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Article

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CES Working Papers

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Suggested Citation: Caunic, Irina; Tulica, Mircea (2012) : Considerations Regarding the Current Dimensions of Human Traffick in Romania, CES Working Papers, ISSN 2067-7693, Alexandru Ioan Cuza University of Iasi, Centre for European Studies, Iasi, Vol. 4, Iss. 2, pp. 130-140

This Version is available at:

<https://hdl.handle.net/10419/198163>

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CONSIDERATIONS REGARDING THE CURRENT DIMENSIONS OF HUMAN TRAFFICK IN ROMANIA*

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Abstract: *This research is focused on realizing a better understanding of the aspects and the conditions that facilitate human traffick in a full transition society, such as the Romanian society. To highlight the characteristics of human trafficking and the actual dimensions of this phenomenon in Romania, the paper used both quantitative methods involving interpretation of statistics compiled by the competent institutions and the qualitative research methods, involving the analysis of reports, articles or case studies presented in the literature.*

Keywords: human traffick, Romania, dynamics, illegal markets

JEL Classification: E 26

INTRODUCTION

We appreciate that the recruitment and the exploitation techniques entered the last period in a permanent process of change, increasingly becoming more subtle and harder to identify by the enforcement authorities.

The dynamics of human traffick in Romania is influenced by a number of risk factors, in close relationship with social institutions (such as the family) or with the law institutions, among which may be mentioned:

- Family and communication between members;
- Local community issues, particularly the young people unemployment problem;
- Low social capital;
- Decreased confidence in state institutions, as a consequence of a lack in education;
- Violation of laws concerning emigration and the risks involved.

* ACKNOWLEDGEMENT: This article was written within the framework of the research project entitled Dynamics of the Illegal Markets in European Union, funded by the National Council of Scientific Research, for which the authors are grateful.

1. THE DYNAMICS OF HUMAN TRAFFICK IN ROMANIA

In Romania, the human traffick recorded a steady growth from 163 victims reported in 2000 (Surtees, 2005, p. 438) to an average of 449 victims in 2003. An upward trend is also visible in the updated data from 2004. We appreciate this is a reflection upon the termination of criminal penalties for prostitution, in the case of people who confess and cooperate with the authorities in order to prosecute the traffickers (ICMPD, 2010, p. 236). In 2006 the highest number of victims (2428 persons) was recorded, according to data provided by the Customs and the General Inspectorate of the Romanian Police. Since 2007 a general downward trend has been observed, being identified 1890 victims, a trend which has been also maintained in the years 2008 and 2009 (ANITP, 2009, p. 10). In the first semester of 2011, the number of identified victims exceeded by 29% the figure reported for the same period of the year 2010 (ANITP, 2011, p. 3).

Currently, from the exploitation methods, *the sexual exploitation* takes first place in our country. In this respect, in the first semester of 2011 were identified 264 victims (of which 253 female victims and 11 male victims, according to data provided by ANITP), unlike previous years when the exploitation through forced labor was the main way for trafficking vulnerable persons. Most of the victims are women abducted in private homes, on the streets or in clubs (ANITP, 2011, p. 9). According to data provided by the National Agency against Human Traffick, for the first half of 2010, female victims have originated mainly from the counties of Dolj, Argeş, Bistriţa Năsăud, Timiş and Bihor. In the case of male victims, for the same period, the main counties source were Timiş, Bihor, Satu Mare, Covasna and Bistriţa Năsăud, their recruitment being achieved through the promise of a job abroad (IGPR and ANITP, 2010, pp. 8-9). Unlike the first half of 2008 and 2009, when there were identified 109 respectively, 63 victims, in the same period of 2010 there has been a slight increase in the number of victims, both in quantitative terms and as a percentage of the total population of victims, being identified 126 victims, of whom 99 girls and 27 boys. In this respect, the main five counties of origin were Timiş, Dolj Hunedoara, Braşov and Bistriţa Năsăud (IGPR and ANITP, 2010, p. 10).

The labour exploitation recorded in the first half of 2011, 148 victims of which 107 male victims and 41 female victims, according to data provided by ANITP. Compared to the same period of the previous year, there are an increased number of people trafficked for labour exploitation. This trend has been also preserved in the case of other forms of exploitation (ANITP, 2011, p. 7), as shown in the table below.

Table 1 - Methods to exploit the victims during 2007-2010

Interval	The exploitation methods			
	The sexual exploitation	The exploitation through forced labour	Forced begging	Child pornography
First semester of 2007	406	425	74	2
First semester of 2008	214	483	56	2
First semester of 2009	121	150	59	1
First semester of 2010	175	144	41	0
First semester of 2011	264	148	47	8

Source: The National Agency against Trafficking in Persons

According to experts, human traffick for forced labor exists in almost any business or industry. However, mostly in all countries, it has been highlighted several main sectors of interest for the labour exploitation purpose have been identified, such as the agriculture, constructions and the tourism/restaurant industry. They do not fall into the category of attractive employment to the local labour force, being usually characterized by heavy physical work and low income (CCME, 2011, p. 11).

Forced begging and pornography are types of exploitation with low prevalence in Romania, the victims usually being elderly persons or minors.

There are a number of causes generating and supporting the phenomenon of trafficking in persons, of which the most important are (European Commission, 2010, pp. 4-5):

- *Low social and economic standards* - poor economic conditions expose more people to human traffick and the lack of means for ensuring a minimum standard of existence turn them into victims of traffick, regardless of the form of exploitation.

- *Unemployment/lack of opportunities in terms of employment* – the economic crisis leads to inflation, the loss of markets and therefore to unemployment. In the Romanian current economic context, many people and especially those with a low level of education experience difficulties in identifying jobs in their residence places. For this reason they prefer the employment market from abroad. At the same time, when they find a job abroad, without an appropriate employment contract, they are usually paid minimum wage and subjected to various forms of discrimination by employers.

- *Low level of education* – the institutions of education form the necessary professional skills for the labour market, while contributing to the social integration and membership in professional groups to certain persons. In this context, it is obvious that the level of education is an

important factor for protection against human traffick. In Romania, most of the victims never attended highschool (62% of the total number of victims) (IGPR and ANITP, 2010, p. 7).

- *Globalization* - involves the free movement of goods, services and people who have the possibility of travelling worldwide in a very short time. This situation has led to the elimination of financial and political boundaries and it is characterized by international agreements and significant alliances. Organized crime networks have exploited this context by dividing the areas of influence and improving their mobility.

- *Lack of information* – is another factor that fosters human traffick for the purpose of exploitation, in particular by reference to the methods used by traffickers to recruit victims. Although trafficking in human beings has become increasingly more visible through large-scale awareness campaigns, however, we can speak of a lack of information in the case of the most vulnerable persons, exposed to the risk of being trafficked. The method of recruiting the most commonly used is the false promise of a legal and secure job abroad, because the persons recruited have a low level of knowledge and cannot perceive or understand the motivations offered by traffickers which have no interest in providing relevant information.

2. COMPONENTS OF HUMAN TRAFFICK

2.1. Recruitment of victims

In Romania, in the first semester of 2010, recruitment through false promises can be found in more than 50% of cases, a percentage much lower than that recorded in the same period of 2009, when traffickers have used this method in 75% of the cases (IGPR and ANITP, 2010, p. 6). Recruitment may be achieved by one or more persons, either through direct contact or through mass-media and Internet. However, in most of the cases, the victims are recruited directly by the traffickers who usually are friends, neighbors or relatives without an employment agency as an intermediate (ANITP, 2011, p. 5).

Recruitment methods and techniques are different, depending on the victim vulnerability, the level of education, the economic context (poor economic standard), the lack of life experience, or the naivety of such persons. They also differ from dealer to dealer, from a group to another, or from a specific region to another (ANITP, 2011, p. 4). Therefore, the potential victims may be attracted by the trafficking networks through the following means (European Commission, 2010, p. 6):

- Underlining the success stories of other people whom the traffickers allege they have helped and who have returned from abroad with large sums of money in a relatively short period of time;
- The promise of a honorably and well paid job (modeling, jobs in bars, clubs, or baby sitting, housekeeper); It can refer to the nature of the work, travel destination of the victim, working conditions and the work to be carried out;
- Ads in newspapers for jobs abroad, attractive in terms of revenue;
- Private marriage agencies. Victims are lured by the prospect of marriage with foreign citizens, unique opportunity to escape from poverty and to help their families remaining in the country.

For the first semester of 2010, it has been noticed an increase in the percentage of victims who have accepted recruitment for prostitution, 15% percentage of the total number of victims. Other conditions for convincing victims to accept the offer represented 27% (this percentage concerns the following conditions of recruitment: promise of a job in the country, travel, treatment, kidnapping, pornography, begging or other conditions not specified or determined) (IGPR and ANITP, 2010, p. 6).

Although, according the reports provided by the competent institutions, most of the victims come from rural areas or from poor families (UNICEF, p. 63), however people in urban areas are also vulnerable to trafficking. Thus, if in the case of victims in rural areas, lack of information, lack of experience or lack of education are among the main factors of vulnerability, victims in urban areas are unable to filter out the abundance of information, requests or incoming vacancies presented on various channels or sources (ANITP, 2011, p. 6).

In Romania, women from 14 to 25 years are the main targets of sexual exploitation, while men from 25 to 40 years are predominantly the victims of forced labor (ANITP, 2011, p. 6). Therefore, victims of human traffick are vulnerable as a result of gender, age and social environment in which they live. To these factors, the International Labour Organisation has added the desire to seek a job abroad (IOM, 2003, p. 56).

Concerning the traffickers profile, they are individuals or groups of individuals, unemployed men who sometimes works with women, former prostitutes, as intermediaries. Most of them were previously involved in other criminal activities such as theft, smuggling, pimping or illegal crossing of the border, etc (Fulea, 2006, p. 13). In the latest period the traffickers' mobility increased significantly, their adaptation to new routes or means of trafficking as well as their connections with the recruitment environment.

2.2. Operational patterns

Operating patterns seem to take increasingly subtle form often operating at the same time. One of these patterns is *the abuse focused on trafficked person vulnerability* to force the victim do something by false promise or threat. In this respect, it is often mentioned as an example, the case of the employer who promises to obtain legal status or work permit for migrants without identity cards. In exchange the migrants have to accept a reduced payment or to work without any pay or to accept illegal or inappropriate working conditions (CCME, 2011, p. 12).

The condition of vulnerability is determined by many socio-demographic factors, geographical or otherwise and may include the following (OSCE, 2011):

- The person has the status of illegal migrant or is in the territory of another state without appropriate residence documents;
- The person is pregnant or has a learning disability or mental illness;
- The person is dependent on drugs or other substances;
- The person has a limited capacity of discernment due to age or medical conditions;
- Disability, person with mental or physical disabilities;
- The person is in a poor social situation.

Another pattern is to balance the worker salary with the significant costs for "services" which the employer or the trafficker offers to the "employee." Such costs may include accommodation, meals, utilities (water, electricity), or even a job. In some cases, people exploited can reach "work" having already accumulated a huge debt to the traffickers (for example, covering the costs of transport or the costs of false documents) and the victim must work to pay off these debts. This is a situation which usually involves the illegal crossing of the borders (CCME, 2011, p. 12).

The methods of constraint used among the victims of human traffick may be referred to (ANITP, 2011, p. 8):

- Sexual abuse and violence used by traffickers;
- Deprivation of water, food, or other means of livelihood;
- Claiming financial penalties;
- Isolation and deprivation of liberty;
- Arrest or even the destruction of documents, which causes at least immobility of the victims located abroad.

Table 2 - Methods of constraint among the victims of human traffick

Methods of constraint	%
emotional abuse	24
violence	23
sexual abuse	19
financial penalties	13
deprivation of water, food, or other means of livelihood	12
deprivation of liberty	6
destruction of documents	3

Source: Table adapted from the National Agency against Trafficking in Persons, Centre for Research and Public Information, *Analysis on the situation of victims identified in the first semester of 2011*, p. 8.

3. INDICATORS ON HUMAN TRAFFICKING

Like drug trafficking, we also believe that in human trafficking case it is necessary to develop a system of indicators allowing interpretation of existing data and improving the current methods of comparative analysis using information from various sources. We appreciate the initiative as appropriate, because nowadays, there is no system of indicators covering human trafficking and their identification and definition could lead, as the case of the illegal drug market, to accurately achieve estimates on the extent of the phenomenon.

For human traffick, the literature analyzes the socio-demographic indicators (gender, age, education) as well as the descriptive indicators in the pre-exploitation period (recruitment and origin) and the exploitation indicators. Statistical analysis on the identified victims is achieved through the socio-demographic indicators outlining the factors that generated the involvement in traffic.

3.1. Socio-demographic indicators^{*}

The reported annual number of international migrants – designates the total number of people who emigrated during the reference year.

The relative proportion of international migrants from rural areas versus urban areas - designates the number of persons who have emigrated abroad from rural areas compared with the same indicator for the urban areas.

^{*}http://webcache.googleusercontent.com/search?q=cache:R02Ha6n513QJ:www.demografie.md/files/7736_indicatori_pme_varianta_finala.xls+indicatori+demografici+in+traficul+de+persoane&cd=10&hl=ro&ct=clnk&gl=ro.

The annual international migrants number in relation with the education level - designates the total number of citizens who have emigrated in the reference year by level of education (secondary education, higher education, etc.).

The proportion of persons aged under 15 years - designates the number of persons aged under 15 years relative to the total number of stable population.

The number of trafficked persons, identified and assisted - designates the annual number of citizens' victims of human traffick, identified and assisted, including number of people identified as victims of traffick in criminal cases.

Countries where the the victims were exploited - designates the number of citizens, victims of traffick, in accordance with the recipient countries.

The number of potential victims of trafficking assisted - designates the number of people identified as potential victims of human traffick and assisted during the year of reference, which were found as beneficiaries of social assistance (coming from poor families in rural areas, have a low level of education and not have a job, are the victims of violence, do not have identity cards, etc.).

The extent of human traffick is also assessed through the descriptive indicators of the pre-exploitation period (recruitment and origin) and through the exploitation indicators. According to the International Labour Organization*, regarding the exploitation purpose, the categories of indicators designating the forced labour and the sexual exploitation cases can be monitored.

3.2. Indicators of trafficking for the purpose of forced labour and sexual exploitation

Indicators of recruitment through cheating - the victim is deceived about the nature of work, place of work and the employer; the conditions of work; about the legality of an employment contract; about the living conditions and accommodation; about the legal documents or obtaining a legal migrant status; about the conditions of recruitment and travel; with respect to salary/winnings; by false promises of marriage or adoption.

Indicators of forced recruitment - use of violence (the victim is kidnapped); forced marriage cases; confiscation of documents, dependence caused by debts; isolation, sequestration and supervising the victim; the threat of denunciation to the authorities;

* <http://www.ilo.org/global/lang--en/index.htm>.

Indicators of recruitment through the abuse of vulnerability position - abuse considering the illegal status of the victim, lack of education, lack of information, the control exercised by the traffickers, false information about legislation, false information on the success of other migrants, family circumstances or mental dependency, relationship with the authorities/victim status.

Exploitation indicators - hours and days of excessive labour, bad living conditions, hazardous working conditions, low income or lack of income, failure to comply with the labour legislation or lack of social protection, very bad working conditions.

Indicators concerning the use of force in the country of destination - confiscation of documents, dependence caused by debts, isolation or victim sequestration, use of violence, forcing the victim to act against law, forcing the victim to provide certain services, forcing the victim to act against other victims, forcing the victim to lie his family and the authorities, threat with worse labour conditions, threat with violence, victim is under trafficker's strong influence.

Indicators of the abuse on the vulnerability position in the state of destination: difficulty to live in an unknown area, family circumstances, standard of living, relationship with the authorities/victim status (Ortner, 2011, pp. 10-14)..

CONCLUSIONS

In Romania, there is currently a significantly gap on the level of awareness of human traffick among the inhabitants of urban and rural areas. Thus, we appreciate that in order to make the phenomenon of trafficking in persons more visible and to dismantle prejudices related to the victims it is necessary to intensify the information campaigns.

We consider the authorities and the research institutes should deeply involve in identifying the general coordinates that govern the activities carried on these illegal markets, analyzing its dynamics in Europe, the mechanisms and the volume of financial flows and assessing the association of these markets with the financing of the Europe-based and operating extremist groups.

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