

2020

22 – 23 October

General Consulate of
Romania in Munich

Counselling Centre Jadwiga

International Organisation
for Migration in Germany and
Romania

Romanian National
Agency Against Human
Trafficking

Transnational workshop and conference

Bavaria - Romania

Together against human trafficking

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1. Motivation for organising the event

On the 18th of October 2007, the European Commission launched the European Day Against Trafficking in Human Beings and since then, every year, this day is being marked by a series of events on preventing human trafficking by actors involved in the fight against this phenomenon and by institutions and organisations from Europe specialised in assisting, supporting and protecting the victims of this crime.

Considering the role of the diplomatic missions and consular offices of Romania abroad in the process of identification, referral and repatriation of victims of human trafficking, regulated within the Ordinance no. 335 of October 29, 2007 for the approval of the National Mechanism for Identification and Referral of Victims of Trafficking in Persons, published in the Official Gazette no. 849 of December 17, 2008;

Considering the role of the Romanian National Agency Against Human Trafficking in the process of identification, national and transnational referral, support and monitoring, as well as their role in the fight against human trafficking;

Considering the support IOM Romania and Germany can provide for victims of trafficking who wish to return voluntarily;

Considering the role of the JADWIGA Counselling Centres from Munich and Germany in assisting, supporting, protecting and referring victims of human trafficking on the territory of Bavaria, Germany;

Taking into account the fact that Romania is the main source country of human trafficking victims from among the European countries, as mentioned, unanimously, in the European and international reports on human trafficking;

Taking into account the fact that Germany is the main destination country for Romanian victims of human trafficking, as highlighted in the 2020 Annual Report, published by the National Agency Against Human Trafficking;

The General Consulate of Romanian in Munich, in partnership with the Counselling Centre JADWIGA, the International Organisation for Migration country offices in Romania and Germany and the Romanian National Agency Against Human Trafficking have partnered, for the first time, to implement a series of transnational events aimed to reduce the level of victimisation and to increase the level of identification of Romanian victims of human trafficking exploited in Bavaria, while marking the European Day Against Human Trafficking.

The partnership shall be an on-going one and the events should take place at least on yearly basis.

2. Speakers and agenda

2.1. Transnational workshop, Nuremberg, 22.10.2020



The transnational workshop was hosted by the International Organisation for Migration in Nuremberg, Germany, on the 22nd of October 2020.

The workshop was attended by representatives of the International Organisation for Migration from Germany (in person and online), by the head of the International Organisation for Migration from Romania (online), by representatives of the Romanian National Agency Against Human Trafficking (online), by the General Consul of Romania in Munich (in person) and by the representatives of the JADWIGA Counselling Centres from Munich and Nurnberg (in person).

During the opening of the session, the International Organisation for Migration in Germany welcomed the initiative and thanked Jadwiga for the good collaboration in assisting victims of trafficking to return voluntarily.

Then, the participants have discussed about the purpose for having organised the transnational conference, the long and short term objectives and the expected results. As presented by the JADWIGA counselling centre, the aim of this event is to inform and raise awareness about the

issue of human trafficking within the Romanian community in Bavaria, by presenting the forms and methods of recruitment and exploitation, alongside of the indicators of victimization and the existing support and protection services available in Romania and Germany.

The general objective of the transnational conference was to facilitate the early identification of potential Romanian human trafficking victims exploited in Germany.

The specific goals were:

1. Raise the level of awareness of the Romanian civil society in Bavaria regarding the issue of human trafficking.
2. Increase the level of information of the Romanian civil society in Bavaria regarding the victimization indicators and the existing assistance and protection services for victims of human trafficking.
3. Increase the level of information of the Romanian civil society in Bavaria regarding the institutions and non-governmental organizations specialized in assisting the victims of human trafficking from Romania and Germany.
4. Increase the identification level of Romanian victims of human trafficking exploited in Germany.
5. Develop and strengthen the inter-institutional collaboration between actors from Bavaria and Romania specialized in victim assistance and protection.

After having set the context within which the workshop will take place, each participant has introduced his/her self, the work done at the participating institution/organisation and the way in which their work corresponds with the general aim and objectives of the workshop.

Then, the participants exchanged thoughts about the human trafficking tendencies identified on the territory of Romania and Bavaria through the work conducted. The Romanian partners have highlighted the fact that more and more recruitment is taking place from among sex workers or

by means of using false promises of a “fair” sex work perspective. Vulnerable persons then quickly enter into an actual process of exploitation and trafficking out of which they do not see any exit or do not dare to exit. This tendency has been confirmed also by the JADWIGA representatives who are, under the German law, offering counselling sessions to persons showing indicators of trafficking when registering at the Bavarian authorities as sex worker. Further to this, the problem of seasonal workers has been raised as 2020 has represented a particularly problematic year for these. The General Consul has highlighted the fact that she has been in constant touch with specialised organisation for counselling in labour rights and has personally visited a series of agricultural enterprises. When identifying potential victims of labour exploitation, these have been referred to JADWIGA which assisted them in Germany and referred them further to the National Agency, after the return to Romania.

The partners have identified a series of strengths in their collaboration revolving around some core principles: immediate response both in Bavaria and Romania, individual needs and risk assessment, commonly agreed risk mitigation measures, addressing the individual needs in an individual manner, efficient exchange of information and procedural documents, mutual understanding and reinforcement, victim oriented approach and positive attitude.

Then, the partners have discussed about the systemic or procedural gaps, which occur in the repatriation, referral and assistance procedures from Germany to Romania.

One core issue raised by the Romanian partners was the apparent lack of trust on behalf of German non-governmental organisations towards Romanian stakeholders specialised in supporting victims of human trafficking. As identified by most of the partners several voluntary returns are taking place from Germany to Romania outside of the Romanian repatriation mechanism and outside of a legal frame. This leads to lack of information for Romanian authorities about possible recruitment and exploitation hotspots, lack of information about the existence of trafficking victims and their needs and lack of possibilities to address their needs and offer protection. This in turn leads to the development of further vulnerabilities for the direct victims and their families as well as to a high risk of secondary victimisation. Further to these,

several German authorities do not seem to be aware of the exact role and possibilities of the Romanian National Agency. This raises a series of frustrations on the Romanian side as very useful resources are not being offered.

In order to overcome these gaps, the partners have done some brainstorming with regards to further steps, which could be taken together during 2021. They have all agreed upon the fact that the lack of trust/deficiency is generated by a lack of information/information sharing.

Possible ideas to be considered for the future:

- organise a similar information event at least once every year,
- disseminate the results to as many stakeholders as possible which might get in touch with Romanian victims of human trafficking,
- to possibly implement, during 2021 a common information campaign in Bavaria and Romania.

However, the partners are going to keep in touch and discuss internally also about other possible common endeavours which could lead to achieving the common objectives.

Finally some logistic aspects have been discussed related to the event carried out the following day in Munich, at the premises of the General Consulate of Romania in Munich.

2.2. Transnational conference, Munich, 23.10.2020



The transnational conference was hosted by the General Consulate of Romania in Munich, on the 23rd of October 2020. All the necessary logistics for organising and implementing the event was kindly provided by the General Consulate, under the coordination of the General Consul. Given the existing pandemic conditions from Bavaria, in the time – span in which the event was organised a series of legal and procedural barriers both in Germany and in Romania have arisen and have created a great level of uncertainty, until the last moment, with regards to the practical possibilities of delivering such an event in person and not online.

Due to the fact that the event was at its first edition and the fact that the prerequisites of collaboration, especially in such a sensitive matter as human trafficking, are relying on an effective networking, the organisers have done everything possible, within the legal provisions, to be able to organise the event in person.

As there was from none of the partners involved any budgetary allocation for organising the event, each partner has contributed to the possible extent in order to make the event possible.

The 23rd of October did not only represent the conclusion of a round of extensive work but also a milestone in the Bavarian – Romania collaboration against human trafficking.

The impact of the speakers' engagement and their generously shared expertise was absorbed and appreciated by a receptive and highly interested audience.

A. Participants Arrival



Prior for the participants to arrive, the organisers have arranged the conference room in such a way that both the Romanian and German COVID -19 regulations are respected and took all the necessary measures to avoid a possible spread of the virus within the room. All of the information materials were packed into reusable bags and the agenda, alongside of the evaluation forms were placed on each chair in order to avoid a hand in hand dissemination. Protection masks and disinfection was placed both within the room and at the entry of the consulate. Seats were placed on the required distance.

The organisers have disseminated hand-outs from each partnering institution in the form of flyers, posters, and give-aways.

The hand outs included an information guide published by the Romanian Ministry of Foreign Affairs, on human trafficking, flyers and posters created by the Romanian National Agency Against Human Trafficking, flyers and give aways of the Counselling Centre JADWIGA with barcodes under which the phone number of the counselling centre is hidden so that victims don't have to disclose it to the traffickers.



B. Opening session. Presentation of the Diplomatic missions' role in assisting victims of human trafficking – General Consulate of Romania in Munich¹

The opening of the event was done by the General Consul of Romania in Munich, Mrs. Ramona



Chiriac. Within the opening session Mrs. Chiriac has thanked the participants for showing such a great interest in the theme approached through the transnational conference in such challenging times where the civil society both from Romania and from Bavaria is affected in all ways possible by the COVID-19 pandemics.

Next, Mrs. Chiriac has presented the aim and the objectives of this event, alongside of a short summary of the workshop conducted in Nürnberg on the 22nd of October 2020 and hosted by the International Organisation for Migration.

Given that, in its essence, human trafficking is a transnational crime and due to the fact that, within Europe, Romania and Germany are among the key countries involved in this phenomena, the General Consul has highlighted the importance of a multidisciplinary and cross-border approach. Further to these, she has assured the participants and the co-organisers of the fact that the Romanian Diplomatic Mission represented by her in Bavaria is happy to support the development of a cross border platform of dialog and cooperation in the fight against human trafficking. Through a public emergency number and through the everyday activities of the consulate, she and the members of the diplomatic mission are always ready to act and fulfil the legal duties in assisting the Romanian victims of human trafficking exploited or identified on the territory of Bavaria, duties rooted in the Romanian Ordinance 335/2007 and mostly linked to the issue of return documents and to the referral of these to specialised support service providers where their particular needs can be professionally addressed.

¹ European Commission, *Huma Trafficking*, 18th of October, <https://www.youtube.com/watch?v=D2D1julkln0&list=PL6725DAA330B49A0A>, Accessed on 05.11.2020

Further to these, the General Consul has mentioned the fact that the date chosen for organising the event was linked to the European Day Against Human Trafficking – the 18th of October. Starting with this year, as mentioned by the General Consul, the organisers are committed to mark the European Day every year by means of organising such a transnational event. However, as stressed out by her and by the next speakers, the event has not only been organised in order to mark a European Day but to bring to the attention of the diaspora a criminal phenomenon which is taking place within the diaspora and to equip the representatives in such a way that they have the capacity of identifying, assisting and referring the most vulnerable of them there where they can be properly supported.

The General Consul has encouraged the participants to get actively involved in this event, to feel free to come up with questions, clarifications or comments at any point and to use this networking opportunity during the coffee break, while respecting the current COVID-19 provisions.

In the closure of the opening session, an information spot created by the European Commission for the 18th of October was broadcasted.

C. Assisted voluntary return and reintegration - International Organisation for Migration, Germany



The international Organisation for Migration was represented by Ms. Suaad Abdo, National Movements and Migration Assistance Officer and Ms. Jana Grebe Project Assistant, Vulnerable Returnees.

Ms. Suaad Abdo has presented the mission and the core principles of the IOM, while Ms. Jana Grebe has focused on the German assisted voluntary return and reintegration program REAG/GARP, in general, and of victims of human trafficking, in more detail, closing up the presentation with a case example where Jadwiga and the IOM offices in Germany and Romania facilitated the assisted voluntary return in close cooperation and coordination.

Based on the presentation of Ms. Suaad Abdo, IOM “is committed to the principle that humane and orderly migration benefits migrants and society. As the leading international organization for migration, IOM acts with its partners in the international community to:

- ✓ Assist in meeting the growing operational challenges of migration management
- ✓ Advance understanding of migration issues
- ✓ Encourage social and economic development through migration
- ✓ Uphold the human dignity and well-being of migrants.”

While IOM’s headquarter is based in Geneva, “IOM’s structure is highly decentralized, enabling the Organization to acquire the capacity closer to where the needs are in order to effectively deliver an ever-increasing number of diverse projects at the request of its Member States and partners. The IOM Field structure is composed of a global network of Country Offices (and sub-offices), which implement a wide range of projects addressing specific migration needs. These offices keep abreast of and analyze migration issues and emerging trends in the country in order to develop appropriate responses and contribute to regional strategy and planning. On the basis of the regional strategies, these offices develop a country strategy and a national plan of action in coordination and consultation with their respective Regional Offices. Country Offices are financed predominantly by the projects implemented in the respective locations.”

The core activities of IOM carried out in Germany are: “Assisted Voluntary Return and Reintegration Program (REAG/GARP); Information Portal ReturningFromGermany.de; ZIRF Counseling and Virtual Counseling; Family Assistance Program (FAP); IOM Counseling Center in BER/BRA; Resettlement; Liaison”.

The REAG/GARP program is carried out based on the following principles presented by the IOM representative: “Unbiased and individual counseling; Informed decision; Dignified Return;

Migrant protection; Organisational and financial assistance for the departure; Sustainable reintegration support.” Through this program, IOM is providing: “Financial travel allowance; Travel costs to the airport and travel costs to final destination; Departure-, transit- and arrival assistance, domestic onward flights; Temporary accommodation/overnight stay after arrival, if required; One-time financial start-up assistance (depending on nationality); Additional assistance for vulnerable migrants; Currently: Covid19-related assistances.”

Further to these, the possibility of medically assisted voluntary return has also been highlighted by IOM during the conference. This includes: “Escorts or accompanying family members; Costs for accommodation, visa, in- and outbound ticket; Additional costs for transport and appliances (E.g. stretcher, oxygen, Business Class, transport to the place of residence, hospital etc.); Provision of medication (in kind) prior to departure for up to three months; Measures in the form of medical interventions, therapies, medical aids etc.; Up to a maximum of 2.000€, up to three months after arrival.”

By means of the REAG/GARP programs, IOM can support the assisted voluntary return and reintegration of victims of trafficking if all other options have been assessed and the wish to return is at the core. In order to start the assisted voluntary return procedure, as Ms. Grebe has highlighted, a screening interview, including a risk assessment need to be carried out by the specialized counseling center for victims of human trafficking, to assess the potential for harm of any proposed action and to ultimately ensure a safe and sustainable return and reintegration. Then an individual needs assessment follows, and the needs identified are addressed by the counselling center in close cooperation with IOM in Germany and the country of destination. The needs which can be addressed are (but are not limited to): shelter, medical support, psychological support, social rehabilitation, family (re)integration, education/further education, (re)integration on the labor market. During the travel phase, the victim is escorted, in the country in which they were exploited, by the counseling center until the airport. IOM will provide assistance at the airport and/or arrange an operational or medical escort to accompany the victim of trafficking during the travel. Assistance upon arrival provided by the IOM office in the country of destination and/or a trusted partner will be provided in every case. Needs and requirements in regard to the

travel phase will be assessed carefully and in close coordination with the respective counselling center on an individual basis.

In conclusion, we aim to foster a stronger partnership among the different stakeholders involved in order to better identify and address the needs of victims of trafficking. The wide range of expertise from the different stakeholders will support a successful rehabilitation and lower the risk of re-trafficking.

In highlighting this, Ms. Grebe has also given an example of assisted voluntary return – A young Romanian woman, sexually exploited on the territory of Germany has been referred to the counselling centre JADWIGA by the Romanian National Agency Against Human Trafficking. The counselling centre has immediately offered her the necessary social and psychological support, in mother tongue and has conducted a risk and needs assessment following which a series of social, financial and medical needs have been identified. With the help of IOM a medical assisted voluntary return has been implemented and the victim has been referred for assistance to a specialised counselling centre from Romania, which is also having a shelter for victims. In Romania, IOM, the National Agency and the specialised counselling centre are assisting the victim in their best capacity.

D. Assistance and support of human trafficking victims in Romania. The Romanian National Identification and Repatriation Mechanism – Romanian National Agency Against Human Trafficking (ANITP)



The National Agency Against Human Trafficking was represented by Mr. Maximilian-Axel Nicolae, Chief Police Commissioner and by Mr. George-Adrian Petrescu, Chief Police Commissioner. Unfortunately, given the existing pandemic cross-border regulation a participation in person was not possible, this is why the two representatives from Romania have participated online to the event.

Mr. Nicolae has presented, in the introductory part, the structure and scope of the national agency. “The National Agency against Trafficking in Persons (ANITP) has a conceptual, unique approach, among Romanian institutions, which is based on a multidisciplinary team, built to answer the specific challenges of fighting trafficking in human beings.

The Agency is empowered to bind the efforts of different governmental institutions competent in this field and is open to an extended cooperation with civil society representatives involved in the prevention of trafficking and assistance of victims. It further synergises the common action of these actors, with increased results in reducing trafficking in human beings. ANITP is a specialized structure responsible for coordinating, evaluating and monitoring at national level the implementation of anti-trafficking, victims’ protection and assistance policies by public institutions. The Agency cooperates with Romanian and foreign non-governmental and inter-governmental organizations in order to raise public awareness on human trafficking and its consequences. ANITP is the national contact point for transnational referral of victims. ANITP also provides support for transnational referral of victims conducted by other entities. The representatives of all 15 Regional Centres (in Alba Iulia, Bacau, Brasov, Bucharest, Constanta, Craiova, Cluj Napoca, Galati, Iasi, Oradea, Pitesti, Ploiesti, Suceava, Timisoara and Targu Mures) conduct the early evaluation to identify the victim’s needs for specialized assistance and ensure the immediate referral to social service providers. Once referred, they monitor the victim’s assistance and maintain constant contact in order to facilitate her/his access to justice. The victims’ coordination programme during criminal proceedings is available for those victims willing

to participate in the trial. It provides emotional support, security and legal guidance for an informed decision in legal matters.”²

Mr. Nicolae has highlighted the fact that while the staff employed by the agency is made up of social worker, psychologists and police officer, the agency does not have competence in investigating criminal cases. The multidisciplinary team is there to address, in a comprehensive manner, the needs of the identified or referred victims.

Further to these, by means of implementing several prevention and information campaigns, the agency strives to reduce the phenomenon of human trafficking both internally, on the territory of Romania, and externally, on the territory of the destination countries.

Information materials, in form of flyers and posters have been disseminated by the agency within the event, as these have been sent, with the support of the diplomatic mission, prior to the event, to Munich. This way, the representatives of the Romanian non-governmental organisations from Bavaria have the possibility to use Romanian information material when identifying, in their current activity, potential Romanian victims of human trafficking.

Following the intervention of Mr. Nicolae, Mr. Petrescu has presented an overview of the National Identification and Repatriation Mechanism of Human Trafficking victims (please see Annex 1).³ Through this, Mr. Petrescu has shortly described the responsible institutions and organisations in identifying potential victims of human trafficking, the steps which should be carried out and the support services available in Romania once the victims will have been repatriated.

Both representatives have repeatedly mentioned the fact that human trafficking is a complex, transnational crime, involving a set of push and pull factors which determine the concrete trafficking context. Given this particularity, it is important to address human trafficking from both

² National Agency against Trafficking in Persons, *Identification, Assistance and Voluntary Return of victims of trafficking in human beings between Switzerland and Romania*, http://www.anitp.mai.gov.ro/ro/docs/Proiecte/PIP/3597_ANITP_Brosura_A5_ENGLEZA_10_OCTOMBRIE.pdf, Accessed on 07.11.2020

³ Romanian Ministry of Interior, Ordinance 335 from the 29th of October 2007, http://anitp.mai.gov.ro/ro/docs/legislatie/ordin_335.pdf, Accessed on 05.11.2020

sides. The efforts done in the source country to fight against human trafficking are not going to be satisfying if they are not met with those done in the destination country and vice versa. This is why, only the collaboration between the main source country for victims of human trafficking (Romania) and the main destination country (Germany) is going to generate sustainable results.

Additionally, they have expressed their gratitude to all the participants for being supportive in this matter and for having attended the first edition of this event, while also addressing the proposal of creating and implementing a joint information campaign Bavaria – Romania in the future.

In the closure of the intervention a series of information spots⁴ created by the National Agency have been presented to the participants, related to sexual exploitation, labour exploitation and forced begging .

E. Exploitation of human trafficking victims in Germany. Tendencies, perspectives and assistance procedures – Counselling Centre JADWIGA



Centrul de consiliere
JADWIGA

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Te ajută dacă:

 <p>TU ești obligată să te prostituezi.</p>	 <p>TU nu ești plătită pentru munca prestată.</p>
 <p>TU ești obligată să furi, să vinzi droguri sau să ridici bani de pe cărți de credit străine.</p>	 <p>TU ești obligată la cerșetorie.</p>
 <p>TU ești obligată să te căsătorești împotriva voinței tale.</p>	

⁴ National Agency Against Human Trafficking,

- Spot information campaign „Human trafficking does not ask for forgiveness”: [https://www.youtube.com/watch?v=zkJNnqhfl9s\(RO\)](https://www.youtube.com/watch?v=zkJNnqhfl9s(RO)),
- Spot information campaign “A victim of human trafficking can be YOU! Don’t let yourself fooled!” : <https://www.youtube.com/watch?v=hEFuM4pBXmM>,
- Spot information campaign “Labour is a right, to exploit labour is a crime!„: <https://www.youtube.com/watch?v=gZp8Lhnp540>,
- Spot information campaign, “Ask for help! Don’t beg!”: <https://www.youtube.com/watch?v=1r2gbub6qcQ>
_Accessed on 05.11.2020

The last presentation was that of the Counselling Centre JADWIGA, represented by Mrs. Schwartz. This presentation was delivered in the form of a training session, aimed to train the participants about the core aspects of human trafficking and about the indicators of trafficking, with the hope that the participants will be able to use the information provided in their everyday professional activities.

Within the introductory part of the training Mrs. Schwartz has presented some basic historical aspects linked to human trafficking. While doing this, she has illustrated how the newly used concept of “modern slavery” is being linked to the practice of trans-Atlantic slave trade and how the notion of human trafficking is rooted in that of “white slave trafficking”, alongside of highlighting the international movements to fight against exploitation of women, from the First International Congress on White Slave Trade to the “Palermo Protocol”.

Then, Mrs. Schwartz has presented the definition of human trafficking as foreseen within the Palermo Protocol and the forms of exploitation (sexual exploitation, labour exploitation, forced begging, forced criminal activities, forced marriage, illegal organ harvesting), explaining these by means of using case studies from among the cases assisted by the counselling centre, in collaboration with the International Organisation for Migration –Romania and Germany, the National Agency Against Human Trafficking, specialised non-governmental organisations from Romania and with the support of the Romanian Consulate from Munich .

Next, she has drawn the attention of the participants upon the European institutional framework (structures and roles) related to the monitoring of the human trafficking phenomena at European level and has cited some significant tendencies reported by these during 2019 – 2020. Further to these, Ms. Schwartz has presented the evolution of human trafficking in Romania from a criminological (modus operandi - forms of recruitment and phases of exploitation, countries of destination) and victimological (victims profile including level of education and relationship to the recruiter) perspective. She has underlined the fact that Romania has been, over the last decade, the main source country for European victims of human trafficking, that during the past two years Germany has become the main destination country for the Romanian victims of human

trafficking and has explained the push and pull factors which are fuelling this on-going phenomenon.

Following these, Mrs. Schwartz has presented some results of a qualitative research conducted by her in Romania, published under the title "*The victim of human trafficking – from the survivor presented in documentaries to the subject of rural gossip*"⁵. This research has involved victims of human trafficking and community members with the aim of examining the perception of community members upon human trafficking and victims. The citations from several interviews conducted within the research were used within the presentation in order to highlight the level of stigmatization and stereotyping, back in the Romanian home community, regardless of the form of exploitation and not necessarily linked to gender.

Eventually Mrs. Schwartz has presented the concrete assistance, support and protection services and mechanisms available in Germany and offered by the JADWIGA counselling centre and those available in Romania and offered by the National Agency alongside of specialised non-governmental organisations. The services available are but are not limited to: Counselling with regards to social problems; Counselling with regards to residency and immigration matters; Accompaniment to authorities, medical doctors etc.; Mediation of and with legal and/or therapeutic service providers; Repatriation to the home countries; Assistance for witnesses within criminal procedures and in criminal trials.⁶

In the closure of the training session several indicators of trafficking were presented which could be used by practitioner in identifying potential victims as the involvement of the Romanian diaspora into the early-stage identification has the benefit of raising the number of identified victims (which is in decline), reducing the exploitation phase and reducing the risk of secondary or repeated victimisation on the territory of Germany, Romania or other states.

⁵ Adina Shwartz, *The victim of human trafficking – from the survivor presented in documentaries to the subject of rural gossip*, https://www.researchgate.net/publication/322636724_The_Victim_of_Human_Trafficking_Between_the_Main_Subject_of_Rural_Gossip_and_the_Survivor_Presented_in_Documentaries, Accessed on 07.11.2020

⁶ JADWIGA Counselling Centre for Women Affected by Human Trafficking, <https://www.jadwiga-online.de/en/>, Accessed on 07.11.2020

F. Evaluation of the event; handing in the Certificates of Participation

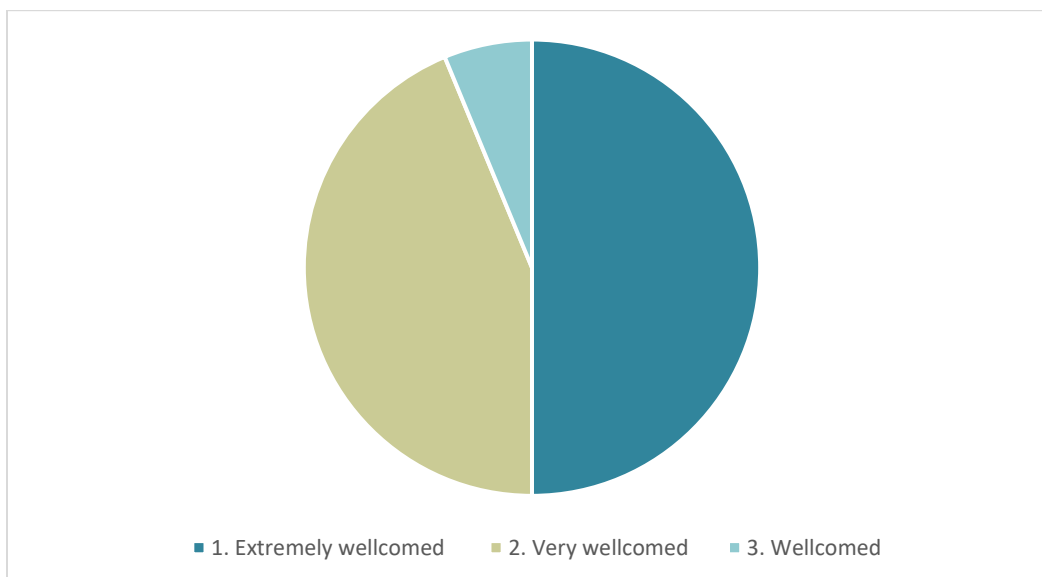
During the final part of the event, the participants were kindly asked to fill in the evaluation forms. Given the fact that this event was at its first edition, the organisers were very much looking forward to collecting detailed feedbacks about the themes discussed, the level of interest and the themes which should be approached during the next editions. In this way the organisers intend to meet the needs and the expectations of the participants to the maximum of their capacity. (please see chapter 3 for the results of the evaluation)

Eventually, the General Consul of Romania to Munich, Mrs. Ramona Chiriac has handed in certificates of participation to each person which has participated to this first edition, thanking them for their interest towards this subject, for the willingness to get involved into supporting such vulnerable persons and for their continuous involvement in the life of the Romanian diaspora from Bavaria.

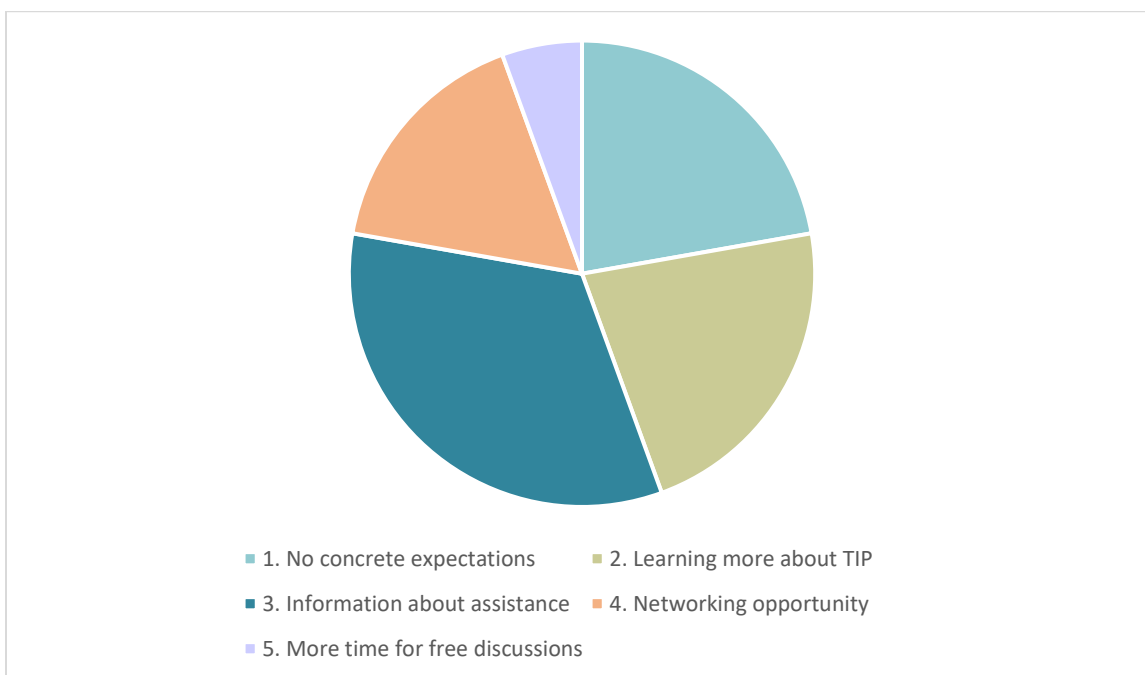
3. Feedbacks and evaluations of the events

Given the pandemic context in which the transnational conference took place, the number of participants has been limited by the organisers, in order to safeguard social distancing and to reduce the spread of possible viruses. Even so, an unexpected number of Romanians from Bavaria have showed a high level of interest to participate at the first edition of this event, a level of interest reflected also by the level of participation within the evaluation phase of the event. This level of participation has made a detailed evaluation possible which results are revealed in the following graphics.

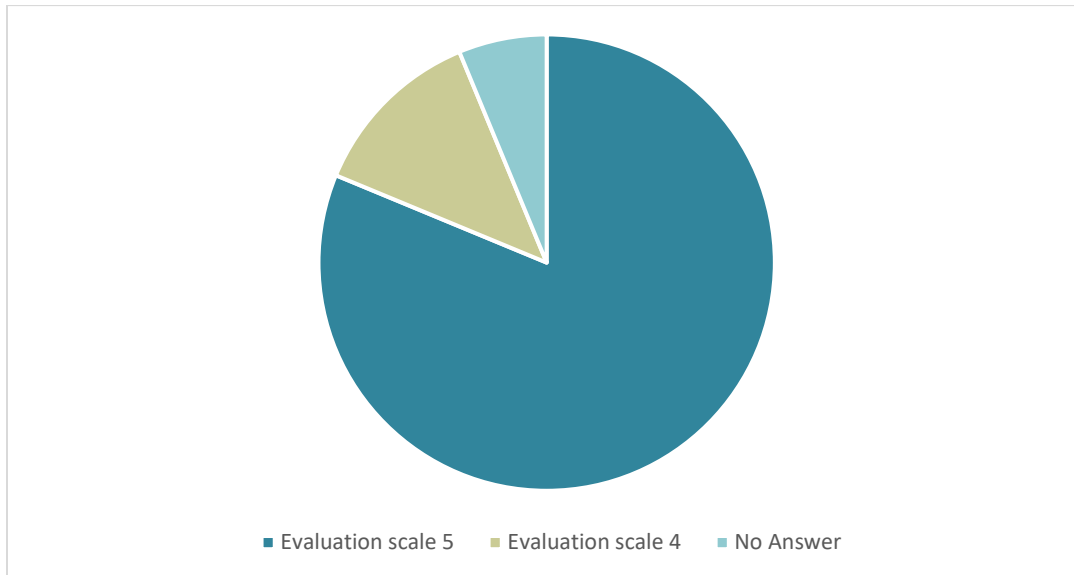
1. To which extent do you welcome the organization of such an event?



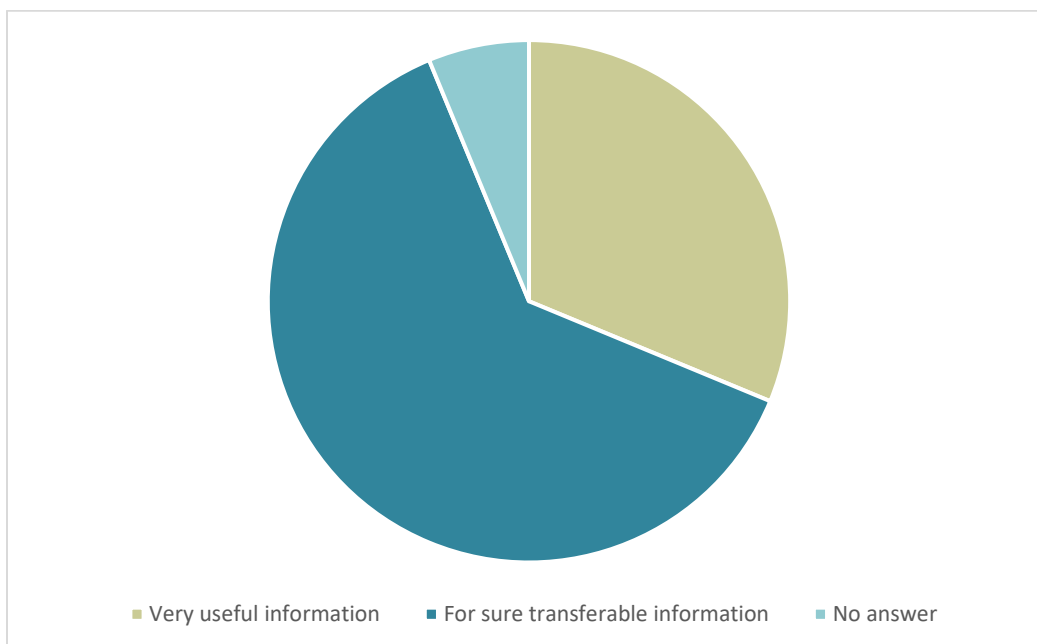
2. Which have been your expectations related to this event?



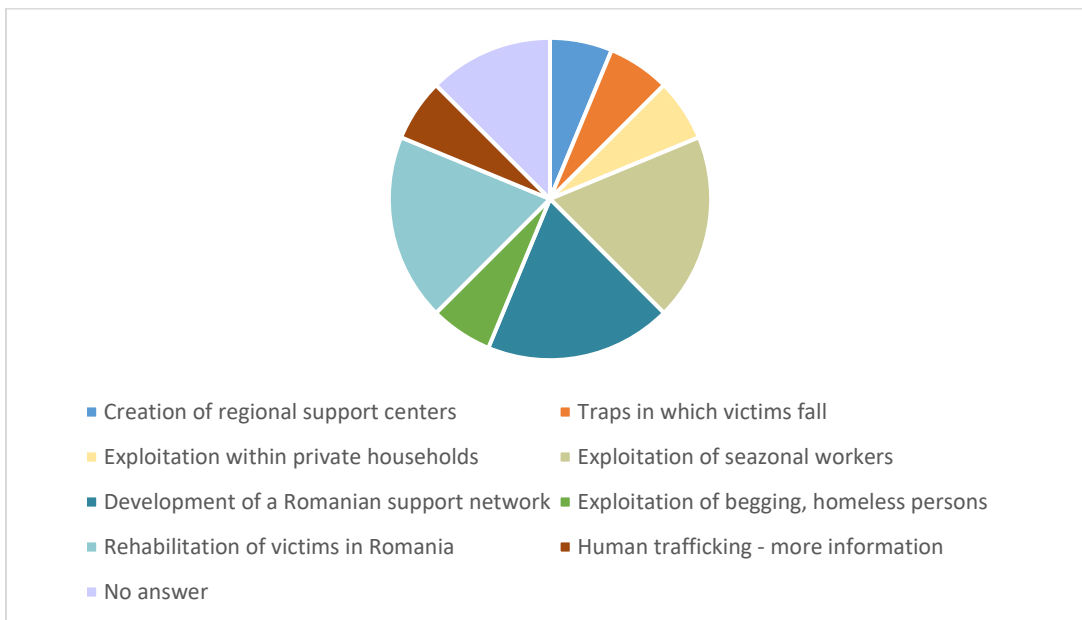
3. Please rate on a scale from 1 to 5 the extent to which your expectations have been met. (where 1 = not at all and 5 = completely)



4. To which extent do you consider that the information gathered through this event is going to be transferable into your everyday activity



5. Which are the topics you want us to focus on within the next edition?



6. Do you have a message / feedback for the organizers?

General Consulate of Romania in Munich	JADWIGA Counselling Centre	International Organisation for migration	Romanian National Agency Against Human Trafficking
You get a 10 for the way the event was organized	Congratulations for your work!	Congratulations!	Also congratulations and keep up like this!
Excellent information, very good organisation			
I propose the creation of a network on assisting victims of human trafficking, begging, homelessness and the creation of concrete information campaigns and reintegration projects for these persons.			
Everything was unprecedentedly positive!	Extraordinary!	Straight to the subject!	Unexpected! Amazing
I appreciate your initiative, congratulations and thank you for having me invited!	Wish you a lot of success in the future!	Wish you a lot of success!	A very interesting approach and of great help!
Congratulations!	Finally we speak about this problem	Congratulations!	Congratulations
Extraordinary organisation!	Extraordinary implication and accomplishments!	A very important subject!	Your activity is a very useful one!
NA	NA	NA	NA

Congratulations for the initiative! You have inspired trust.	We wish you success in the difficulty activity which you have embraced. We hope that while carrying out your activities you will take into account a spiritual/religious approach. NIHIL SINE DEO!	We hope you will be able to keep up these activities on a long run.	We recommend an “aggressive” publicity for the services you provide, at national level, through media – on all the channels to which you can have access.
Congratulations for having organised this event! Better later than never!	Great level of competence! Congratulations for what you do!	Great help you offer! More publicity would be helpful!!!	
NA	NA	NA	NA
Congratulations everyone! Such a positive atmosphere and such inspiring speeches!			
You were all great, congratulations for the initiative and thank you for having been given the possibility of being a part of these first steps!			
Very well organised!	Wish you all the best in your very useful work!		
NA	NA	NA	NA

4. Results and further commitments

After having organised the event the short-term results came unexpectedly soon. As revealed within the previous chapter, hundreds of Romanians from Bavaria were informed about what human trafficking is and about the help such victims can get. To support the dissemination of such information, a local radio producer has offered to record information spots in Romanian and German language and to release them once a day during the radio shows. By means of this offer, the goal of an increased level of information within the Romanian diaspora becomes very tangible.

For the future, one of the main decisions taken by the organisers, given the current tendencies of human trafficking, given the systemic gaps in transnational collaboration and given the encouragements received by the participants is to organise, during 2021 a second edition of the transnational event *“Bavaria – Romania, Together Against Human Trafficking”*. Within this second event the organisers aim to introduce the themes which appear to be of interest for the participants as resulted through the evaluation forms. Further to these, if the conditions in 2021 are going to be more favourable for cross border travelling the organisers aim to invite not only the representatives of the Romanian National Agency and that of the International Organisation for Migration, Romania but also representatives of Romanian specialised counselling centres for victims of human trafficking and Romanian law enforcement officers, facilitating this way the creation of bridges of communication, the exchange of best practices and strengthening the Bavarian – Romanian networking in the benefit of the human trafficking victims.

Further to these, the organisers are open to collaborate with other entities and support them in either transferring this best practice example of multidisciplinary, transnational collaboration or in joining the existing common endeavour.

Also, as proposed within the workshop, the partners are taking into consideration the possibility of organising a cross border information campaign targeting the Romanian diaspora from Bavaria.

5. Dissemination

While having organised the event, the partnering organisations/institutions have drafted a press release* in English language, explaining the motivations and the aims of the endeavour and citing their representatives.

After the event has taken place, this has been translated into German and Romanian and disseminated, alongside of some significant pictures, both in Germany and Romania.

*** Press release in German language**

„Bayern - Rumänien, Zusammen gegen Menschenhandel“

Das Generalkonsulat von Rumänien in München, Deutschland veranstaltete gemeinsam mit der JADWIGA Fachberatungsstelle für Frauen, die von Menschenhandel betroffen sind, und mit Unterstützung der Internationalen Organisation für Migration in Deutschland und Rumänien sowie der Nationalagentur gegen Menschenhandel in Rumänien die erste grenzüberschreitende Tagung mit dem Titel *„Bayern - Rumänien, Zusammen gegen Menschenhandel“*.

Anlässlich des Europäischen Tages gegen Menschenhandel am 18. Oktober wurde in dieser Partnerschaft eine Veranstaltungsreihe mit einem Fachgespräch und einer Tagung gestartet. Gastgeber war am 22. Oktober 2020 die Internationale Organisation für Migration in Nürnberg, und am 23. Oktober lud das Generalkonsulat von Rumänien in München in seine Räume ein.

„Ich freue mich, diese erste Veranstaltung mitorganisieren zu können und als Plattform für die Vernetzung zwischen den rumänischen und den bayerischen Partnern zu dienen. Die Lösung zur Bekämpfung des Menschenhandels kann nur in einer soliden Zusammenarbeit zwischen den Herkunfts-, Transit- und Zielländern liegen. Eine verbesserte Kommunikation zwischen staatlichen und nichtstaatlichen, nationalen und internationalen Organisationen, kann eine schnellere und weniger bürokratische Reaktion und einen langfristigen Plan für Opfer des Menschenhandels liefern.“ Ramona Chiriac, Generalkonsulin von Rumänien in München

Durch diesen grenzüberschreitend konzipierten Austausch sollen Brücken entstehen zwischen den verantwortlichen Organisationen und Institutionen in Deutschland und Rumänien, und auch Mitglieder der Zivilgesellschaft für den Kampf gegen Menschenhandel gewonnen werden.

„Ich bin sehr froh, dass so eine fruchtbare Zusammenarbeit zwischen dem Haupt-Herkunftsland und dem Haupt- Zielland für Opfer von Menschenhandel geschaffen wurde,

und so die Möglichkeit einer frühzeitigen Identifikation gestärkt wurde, zum Vorteil für die vulnerabelste Gruppe, Betroffene von Menschenhandel.“ Monika Cissek Evans, Leiterin des Fachberatungsstelle JADWIGA.

Die TeilnehmerInnen der Tagung, waren Vertreterinnen und Vertreter der rumänischen Diaspora in Bayern. Diese wurden darüber aufgeklärt, was Menschenhandel bedeutet und welche Indikatoren auf Menschenhandel hinweisen. Sie wurden über die Arbeit der Institutionen und Organisationen in Deutschland und Rumänien informiert, die dafür verantwortlich sind Opfer von Menschenhandel zu unterstützen, d.h. welche Mittel und Methoden des Schutzes und der Hilfe zur Verfügung stehen um für die Opfer tätig zu sein.

„Um den Menschenhandel bekämpfen zu können, müssen wir es verstehen. Menschenhandel ist nicht nur ein Verbrechen, sondern ein soziales und wirtschaftliches Phänomen. Der Kampf gegen Menschenhandel muss sich auf das Opfer konzentrieren und auf Partnerschaft beruhen. Aus meiner Sicht kann nur eine kontinuierliche Zusammenarbeit den Erfolg unseres gemeinsamen Bestrebens sicherstellen, um sowohl die Nachfrage als auch das Angebot zu reduzieren.“ Polizeikommissar Maximilian Nicolae, Leiter des Nationalagentur gegen Menschenhandel in Rumänien

Durch diese Schulung für Personen aus der Zivilgesellschaft zielen die Organisatoren darauf ab, das Thema des Menschenhandels in der rumänischen Diaspora bekannt zu machen und so die Voraussetzungen zu schaffen, dass die Opfer Hilfe und Schutz erhalten. Die TeilnehmerInnen haben zugesagt, dass Sie als MultiplikatorInnen aktiv werden wollen, und wollen ihrerseits dafür sorgen, dass die Information zu den Personen gelangt, die sie brauchen.

„Jetzt, da wir am Anfang einer neuen Dekade stehen, ist die Welt mit der vielleicht größten Herausforderung im Kampf gegen Menschenhandel konfrontiert, mit einer Pandemie, die zudem schwerwiegenden Einschränkungen der Mobilität mit sich brachte, Existenzen bedrohte und den Zugang zu den vulnerablen Bevölkerungsgruppen beschränkte. Es ist umso wichtiger geworden, eine enge Verbindung zwischen den nationalen und transnationalen Akteuren, zu schaffen, welche mit der Identifikation und der Rückkehrhilfe befasst sind, damit vulnerablen Personen im Allgemeinen und Opfer von Menschenhandel im besonderen die Unterstützung zu zuteil wird, die sie brauchen um ihr Leben neu aufzubauen.“ Mircea Mocanu, Leiter des Internationalen Organisation für Migration in Rumänien

*** Press release in Romanian language**

„Bavaria - România, împreună împotriva traficului de persoane“

Consulatul General al României la München, Germania a organizat, în parteneriat cu Centrul de consiliere JADWIGA München, Organizația Internațională pentru Migrație România și Germania, precum și Agenția Națională Împotriva Traficului de Persoane, prima ediție a conferinței transfrontaliere *„Bavaria - România, împreună împotriva traficului de persoane.“*

Cu ocazia Zilei Europene Împotriva Traficului de Persoane, din 18 octombrie, în cadrul acestui parteneriat, au fost organizate o serie de evenimente având ca temă traficul de persoane. Gazda primului eveniment, desfășurat în data de 22 octombrie 2020, a fost Organizația Internațională pentru Migrație, Nürnberg, Germania. În cadrul acestuia, reprezentanții instituțiilor partenere au discutat despre problematica exploatării românilor în Germania, despre posibilitățile transnaționale de asistență a victimelor traficului de persoane, despre reușitele înregistrate și barierele identificate.

„Sunt încântată să pot veni în sprijinul organizării acestei prime ediții, dezvoltând astfel o platformă care să deservească rețeaua partenerilor româno-bavarezi. Lupta împotriva traficului de persoane își are rădăcinile în cooperarea solidă dintre țările de origine, tranzit și destinație. Comunicarea eficientă dintre organizațiile guvernamentale și neguvernamentale, naționale și internaționale poate genera un răspuns prompt și mai puțin birocratic precum și un plan de acțiune pe termen lung în beneficiul victimelor traficului de persoane.” Ramona Chiriac, Consul General al României la München

Prin această conferință transfrontalieră, organizatorii și-au propus crearea și consolidarea unor punți de legătură dintre organizațiile și instituțiile responsabile din Germania și România în asistența și repatrierea victimelor traficului de persoane.

„Sunt foarte fericită că o astfel de cooperare fructuoasă dintre principala țară de origine și principala țară de destinație pentru victimele traficului de persoane a fost creată și că, astfel, posibilitatea identificării timpurii a fost consolidată, în beneficiul celui mai vulnerabil grup de persoane.” Monika Cissek Evans, Coordonator, Centrul de consiliere pentru victimele traficului de persoane JADWIGA, Munchen

Participanții la conferința transfrontalieră au fost reprezentanți ai diasporei românești din Bavaria. Aceștia au fost informați despre ce înseamnă traficul de persoane și care sunt indicatorii de victimizare. Totodată, participanții au fost informați și despre activitatea instituțiilor și organizațiilor din Germania și România responsabile în asistența și protecția victimelor acestei infracțiuni.

„Pentru a combate traficul de persoane, trebuie să îl înțelegem. Traficul de persoane nu este doar o infracțiune, este un fenomen social și economic. Lupta împotriva traficului de persoane trebuie să fie centrată pe victime și bazată pe parteneriate. Din punctul meu de vedere, doar cooperarea continuă poate asigura succesul eforturilor noastre comune de a reduce atât cererea, cât și oferta.” Comisar-șef de poliție Maximilian Nicolae, Director Agenția Națională împotriva Traficului de Persoane din România

Organizatorii au avut astfel în vedere sensibilizarea comunității românești din Bavaria cu privire la exploatarea sexuală, exploatarea prin muncă, prin obligare la cerșetorie sau la comitere de infracțiuni. Prin conștientizarea acestui fenomen infracțional, speranța organizatorilor este aceea ca numărul de victime identificate să fie în continuă creștere, astfel încât tot mai multe persoane să poată beneficia de serviciile de sprijin și protecție existente atât pe teritoriul României cât și pe teritoriul Germaniei. Participanții și-au

manifestat intenția de a deveni multiplicatorii informațiilor furnizate, asigurându-se cu privire la faptul că acestea ajung la persoanele aflate în dificultate.

„Acum, când suntem la începutul unui nou deceniu, lumea se confruntă cu probabil cea mai mare provocare în lupta împotriva traficului de persoane, cu o pandemie care, de asemenea, a restricționat sever mobilitatea, a amenințat mijloacele de existență și a restrâns accesul la grupurile vulnerabile. Astfel a devenit cu atât mai importantă crearea unei legături strânse dintre actorii naționali și transnaționali implicați în identificare, asistența și repatrierea victimelor, astfel încât persoanele vulnerabile în general și victimelor traficului de persoane în special să li se acorde sprijinul de care au nevoie pentru a-și reface viața.” Mircea Mocanu, Directorul Organizației Internaționale pentru Migrație, România

The press release in German language was posted on the website of the Romanian General Consulate in Munich⁷, on that of the JADWIGA Counselling Centre⁸ and on the social media account of the International Organisation for Migration, Germany.⁹

The press release in Romanian language was posted on the website of the Romanian General Consulate in Munich¹⁰ and on that of the Romanian National Agency Against Human Trafficking¹¹.

Following the event hold on the 23rd of October 2020, the partners and several participants have posted information about it and about the knowledge gained. This has led to tens of positive comments and feedback on social media and to the spread of the information to hundreds of persons, as it can be observed within the following images.

⁷ Generalkonsulat von Rumänien in München, *Erste Tagung 2020 - Bayern und Rumänien, Zusammen gegen Menschenhandel*, <https://munchen.mae.ro/de/local-news/1570>, Accessed on 05.11.2020

⁸ JADWIGA Fachberatungsstelle, *Pressemitteilungen, Bayern - Rumänien, Zusammen gegen Menschenhandel*, <https://jadwiga-online.de/aktuelles/pressemitteilungen/112-bayern-rumaenien-zusammen-gegen-menschenhandel/>, Accessed on 05.11.2020

⁹ International Organisation for Migration, *Um den #Menschenhandel bekämpfen zu können, müssen wir ihn verstehen*, <https://www.facebook.com/IOMGermany>, Accessed on 05.11.2020

¹⁰ Consulatul General al României în München, *Prima ediție a conferinței transfrontaliere „Bavaria - România, împreună împotriva traficului de persoane”*, 22-23.10.2020, <https://munchen.mae.ro/local-news/1573>, Accessed on 05.11.2020

¹¹ Agenția Națională Împotriva Traficului de Persoane, *Comunicat de presă 27.10.2020 - Conferința transfrontalieră „Bavaria – România, împreună împotriva traficului de persoane”*, <http://anitp.mai.gov.ro/conferinta-transfrontaliera-bavaria-romania-impreuna-impotriva-trafficului-de-persoane/>, Accessed on 05.11.2020

Img. 1 IOM Germany, 22.10.2020



Img. 2 Excerpt from participants A post

October 23 at 10:53 PM · Munich, Germany · 🌐

Zi de zi mă confrunt cu problemele românilor care ajung la noi în #insolvență, uneori înșelați, mințiți și din necunoașterea limbii germane încurcați în multe probleme financiare 🙏

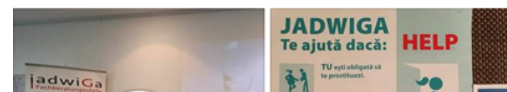
Le simt durerea unora și încerc să-i ajut cum pot eu mai bine, dar astăzi m-am cutremurat de-a dreptul când mi-am dat seama câtă suferință se află printre conaționalii noștri care cu speranța că vor ajunge în Germania pentru un trai mai bun ajung din nefericire pe mâna traficantilor de persoane. Fete tinere care părăsesc țara pentru o meserie nobilă ajung să fie silite la prostituție, persoane care doresc să-și îmbunătățească traiul ajung în sclavie modernă neavând nici bani de repatriere.

Spre fericirea noastră există o cale de ieșire dacă știți unde să apelați. Organizația JADWIGA care are reprezentanți și în limba română cum este D-na Adina Schwartz vine în ajutorul oricărui #VICTIME.

În colaborare cu autoritățile române și germane au repatriat mulți conaționali, au ajutat multe cazuri de reabilitare pe teritoriul statului german.

Mulțumim Consulatului General de la München D-nei Consul Ramona Chiriac pentru implicarea rezolvării acestei probleme grave.

www.jadwiga-online.de
#Informat #salvat



Img. 2 Excerpt from participants B post

23.10.2020

Yesterday I learned a lot about human trafficking. I was able to make new contacts and learn a lot about the activities of JADWIGA, IOM and ANITP. I have also learned that the consulate does a lot of work for Romanian citizens who have fallen victim to human trafficking. The International Organization for Migration from Nuremberg is also active in this area. It was shocking to learn how many cases and facets of human trafficking exist.

We are all responsible in the fight against human trafficking and we must work networked to help the victims.

Don't look away, don't judge the victims, act immediately!
Human trafficking is a crime!

Trafficking in human beings can hit anyone who has a predicament and emergency situation, regardless of the level of education. Therefore, information and education are the first steps in preventing human trafficking.

Information is protection!

Unfortunately, Romania is in first place in this sad ranking of the origin of the victims, followed by Bulgaria, Netherlands, Hungary and Poland.

This workshop on human trafficking was organized by Consul General Iulia-Ramona Chiriac in the Consulate General of Romania for the members of the Romanian social network from all over Bavaria.

👍 The event was well organized, the speakers very competent and the content was very good.

The use of various media, lecture, film, participation via video conference with partners from Romania



Img. 3 Excerpt from participants C post

tema a fost una care ar trebui să intereseze pe orice roman care rezonă cu problemele conationalilor lui: maltratarea și exploatarea romanilor în toate formele ei. Din păcate există multe cazuri de exploatare și se încerca găsirea de soluții care să-i ajute pe cei aflați în astfel de situații să li se ofere alte șanse, de la locuri de muncă, până la consiliere psihologică sau susținere până își revin. Există o rețea de persoane care se ocupă de aceste consilieri, însă românii trebuie să știe de existența acestora.

Proiectul este extins pe Bavaria, însă scopul final este să ajutam la dezvoltarea acestui proiect pe toată suprafața Germaniei.

Căutați informații dragi romani, pentru că studiile arată că nu școlarizarea le lipsește romanilor exploatați (mulți dintre cei în cauză fiind cu studii medii sau chiar universitare), ci lipsa Informării corecte.

Îi mulțumesc doamnei Consul General Ramona Chiriac și celor care lucrează în Consulatul român din München pentru invitația de a participa la această recepție restrânsă datorită regulilor privind Covid19, alături de avocații și oamenii care lucrează în puncte de legătură dintre romani și Statul German.

Am întâlnit oameni dragi că de fiecare dată când sunt în München, constat că jumătate din inima mea e în acest oraș boem și minunat. ❤️

255

16 Comments 2 Shares

Img. 4 Excerpt from comments and feedbacks

👍❤️👏 Ideal Luz and 119 others

13 Shares



Adriana Adriana Bittner

Super idee, felicitări! 🍀🌹👏❤️ 1

1 wk Like Reply More



Adriana Tillich replied · 1 reply



Iovescu Ghimpu Daniela Carmen

Felicitări! Respect pentru munca dumneavoastră! ❤️ 1

last Sun Like Reply More



Mariana-Iulia Filimon

Felicitări și mult succes în continuare 🙌❤️ 1

last Sun Like Reply More



Elena Pascu

Felicitări mult succes în continuare ❤️ 1

last Mon Like Reply More

For the future, the partners have committed to use as many possibilities as possible to proceed to an on-going dissemination of the event and its results.

In order to do this, the JADWIGA Counselling centre has received the approval from the German NGO network against trafficking in human being, known as “KOK”¹² to publish an article about the event in the upcoming newsletter which is going to be disseminated Germany wide.

¹² For further information please access: KOK, <https://www.kok-gegen-menschenhandel.de/en/home>, Accessed on 07.11.2020

Annex 1 – Romanian National Identification and Referral Mechanism for Victims of Human Trafficking¹³

Excerpt: “E.5. Identification procedures

Starting from relevant tasks and responsibilities undertaken by different institutions and analyzing trafficking in persons reports made public, several categories of identification procedures can be distinguished:

- **Identification by law enforcement agencies**

Police actions are considered to be the most important procedure in identifying victims of trafficking.

From the perspective of the law enforcement authorities the identification process takes place in the context of both prosecutorial activities aimed at collecting evidence of the crime of trafficking and specific police actions, such as information and investigative actions.

Following specific actions conducted by law enforcement agencies victims of trafficking can be identified by interviewing and statements given by the person about whom there is information that he/she has been subjected to trafficking; the identified person may institute himself/herself injured party or witness to the trafficking crime.

The identification can also occur at the Romanian national border where Romanian nationals can be deported or returned from other states; in case they do not meet the requirements to entry into a specific state and are detected in violation of certain laws of the host country, they are treated as illegal migrants, though the acts for which they might be held responsible for could be the consequence of their trafficking experience.

¹³ For a full version of the National Identification and Referral Mechanism, alongside of explanatory notes please access: <http://anitp.mai.gov.ro/ro/docs/Proiecte/ISF01/MNIR%20English%20version.pdf> , Accessed on 07.11.2020

Upon their entry into Romania, border police officers shall take statements as there is the possibility that some of these persons may be identified as victims of trafficking.

- **Identification by diplomatic missions and consulates**

Upon request, Romanian citizens, victims of trafficking in persons in foreign countries, shall be granted assistance by diplomatic missions and consular offices of Romania¹⁴ to those countries. In most cases, victims have their identity or travel documents confiscated or destroyed or they lack the necessary resources to return to their country of origin. The personnel of the diplomatic missions and consular offices of Romania shall provide assistance to trafficked victims in issuing travel documents for their repatriation and identifying the appropriate resources and organizations to ensure the victims' return to their country of origin.

- **Identification by hotlines**

The hotline service receives and refers calls for assistance or information about suspected crimes of trafficking.

In Romania, the hotline service is provided by a toll-free number set up within the National Agency against Trafficking in Persons which targets the public at large and particularly victims of trafficking or persons who have knowledge about a possible trafficking situation.

- **Victim repatriation**

Repatriation of victims of trafficking is carried out in keeping with the provisions laid down in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, supplementing the UN Convention on Transnational Organized Crime, ratified by Law 565/2002.

The repatriation procedure can be accomplished with the help of the International Organization for Migration and its missions as well as within the voluntary return program with the assistance of non-government organizations, diplomatic missions or consular offices or

¹⁴ According to art.5, paragraph (a), sub-paragraph (5) of Government Decision 299/2003 to approve the Implementation status of the provisions contained in Law 678/2001 on preventing and combating trafficking in persons.

representatives of both recipient states and states of origin and, particularly authorities responsible for the protection of child rights, in case where the victim is a minor.

- **Other identification procedures**

There are also situations where victims of trafficking can be identified and referred to service delivery institutions/organizations by citizens, former clients, and inspectors with the territorial agencies for employment, hospital or other healthcare facilities personnel, educational institutions or the community. Under the circumstances, it is very important that the person identified by the above-mentioned categories be referred to the institutions/organizations involved in the formal identification and referral mechanism with a view of providing protection and assistance.

F. Referral procedures

All institutions and organizations involved in the referral process have the obligation to co-operate in order to take appropriate support and protection measures once the trafficked victim is identified. Each of them shall appoint at least one representative of the relevant institutions/organizations within NRM and his/her contact details shall be communicated to the institutional partners.

Depending on the institution/organization involved as well as the place and the identification procedure of the trafficked victim, there can be distinguished several ways of victim referral:

1. Victim is identified by law enforcement authorities, including specialized police structures working with trafficking in persons related issues, such as: Directorate, Brigades and Services for Combating Organized Crime, criminal investigations departments, border police, offices and services within the Directorate for the Investigation of Organized Crime and Terrorist Offences (DIOCTO).

The victim is entitled to information about his/her right to legal assistance, criminal proceeding rights and other rights as provided by art.4 of Law 211/2004.

Victim's referral to the institution/organization responsible for the co-ordination of assistance and monitoring activities is carried out as follows:

- Specialized police structures – IGRP through DCOC, BCOC, SCOC and IGBP shall get in contact with NAATIP Regional Centre representative to assess the victim's needs for assistance and to maintain contact with the victim.
- Other national defense and public order structures – the criminal investigation police, transport police, public order police, and the gendarmerie – shall notify the relevant police and DIOCTO structures.
- The NAATIP Regional Centre representative shall:
 - conduct the early evaluation to identify the victim's needs for specialized assistance and with his/her informed consent shall ensure the immediate referral to emergency assistance . A case manager shall be assigned to monitor the assistance provided to the victim and maintain constant contact in order to prepare him/her for the appropriate stages of the criminal proceedings. The name of the case manager shall be communicated to institutional partners.
 - Inform the service provider and, based on the victim's consent, shall send them all the information necessary to plan the case intervention.
 - Ensure appropriate support for the victim to be interviewed by the investigative bodies.
 - Specialized police structures:
 - on request of the NAATIP Regional Centre representative, the risk assessment of the case shall be conducted with a view to establish protective measures;
 - shall provide tactical counselling to ensure the victim's secure transportation based on the support and protection needs established following the case evaluation.

2. Victim is referred and return by IOM

The IOM Romanian mission receives the victim at the national border and, providing that the victim consents to be accommodated in a shelter for a shorter or longer period of time and is willing to participate in assistance programs, he/she shall be referred to specialized support services.

The IOM official shall:

- inform the NAATIP Regional Centre representative on the trafficked victim's return;
- discuss with the victim about his/her possibility to cooperate with the judicial authorities.

In case assistance services are not provided during the transit stage, the NAATIP Regional Centre representative shall be notified to take over the victim and ensure his/her access to other support services in the community of origin.

3. Victim is identified by an international NGO and repatriated and referred by an NGO in Romania

In cases where the victim is identified by an NGO in a foreign country, the NGO official in Romania shall meet the victim at the border or at the place agreed upon with the referring partner. On the basis of the victim's consent to whether participate or not in support programs delivered by the receiving NGO or another organization and the specific elements of the case, the victim shall be included in a specialized assistance program.

The representative of the NGO or the specialized public service to protect and assist victims of trafficking shall:

- ask the NAATIP Regional Centre representative to coordinate the victim's assistance and monitoring and to register the victim;
- discuss with the victim about his/her possibility to cooperate with the judicial authorities.

4. Romanian victim is identified by the diplomatic mission or consular office of Romania – the diplomatic or consular mission personnel shall issue, upon request, the travel document to enable the victim's return to Romania and notify, within at least five days in advance, the NAATIP and the border police about the return of victim/victims of trafficking having in view their taking over at the national border.

When the trafficked victim needs and applies for pre-return assistance, the Romanian diplomatic or consular mission personnel shall contact and refer him/her to service delivery organizations in the host country. During this entire period of time, the legal aspects regarding the victim's situation and his/her personal details are bound by the duty of confidentiality.

Romanian victims of trafficking related information shall be transferred to the national competent authorities by the Romanian liaison officer.

5. Foreign victims of trafficking

Foreign victims of trafficking shall be entitled without discrimination to the same support and protection measures as Romanian victims. Therefore, foreign victims should be informed in a language they can understand about their right to a maximum of 90 days to recover and access to specialized support services, including accommodation in specially arranged centers, psychological, medical and social assistance.¹⁵

Language interpreters/translators employed to assist with interviews and support foreign victims during the assistance service delivery shall be trained by NAATIP in order to be able to work with trafficked victims so as to ensure the confidentiality of information and personal details and approach the individual in a professional manner.

In cases where the foreign victim wishes to be repatriated to his/her country of origin, the representative of the Romanian Immigration Office (RIO) shall contact the diplomatic mission or consular office of the respective country to facilitate the issuance of the travel documents necessary for his/her return and shall fulfil all the necessary formalities to arrange the victim's stay on the Romanian territory under the provisions of legislation on aliens' regime.

- IGRP and IGBP territorial structures dealing with trafficking in persons shall contact the NAATIP Regional Centres representatives to assess the foreign victim's needs for assistance and stay in contact with the victim;
- Representatives of NAATIP Regional Centres shall report to RIO in connection with the foreign victim and the provision of some form of protection;
- IGRP and IGBP specialized structures shall provide tactical counselling regarding the victim's safe and secure transfer to foreign victims of trafficking shelters.
- the Romanian Immigration Office (RIO):

¹⁵ In accordance with Government Urgent Ordinance 79/2005 to amend and supplement Law 678/2001 on preventing and combating trafficking in persons

- regulates the status of foreign victims of trafficking in accordance with the provisions of legislation on aliens' conditions of stay on the Romanian territory;
- jointly with NAATIP, coordinates the activities of public institutions, local public administration authorities and NGOs dealing with the integration of foreign victims benefiting by some form of protection in Romania or the right to stay in Romania;¹⁶
 - on request of the NAATIP Regional centre representative, IGRP and IGBP specialized structures shall undertake the risk assessment in order to establish protective measures within 72 hours since the case referral.

6. Child victim of trafficking

When identifying a child victim, irrespective of his/her country of origin, the representative of the Directorate General for Child Social Assistance and Protection (DGCSAP) or the representative of the Service for the child victim of abuse, negligence and trafficking in persons shall be notified to take special measures for his/her protection.

In cases where the victim is a foreign child, he/she shall be entitled without discrimination to the same support and protection measures specific to all children victims of trafficking.

Whether there are several victims of the same nationality, children included, it is recommended that assistance be delivered by the same service provider.

- IGRP and IGBP specialized structures –shall get in contact with the DGCSAP representative dealing with child abuse, negligence and trafficking and the NAATIP Regional Centre representative to assess the victim's needs for assistance and to maintain contact with the victim;
- the DGCSAP representative dealing with child abuse, negligence and trafficking shall ensure the case referral to a specialized child assistance centre and maintain contact with the inter-institutional team partners;

¹⁶ In accordance with Government Decision 44/2004 regarding the social integration of foreign victims benefiting by some form of protection in Romania or the right to stay in Romania and citizens of EU and EEA Member States;

- the NAATIP Regional Centre representative shall maintain constant contact with the DGCSAP representative in respect of monitoring the case;
- when foreign unaccompanied minors are involved, RIO cooperates with other institutions, as well as national and international organizations responsible for child protection in order to establish the judicial status applicable to children, according to GD 194/2002 provisions regarding the aliens' conditions in Romania, amended and supplemented.

7. Indefinite case of trafficking

a. In a case where the presumed trafficked victim refuses to cooperate with the judicial authorities and there are suspicions indicating a possible case of trafficking but the distinct elements of the crime of trafficking have not been detected, the case shall be referred to the NAATIP Regional Centre representative or victim support and protection public institution or service provider for re-assessment.

When, following the assessment, it is determined that the respective person is in fact a trafficked victim, participation in a specialized program of assistance is initially provided and then, based on the victim's consent, the case shall be referred to the judicial authorities.

b. In cases where the person neither accept to discuss with the NAATIP Regional Centre/NGO representative showing no interest in taking part in any assistance programs, nor does he/she want to talk to the police/ judicial authorities, depending on the location where that person was found :

- **the border crossing point, leaving Romania** – the victim shall be provided with prevention materials regarding useful information on illegal migration and trafficking in persons;

- **the border crossing point, entering Romania** - the victim shall be provided with information materials on the NAATIP hotline unit.

c. In a situation where the presumed trafficked victim is a foreign citizen, the competent authorities shall carry out specific activities, such as:

- IGRP and IGBP specialized structures dealing with trafficking in persons shall contact the NAATIP Regional Centres representatives to assess the foreign victim's needs for assistance and maintain contact with the victim;
- The DIOCTO prosecutors shall:
 - decide to grant the victim a maximum of 90 days of recovery and reflection to escape from the influence of the perpetrators and to take a decision regarding his/her possible cooperation with the authorities;
 - notify the NAATIP Regional Centres representative about the decision regarding the recovery and reflection period and the necessity to take protection measures and monitor the case.
- The NAATIP Regional Centres representative shall:
 - report to RIO a suspected case of trafficking involving a foreign victim
 - report to IOM Romania Mission to assess the individual's need to be included into the voluntary repatriation program.
- RIO shall:
 - establish the status of foreign victims of trafficking according to legal provisions governing the aliens' regime;
 - refer the case to assistance in a specialized centre.
- d.** In situations where the case is identified through the NAATIP Help-line information and advice unit, the request shall be immediately received and until a definite case of trafficking is determined, the individual shall be treated as a presumed trafficked victim. The Help-line operator shall carry out the preliminary evaluation and the risk assessment based on the individual's level of
- e.** personal safety. If the individual has recently escaped an abusing or exploitive situation, it is required that police intervention units in the community be soon contacted; consequently, the referral process shall be carried out following the other existing procedures.

f. Victim of trafficking without good capacity of judgment or with severe health problems

When a presumed trafficked victim shows evident signs of severe mental disorders, the contacting institution/organization shall take the necessary measures to arrange a medical examination in order to determine the individual's capacity of judgment. Until then, the individual shall be treated as a trafficked victim, his/her rights and fundamental liberties shall be respected and he/she shall be entitled to specialist medical assistance.

IGRP and IGBP specialized structures, RIO, NAATIP, NGOs and local public administration authorities shall report and take the person to the nearest hospital unit for appropriate medical attention. The NAATIP Regional Centre representative and the specialized police structure (in case neither of these has initially identified the person) shall be urgently announced to monitor the case and take protection measures, if necessary."



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Together against human trafficking