

## Trafficking in Persons Report (Romania Context) – US Department of State

Romania is a source, transit, and destination country for men, women, and children subjected to labor trafficking 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 labor trafficking in agriculture, construction, domestic service, hotels, and manufacturing, as well as forced begging and theft in European countries, including Austria, Azerbaijan, Cyprus, the Czech Republic, Denmark, France, Germany, Greece, Ireland, Italy, Lithuania, the Netherlands, Norway, Poland, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom (UK). Women and children from Romania are victims of forced prostitution in European countries, including Belgium, Croatia, Cyprus, Finland, France, Germany, Greece, Hungary, Ireland, Malta, the Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland, and the UK, as well as Canada. Underage girls represent nearly one-third of Romanian trafficking victims. Victims of forced begging are typically ethnic Roma. Two-thirds of Romanian victims were recruited through acquaintances in 2013, indicating a declining trend in victims recruited through employment agencies and job advertisements. Romania is a destination country for a small number of foreign trafficking victims, including sex trafficking victims from Moldova and Poland, and labor trafficking victims from Bangladesh and Serbia.

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 continued to identify a large number of victims, but public or private institutions offered assistance to only a minority of victims. For a fifth consecutive year, the government did not provide funding to NGOs offering assistance to victims and did not offer specialized shelter services in Bucharest for adults and children. The hotline for victims to seek help continued to operate only during business hours. Some victims also had difficulty obtaining medical services, psychological counseling, and restitution from their traffickers. Prosecutions and convictions remained high, but authorities sentenced a lower proportion of convicted offenders to prison terms.

The Romanian government demonstrated robust anti-trafficking law enforcement efforts. A new criminal code entered into force in February 2014, modifying the penalties prescribed for trafficking. Romania prohibits all forms of both sex and labor trafficking through Article 210, which prescribes penalties of three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The new criminal code provides that a victim's initial consent does not invalidate an act of trafficking. Romanian authorities investigated 714 trafficking cases in 2013, a decrease from 867 cases in 2012. The government prosecuted 552 defendants in 2013, compared with 667 in 2012 and 480 in 2011. Romanian courts convicted 252 traffickers in 2013, compared with 427 in 2012 and 276 in 2011. The government does not disaggregate law enforcement statistics to demonstrate action against both sex and labor trafficking. The government reported that 59 percent of convicted traffickers were sentenced to some time in prison, receiving terms ranging between six months and 10 to 15 years' imprisonment; this marked a decline from 2012, when 78 percent of convicted traffickers were sentenced to time in prison. The government provided specialized anti-trafficking training to police officers, prosecutors, and judges. Romanian authorities collaborated on transnational investigations with foreign counterparts, including Austria, Croatia, Cyprus, France, Germany, Ireland, Italy, Poland, and Switzerland. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

The Government of Romania demonstrated weak efforts to protect victims, as the number of victims identified far exceeded the services available to assist them. Additionally, the government relied on NGOs to help identify and assist victims, yet did not provide NGOs with any funding for operations. The government reported the identification of 896 victims by public officials and NGOs in 2013, compared with 1,041 victims identified in 2012. Approximately half of the total victims, 450, were sex trafficking victims, whereas 375 victims were subjected to forced labor, including begging and theft. The

government continued to operate its national victim identification and referral mechanism, which provided formal procedures for victim referrals between law enforcement and other institutions, though observers noted police in some areas, including Bucharest, were not sufficiently proactive in identifying victims and relied on NGOs to identify victims. As in previous years, only a minority of registered victims benefitted from assistance; in 2013, 291 victims received rehabilitative services from public institutions and NGOs. For the fifth consecutive year, the government failed to provide funding to NGOs offering protection services to trafficking victims, reportedly due to a legal preclusion of direct funding for NGOs. Local governments financed and operated assistance centers, some of which were trafficking-specific. In 2013, these facilities provided services to 228 victims, including housing for 72 victims. Observers reported that lack of freedom of movement was a significant issue in these shelters. Depending on the particular situation, victims received medical assistance, psychological counseling, school reintegration, job training, and legal advice. Observers noted the scarcity of psychologists available for victims. Victims had difficulty qualifying for medical coverage because they were not previously part of the formal labor market, and thus not paying into the state's social insurance fund. The government did not operate or fund trafficking-specific shelter for adult trafficking victims in Bucharest, the country's largest city and often first destination for repatriated Romanian victims. The government maintained six transit centers for child victims located near international border crossings, although child victims identified abroad were often repatriated by plane via the airport in Bucharest. The government provided non-specialized care for child victims at emergency reception centers for abused children, which are located in each of the 41 counties and six administrative districts of Bucharest. The government reported funding the transportation costs for 54 of the 121 Romanian victims identified abroad.

The government continued to operate a trafficking-specific hotline, which allowed officials to identify victims and refer them to care, though it was not staffed during evenings and weekends. During the reporting period, the government fined some trafficking victims for crimes they committed as a direct result of being trafficked. Romanian law permitted foreign victims a 90-day reflection period, as well as a temporary residence permit to remain in the country until the completion of a prosecution, though they were not allowed to work in Romania during the time of their residence permit. Romanian trafficking victims participated in criminal prosecutions at a high rate; 886 victims participated in 2013, 63 of whom testified in trial; in 2012, 1,024 victims participated and 205 testified. Some victims reportedly chose not to testify against their traffickers because the Ministry of Justice publishes the names of all trial witnesses, including children, on its public website. Romanian law entitled victims to restitution from their traffickers; however, only 14 percent of victims requested compensation and courts rarely approved applications from adult male victims. Additionally, many victims who were granted court-ordered restitution did not receive compensation because they did not have the resources to hire judicial enforcers to induce payment from convicted traffickers.