



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

EU Anti-Trafficking Coordinator

Brussels, 23 March 2023
HOME.D/

Professor dr. Silvia Tăbușcă
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Research
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Dear Dr Tăbușcă,

Thank you for your letters from 13 February 2023 addressed to President von der Leyen (Ares(2023)1064328) and to myself (Ares(2023)1025643) expressing concerns and challenges related to the implementation of an emergency ordinance issued in 2016 for the reform of the Romanian specialized prosecutor's office – the Directorate for Investigating Organized Crime and Terrorism (DIICOT). You have also raised questions on the capacity of law enforcement agencies to carry out their legal obligations to combat and monitor human trafficking, on the operationalization of the 9 shelters for victims of human trafficking and funding needs for assistance and protection, as well as on coordinating public education and awareness efforts on human trafficking with the assistance of public and private media institutions.

I wish to assure you that addressing trafficking in human beings is a priority for the EU. The Commission encourages Member States to take all the necessary measures to effectively tackle the crime, bring criminals to justice and support and protect the victims

In relation to the points you raised, I would like to underline that Member States are responsible for maintaining and implementing law and safeguarding internal security. Consequently, any action by national authorities, remains the primary responsibility of the Member State concerned.

The EU Strategy on combatting trafficking in human beings 2021-2025¹ contains comprehensive measures from prevention through protection of victims to prosecution and conviction of traffickers. The Commission supports Member States, including Romania, in the implementation of the Strategy and continues the engagement with all Member States.

The EU has also in place a comprehensive legal framework to address trafficking in human beings, anchored in the Anti-Trafficking Directive (Directive 2011/36/EU)². The

¹ COM(2021) 171 final

² Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

Commission is committed to use the powers conferred to it by the Treaties to ensure full transposition and implementation of the Directive.

On 19 December 2022, the Commission presented the fourth report³ on the progress made in the fight against trafficking in human beings and a proposal⁴ for a modification of the Directive. The evaluation⁵ of the Directive and fourth progress report identified several challenges in addressing human trafficking in the EU⁶.

The revision of the Directive will update and further harmonise the EU legal framework, with the specific aim of facilitating cross-border cooperation in cross-border cases.

As EU Anti-Trafficking Coordinator, I am in dialogue and in regular contact with the Romanian competent national authorities and civil society organisations including through the EU Network of National Rapporteurs and Equivalent Mechanisms and the EU Civil Society Platform against trafficking in human beings. My visit to Bucharest on 21 March 2023, was another opportunity to discuss current challenges in relation to trafficking in human beings.

Additionally, the Commission is working closely with the Presidency of the Council to have a positive decision on the accession of Romania (and Bulgaria) to the Schengen area in the second half of 2023. Full participation in Schengen will enhance police cooperation and strengthen combat of cross-border crime and internal security more generally.

Finally, civil society is an equal partner in the EU anti-trafficking efforts and we highly value the commitment to address the crime of trafficking in human beings.

Yours sincerely,

Diane SCHMITT
(e-signed)

³ [Fourth report on progress fight against trafficking human beings \(europa.eu\)](#)

⁴ COM(2022) 732 final

⁵ SWD(2022) 427 final

⁶ https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7781