Responding to the challenges of trafficking in human beings

Romanian approach
Directorate for Investigating Organized Crime and Terrorism
“Protecting you and your rights”

National legislation based on common international standards

Policy

☑ National specialized bodies (prosecution, investigation)
☑ Specialized training

International Cooperation

ROMANIA approach on organized crime
Acknowledgement of the necessity of countering organized crime phenomenon

Implementation of:
- 2000 UNTOC and its Protocols; ratified 2002;
- CoE Convention on trafficking in human beings, ratified 2006;
- CoE Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, ratified 2005;
- Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims;
- Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing;
- others

Creating specialized structures in countering organized crime and prevention of trafficking in human beings
- DIICOT - Directorate for Investigating Organized Crime and Terrorism
- DCCO – Directorate for Combating Organized Crime
- ANITP – National Agency against trafficking in persons

DIICOT was set up in 2004 by Law No. 508/2004, reorganized by EGO no. 78/2016

Is the only structure within the Public Ministry specialized in investigating and combating organized crime associated with aggravated offences and terrorism

- has a national wide **structure** and **jurisdiction**;
- has a special legal status, budget that includes special funds for undercover operations;
- has special regulation on its functioning
THB - 2019

1,814 cases to solve
722 new cases
728 solved cases
149 (117 indictments + 32 pleas)
347 indicted persons (154 arrested)

373 victims (180 minors)
INTERNATIONAL COOPERATION

- **371** passive, **820** active
  - Cybercrime - 407 (321 active, 86 passive)
  - THB – **134** (**86** active, **48** passive)
  - Drug trafficking – 147 (114 active, 33 passive)
  - Financial and economic crimes, smuggling – **610** (528 active, 79 passive)
- **23** new JITs (14 THB)
TOOLS FOR COLLECTING EVIDENCE/Instruments of judicial cross-border cooperation

Cross border organised crime investigations require a close cooperation and coordination with all the jurisdictions involved in order to ensure a smooth gathering and exchange of evidence and information.

Instruments used:
- Mutual Legal Assistance processes
- European Investigation Orders
- Joint Investigation Team (JIT) - modern and valuable tool to speed up investigations and collect evidence/ avoid slow and bureaucratic MLAs requests/better coordinate cross-border
JIT’s involving Romania 2013-2020

Crime Types

- THB: 62
- Money-laundering: 22
- Swindling and fraud: 16
- Cybercrime: 14
- Migrant smuggling: 4
- Drug trafficking: 3
- Corruption: 2

Criminal justice across borders
NATIONAL EVALUATION

Modus operandi

- Profiled recruitment
  - Young girls/women
    ✓ Coming from disadvantaged environments;
    ✓ Abusive environment, characterized by abandonment, lacking of education or training, poverty, etc.

- Lover-boy method

- False employment opportunities

- Purpose:
  ✓ Sexual exploitation by coercion into prostitution
Human trafficking modus operandi

**RECRUITMENT**
- deceit
- false employment opportunities
- promises of shared financial gain
- lover boy
- rare or no use of violence
- voluntarily engagement
- Internet and the social media

**TRANSPORT**
- facilitated by the recruiter/trusted person/by the victim alone
- costs generally covered by the traffickers
- vehicles, train and airplane
- fraudulent documents used in trafficking of minors cases

**EXPLOITATION**
- use of violence is rare, usually against non-EU victims
- methods of control: threat of violence, emotional dependence, debt bondage, ID and passport removal, deprivation of means of communication
Challenges

✓ Romania continues to be a state of origin for victims of THB due to:
  ▪ Poverty
  ▪ Lack of education
  ▪ Failure of the prevention and raise awareness programs in social medium exposed to THB
  ▪ Insidious ways used in recruitment

✓ Profitability
✓ Business model organized OCGs
✓ Transnational component
✓ Technology

✓ Legislation/ – THB vs Pimping aggravated offence
✓ Duration of the proceedings
✓ Lack of specialized knowledge and use of parallel financial investigation
✓ Most of the crimes committed abroad - victims identification and probation process require common efforts of the authorities
Challenges at International level

- Different legal systems / different procedural legal provisions to collect evidence/disclosure obligations
- Different stages of the investigations (preferably to be at the same level when signing the JIT + the signature process high level management (PG/MJ))
- Language issues
- Few number of notifications from foreign authorities and lack of measures to discourage and reduce the demand that fosters all forms of exploitation
- Western European countries increased demand for - cheap labor - sexual services - or tolerated begging
Thank you for your attention!

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