



Responding to the challenges of trafficking in human beings

Romanian approach
Directorate for Investigating Organized Crime
and Terrorism



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 a
 - 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
 - **ANIP** – National Agency against trafficking in persons
- ✓ **Strategies/Action Plan** – Government Decision no.861/2018 on National Strategy on combating trafficking in human beings for 2018-2022 and the Action Plan for its implementing

DIRECTORATE FOR INVESTIGATING ORGANIZED CRIME AND TERRORISM (DIICOT)

✓ **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)

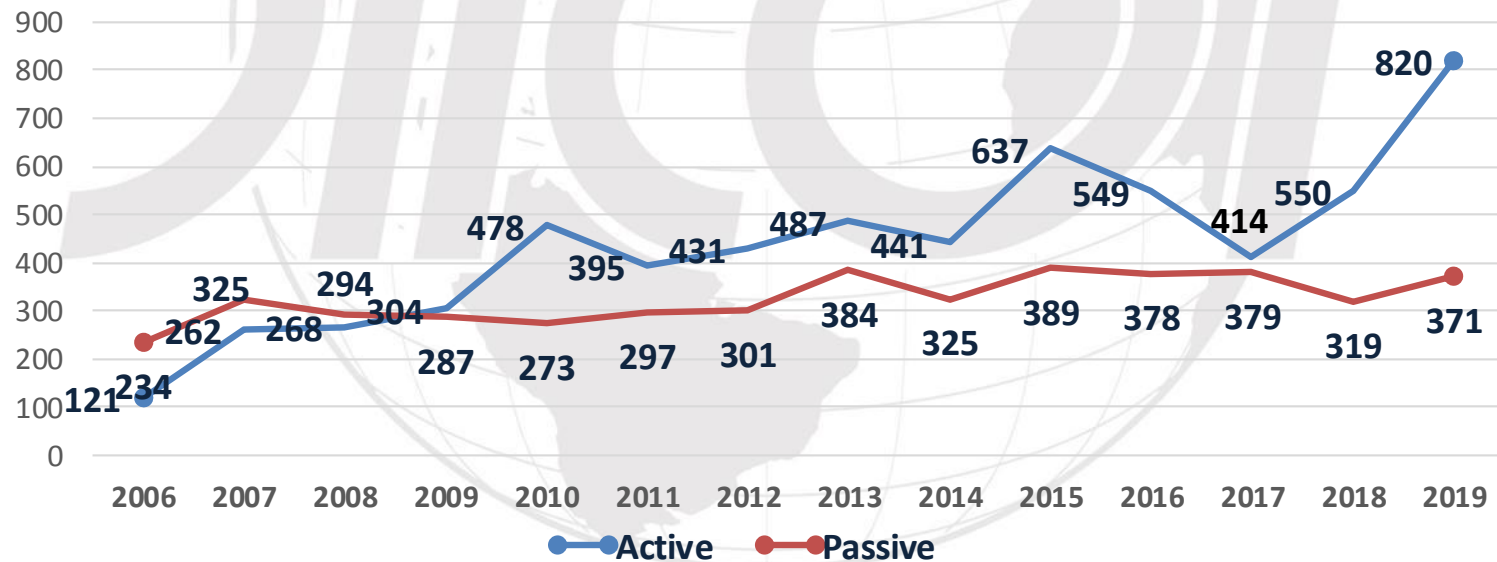
373 victims (**180** minors)

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 COLECTING EVIDENCE/Instruments of judicial cross-border cooperation

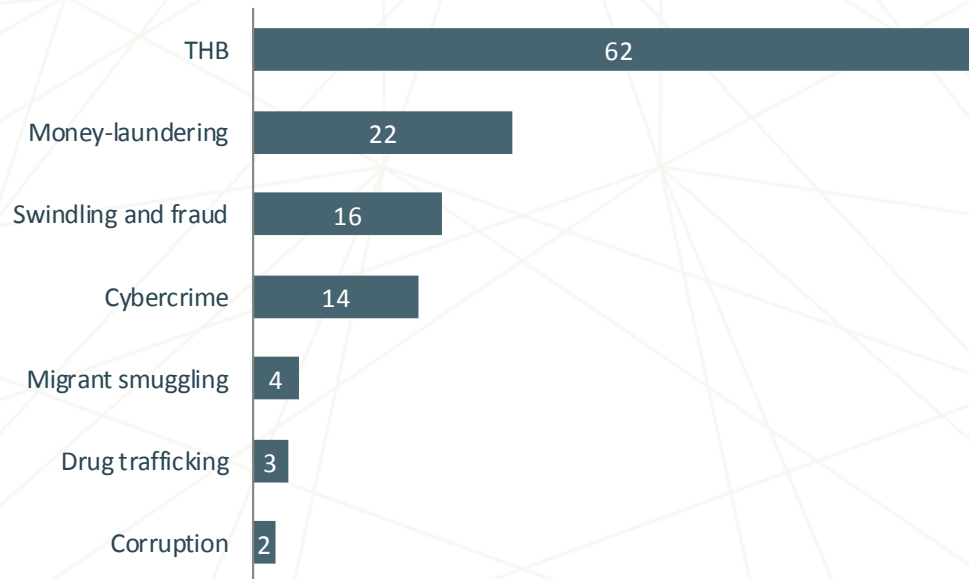
Cross border organised crime investigations require a close cooperation and coordination with all the jurisdictions involved in order to ensure a smooth gathering and exchange of evidence and information

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



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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Service for international judicial cooperation

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