



## NATIONAL PETITION – Call for civic responsibility

**Re: Human trafficking is a threat to human security and to national security.**

In Romania most clients of trafficking are not sanctioned and the victims are insufficiently protected! Dozens of cases of trafficking in human beings have been investigated as other forms of sexual offences, as is the case of the Bacău schoolgirls that have been drugged and raped by policemen, politicians and businessmen from Bacău

### WHEN JUSTICE FOR THOSE WHO ARE VULNERABLE IS FAULTY, CIVIL SOCIETY MUST STAND UP!

The European Report on human trafficking, published in December 2018, shows that **74% of all EU citizens trafficked** in the 28 member states **are Romanians**. The National Agency against Trafficking in Persons (ANITP) reports fake data since 2010, both to international and national bodies, on the actual number of trafficked Romanians.

Against this particular background, most Romanian judges are not professionally trained to understand the danger of this phenomenon and the Directorate for Investigating Organized Crime and Terrorism (DIICOT) does not always have the required capacity to properly address human trafficking investigations when recruitment is done with predilection through the "loverboy" method, as well as to identify networks on all hierarchical levels, using especially effective financial investigations.

The case of the secret club in Băcău determined the community at the "Stay Free" Regional Conference (over 1400 teachers and pupils from the Moldova region) to act and to ask support in order to make the competent authorities to use their institutional capacity to improve the situation in the field of anti-trafficking, in particular on the case mentioned above.

Therefore, on behalf of this community and the 63 signatory NGOs, we request:

- 1. To the Prime Minister of Romania, Mr. Ludovic Orban**, to take responsibility for effective policies and reforms in the elimination of trafficking in human beings, which is both a matter of national security and a European problem that severely affects Romania's external image.
- 2. To the Minister of Internal Affairs, Mr. Marcel Ion Vela**, to immediately implement the measures related to DIICOT reform in accordance with the provisions of GEO 6/2016, to examine the reasons for which, for almost 10 years, ANITP reports fake data on the number of trafficked Romanian citizens, as well as to ensure sanctioning procedures for the police officers involved in human trafficking networks, especially in the case of the secret club mentioned above, given that several police officers were customers of the club and the investigated officer is part of the police structure responsible for special operations of victim rescue.
- 3. To the Minister of Labour, Mrs. Violeta Alexandru**, to expedite the development of accreditation standards for victim shelters, to create the legal framework for cooperation with specialised NGOs and the financing of victims' protection and assistance services, as well as to prevent trafficking in human beings through the coherent and responsible regulation of recruitment/mediation/ employment agencies in Romania and abroad, as required by the International Labour Organization Convention No. 181/1997.
- 4. To the Minister of Justice, Mr. Marian Cătălin Predoiu**, to ensure coherent legislation on anti-organised crime and the proper training of the magistrates; correct transposition of the EU Directive on the protection of victims and the amending of art. 182 of the New Criminal Code according to the provisions of art. 2 of the Anti-trafficking Directive, in particular with regard to the inclusion of the "exploitation of



criminal activities” provision which, for unknown reasons, has not been transposed into Romania's criminal law.

**5. To the central structure of DIICOT and to the Superior Council of Magistracy - Prosecutors Section** to ensure that the trafficking offences are not classified as pimping or other sexual offences, to examine the lack of intervention for a very long period of time, although the club was well known in Bacau, as well as the possible gross negligence and/or bad faith of the case prosecutor, who, although had sufficient evidences to prosecute the case as trafficking in minors, [he did not do it](#), thus putting the victims at risk and protecting the victims’ clients (public figures) from the criminal investigations.

We note that in Bacau, very close to the police headquarters, there was a secret club running since 2015- as DIICOT Bacău is stating or as [local journalists are stating](#) - since 2008. In this club, girls from high schools in Bacau and other nearby towns were recruited through the "loverboy" method, they were invited to a party where they did not know what was going to take place, were over-drugged up to the point where they were left unconscious and then raped by law-enforcement officials, businessmen and politicians. Everything was videotaped and subsequently used for the blackmail of the exploited girls and customers of the club.

In this context in which all elements of the crime of trafficking in minors appear to be met, we suspect that the offences were improperly investigated and that the all injured parties hearing was omitted by the DIICOT Bacău prosecutor, who decided to go further with the criminal proceedings for [other types of offences](#). We note that any action of trafficking in persons, in which customers had or could have been aware that the girls were forced (here, obviously, being minors/drugged) into prostitution, attract the client's criminal liability under art. 216 of the New Criminal Code – „*The action of using the services listed under Art. 182, provided by a person about whom the beneficiary knows that they are a victim of trafficking in human beings or of trafficking in minors, shall be punishable by no less than 6 months and no more than 3 years of imprisonment or by a fine, unless such action is a more serious offense.*”

In the light of the above, including the information provided through web links,

Taking into account the obligations of the Romanian institutions **to protect their citizens** against the serious violation of dignity and fundamental rights and to reduce phenomena that directly affect [national security](#),

We, the signatory NGOs, are calling on the above mentioned actors to streamline anti-trafficking actions against Romanian human trafficking networks and protect Romanian citizens, especially minors.

1. Centrul European pentru Educație și Cercetare Juridică (ECLER)
2. Valoare Plus, Bacău
3. Consiliul Tineretului din România
4. Liga Studențească din Universitatea "V. Alecsandri" din Bacău
5. Federația Tinerilor din Bacău
6. Ușa Deschisă
7. ReachingOut
8. Freedom House Romania (FHR)
9. Voci pentru Democrație și Justiție (VeDemJust)
10. Asociația Inițiativa pentru Cultură Democratică Europeană (ICDE)
11. Funky Citizens
12. Asociația ACCEPT
13. Fundația Agenția Impreună
14. Asociația Serviciul Iezuitilor pentru Refugiati din Romania (JRS Romania)
15. Consiliul Tinerilor Instituționalizați
16. Asociația Femeilor Românce din Italia
17. Platforma România 100 (Ro100)
18. Asociația pentru Dezvoltare Activă



19. Asociația Ingenious Drama
20. Asociația Be Great
21. Fundația “Sf. Ioan Bosco”
22. Asociația Favor
23. Asociația Make Sense
24. Centrul pentru Resurse Civice
25. Societatea de Analize Feministe (AnA)
26. Asociația Romanian Women's Lobby
27. Centrul de Mediere și Securitate Comunitară
28. Asociația Cultural Socială Economică Christiana
29. Asociația ANAIS
30. Centrul de Studii în Idei Politice
31. Asociația Aradul Civic
32. Ștafeta Steagului Uniunii Europene
33. Corupția Ucide
34. Vă Vedem din Iași
35. RESET Iași
36. #activAG Pitești
37. Cuza Vrea Dreptate Iași
38. Rezist Iași
39. Rezist Ingolstadt. Și eu sunt din România
40. Brașovul Civic
41. Valea Jiului Society
42. Diaspora Franța solidară cu România
43. Mișcare Civică Diaspora Austria
44. Canada Save Roșia
45. Voluntari în Europa
46. Acțiunea Civică Galați
47. Procivic Baia Mare
48. Asociația Bihorul Civic
49. Rezist Protestatari pro democrație Londra
50. #Rezist Milano
51. Alba Iulia Civică
52. Grupul Civic Madrid-Ro
53. Inițiativa Timișoara
54. Rezist Galați
55. Asociația ACREMIS
56. Mișcarea pentru Dezvoltarea Moldovei
57. Rezistăm și la Paris
58. RISE OUT
59. Asociația "Atlatszo Erdely Egyesulet" (Transilvania Transparenta)
60. Asociația CARE – Cetățeni Activi pentru Relații Etice
61. Asociația Pas Alternativ
62. Fundația Centrul Parteneriat pentru Egalitate
63. Romanian Youth Movement for Democracy

Date: November 19, 2019

[The Independent Working Group Against Trafficking in Persons and Migrants \(THB-WG\)](#), with the expertise of its members, is at the disposal of stakeholders interested in improving anti-trafficking policies in Romania. Contact person: Silvia Tabusca, [office@ecler.org](mailto:office@ecler.org)