side of Romania; from there, they are taken to the border area to cross into former Yugoslavia and beyond.<sup>16</sup>

Usually, the trafficking routes are the same as the routes of migration for temporary work, because trafficked victims leave the country believing that they are going to a job abroad. Most of the victims come from the northern area of the country (Moldova) and from the border areas. For the trafficking that leads to the south-west of Romania and from there abroad, Timisoara is the most important point on the route, because of the public international transport available (from Moldova to Timisoara or from Teleorman to Timisoara). This is the route used also by people from the Republic of Moldova or Ukraine that are transiting Romania. Usually the border with the Republic of Serbia and Montenegro is crossed through the county of Drobeta Turnu Severin.

---

<sup>16</sup> A Human Rights Report on Trafficking in Persons, especially Women and Children – Protection Project

Another route, used to a lesser extent, is from the south of Romania through Bulgaria to Greece.

We have less information about the cases of separated Romanian children in the EU countries. It seems that in the case of separated Romanian children found in France, many of them had come from the area of Maramures, and had crossed the border around Arad or Oradea, through Hungary.

In the case of children who are recruited in Romania by traffickers' networks, the routes are pre-established. Depending on the structure of the network, the child is taken over by different persons at different points of the route, until she/he reaches the person that will host and exploit her/him. There are cases where the recruiter is not a member of a trafficking network, but he finds a contact (a trafficker) in another country and enters for the first time into the network. This is often the case in relation to children that are sold by their parents or relatives.

## **B. NATIONAL LEGISLATION AND LAW ENFORCEMENT**

### **National legislation**

The national legislation was described in chapter II. The following paragraphs focus on the opinion of the interviewed persons about the legislation and law enforcement.

All the respondents stated that the national legislation on trafficking in human beings is adequate, and covers most of the aspects regarding assistance to victims and prevention of trafficking in human beings, and that it establishes a framework for effective police intervention. In December 2000 the Palermo Protocol was signed, and in 2001 Romania was the only country from South Eastern Europe that had a law against trafficking in human beings and a National Plan of Action.

Even if there is no special law on children as victims of trafficking, Law No. 678/2001 deals with the situation of trafficked children in special chapters, and stipulates increased penalties for traffickers when the victims are children.

The following bodies participated in the drafting of the National Plan of Action for combating trafficking in human beings: Ministry of Public Administration and Interior, Ministry of Foreign Affairs, Ministry of Labour and Social Solidarity, Ministry of Health and Family, International Organization for Migration and nine NGOs, with the support of USAID and the American Embassy. The provisions of the NPA involve almost all the State institutions, with a clear focus on establishing an institutional framework, and on prevention. NGOs are considered to play an important role for the rehabilitation, recovery and socio-professional reintegration of victims. The Romanian NPA has been a model in the region (11 states adopted a similar NPA, and SECI<sup>17</sup> is coordinating regional activities, under the provisions of the Romanian NPA).

---

<sup>17</sup> Southeast European Cooperative Initiative.

### **Law enforcement**

The first steps have been taken for the implementation of the National Plan of Action:

- The Inter-ministerial Working Group for coordination and evaluation of the activities for preventing and combating trafficking in human beings has been set up.
- The responsibilities of the General Division for Combating Organized Crime and Anti Drugs in the field of human trafficking have been enhanced.
- A partnership between the Ministry of Education and Research, IOM and the Romanian Patriarchy has been established to implement awareness raising campaigns in schools.

Some activities relating to the discovery of trafficking networks have been carried out; these have been coordinated by SECI, in collaboration with the Ministry of Public Administration and Interior, and will continue in the near future.

Training for Romanian judges and prosecutors on the new legislative framework to combat human trafficking has been carried out through the Ministry of Justice.

In the field of prevention, some activities have been carried out in schools by the police department on the issues of trafficking in human beings, drugs and weapons, and an awareness raising campaign developed by IOM (now in partnership with the Romanian Patriarchy and the Ministry of Education and Research) has been put in place.

The NPA is appreciated as a very comprehensive document, both by governmental and nongovernmental actors. Still, a common problem that emerged from the interviews is the lack of financial support for implementing the plan. In this respect, implementation is still only beginning.

In relation to the involvement of the Romanian Ministry of Foreign Affairs in assisting trafficked victims, the Romanian embassies and consulates in destination countries have received appropriate instructions on how to implement the provisions of Law No. 678/2001, with special reference to:

- The display of information materials on the rights of trafficked persons;
- Informing Romanian nationals, through appropriate channels, on the domestic legislation of the host state and providing the necessary assistance and protection to the victims of trafficking.

The consulates are responsible for providing assistance to victims of trafficking; they are currently working closely with NGOs and other international organization involved in combating trafficking.<sup>18</sup>

There are, however, loopholes in relation to the enforcement of the legislation. For one thing, the regulations for the enforcement of Law 678 on preventing and combating trafficking in human beings were only adopted in 2003, two years after the law itself came into operation. During that time, Law 678 was almost impossible to enforce. Therefore, most trafficking cases were processed under the provisions of Art. 329 of the

---

<sup>18</sup> Ministry of External Affairs

Penal Code, which relates to the offence of procuring. But if the trafficker was convicted as a pimp, then, by implication, a victim of trafficking was a prostitute, and this fact created difficulties in relation to victims' rehabilitation, as well as to their access to the social services available specifically for victims of trafficking.

Another weak point in the implementation of the legislation is the provision of the nine shelters for the victims of trafficking. None of these have been opened so far (due to a lack of coordination between the responsible institutions and to a lack of financial resources). Some of the respondents stated<sup>19</sup> that, when the shelters would open, there would be a lot of disagreement among specialists about the length of stay stipulated in the legislation (10 days) for trafficked victims, which many consider to be too short for proper rehabilitation.

A further weak point of the legislation is the fact that even if there is a law on witness' protection, the regulations for its enforcement have not yet been adopted, thus making the law inoperable. Under these circumstances, it is hard to convince girls to make an official complaint about their traffickers, since protection cannot be assured. Currently, Law No. 678 stipulates that the evidence of witnesses and victims has to be taken in a different area from where the victim lives, specifically to protect such witness/victim. But this is very expensive for the victims, who usually come from poor families.

### **Conviction rates**

By March 2003 there were two convictions for trafficking in human beings: one in 2002 and one in 2003. Why are there so few convictions when there are so many victims? One explanation is the fact that the regulations for the application of Law No. 678 were only adopted in 2003. Another factor is that there is no experience yet of enforcing the legislation. Even if a lot of cases are referred to the law-enforcement authorities on trafficking infringements, there is not enough proof in relation to most of them, and so the prosecutors have to change the type of charge. From this point until final conviction, a complex procedure ensues, which has little chance of leading to a conviction for trafficking in human beings, due to lack of evidence, or to the reformulation of the victims' complaints.

Efforts are being made to strengthen the institutional framework. The General Department for Combating Organized Crime and Anti Drugs is a specialized police department for cases of trafficking in human beings. These specialized police units operate at county level,<sup>20</sup> but there is not enough staff for all the cases that are referred to the units (which deal with the whole issue of organized crime, not just trafficking in human beings). The Ministry of Justice started to provide special training sessions on trafficking in human beings for those who are already working as judges, as well as courses in the universities for those who are studying to become judges.

Also, the nature of trafficking itself is one reason for such a low conviction rate. Trafficking networks are complex, and it is difficult to uncover them; also, victims are afraid to make official complaints. Some of them renounce their statements during the

---

<sup>19</sup> IOM, Save the Children Romania.

<sup>20</sup> Romania is divided into 42 counties.

trial and withdraw their complaints because they are threatened by the traffickers, or are just afraid to acknowledge in front of their families what happened to them (trying to avoid public rejection).

How can the system be improved? The respondents stated that the system could be improved by training the personnel working on this issue, by keeping separate statistics on children and on adults, by developing a single statistical data collection system for the Ministry of Public Administration and Interior and the Ministry of Justice, and by allocating the necessary funds for the protection of victims.

### **C. CHILD CARE/PROTECTION**

#### **Public services for victims of trafficking**

In the field of protection and reintegration, the public social services are not developed; NGOs provide the infrastructure and the human resources for the reintegration and rehabilitation of victims.

#### **National/international NGOs response**

NGOs have responded to the increase in trafficking in human beings by starting to develop services for victims. Usually NGOs that have developed services for victims of domestic violence and abuse are also involved in offering help to victims of trafficking. The reason is that these NGOs have already developed the necessary infrastructure and specialization needed by victims of trafficking. In parallel with awareness raising campaigns on violence and abuse, these NGOs have developed campaigns addressed to the trafficking issue. Other NGOs have focused their activities entirely on trafficking, and have developed specialized services for victims.

We identified 20 NGOs that offer services to the victims of trafficking: counseling, social work, psychological support, and financial support. Unfortunately, the number of shelters is quite low. In the Clearing Point First Annual Report (September 2003) six shelters for trafficked victims in Romania are mentioned: one shelter is in Bucharest (managed by IOM in partnership with the Church and the Social Service of the Romanian Orthodox Church in a building provided by the Ministry of Public Administration and Interior, the National Office for Refugees), three in Timisoara, one in Pitesti (managed by Reaching Out and consisting of apartments) and one in Bistrita. From the interviews that Save the Children carried out, it was discovered that there is another shelter in Bucharest managed by a local NGO (two apartments, one for adults and one for children, but also accommodating children in difficult circumstances) and a shelter in Iasi (recently opened by IOM and the Social Alternatives Association)

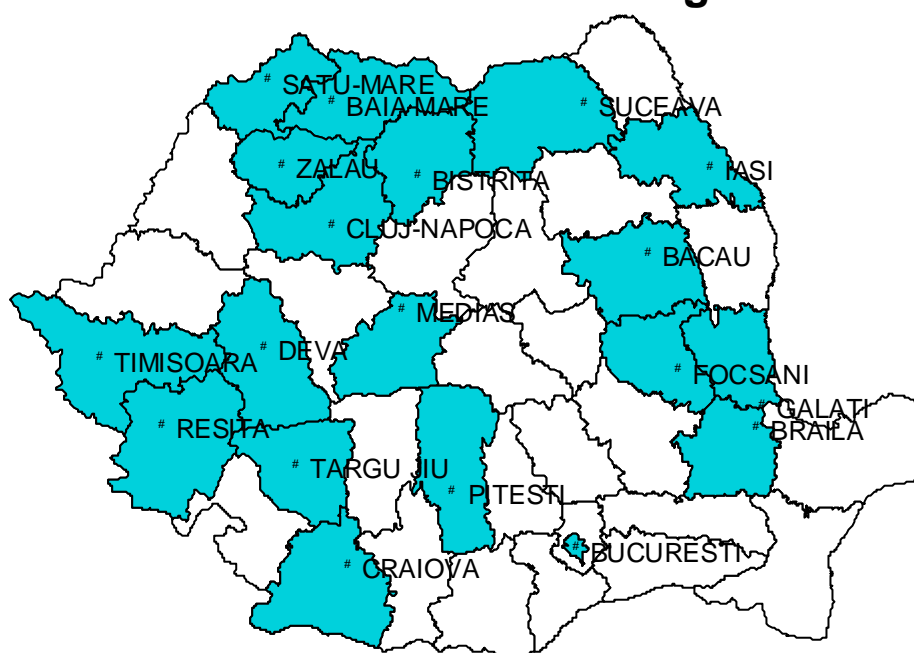
Other NGOs offer accommodation to victims of trafficking in shelters for victims of domestic violence.

There is no shelter dedicated to trafficked children. The child victims of trafficking are accommodated in adult shelters, because of the lack of resources for opening special

shelters for children. Children who are assisted by the local departments for child protection are accommodated in children's homes if there is no possibility of reintegration in the family.

Despite the accommodation problems, trafficked children assisted by NGOs benefit from special services, relevant to their situation. Psychological therapy, social assistance, school reintegration, social reintegration and vocational training are developed according to children's needs, problems and ages.

## Location of NGOs providing assistance to victims of trafficking



### a. Prevention programmes

There are several NGOs and international organizations carrying out prevention activities. Most of them are local (covering one or more counties, one or more cities). A short description is presented below.

*IOM Bucharest Office* in partnership with the Romanian Patriarchy and the Ministry of Education and Research is developing prevention programmes in schools, for religion classes. Also, they are training priests to intervene where they can help in prevention or reintegration. The programme aims to cover all the rural areas of the country. A radio campaign addressed to the general public will also be developed.

*Save the Children Romania* – Awareness raising campaigns in schools, addressed to children and young people (developed in Bucharest, Suceava and Iasi). Also an

awareness campaign addressed to the general public (posters, brochures, outdoor posters, advertisements, a video spot) will be developed.

*Reaching Out* – Information campaign in schools in Arges County.

*Social Alternatives Association* – Regional awareness campaign (carried out in eight counties in the northern part of the country).

*AFI – Pro Family Agency* – Campaign among students for preventing and combating trafficking in human beings.

*Partnership for Equality Centre* – Campaign for educating young girls from residential state care institutions to lessen their vulnerability to trafficking.

## **b. Rehabilitation programmes**

Rehabilitation programmes for victims of trafficking are provided by NGOs, since the public social services are not developed in this field of intervention.

*Save the Children (Bucharest and Suceava)* – offers reintegration services to children and young women, victims of trafficking. The services provided are: psychological counseling, legal and social assistance (school reintegration or vocational training, medical assistance, financial support). The cases are referred by IOM.

*Reaching Out (Pitesti)* – is offering shelter and reintegration services to the victims of trafficking. They are running a shelter in Pitesti (Arges County) where victims are provided with psychological and legal counseling, vocational training, and financial support.

*Social Alternatives Association (Iasi)* – is offering reintegration services: social assistance, psychological counseling, and legal and medical assistance

*Association for Developing Alternative Practices for Reintegration and Education (ADPARE -Bucharest)* - operates two apartments where victims of trafficking are hosted (one is for minor victims and the other for adults). The victims are provided with reintegration services: psychological counseling, vocational training, social assistance, and medical assistance.

*AFI – Pro Family Agency* – legal assistance, psychological counseling, school reintegration, financial support

Also, several NGOs provide assistance to the victims of trafficking within programmes that are not focused on trafficking, the target groups being the victims of domestic abuse or violence. The types of assistance are listed below:

*Association for Community Partnership (Focsani)* – social assistance, psychological counseling, medical assistance.

*Association Sinergii – Medias Family Support Centre (Medias)* – legal assistance, psychological counseling.

*For Each Child a Family (Resita)* – social assistance, psychological counseling, medical assistance, family reintegration.

*Women’s League “Areta Tatarescu” (Gorj)* – legal assistance, psychological counseling, financial support.

*Women’s Association Against Violence – Artemis (Baia Mare)* – psychological counseling for sexually abused children.

*Women’s Association Against Violence – Artemis (Cluj-Napoca)* – psychological and legal counseling.

*Equal Opportunities for Women (Iasi)* – legal assistance, psychological counseling, school reintegration, financial support, and professional reintegration.

*Avicenna Foundation (Deva)* – psychological counseling, social and legal assistance.

*Conexiuni Foundation (Deva)* – social assistance.

*National Mutual Association Romania-France “Louis Pasteur”, Craiova* – legal assistance, psychological counseling, school reintegration, financial support.

*Caritas (Satu Mare)* – social assistance.

### **c. Repatriation programmes**

In the field of repatriation, the governmental bodies have the authority to intervene. In addition, IOM plays the most important role in repatriating the victims of trafficking. The main responsibilities of the institutions are the following:

*Ministry of External Affairs* – they prepare the travel documents for those who left the country without papers.

*Ministry of Public Administration and Interior* – they play an important role in the process of return, especially for separated children.

*The National Authority for Child Protection* – plays an important role in the return of separated children. The Authority refers cases to the local Child Protection Department (from the county where the child was living), which then makes social inquiries before the child is returned.

*IOM* – in partnership with its offices in the destination countries, prepares the return of the child. If the victim wants to be helped, a case manager will monitor his/her case and a partner NGO will provide assistance.

### **Conditions for successful programmes**

Even though the NGOs that work in this field have specialized staff, the high number of victims and their needs require an extension of the services and an increase of financial and human resources. The respondents highlighted the following as **conditions for successful programmes**:

- “Victims First approach” – as the main approach in cases of trafficked children. The victims and their interests have to come first;
- Professional staff, with experience in the field and specialised training;
- A good infrastructure, meaning territorial cover, specialized human resources, multidisciplinary teams;
- Financial resources;
- Transparency of information and confidentiality of data;
- Implementation of existing legislation;
- An organized framework for the NGOs that are developing programmes in the field; there is need for a network of NGOs and institutions that are developing programmes in the field for improving the interventions in the best interests of the child;
- Increasing the importance of prevention as the main way to combat trafficking in children.

### **Children’s opinion**

From discussions with trafficked children who had been assisted by Save the Children Romania it turned out that the most difficult problem they encounter is fear, and lack of trust in him/herself and in others. This is because girls experience the disappointment of trusting the trafficker with whom they had developed a strong emotional bond (“he made me feel as if he was my brother”). One girl stated that she had been afraid to walk on the streets during the day after her return, because she had the feeling that everybody would see her “ugliness” (this was a reference to her experiences as a victim of trafficking for forced sexual exploitation).

Asked about what they appreciated in the services they received on their return, the girls stated that they are home now and they have people to support them whenever they need it, which is really important for them. The most important aspect of the rehabilitation programme was considered to be the opportunity to make their own life-decisions.

Asked about the prevention programmes, the girls feel that an important aspect is the support for problem families. The information campaigns are important, but they have their limits: when you have no choice but to leave the country, you will go, because you refuse to think that something bad might happen to you.

## D. GENERAL OBSERVATIONS

### Institutions/organizations/persons that have a role to play in combating trafficking in children

The respondents replied as follows:

**Ministry of Public Administration and Interior** has a major role to play in combating trafficking in children. The General Department for Combating Organized Crime and Anti Drugs is the police department specialized in such cases. They have a central role in identifying the trafficking networks, investigating cases and establishing the offence. Based on their work, the criminal trial proceeds, and it is very important for them to gather all the evidence that can lead to a trafficking conviction. This is important not only to punish the trafficker, but also to establish the status of the victims of trafficking, which results in their protection and access to different rehabilitation programmes and social services. The local police departments also have an important role in preventing trafficking and in protecting the victims.

**NGOs** were the first to start rehabilitation programmes for victims. Their role is important in prevention, protection and rehabilitation of the victims, and also in training the justice professionals. NGOs have an important role also in lobbying the relevant institutions to adopt and implement all the measures necessary for combating trafficking in children.

**Customs police** have an important role in discouraging trafficking in children by improving the quality of border controls.

**The justice system** has to implement the existing legislation regarding trafficking in human beings, in order to punish the criminals and to protect minors who are victims.

**Educational system/schools** have to raise awareness among children on the risks of becoming victims of trafficking, and also about the consequences for victims. This is important for two reasons: it reduces the risks of trafficking for some children and, secondly, it promotes a sympathetic attitude towards victims.

**Children** themselves have an important role; they take the final decision to accept the recruiters' offers.

**Parents/caregivers** have to supervise and advise children. Also, they play an important role in the rehabilitation of victims, their attitude being one of the most important factors in successful rehabilitation.

**Media** have a pivotal role in forming public attitudes. Currently the media is focused on the sensational side of the news, and generally consider the victims as prostitutes. Through the media, society could be mobilized to help victims and also to intervene in preventing recruitment and trafficking.

The **healthcare system** should provide free medical services to victims, in accordance with the provisions of the NPA.

**The private sector** should be motivated to fund activities that combat trafficking and provide for the reintegration of victims.

**International organizations** played an important role at the beginning of the anti-trafficking struggle. Currently they play an important role by offering advice, raising funds and lobbying the government to adopt the necessary measures. IOM plays a special role, because they are carrying out activities related to prevention; they are also repatriating victims and coordinating the reintegration of victims they have repatriated.

**The social welfare system** should coordinate the rehabilitation and reintegration services. They should also provide social assistance to children at high-risk, in order to prevent trafficking. At present, they are not developed in this area of intervention.

### **Overview of the research in the field**

#### 1. National NGO reports

**- Partnership for Equality Center - Trafficking In Women Program Needs Assessment<sup>21</sup>**

The study aims to assess the trafficking prevention activities and the activities for the protection of victims of trafficking that have been developed in Romania.

**- Reaching Out Organization - Standards For Establishing Shelters For Victims Of Trafficking<sup>22</sup> (February 2002)**

This guide provides an overview of the concepts of trafficking and a profile of the victims, and presents the main criteria for helping victims.

**- Save the Children Romania - Report on child trafficking in Romania<sup>23</sup>**

The report is an overview of the extent of child trafficking in Romania and of the current responses to the problem at different levels: the legal framework, governmental initiatives, and NGO programmes.

**“Rapid Assessment Survey on Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine” – ILO (Save the Children Romania, ICCV Romania for the research done in Romania)<sup>24</sup>**

The research is an assessment of trafficking in children for sexual exploitation and for labour. The research was carried out in Romania, Albania, Ukraine and Moldova. It will serve as a basis for a comprehensive programme of intervention and prevention.

#### 2. International Reports

**- IOM Bucharest - Vulnerability to trafficking in humans of young female population in Romania, 2001<sup>25</sup>**

---

<sup>21</sup> The research is not available, but requests for more details can be made at: [info@gender.ro](mailto:info@gender.ro)

<sup>22</sup> The research is not available, but requests for more details can be made at: [reachingoutrom@yahoo.com](mailto:reachingoutrom@yahoo.com)

<sup>23</sup> The research will be published in November 2003

<sup>24</sup> The research will be published in 2003

The research identifies the profile of the victims of trafficking and also of the traffickers.

- ***IOM Bucharest – Patterns of Trafficking in Humans from Romania, 2003***<sup>26</sup>

The research investigates the media coverage of potential victims of trafficking and related target groups.

- ***Protection Project - A Human Rights Report on Trafficking in Persons, Especially Women and Children***<sup>27</sup>

The report presents some estimates on the level of Romanian victims among the total number of trafficked persons in the region, the main routes of trafficking and the groups of children with the highest risk of being trafficked.

- ***US Department - Trafficking in Persons Report – 2001, 2002, 2003***<sup>28</sup>

The report presents the situation of trafficking in human beings as well as an evaluation of the actions taken by the government to stop it.

- ***UNICEF – Trafficking in Human Beings in South-Eastern Europe, 2002***

The report is an overview of the current situation and responses to human trafficking in 8 countries in the region.

### **The responsibilities of the origin countries**

The origin countries should develop **prevention programmes**. To a greater extent, prevention should include reducing the levels of poverty. Economic factors play an important role in the recruitment process. This is why it is considered that a better quality of life would result in a decrease in trafficking.

However, the respondents stated that the most concrete responsibility of the origin country is to properly **inform** the public about the migration process, the rights of migrants and the opportunities for jobs abroad.

Also, the origin countries should have **well developed reintegration services**. This is important for several reasons. Firstly, if the measures and system for reintegration are inadequate, the result will be that victims are re-trafficked. Secondly, the stigmatization by society needs to be addressed in the origin countries. The lack of support from the community makes the reintegration process difficult (there is need for more resources and for longer periods of time to be available to the victims).

So, the origin countries should struggle to prevent the problem and also to reintegrate the victims.

---

<sup>25</sup> Details at: [iombucarest@iom.int](mailto:iombucarest@iom.int)

<sup>26</sup> The report will be published in 2003

<sup>27</sup> Available on the site: <http://www.protectionproject.org>

<sup>28</sup> Available on the site: <http://www.state.gov>

## **E. ORGANIZED CRIME**

### **Trafficking networks**

Criminal networks are involved in almost all cases of trafficking. The networks are well structured, their activities regulated by strict rules. The recruiter is the first link in the chain of the network that comes in direct contact with the child, and then the child is passed from one person to another until he/she reaches the exploiter. The head of the network directs the activity and controls the actions of its members. Usually the networks are better organized outside the country than inside Romania itself.

The interviews emphasized the fact that it is difficult to enter such networks and that it is really dangerous. A representative of the special unit of the police stated that it is even difficult for their specially trained personnel to infiltrate the networks, although they have successfully extinguished several networks through such infiltration.

At least 4 categories of traffickers were described. These include the recruiter (the one who identifies the child and processes the recruitment), the person who obtains the legal documents and arrange the transportation, the transporters (those who cross the border with the child, by legal or illegal means), and the person who receives, hosts and exploits the trafficked child. There may be one or more persons in each category.

The networks are based on long experience; the members of the group know each other for a long time and act on the principle of maximizing profit. The internal mechanisms of the criminal networks function under cover of legal activities, and this helps them to analyze their actions from an economic point of view (studying demand, distribution, promotion, etc).

In this respect, it can be said that there are several techniques used by the traffickers, which differ according to the type of exploitation. In the case of trafficking for labour exploitation (begging, stealing), the traffickers will adopt a strategy of rotation with the children. The “administrators” of the areas where the children are exploited rotate the children’s locations, in order to increase the profit. Usually the children remain with the same traffickers. The reason is that the exploiter gains authority over the child, using force or other coercive methods and the child will obey him.

In the case of trafficking for sexual exploitation, the children are sold to different exploiters. In one case a 15 year old girl from Romania was sold in Macedonia 22 times. The traffickers use this practice to increase the price of the victim with each sale. Exploitation takes place in specific areas (bars, brothels, saloons etc.) that the traffickers control, the child being moved only when he/she is sold to another exploiter. Another motivation for changing the exploiters is that the clients in any given area are usually the same, so the traffickers change around the exploited children in order to maintain the clients.

It was reported that in Romania no cases of the authorities being involved in trafficking networks had been found. But the involvement of the authorities was reported in the

receiving countries at the border and in some cases the local police from areas known to have a very active prostitution business (we cannot provide evidence of such cases).

Trafficking in human beings and also trafficking in children is a profitable “business”, and is closely related to the size of the demand. In this respect, the trafficking networks have become more and more specialized in relation to the age and gender demands of the market. Usually the fact that girls are under age does not affect the demand, but it is important for the traffickers, because children are more vulnerable and easier to influence and control (by violence or other means). There is information that in some countries of Western Europe there is a market for boys trafficked for sexual exploitation (the interviewees would not give examples).

### **Drugs, weapons and other illegal activities involved**

Usually one could expect that there is a close connection between trafficking in human beings, drugs and weapons. Where there is complex illegal activity, a network can cope with many types of crime. However, some of the respondents stated that it was hard to accept that criminal networks would take additional risks by combining trafficking in human beings with other criminal activities involving drugs and weapons. The reason given was the legal system, which provides different penalties for these crimes.

On the other hand, many of the trafficked girls in Macedonia, Bosnia and Herzegovina and Albania, who received assistance from IOM Romania, stated that alcohol and drug addiction was a factor in their compliance with the wishes of the traffickers. Some of the girls said that the exploiters made them smoke cigarettes or drink liquor that gave them a “strange feeling”. The traffickers used such strategies to manipulate and exploit the girls more easily.

Some of the trafficked girls stated that the clients in the places where they had been exploited used drugs and carried guns (“in Macedonia they sit with their guns on the table while we sit with the mobile ‘phones”).

It is difficult to state conclusively that trafficking in human beings is closely connected to trafficking in drugs and weapons, and if the same criminal networks are involved in all these types of illegal activities. However we can underline that at least in some places some traffickers and clients use drugs and carry guns.

### **Purpose of trafficking**

The primary purpose for trafficking in children is sexual exploitation and labour exploitation. The difference between trafficking in girls and trafficking in boys relates to its purpose. Usually girls are trafficked for sexual exploitation and boys are trafficked for labour exploitation. There were some exceptions, as when girls trafficked for sexual exploitation to Italy stopped in Macedonia, were considered too young for prostitution and were forced to work. Also, there are cases of boys trafficked to western countries for prostitution, there being a strong demand for young boys (the interviewee refused to give examples).

It may also be that separated children abroad are moving from petty crime (such as begging or stealing) into prostitution. We do not have concrete data, but interviewees underlined this scenario.

Among traffickers there are preferences for specific categories of age and gender determined by two factors: demand from the destination countries, and the fact that children do not know their rights and cannot protect themselves. The interviewees suggested that there is a demand for specific ages; otherwise the traffickers would not risk an increased penalty for trafficking in children (because it is easier to traffic girls over 18 who can say, if they are stopped by police, that they are simply dancers or barmaids, or that they are voluntarily prostituting themselves).

### **Prices**

Where trafficking is for sexual exploitation, there is a demand for different categories of age and gender, and also for different qualities in the child victims (good looking, good dancers etc.).

In the case of trafficked girls, prices vary according to the age and the natural qualities of the victims (height, looks, ability to dance, because some of the girls start as dancers in striptease clubs).

Depending on the position of the traffickers within the criminal network, the price that they receive for “selling” a girl varies. On the first sale, the trafficker gets from 100 to 400 Euro (usually this transaction happens at the border). Usually the trafficker who sells the girl outside the country receives up to 1,000 Euro. After this, the price that the traffickers get increases with each sale (for example the price of the young girl, sold 22 times in Macedonia, was 2,500 Euro).

### **Exploitative treatment by traffickers**

When respondents were asked to describe the process of exploitation (what happens to the child after leaving the country) they stated that they had information only on girls trafficked for sexual exploitation and on boys trafficked for labour exploitation.

When the border is being crossed legally, the traffickers take the child’s documents, giving different excuses (that they will have to present them to the border police, that the documents are safer if they keep them, etc). In the case of girls trafficked for sexual exploitation, one of the routes used most frequently is through Serbia. This is the first stop, where, in the region of Belgrade, a “market” for girls to work as prostitutes is reported. Also, in Serbia there are some places where the girls who never prostituted themselves before are taken to ‘adapt’ to this activity. From there they are sold to other traffickers that own bars, brothels or similar places where the girls are forced to work as prostitutes.

Usually, the girls know that they are going abroad to work, so they are disoriented and do not understand at first what is happening. In some cases, if the girl starts to ask questions, the trafficker reacts with violence and intimidation. Usually the trafficker explains to the victim that he bought her and he will let her go if she can cover the amount that he has spent on her. The girl enters a “debt bondage” that she cannot escape.

Once the girls are forced into prostitution, they are told how much the different sexual services cost, and that they will have to persuade their clients to consume alcoholic drinks, and how to behave with clients in order to get more money. The girls obey, knowing that their “debt” is decreasing and they will soon be free. However, despite all their efforts, each time they reach the amount of money that they “owe”, the traffickers sell them again. The promise of freedom is just a means to manipulate the girls, along with violence and alcohol/drug addiction.

Some respondents stated that the traffickers that buy them in the destination country usually rape virgin girls. Then the trafficker explains that this is what is expected with the clients, and that will be their job starting from that moment.

Basically, the children benefit from the trafficker’s “protection” as long as they represent “profitable goods”. This “protection” is limited to providing their basic needs for survival. Sexual abuse is not the only type of abuse to which the girls are exposed. It was reported that girls who are forced to act as prostitutes also have to pay for their room, their food and their clothes. In other cases, the trafficker gives them a small part of the money they earn to cover food and clothing. The girls cannot use the money for anything else because they are not allowed to go out (they are guarded all the time) and also because the amount is very small.

The situation of girls trafficked for sexual exploitation is different from case to case, but one common element is physical violence. Traffickers use force when the girls do not obey and refuse to have sexual relations with clients. Girls told us that they had their menstrual period and wanted to stay in their room, not to have sexual intercourse. I have heard of girls that have been shot because they refused to have sexual intercourse during their menstruation. Even at this time of the month, the girls are forced to have sexual intercourse. This gives them serious bleedings in the case of normal sexual intercourse. But usually the clients ask for sexual perversions in this situation.

*D.S. – Psychologist, Save the Children Romania*

Seizing legal papers, and threatening and using physical violence are common elements used by exploiters towards trafficked girls, but also towards trafficked boys. Usually boys are taken to specially prepared places (improvised houses without any living conditions) where they are guarded. The children are taken by the exploiters to the crowded areas of town for stealing and begging. Children said that they were beaten whether they returned with money or not. Somebody was guarding them all the time.

Being guarded all the time, beaten and intimidated, trafficked children usually lose all contact with their family and friends. This limits their chances of escape. As we mentioned before, the traffickers use known routes. The transporters and the intermediaries know some details about the final destination of trafficked children. After a while, this information becomes useless because of the high adaptability of the criminal groups (changing the locations, multiple selling).

### **Clients and prices for sexual services**

Romania is mainly an origin country for trafficking of children. This is the reason for the lack of information related to the clients, the returned girls’ statements being the only source of data. Usually, the number of clients varies from one to many clients in one night, depending on what they are paying for (whole night, just one sexual intercourse

etc.). Some girls stated that they had up to 10 clients per night, and then were forced in the morning to clean up the bar or the hotel where they were kept. Sometimes the girls preferred to have the same clients, because they knew them, what they wanted and what type of punishment they would get for refusing sexual intercourse. Sometimes the girls managed to have a good relationship with some of their clients, so that they would even pay without asking for sexual intercourse in exchange, because they knew the girls' stories.

Some respondents stated that the prices for sexual services varied from 25 to 200 Euro, depending on the type of sexual intercourse provided. The girls usually did not have information about prices, because the clients dealt directly with the exploiter. In the Balkan countries, cases of indirect payments were reported, where clients would have to buy an expensive bottle of champagne in exchange for sexual intercourse.

Usually the clients know the bars or hotels where sexual services are offered. It is not clear if the clients seek out underage girls or whether it is just important that they are female. In the case of boys trafficked for sexual exploitation, one respondent stated that there was a strong demand in some western countries, and that this information came from police in the west, but he refused to give details. The only information given was that in these countries there is a big demand from paedophiles.

One respondent stated that potential abusers (clients who seek underage children for sexual intercourse) get in contact through different, private, communication channels: Internet, postal boxes, private clubs with restricted membership etc.

### **Relationship with sex tourism, child pornography and the local sex industry**

As was mentioned earlier, there is a demand for children that were already involved in prostitution. In these cases, traffickers just buy the children from the local pimps and then sell them outside the country. Traffickers accept any transaction that makes profits, and take advantage of the fact that children do not know their rights and are made less responsible for their actions. The respondents did not provide any information on the relationship between trafficking in children and sex tourism.

## **PUBLIC AWARENESS**

There are no studies published about the public's perception of trafficking, but people that are working with trafficked victims stated that they had encountered a negative attitude to victims. Because the information campaigns carried out up to now were targeted at prevention among the risk groups, the general public lacks information. In Romania, recognition of victims in general, and especially victims of sexual abuse, is still a problem. Most people blame the victim. This is also the case with trafficking in human beings.

The current myths include: "victims of trafficking are prostitutes" or "they (the victims) have asked for it (abuse)". There is the usual confusion in the news presented in the media between prostitution and trafficking for sexual exploitation (the victim is the guilty party) and between illegal migration and trafficking.

This general attitude makes the reintegration of the victims, and their psychological recovery, more difficult. Sometimes the victims do not want to tell their story to their family because they are afraid of rejection (which has happened in some cases). The social workers who assist trafficked victims stated that they also encountered a rigid attitude in hospitals and schools, when it comes to assisting a victim.

There are some good responses from the media, including several awareness raising campaigns being carried out by the national television and other TV stations as well as printed press campaigns. The problem lies in the fact that the majority of the newspapers are looking for sensational news, and they present cases of trafficking in human beings from an aspect that does not help the general public to understand the risks and the consequences of the problem.

The respondents agreed that there is a strong need for information campaigns, focused on different target groups, which will raise awareness on the risks and the consequences of human trafficking. It is important to relate child trafficking with the consequences (forced prostitution, sexual abuse, physical violence, deprivation of freedom), but also to relate it to the phenomenon that is at the origin of trafficking: namely migration for work. So, it is important to promote a culture of migration where people know how to verify information related to job offers abroad and the institutions that can be approached for answers to their questions.

Also, it is important to develop campaigns to sensitize public opinion on what it means to be a victim of trafficking, and what a victim has to endure. This can be the beginning of a change in public and private attitudes. Communities need to be involved in the process of combating trafficking in children. But involvement implies more than information and sensitizing campaigns: it requires trust in the state institutions as the main actors in solving the problem. This is why the programmes developed for victims of trafficking, the good practices and the transparency of the process should be publicised. In this way, people will know that something is happening and that their involvement can make a difference.

#### IV. CASE STUDIES

##### *Case no. 1*

A. is a 17 year old girl, trafficked to Skopje, Macedonia. Her case was referred to Save the Children Romania, Suceava Branch, by IOM Bucharest because the case involved trafficking and sexual exploitation.

A. was recruited by a friend (male) who promised her that she would work as a waitress in Italy. She was forced to prostitute herself in Serbia and Macedonia. She was sexually and emotionally abused. She saw how the owner of the bar (who was also the owner of the girls) cruelly beat a girl for refusing to have sex with customers.

The investigations by the social workers showed that A. grew up in a dysfunctional family, with a history of abuse and violence. Her mother was in a psychiatric hospital for aggressive behaviour with episodic violence and alcohol abuse. Finally she left her family.

A.'s biological father also has alcohol problems, and physically abuses his family. He divorced A.'s mother and remarried.

Her stepfather is married to A.'s mother for 4 years after a long period of living together during which they had two girls (who are now 9 and 13 years of age). The stepfather has a physical disability. They are all living in the same room under poor conditions.

A. had a lover when she was 14 years old and also had an abortion. She was the victim of a group rape when she was 12, but she believes that she succeeded in overcoming the trauma. She only did the first year of high school, and left school a year before leaving the country.

The psychological evaluation showed that she had severe depression which she is trying to disguise by displaying attitudes of superiority and theatricality. She feels a strong need to get attention from an audience. She strongly resents not belonging to a group and has problems with defining her identity.

She usually resorts to self-justification and interprets everything as it relates to her personally.

The medical evaluation revealed that she was infected with STDs (gonorrhoea, mycoses and Chlamydia). She was also in hospital with meningitis and tuberculosis.

The reintegration programme aims to provide her with vocational training and a job. Also, efforts are being made to find an apartment in Suceava that can be rented for her and another girl, also a victim of trafficking. In the meantime, a request for special financial aid from the public social services has been submitted.

A. is participating in weekly group therapy to overcome her traumatic experiences, to learn to adapt her behaviour to her new context, and to readjust her self-image and self-esteem.

*Case no. 2*

S. is a 16 year old girl, whose case was referred by IOM Bucharest because it involved trafficking and sexual exploitation in Skopje, Macedonia.

S. was working in a bar as a waitress when she met a girl and two men who offered her a job abroad. They told her that she need not worry about a passport because they would make one in Timisoara (an important city in the west of the country). She agreed to go with them and she told everybody that she was just going shopping. She did not tell anybody that she was leaving the country.

In Timisoara they met two men who told her that they would go to Resita (another city in the south-west of Romania), and she would not need a passport to cross the border. They told her that she would go to Holland to take care of two old persons.

She crossed the border through the forest with a man who kept his face covered. In Yugoslavia she was met by 2 men with a car who took her to a house and told her that she had just been sold. After two days she was taken to Belgrade where she stayed one day in an apartment. The next day she was in Macedonia in a bar where she was forced to have sexual intercourse with 4 men. She stayed there 5 days and then returned to the country through IOM.

The social inquiry showed that her family was quite poor; the parents had a low level of education (they only passed grades 5 and 4). S.'s mother had four girls, and three of them were married. S. had a difficult relationship with her father because he is an alcoholic and behaves aggressively towards his family. When she came back to Romania, the relationship with her father worsened, he constantly argues about her irresponsible behaviour.

The psychological evaluation revealed introversion masked by an attitude of openness; sometimes she tells lies in order to present herself in a good light. She has unresolved internal conflicts; she denies her traumas and is psycho-emotionally unstable.

The reintegration programme is focused on developing her capacity to support herself (by vocational training and finding a job), mediating her relationship with her family (family therapy) and also overcoming the trauma (individual psychotherapy).

*Case no. 3*

I. is a 15 year old girl who grew up in a dysfunctional family, with divorced parents living in the same house for financial reasons. Her father is an alcoholic, but he is the only one who has a job. So, she was poor, and felt unsupported financially and emotionally by her family. She lived in the suburbs of the city (Bucharest), her friends had left school, and some of them used drugs or were involved in crime.

After she was admitted to high school, she dropped out and decided that she had no future in Romania. Her sister had already left for Italy and so she thought she would join her and have a better life abroad. She was helped by the same acquaintance of her mother's that facilitated her sister to leave for a job in sales. So she went abroad thinking that she would meet her sister. She went by train from Bucharest to Timisoara (an important city in the west of the country, near the border with former Yugoslavia) with an unknown man. When she arrived in Timisoara she was taken to meet a friend of his and then to an old man's house to sleep. In the morning he came back and they went to a market where they met a woman that hosted her for about three hours. After that, another man took her to a guide with whom she crossed the border into the former Yugoslavia. They walked through fields for about 5 km, and then she walked alone to a forest where another guide was waiting for her. This one did not speak Romanian very well. He took her to a car and another man, who did not speak Romanian, drove the car. They were driving for about an hour, stopped for an hour and a half, and then followed another car for about thirty minutes. Eventually, she was put in the other car.

They went to Belgrade, where a blond, fat woman gave her some food and a place to sleep. After three days, some men came to look at her (it was then she realized that they wanted her to prostitute herself). They told her to lift her blouse and then they left. After a few hours another man came and asked her the same thing. After a few seconds thinking, he told her to get dressed, get her things and come with him. He took her to the border with Macedonia and two guides helped them walk through mountains for about 12 km. They went to Skopje, where she was locked in a flat. They took some pictures of her and made a false passport that helped her to cross the border. Finally she arrived at the bar of her new "employer". There were 8 girls there. She found out that she would not meet her sister and that she had been sold and was being forced to live at that bar.

She felt lost in a world of strangers, strangers that were mean to her and forced her to sell her body against her will.

She stayed there for about a month, being forced to prostitute herself, because otherwise she was mercilessly beaten. After a month, a police raid took place and she was repatriated to Romania.

The reintegration programme provided her and her mother with counseling and social assistance in the Child and Family Counseling Centre. They received financial support and necessities (food, clothes and medicines). A social assistant also accompanied the girl to a doctor, where she was diagnosed and treated. She was helped with reintegration into the educational system in the school year 2002-2003 and to take a vocational course in hairdressing.

After psychotherapy, she accepted her past and overcame her trauma. Now she has formed her own family and she is working as a hairdresser.

#### *Case no. 4*

A. is an 18 year old girl. Her mother abandoned her when she was 3 months old. Her father raised her until she was six years of age, and then sent her to a Children's Home. She lived there until she was 14. During this time she was physically abused and starved by the older children, and received education in a school for children with mental

handicap, so her development, both emotional and intellectual were severely affected. Her father could not help her at all because he was homeless and unemployed during most of this time.

At the age of 18, she left the country in search of a better life. She was helped to cross the border into Serbia illegally. There she was forced to prostitute herself. In Belgrade she was beaten because she refused to undress in front of the buyers. From there, she was sold to a bar in Kosovo where she was forced to do striptease and go with customers. At that time she was 4 months pregnant, but this did not count. From the bar in Kosovo, she was sold to another bar in Macedonia. The owner of this bar took her to a gynecologist where she had an abortion. After 2 weeks of recovery she was forced to go with customers again. She was supposed to be sold again for 6000 DM to another bar, but an employee of that bar, who had become romantically involved with her, called the police. After the police raided she was set free and helped by IOM Skopje to return to Romania.

At the moment she is still in receipt of assistance from Save the Children and IOM. She is accommodated in the IOM shelter. She is receiving psychotherapeutic help to recover from her trauma as a trafficked victim, as well as her childhood traumas. Arrangements were made there for her reintegration into the school system, and she was helped to recover her ID papers. She was provided with medical and financial assistance, she received vocational counseling, and she started to attend an environmental inspector's course.

## **V. CONCLUSION/COMMENTS**

Trafficking in human beings represents one of the worst violations of human rights. When the victims are children, the harm is even greater, due to the negative consequences for the psychological and physical development of the child.

Romania is a primarily a country of origin for trafficked children. There is no single national system to collect statistics on repatriated trafficked children. Between January 2000 and March 2003, 149 children were assisted by the International Organization for Migration – Bucharest Office. Also, data provided by the General Division for Combating Organized Crime and Anti Drugs show that 192 separated children abroad in 2001 and 205 children in 2002 were repatriated. Of those children, approximately 25.3% stated that they had been trafficked. We do not know how many children included in the GDCOCA's statistics were also assisted by IOM.

Furthermore, Romania is an important transit country for the victims of trafficking from the Republic of Moldova and Ukraine. In this respect, some of the victims that are transiting Romania are exploited here, although there are no official data on the matter.

There are strong links between trafficking in human beings and poverty, low levels of education, the wish for a better life abroad, migration for work, lack of information on trafficking and the lack of a culture of migration. The children at high risk of being trafficked are from communities with a high prevalence of external migration for

temporary work, from poor families, abused and/or neglected, or without parental care (street children, children from State care institutions). Also, separated children abroad are at high risk of being exploited and trafficked for exploitation in the destination countries.

The most common way of recruitment is the false promise for work abroad made by acquaintances, relatives or friends. Parents can sometimes be involved in the trafficking process either by giving their agreement for the child to leave the country (sometimes knowing what type of “work” the child will do) or by leaving the country together with the child in order to exploit him/her, or to sell him/her to an exploiter in a destination country.

The trafficking routes are similar to the routes of migration for temporary work. Therefore children usually do not suspect anything until they have crossed the border, because they know that they are going to work abroad in different unskilled jobs. Usually children leave the country with legal documents. There are cases where the trafficked children are taken illegally out of the country, by crossing the border through forests or by boat. The probability of crossing the border illegally is higher for younger children, because the legal procedures are more complicated for them.

At present Romania has a comprehensive set of legislative acts to combat trafficking in human beings, and the institutional framework for its implementation has started to develop. Specialized units for combating and preventing trafficking in human beings are developed at local level with national coverage, and a monitoring body for the implementation of the National Plan for combating trafficking in human beings has been set up. Some institutions have started to pay special attention to the problem of trafficking, by developing special programmes or units.

In relation to the reintegration and rehabilitation of victims, NGOs have developed special social services, using multidisciplinary teams of trained specialists. The reintegration and rehabilitation processes for trafficked children pay attention to the special needs and characteristics of the child.

There are also some weak points in the complex process of rehabilitation of trafficked children. First of all, there are no shelters for children due to the lack of financial resources. This makes the process of reintegration and rehabilitation of child victims more difficult. Children are accommodated in shelters for adult victims of trafficking or in centres for children who are without parental care. Generally, the institutions are working on the issue of human trafficking, but are not focused on child trafficking.

At the level of State institutions, the social services addressed to trafficked children are not developed, despite the provisions contained in the National Plan of Action for the creation of shelter facilities for returned trafficked persons and for legal, medical, social and psychological assistance.

The process of reintegration is also difficult due to the lack of information on the part of the public. There is a general attitude of blame towards the victims of sexual abuse, which also reflects on the victims of trafficking. The rehabilitation and reintegration process is long and requires a lot of resources. This is due to the high number of victims

from poor families, the lack of involvement of the family and the community, but also due to the individual psychological problems, which are extremely difficult to deal with.

Most trafficked victims come from the North-Eastern part of the country, Moldova, which is the poorest region in Romania. The services for victims are insufficiently developed in this area, more resources being required for this region.

There is a lack of coordination between the actors that are involved in preventing and combating trafficking in human beings. Some of the victims benefit from the services of several NGOs and other victims are not covered by such programmes. This is happening also with prevention programmes. The lack of a centralized system for information, data and materials is affecting the quality of interventions. An integrated system of information should be developed at the level of the Ministry of Justice and Ministry of Public Administration and Interior.

The legislation on preventing and combating trafficking in human being is new and there is no experience yet with its enforcement. Even though a lot of cases are referred for prosecution as trafficking offences, most of them do not have enough proof and the prosecutors change the category of infringement. From this point to the stage of final conviction, there is a complex procedure, which has little chance of leading to a conviction for trafficking in human beings, due to a lack of evidence or to the withdrawing of the victims' complaints.

The organizational structure of the trafficking phenomenon is one cause for such a low rate of conviction. Trafficking networks are complex, it is difficult to uncover them and also the victims are afraid to make official complaints. Some of them quit during the trial and withdraw their complaints, because they are threatened by the traffickers, or just are afraid to acknowledge in front of their families what happened with them (trying to avoid public rejection).

## **RECOMMENDATIONS:**

- Child trafficking is a social phenomenon, which has increased in relation to its geographical dimensions, the specialization of traffickers, and the number of children that become victims. Given the extent and characteristics of child trafficking in Romania and in Europe, **strong cooperation** is needed **between all the key institutions and organizations involved in preventing and combating child trafficking**, both at national and regional level. The partnership should involve - at all stages of prevention, combating child trafficking and rehabilitation of the victims - national NGOs, UN bodies, international NGOs, local authorities, the media and communities. Common programmes should be developed, taking into account national and local characteristics, and also exchanging information, best practices and expertise.

### **Development of institutional framework:**

- Due to the multi-sectoral dimensions of the phenomenon, we recommend the establishment of a Task Force under the coordination of the “Inter-ministerial Working

Group for coordinating and evaluating the activities of preventing and combating trafficking in human beings”. Such Task Force should have, as its main responsibility, an analysis of the enforcement of the National Plan of Action for Combating Trafficking in Human Beings concerning children as victims or potential victims. The Task Force should coordinate the NPA for Combating Trafficking in Human Beings with all the other national action plans for poverty alleviation, education, social inclusion (Roma children, children with disabilities), and combating the worst forms of child labour and child sexual exploitation.

- Based on all the national plans of action, the Task Force should also develop a unique strategy for preventing and combating child trafficking, including a National Plan of Action to address child trafficking, which should cover all aspects of child protection. In this respect, responsible institutions should be appointed and the budgetary allocation should be carefully analyzed and monitored.

- A monitoring system for missing and trafficked children should be established. This should contribute to a rapid identification of victims, but also ensure that every child benefits from the rights to which he/she is entitled.

- Procedures should be improved in order to ensure the transparency of statistical data, while maintaining the confidentiality of victims’ personal data.

- Procedures affecting children must respect the principles of the UN Convention on the Rights of the Child. In this respect, NGOs that are child rights oriented, should cooperate with state institutions to develop guidelines for procedures and for educating staff on child rights issues.

- A Children’s Court and a Children’s Ombudsman should be established in order to ensure a better approach to children’s issues from a human rights perspective and also better monitoring.

### **Prevention:**

- Involving communities, NGOs and authorities, in preventing school drop-out.

- Raising awareness on child trafficking targeted to high risk groups, professionals working with children, and the general public.

- Developing social services addressed to children at risk.

- Informing the general public about legal migration (methods, necessary papers, authorized bodies, rights of migrants/workers abroad etc.).

- Training for journalists regarding terminology and the problem of child trafficking, in order to improve the quality of public information.

### **Rehabilitation and reintegration:**

- The “best interest of the child” should be the fundamental condition for a successful programme on prevention and rehabilitation of child victims of trafficking (ensuring child participation and the best interest of the child).
- Different types of assistance according to age, personal needs.
- A continuum of services addressed to victims should be developed, from recovery and repatriation to rehabilitation and social reintegration, in order to cover the needs in all risk areas.
- The Ministry of Interior and Public Administration should open the shelters stipulated in the National Plan of Action against Trafficking. Special attention should be paid to ensuring special accommodation and protection for child victims of trafficking.
- Campaigns of public sensitization on the risks of trafficking and its negative effects on victims should be carried out, in order to ensure community support and non-discrimination.
- Access to free medical consultation for the victims after repatriation should be ensured.
- State financial support for victims in the recovery process should be provided.
- Specific services for children victims of trafficking at the level of Special Services for Child Protection (which would cover the whole country) should be set up.
- Research focused on internal trafficking, child prostitution, child pornography, sex tourism, children and resilience, evaluation of services and prevention activities should be undertaken.
- Viable witness protection programmes should be established.
- The period stipulated in the law for the rehabilitation of a victim in a shelter should be increased.

## Annex

**Persons consulted for the research**

<b>No.</b>	<b>Name/Title</b>	<b>Organization/Institution</b>
1.	LACRIMA CIORBEA Juridical Counsellor	Ministry of Justice, European Integration Department
2.	FLORENTINA NEGRUTIU Legal Counsellor	Ministry of Justice, International Relations and Human Rights Department
3.	GHEORGHE DONOSE Juridical Counsellor	Ministry of Justice, Department for Relations with Public Ministry and for Preventing Crime and Corruption
4.	Representative	Ministry of Public Administration and Interior, General Department for Combating Organized Crime and Anti-Drugs
5.	Representative	Ministry of Public Administration and Interior
6.	Representative	Ministry of External Affairs, Public Diplomacy Division
7.	Representative	Ministry of External Affairs, Public Diplomacy Division
8.	Representative	Ministry of External Affairs, Council of Europe and Human Rights Division
9.	MONICA BIZAU	National Office for Refugees, European Integration Bureau, International Programmes and Cooperation
10.	DAN STAMATOPOL Legal Counsellor	National Authority for Child Protection and Adoption
11.	CRISTIAN IONESCU Public Information Officer	International Organization for Migration – Romania Office
12.	GINA STOIAN Social Worker	Association “Turnul”
13.	SORIN BIRCEANU Social Worker	Reaching Out
14.	ALEXANDRU POSTU Programme Coordinator	Partnership for Equality Centre
15.	ALINA CHIRIAC Programme Coordinator	Partnership for Equality Centre
16.	DIANA SERBAN Psychologist	Save the Children Romania
17.	ROXANA BODNARAS Social Worker	Save the Children Romania
18.	PETRE MATEI Legal Adviser	Save the Children Romania
19.	BOGDAN BARBU Psychologist	Save the Children Romania

## **BIBLIOGRAPHY**

A Human Rights Report on Trafficking of Persons, Especially Women and Children, Protection Project, <http://www.protectionproject.org>

Exploatarea sexuala a copiilor, ECPAT International, Salvati Copiii Romania

National Human Development Report Romania 2001-2002, UNDP

Regional Clearing Point First Annual Report, Stability Pact, 2003

Trafficking in children for sexual purposes from Eastern Europe to Western Europe, ECPAT, 2001

Trafficking in Human Beings in South Eastern Europe, UNICEF, 2000

Victims of Trafficking and Violence Protection Act 2000 - Trafficking in Persons Report, US Department, 2002

Vulnerability to trafficking in humans of young female population in Romania, IOM Bucharest, 2001

\*\*\* Rapid Assessment Survey on The Trafficking of Children For Labor and Sexual Exploitation in the Balkans and Ukraine, ILO, ICCV Romania, Save the Children Romania, 2003 (not yet published)

\*\*\* Report on child trafficking in Romania, Save the Children Romania, 2003 (not yet published)