



PARLIAMENTARIANS AGAINST HUMAN TRAFFICKING BRIEFING PAPER TWO ROMANIA COUNTRY BRIEFING

This text is largely based on the report on the Trafficking in Persons Report 2012 of the US Department of State and provides updated information on the situation in Romania. Romania is rated in Tier 2 according to this report, which means that the government of Romania - according to the US Department of State - does not fully comply with the minimum standards for the elimination of trafficking.

At the end of this document there are case studies illustrating trafficking cases of Romanian citizens to the United Kingdom.

Romania is a source, transit, and destination country for men, women, and children subjected to forced labour and women and children subjected to sex trafficking. Romanians represent a significant source of trafficking victims in Europe. Romanian men, women, and children are subjected to forced labour in agriculture, domestic service, hotels, and manufacturing, as well as forced begging and theft in European countries, including Spain, Italy, the Czech Republic, Denmark, Greece, Germany, Cyprus, France, Norway, Lithuania, the United Kingdom, Poland, Slovenia, Switzerland, and Austria. Men, women, and children from Romania are victims of forced prostitution in European countries, including Germany, France, Cyprus, Spain, Hungary, Malta, Switzerland, Sweden, Greece, Finland, and Belgium. Children likely represent at least one third of Romanian trafficking victims. Traffickers recruiting and exploiting Romanian citizens were overwhelmingly Romanian themselves, typically seeking victims from the same ethnic group or within their own families. Frequently, traffickers first exploited victims within Romania before transporting them abroad for forced prostitution or labour. The Romanian government reported increasing sophistication amongst Romanian criminal groups, including the transportation of victims to different countries in Europe in order to test law enforcement weaknesses in each. Romania is a destination country for a small number of foreign trafficking victims, including sex trafficking victims from Moldova and labour trafficking victims from Bangladesh and Serbia. Romanian girls and boys, particularly those whose parents work abroad, are vulnerable to sex trafficking throughout Romania.

Romanian children without proper identification documents are especially vulnerable to trafficking. The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made strong prosecution efforts during the reporting period; the number of anti-trafficking prosecutions pursued was amongst the highest in Europe, and built



on partnerships with governments in destination countries to increase accountability for trafficking offenders. The government also conducted creative anti-trafficking prevention efforts to sensitize the population to trafficking in persons. Nevertheless, services available to trafficking victims were very weak. For a third consecutive year, the government provided no funding to anti-trafficking NGOs, imperilling civil society victim protection. The care offered by the government was often minimal, failing to provide specialized attention to meet victims' needs and reduce their chances of re-victimization. NGOs objected that government-run shelters were overly restrictive on autonomy. The poor state of victim care in Romania put the vulnerable population at high risk for re-trafficking.

Recommendations for Romania:

Restore government funding for trafficking victim assistance programs, including grants for NGOs providing service to victims; improve the quality of victim services, ensuring that psychological care, rehabilitation, and other victim assistance provides substantive care; construct a trafficking specific shelter for repatriated victims in Bucharest; remove non-security related restrictions on victims' movement while housed in government-funded shelters; encourage male trafficking victims to use assistance to prevent further exploitation; adopt stronger measures for the long-term rehabilitation of child victims who are vulnerable to re-trafficking; ensure that reintegration and rehabilitation of child victims addresses any parental involvement in the original trafficking of the child; improve the reporting of data on trafficking crimes prosecuted under Law No. 678/2001 and other relevant laws by disaggregating sex and labour trafficking offenses; explore ways to improve asset confiscation and victim compensation; vigorously investigate and prosecute acts of trafficking-related complicity allegedly committed by government officials, and punish officials convicted of such crimes with prison sentences; consider specialized training for labour inspectors in identifying trafficking cases; demonstrate efforts to investigate and punish acts of labour trafficking and efforts to assist victims of labour trafficking; ensure protection of trafficking victims during trial by making sustainable plans and funding for victims' appearances in pre-trial hearings and travel to trial; reduce delays in trials; improve efforts to identify potential victims among vulnerable populations, such as undocumented migrants, foreign workers, Roma, and children involved in begging or prostitution; consider offering foreign trafficking victims the right to work during the duration of their temporary residence permits; and continue to provide victim sensitivity training for judges.

Prosecution

The Romanian government improved its law enforcement efforts during the reporting period, conducting a high number of prosecutions and establishing close working relationships with law enforcement authorities in destination countries. Romania prohibits all forms of trafficking in persons through Law No. 678/2001, which prescribes penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes such as rape. In 2011, Romanian authorities investigated 897 human trafficking cases, in contrast to 717 cases investigated in 2010. The government prosecuted 480 and convicted 276 trafficking offenders in 2011, compared with 407 offenders prosecuted and 203 convicted in 2010. The government lacks statistics distinguishing sex from labour trafficking, though it indicated that at least 77 of the investigations involved forced child labour and 396 cases involved sex trafficking. The government reported that approximately two thirds of convicted trafficking offenders – 192 out of 276 – were sentenced to time in prison, receiving terms ranging between one and 15 years.

Romanian law enforcement authorities included specialized anti-trafficking investigators and prosecutors in the organized crime section. NGOs praised these specialist agencies for sensitive treatment of trafficking victims. The government gave specialized training to investigators in anti-trafficking law enforcement techniques and proper



treatment of trafficking victims. During the year, Romanian officials pursued joint trafficking investigations in partnership with counterparts in many European countries, including Belgium, France, and Germany. Romanian authorities reported a particularly close working relationship with prosecution counterparts in Belgium. The rate of prosecutions and convictions of trafficking offenses was very high for a European source country; Romanian law enforcement officials successfully collaborated with governments in destination countries to ensure that offenders from entire criminal networks were prosecuted. The government reported investigating two government employees for potential human trafficking crimes, but did not otherwise report prosecuting, convicting, or sentencing government employees for trafficking-related complicity.

Protection

The Government of Romania demonstrated weak efforts to protect and assist victims of trafficking during the reporting period. For a third consecutive year, the government failed to provide funding to NGOs providing victim protection services. The continued lack of funding has led several trafficking specialized NGOs to shut down and cease providing services to victims. Although some services are available through the government, this trend has threatened a real loss of anti-trafficking expertise and quality victim care in Romania. Several trafficking shelters closed; other NGOs had to severely restrict their provision of services to victims.

Nevertheless, the government's victim identification rate remained high. The government reported the identification of 1,043 victims in 2011, compared with 1,154 victims identified in 2010. Of those identified, 417 were referred to public institutions for victim assistance; in 2010, 451 victims of trafficking received government-funded services. One hundred and twenty-three trafficking victims received government-funded shelter in 2011, of which 36 were housed in trafficking-specific shelters and 87 were housed in shelters for domestic violence or homeless shelters. NGOs reported that government shelters restricted trafficking victims' autonomy and freedom of movement. The government did not provide access to trafficking shelters for adult male victims of trafficking, though nine men were housed in non-trafficking shelters. Other trafficking victims received medical help, financial assistance, vocational assistance, or psychological help. NGOs questioned the quality of these services; at times, psychological assistance consisted of a single visit to a counsellor, rather than meaningful care. Similarly, rehabilitation of child victims highly vulnerable to re-trafficking sometimes consisted of only one or two visits by social workers.

The government continued to operate its national identification and referral mechanism, which provided formal procedures for referrals between law enforcement and other institutions. Labour inspectors were reportedly not well trained to identify trafficking victims. Romanian trafficking victims participated in criminal prosecutions at a high rate; in 2011, 882 victims participated as an injured party in a trial, while 123 victims testified. While the law provides for witness protection during a trial, NGOs noted that pre-trial witness protection was sometimes ineffective, as victims were required to travel to the courthouse unescorted. NGOs did not report the punishment of any trafficking victims for unlawful acts compelled as a result of their trafficking experiences. Foreign victims were permitted a 90-day reflection period to remain in the country. One victim applied for and was granted a reflection period and a temporary residence permit to remain in the country until completion of law enforcement investigations and prosecutions. Third-country national victims of trafficking granted residence permits are not permitted to work in Romania during the time of their residence permit.

Prevention



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The Government of Romania continued to improve its anti trafficking prevention efforts during the reporting period, employing creative methods to ensure anti-trafficking messages reached vulnerable populations. The government coordinated its anti-trafficking efforts through a section of the Ministry of Interior; its activities included overseeing prevention and protection efforts and publishing a quarterly report on Romania's anti-trafficking efforts. The Romanian government's anti-trafficking reporting was of high quality and contributed to an environment of transparency in anti-trafficking efforts. The government conducted four national campaigns and twenty-five local or regional campaigns encouraging both potential trafficking victims and the general public to discuss trafficking in persons. These campaigns included a partnership with a music band integrating anti-trafficking messages into concerts reaching a total of more than 1,000 spectators, television broadcasts, and messages displayed in public transportation. These campaigns were designed to address the specific form of exploitation most common in the targeted area and were implemented in coordination between many different governmental entities and NGOs. The government also conducted anti-trafficking outreach to secondary and universities. The Romanian government strengthened its partnerships with other EU member states to address trafficking in persons, including establishing a bilateral working group with Switzerland on trafficking in persons. The government did not report specific efforts to reduce the demand for commercial sex acts. The government did not report specific efforts to address child sex tourism, although some prevention campaigns did address child sex trafficking.

"Most victims detected in EU member states are citizens from Romania and Bulgaria" – EU Home Affairs Commissioner Cecilia Malmström

CINDERELLA

A seven-year-old girl was trafficked to Britain from Romania and forced to work as a slave for the couple who took in her, a court has heard. The child, who cannot be named for legal reasons, was allegedly forced to do constant housework and look after their children. She was also sent out to beg on the streets of London, according to prosecutors. Her treatment led to her being dubbed Cinderella, after the abused girl in the fairy-tale.

The horrific allegations came to light during the trial of Aurel Zlate, 46, and his wife Alexandra Oaie, 43, Romanian nationals who are accused of trafficking the girl in 2010. A jury at Croydon Crown Court was told the child slept on the floor and wore flip-flops even in winter. She was only rescued after a 53-year-old man, who was also allegedly kept prisoner in the house, escaped and went to police, according to The Daily Mirror. He claimed he had been held captive, beaten and raped by the family.

The girl, who had been sent to Britain by her penniless mother in the hope of a better life, needed to have eight teeth removed and could not count to 10 as she had not been allowed to attend school. Prosecutor Riel Karmy-Jones said: 'She was denied her childhood and forced to work, mopping floors and changing nappies. 'She was not enrolled in school or given medical attention. She did not have a bed, but slept on the floor.'

Zlate and his wife Oaie, who have eight children, deny trafficking the girl. They are also accused, along with their son Marian Neamu, 25, of bringing the 53-year-old Romanian man to Britain and forcing him to live in their freezing shed, the newspaper claimed. Neamu and his brother Florin Zlate, 23, allegedly raped the man for daring to enter the house to ask for food during a New Year's Eve party. Neamu is also accused of driving a knife into the man's hand and smashing his thumb with a hammer.



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Giving evidence through an interpreter, their alleged victim spoke of his concern for the seven-year-old girl, who he nicknamed Cenusareasa – another name for Cinderella. He said: 'I could say they treated her like an animal, but this would be an insult to animals. In all that year, not once did I see a smile on that girl's face. Not a glint of happiness.'

The family put the man, an electrician, to work as a driver collecting scrap metal and stealing from warehouses, the jury heard. It was claimed he was refused food and beaten if he questioned family orders. The man, who cannot be named, fled the home in Wood Green, North London, to a police station in March last year. Unable to speak English, he let officers know he was in trouble by scrawling SOS on a scrap of paper. Ms Karmy-Jones said when police found the girl her clothes were filthy and her feet were 'black with grime'.

Oaie and Aurel Zlate, whose youngest child is three, are accused of wilfully assaulting, ill-treating and neglecting the girl. Neamu and Florin Zlate face a charge of assault, sexual assault, rape and false imprisonment.

OPERATION GOLF

Twenty eight children were rescued as part of a major joint operation led by the UK Metropolitan Police and Europol.

The operation, finalised in October 2010, was part of a wider investigation called Operation Golf, which consisted of a Joint Investigation Team (JIT) between the Metropolitan Police and the Romanian National Police. The aim of the JIT was to tackle a specific Romanian organised crime network that was trafficking and exploiting children from the Roma community.

To date, the investigation has led to the arrest of 126 individuals. The offences include: trafficking human beings (including internal trafficking in the UK), money laundering, benefit fraud, child neglect, perverting the course of justice, theft and handling of stolen goods. Court cases are ongoing. The operation's primary aim was to safeguard the potential child victims and involved 16 addresses being searched in Ilford, Essex. The children found were taken to a dedicated centre staffed by child protection experts from the police, the local authority and local health trust, where individual assessments were made on each child. The assessment process examined the welfare of the children and sought to identify if they had been subject to exploitation and/or neglect. Europol was an active member of the Joint Investigation Team (JIT) and provided assistance to the competent authorities.

