

ROEHAMPTON UNIVERSITY

Trafficking in Human Beings: A Comparative Analysis of the European Union and two EU Member States – Romania and France

National Implementation of EU Standards,

Written by
M. Bjerregaard

A dissertation submitted in the partial fulfillment for the degree MA
Human Rights and International Relations

Department of Social Sciences, Roehampton University
9/5/2011

TABLE OF CONTENTS

LIST OF FIGURES	2
APPENDICES	3
1. INTRODUCTION	4
1.1 AIM AND OBJECTIVES	6
1.2 THE RESEARCH QUESTIONS.....	7
1.3 BACKGROUND	7
1.4 THE EUROPEAN UNION POLICIES ON TRAFFICKING IN PERSONS.....	10
1.5 FRANCE	16
1.6 ROMANIA.....	19
2. LITERATURE REVIEW.....	22
3. METHODS	28
3.1 DESIGN	28
3.2 MATERIALS	30
3.2.1 Romania	30
3.2.2 France	30
3.2.3 EU Legal Documents.....	30
4. ETHICS	32
5. FINDINGS	33
5.1 EU COUNCIL FRAMEWORK DECISION OF 2002 ON COMBATING TRAFFICKING IN HUMAN BEINGS	33
5.1.1 Romania	33
5.1.2 France	35
5.2 COUNCIL FRAMEWORK DECISION OF 2003 ON COMBATING THE SEXUAL EXPLOITATION OF CHILDREN AND CHILD PORNOGRAPHY	36
5.2.1 Romania	36
5.2.2 France	37
5.3 COUNCIL DIRECTIVE OF 2004 RELATING TO COMPENSATION TO CRIME VICTIMS	38
5.3.1 Romania	38
5.3.2 France	40
5.4 COUNCIL DIRECTIVE OF 2004 ON THE RESIDENCE PERMIT ISSUED TO THIRD COUNTRY-NATIONALS WHO ARE VICTIMS OF TRAFFICKING IN HUMAN BEINGS OR WHO HAVE BEEN THE SUBJECT OF AN ACTION TO FACILITATE ILLEGAL IMMIGRATION, WHO COOPERATE WITH THE COMPETENT AUTHORITIES.....	41
5.4.1 Romania	41
5.4.2 France	42
5.5 COUNCIL FRAMEWORK OF 2008 ON THE FIGHT AGAINST ORGANIZED CRIME	42
5.5.1 Romania	43
5.5.2 France	43
6. DISCUSSION.....	45
7. CONCLUSION	50
BIBLIOGRAPHY	51

LIST OF FIGURES

FIGURE 1: THE PALERMO PROTOCOL.....	11
FIGURE 2: TRAFFICKING IN PERSONS IN THE EUROPEAN UNION.....	16
FIGURE 3: VICTIMS OF “SOLICITING PROSTITUTION” IN FRANCE, BY GENDER AND AGE.....	18
FIGURE 4: PERSONS PROSECUTED FOR “SOLICITING PROSTITUTION” IN FRANCE, BY AGE.....	19
FIGURE 5: PERSONS CONVICTED OF TRAFFICKING IN ROMANIA, BY GENDER (2003-2007).....	20
FIGURE 6: VICTIMS OF TRAFFICKING IN ROMANIA, BY GENDER (2005-2007).....	21

LIST OF TABLES

TABLE 1: EU COUNCIL FRAMEWORK DECISION OF 2002 ON COMBATING TRAFFICKING IN HUMAN BEINGS: ROMANIA AND FRANCE.....	33
TABLE 2: COUNCIL FRAMEWORK DECISION OF 2003 ON COMBATING THE SEXUAL EXPLOITATION OF CHILDREN AND CHILD PORNOGRAPHY: ROMANIA AND FRANCE.....	36
TABLE 3: COUNCIL DIRECTIVE OF 2004 RELATING TO COMPENSATION TO CRIME VICTIMS: ROMANIA AND FRANCE.....	38
TABLE 4: COUNCIL DIRECTIVE OF 2004 ON THE RESIDENCE PERMIT ISSUED TO THIRD COUNTRY-NATIONALS WHO ARE VICTIMS OF TRAFFICKING IN HUMAN BEINGS OR WHO HAVE BEEN THE SUBJECT OF AN ACTION TO FACILITATE ILLEGAL IMMIGRATION, WHO COOPERATES WITH THE COMPETENT AUTHORITY: ROMANIA AND FRANCE.....	41
TABLE 5: COUNCIL FRAMEWORK OF 2008 ON THE FIGHT AGAINST ORGANIZED CRIME: ROMANIA AND FRANCE.....	42

APPENDICES

APPENDICE A:

COUNCIL FRAMEWORK DECISION OF 2002 ON COMBATING TRAFFICKING IN HUMAN BEINGS

APPENDICE B:

COUNCIL FRAMEWORK DECISION OF 2003 ON COMBATING THE SEXUAL EXPLOITATION OF CHILDREN AND CHILD PORNOGRAPHY

APPENDICE C:

COUNCIL DIRECTIVE OF 2004 RELATING TO COMPENSATION TO CRIME VICTIMS

APPENDICE D:

COUNCIL DIRECTIVE OF 2004 ON THE RESIDENCE PERMIT ISSUED TO THIRD COUNTRY-NATIONALS WHO ARE VICTIMS OF TRAFFICKING IN HUMAN BEINGS OR WHO HAVE BEEN THE SUBJECT OF AN ACTION TO FACILITATE ILLEGAL IMMIGRATION, WHO COOPERATE WITH THE COMPETENT AUTHORITY

APPENDICE E:

COUNCIL FRAMEWORK OF 2008 ON THE FIGHT AGAINST ORGANIZED CRIME

1. Introduction

“From its very beginning European integration has been firmly rooted in a shared commitment to freedom based on human rights, democratic institutions and the rule of law...This freedom should not, however, be regarded as the exclusive preserve of the Union’s own citizens. Its very existence acts as a draw to many others world-wide who cannot enjoy the freedom Union citizens take for granted. It would be in contradiction with Europe’s traditions to deny such freedom to those whose circumstances lead them justifiably to seek access to our territory. This in turn requires the Union to develop common policies on asylum and immigration, while taking into account the need for consistent control of external borders to stop illegal immigration and to combat those who organize it and commit related international crimes. These common policies must be based on principles which are both clear to our own citizens and also offer guarantees to those who seek protection in or access to the European Union.”

(The Belgian Presidency Conclusions from the Conference “Towards a multidisciplinary approach to prevention of trafficking in human beings, prosecution of traffickers and protection of victims, 2011).

Trafficking in human beings is an increasing concern within the European Union; the purpose of this study is to explore the interpretation of European Union standards and how these have affected the situation in two European countries today; one country of origin and one country of transition will be analyzed, namely Romania and France. What has changed during the last decade? Is the situation the same, has it worsened or improved? At the moment there are numerous institutions with more or less various conclusions; the opening of borders within the European Union has made it easier to traffic people across countries; the Schengen area and cooperation were implemented in the Schengen Agreement of 1985. The agreement

enables free movement of people within the Schengen territory and a termination to internal border controls. An important element and justification of the Schengen agreement is better security within the Schengen area and closer cooperation and coordination between police services and judicial authorities; however, whilst the majority of trafficking occurs at national or regional territories, and more rarely across continents, as a direct result of the Schengen agreement, the levels of organized crime have increased. The enormous interest towards trafficking in human beings during the last decade can be demonstrated by the organization of the largest EU conference ever at the beginning of the millennium, on “Preventing and Combating Trafficking in Human Beings” in Brussels 2002. The result of the conference was “The Brussels Declaration” outlining a set of policies for the EU in the area of trafficking in human beings. During this summer, the European Council has highlighted two issues, namely the European economy and asylum and migration policies, indicating that this subject is still highly prioritized. The European Commission and the European Council have a range of legislative tools that concern not only trafficking in human beings, but that also relate to issues regarding migration law, criminal law labor law and free movement of people. These laws apply to all member states of the European Union and are constructed to fight trafficking in human beings. The present paper will take a closer look at some of these laws and compare them to a set of variables, namely two different Member States within the European Union. We know that most victims of trafficking come from poorer areas and are often trafficked to wealthier countries or cities; it would therefore be relevant to examine a country where victims of trafficking are reported to come from, and one country where victims are trafficked to. There is a constant shift in these countries and there are reported great variations in terms of which countries have the highest amount of victims. However, statistics by the United Nations Office for Drugs and Crime illustrate that France is still a destination country and Romania is still a country of origin for victims of trafficking. Both countries are EU Member

States and both countries identify trafficking in human beings as an important political issue. The European Commission reports that France introduced a Parliamentary Mission Report on the fight against modern forms of slavery and trafficking in 2001, while Romania adopted its first National Action Plan for Combating Trafficking in Human Beings the same year. The present study will therefore for both practical and empirical reasons focus on the development within the previous decade.

1.1 Aim and Objectives

The purpose of the present study is to investigate the development of the fight against trafficking in human beings within the European Union during the last decade. First of all, actions and strategies applied by the European Union will be examined in order to get a clearer illustration of the most important EU processes relating to preventing and combating trafficking in persons. Secondly, two Member States of the European Union will be explored in order to compare their standards and procedures in the field of preventing and combating trafficking in human beings at the national level against those at the regional / EU level; one country of origin – Romania, and one country of destination – France, will be investigated for these reasons. This will give an illustration of how and what the European Union's priorities are, compared to priorities and standards at the national level in two different countries. It is also important to note that a country of origin might have other areas to focus on than a country of destination. Lastly, gaps in standards and procedures will be identified by cross-examining the standards and procedures at the EU level with standards and procedures at the national level.

1.2 The Research Questions

1. Have the EU resolutions against trafficking in human beings led to an improvement in this situation in France and / or Romania?
2. What are the main challenges for Romania and France as national activists in terms of preventing and combating trafficking in human beings?
3. What are the main challenges for the European Union as a regional activist in terms of preventing and combating trafficking in human beings?
4. Are there any significant differences in EU standards and procedures versus national standards and procedures (in Romania and France) within the field of preventing and combating trafficking in human beings?

1.3 Background

During the last decade, there has been a massive turn in attention towards the phenomenon of trafficking in human beings, at both the international agenda, but also at the regional and national level. Trafficking in human beings is a serious crime and a grim violation on basic human rights and is therefore of a great concern to all societies that respect and value human rights. The last decade has seen an enormous interest by international institutions, governments and NGOs in the field of preventing and combating trafficking in human beings, after an era characterized by civil wars and the fall of communism in Central and Eastern Europe. These happenings eventually led to a wave of illegal movement of people and exploitation of vulnerable groups. At the EU level, a special dedicated website was developed in 2010 in order to *“raise awareness of the problem and to show what is being done at EU-level and in the Member States to fight this injustice”*; these were the words Cecilia Malmström, the European Commissioner for Home Affairs, used to describe the purpose of the website. As the founder of this website, she is dedicated to fighting trafficking in human beings. In the previous years, the European Union’s ability to successfully influence the fight

against trafficking has been questioned, as the problem does not seem to disappear. However, there should be reason to believe that the last ten years hard work by the EU to prevent trafficking in persons would have had a positive effect on this serious problem in Europe. In fact, during the last decade, a number of new policies and action plans have been implemented by the EU in attempts to solve the problem. The concern lies within the scope of the problem; trafficking in human beings is a highly complex phenomenon and touches many different branches within European politics. The first UN convention dealing directly with trafficking in human beings was the 1949 Convention on the Suppression of Trafficking in Women and the Exploitation of Prostitution of Others. This is today replaced by the Palermo Protocol of 2003, and is adapted by major international institutions, including the European Union. It is assumed that the Palermo Protocol led to acceleration in European countries adapting specific legislation into their national legal systems to fight trafficking in persons. EU policies against trafficking have previously mainly focused on the prosecution of offenders and during the last years, the protection of victims. However, other areas such as immigration policies and labor policies are important issues related to trafficking, and are elements of the EU trafficking politics that have not been given enough attention. According to the US TIP Report 2010, there are certain components that make up for a good trafficking in persons law. Firstly, a broad definition of the concept of “coercion”, which can be identified in many forms of trafficking in human beings, is crucial. Secondly, it is necessary with a good definition of trafficking that facilitates effective law enforcement, prosecutorial procedures and allows for the gathering of significant data. Thirdly, it must consist of a framework for ensuring care to all suspected victims of trafficking, where they have access to certain basic services. Fourthly, clear, autonomous immigration relief for trafficking victims; particular protection for child victims of trafficking is required. The final significant component to ensure a good trafficking law finally, is the explicit frameworks for providing

victims with legal assistance and financial compensation. Because traffickers are exploiting their victims, using means such as fraud, threat, force and deception, trafficking in human beings is now often described as a “modern form of slavery”. As noted by d’Estrée (2008), there have never been more slaves than at this point ever in history, added to the fact that trafficking in persons is a highly lucrative business – second to the illegal distribution of drugs, making it an important area to focus on for governments, NGO’s and international institutions. In addition to governments and other formal institutions’ focus, it is significant for researchers to identify the gaps that will help institutions to act according to the problem. Furthermore, focus must be on attention to rapid shifts in the patterns of traffickers and victim profiles; according to a recent report on EU organized crime threat assessment constructed by Europol (2011), human traffickers are extremely attentive to shift according to emerging or changing demands, in order to exploit and take advantage of the highest possible amount of human resources in diverse environments. The report concludes that human traffickers recruit their victims within deprived, disadvantaged and weakly integrated parts of society by offering employment abroad, apparently of legal art.

Another area of concern is that the internet is increasingly becoming a key tool for recruitment of victims and advertisement of services, in addition to the organizing of meetings between victims and clients. This eases the process of recruitments for offenders and hampers the process of identifying criminals for governments and law enforcement agencies. Romania has seen a high frequency of reported criminal groups within trafficking in human beings, in addition to Albania, Hungary and Bulgaria, and is seen as a threatening group to the society on a general basis. Traditional areas of exploitation such as prostitution, begging, theft, textile and agriculture sectors is today increasingly accompanied by areas such as tourism, construction, catering, nursing and domestic service. There is reason to believe that the use of the internet increasingly assists the marketing of transnational market of sex workers and that

this will increase the number of women exploited in a less visible approach. Furthermore, Europol addresses the political instability in Middle East and North Africa as likely to produce criminal groups. Additionally, the practice of trafficking human beings for the commission of welfare benefit fraud which is likely to expand because of its large profit and low levels of perceived risk, as emerging and future issues of concern for the European Union.

1.4 The European Union Policies on Trafficking in Persons

The institutions dealing with trafficking in human beings within the EU is mainly the European Council, the European Commission and the European Parliament. The Member States of the Council of Europe adopted the European Convention on Human Rights (ECHR) as early as in 1950. All Member States having signed this, is thus legally bound by it. The ECHR is enforced through the European Commission of Human Rights and the European Court of Human Rights and it enables individuals to bring a claim against a state for human rights violations. However, claims must be brought against *state parties*, which limit an individual's ability to seek legal justice in the field of trafficking in human beings (Hauber, 1998).

The first resolution on the exploitation of prostitution and trafficking in human beings was adapted by the European Parliament in 1989. This resolution was followed by a parliamentary resolution in 1993 calling for international cooperation to combat trafficking in women and to improve the protection of victims. Trafficking in human beings is today defined by the previously mentioned UN-protocol, or the Palermo Protocol as "*the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the use of threat or force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.*"

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”. The Palermo Protocol came into effect in 2003 (Schmidt & Morehouse, 2010), and is an important element to describe the phenomenon of trafficking in human beings, for the prevention of trafficking in human beings and for the prosecution of the perpetrators, and is adopted by the EU as the basis for legislation. The Palermo protocol was the first international instrument that called for the criminalization of all kinds of trafficking, and encouraged all governments to respond by incorporating the “3P” model; *prevention, criminal prosecution, and victim protection*.

FIGURE 1: THE PALERMO PROTOCOL

The infographic is titled "What is Trafficking in Persons?" in a dark blue header. Below the header, there is a light blue box with a small icon of a globe and the text "Palermo-Protocol". The main content is in a light orange box. It starts with a paragraph: "First definition of trafficking in persons. The **UN-Protocol**, better known as "Palermo-Protocol" came into effect on 25 December 2003." This is followed by three bullet points: 1. "Trafficking in persons means the recruitment, transportation, transfer, harbouring or receipt of persons." 2. "It describes the threat or use of **force** or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a **position of vulnerability** or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person." 3. "Trafficking in persons is **exploitation**. Exploitation includes the prostitution of others, forced labour or services, practices similar to slavery, servitude or removal of organs." At the bottom right of the infographic, there is a small copyright notice: "© Bertelsmann Stiftung".

Source: Bertelsmann Stiftung (2010)

The European Union emphasizes the importance of “*providing citizens with a high level of safety within an area of freedom, security and justice by developing common action among Member States in the fields of police and judicial cooperation in criminal matters*”, in the Treaty on the European Union, Article 29. This will be achieved by “*preventing and combating crime, organized or otherwise, in particular [...] trafficking in persons and offences against children [...]*”. During the last decade, the issue of trafficking in human beings has evolved into a political dilemma within the European Union, and the focus on how to combat the problem has become an EU priority.

EU action against trafficking involves three main points; legal measures, international cooperation (especially with victims’ countries of origin) and other measures, including funding, awareness-raising and statistics (The European Commission). Within the EU, the main focus is on the “3P’s”. The first P refers to the prevention of trafficking by cooperating with source countries. The second P stands for the protection of victims by allowing victims to stay within the EU, and to ensure a safe environment while they consider whether to help the authorities prosecute the traffickers in addition to promoting training for services dealing with victims. Finally, the last P stands for the prosecution of criminals by ensuring that trafficking is a criminal offence within the EU and carries minimum penalties (The European Commission). During the last two or three years, the EU has seen an even stronger focus on fighting trafficking, through a new framework for preventing trafficking in human beings in 2010. This establishment of an EU Anti-Trafficking Coordinator is being provided by the Stockholm Program in 2009, the EU Anti-Trafficking Day every year on the 18th of October established in 2007, and through National Rapporteurs and EU Funding Programs. The 2009 Stockholm Program was adopted by the European Council in 2009 and provides a framework for EU action on issues related to citizenship, security, justice, immigration, asylum and visa policy for a period from 2010 – 2014. The Stockholm Program emphasizes the enlargement

of the Schengen area and particularly highlights trafficking in human beings in section 4.4.2. In 2007, the Commission Decision set up the Group of Experts on Trafficking in Human Beings. The group's focus is on further development of the prevention of and the fight against trafficking in human beings. The members represent EU member states, non-profit organizations and Europol. In 2009, the Council Conclusions invited all member states to participate in an informal EU network of National rapporteurs or similar mechanisms with the objectives to provide a better understanding for the phenomenon of trafficking in human beings and to provide the EU and its members with up to date, reliable and strategic information in the field of trafficking in human beings. There are today a number of directives constructed to prevent trafficking in persons within the European Commission. EU legislation is mainly divided into four categories; Criminal Law, International Law, Labor Law and Free Movement of People, and Migration Law. The existing EU legal instruments relating to combating and preventing trafficking in human beings oblige EU Member States to criminalize all acts that constitute trafficking in human beings, and to provide a satisfactory framework to protect victims of trafficking in human beings as victims of crime. However, their inversion into domestic legislation lies with the Member States. Because of legislative gaps between national legislation and EU legislation, the elements that determine trafficking in human beings vary considerably across EU Member States. This paper will take a closer look at the following EU legal frameworks, including:

- EU Council Framework Decision of 2002 on Combating Trafficking in Human Beings (Appendix A)
- Council Framework Decision of 2003 on Combating the Sexual Exploitation of Children and Child Pornography (Appendix B)
- Council Directive of 2004 Relating to Compensation to Crime Victims (Appendix C)
- Council Directive of 2004 on Residence Permit (Appendix D)

- Council Framework of 2008 on the Fight Against Organized Crime (Appendix E)

The EU Council Framework Decision of 2002 defines trafficking in persons in terms of sexual exploitation and labor exploitation and declares that all member states shall take the necessary measures to ensure that the crime of trafficking are punishable. These acts include the recruitment, transportation, transfer and harboring, subsequent reception of a person, including exchange or transfer of control over a person. It also emphasizes the importance of protection and assistance for victims. The EU Council Framework of 2002 consists of a total of 11 articles; see Appendix A for full details of the Council Framework.

The Council Framework Decision of 2003 on combating the sexual exploitation of children and child pornography introduces a base of common provisions on criminalization, sanctions, aggravating circumstances, jurisdiction and assistance to the victims; its purpose is to estimate the laws and regulations in member states in order to combat sexual exploitation of children. The Council Decision consists of 13 articles. For full details see Appendix B.

The Council Directive of 2004 relating to compensation to crime victims certify that member states have a national scheme that matches appropriate compensation to victims of human trafficking, and consists of 21 articles. The EU Council Directive encourages member states to create national systems for cooperation between applicable national authorities. See full details in Appendix C.

The Council Directive of 2004 on residence permit consists of 19 articles and has been introduced for victims who cooperate with the police, prosecution services and other competent authorities. It provides every victim of human trafficking who is not an EU national and is staying illegally, a so called reflection period in which the victim can decide to cooperate with the authorities or not. During the reflection period, the victim has access to medical care and other applicable services. For full details, see Appendix D.

Finally, the Council Framework of 2008 on the fight against organized crime consists of 12 articles and ensures cooperation between EU member states and thus, counters the risks and proliferation of criminal organizations. See Appendix E for full details.

The EU Council Framework Decision of 2002 is soon to be replaced by the new EU Directive of 2011; however, the previous one will be used in this study as this is the legislation that has been practiced during the last years. These frameworks provide an understanding for how the EU aims to combat trafficking in human beings, and will be used as basis for analyzing the situation in two EU Member States today. How are these laws compared to the national laws in Romania and France? Has the situation on trafficking changed in these countries since the implementation of these EU laws? Even more significant is the question whether member states have implemented EU legislation at the national level or if the national political environment is supportive and encouraging. Furthermore, the European Union's legal frameworks will be used for the purpose of looking at the relationship between what the European Union intend to achieve and what *has* been achieved at national level in Romania and France.

FIGURE 1: TRAFFICKING IN PERSONS IN THE EUROPEAN UNION



Source: Europol, (2008)

Figure 2 demonstrates the demographics of trafficking in human beings within Europe in 2008; the target countries represent those countries that victims are trafficked to, while the remaining countries are countries of origin, i.e. the countries that victims come from. The figure illustrates that most victims come from countries in Eastern Europe in addition to Russia and Nigeria, while the target countries are based in Western Europe. For this purpose, one country from each group will be analyzed to look at possible indicators demonstrating any differences in EU legislation and how these are being practiced in France and Romania.

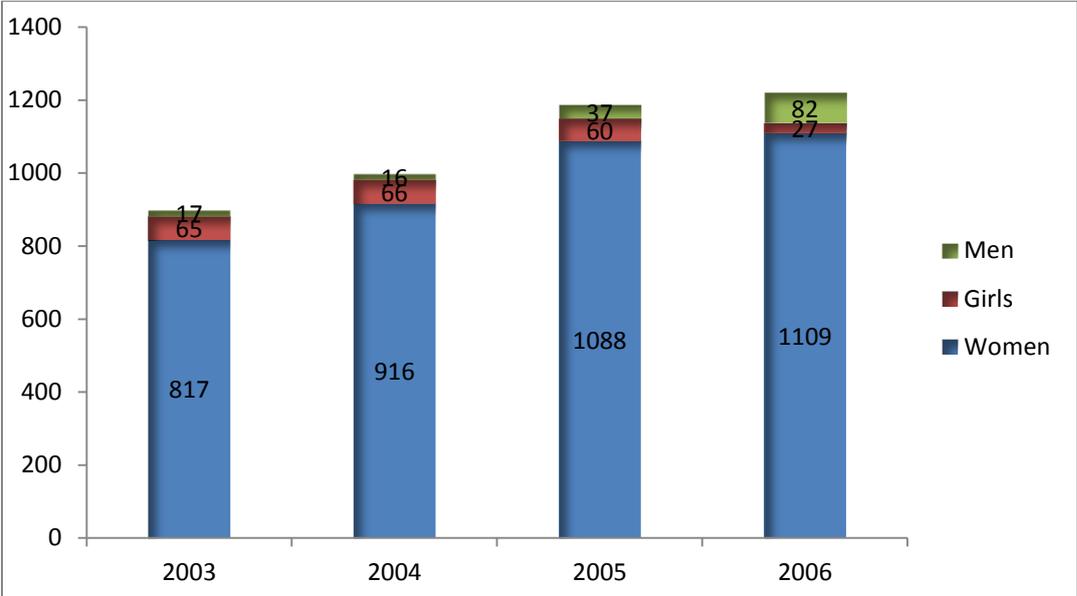
1.5 France

France is considered a destination country for trafficking; victims come from Eastern Europe, West Africa and countries in Asia. France became a member of the EU in 1957, as one of the five founder members. According to the US TIP Report 2010, France is ranked as a “Tier 1”, which implies that the government fully complies with the Trafficking Victims Protection

Act's (TVPA) minimum standards, has been doing so since 2001. During the last decade, the focus on trafficking in persons has increased. It started in 2001 when the issue began to receive political attention and a comprehensive legal framework to combat trafficking in human beings was being developed. According to the European Commission, 10.000 – 12.000 women are estimated to be victims of sex trafficking in France, many of them located in Paris. The national legislation prohibits trafficking for sexual and labor exploitation; a specific offence of trafficking in human beings was established in 2003 under the Law on Internal Security (*Loi sur la sécurité intérieure*). This law applied a specific punishment for those exploiting vulnerable individuals and presented the definition of human trafficking in the Criminal Code. At the moment, there is no National Action Plan to combat trafficking in human beings in France, but there is apparently ongoing work to establish one. The French Government has established an inter-ministerial working group, *the Central Office for the Repression of Trafficking in Human Beings*, which is responsible for identifying and punishing any offences related to procuring, centralizing all information that could facilitate the search for human trafficking, and coordinating all operation for the suppression of trafficking in human beings in France. However, France has yet to appoint a National Rapporteur, in which the EU Council Conclusions decided to set up in 2009. The National Rapporteurs are responsible for monitoring the implementation of anti-trafficking policies at the national level and will play an important role in the investigation on trafficking at the national and the EU level. In a report by the United Nations Office on Drugs and Crime (2008), it was reported that the number of cases of trafficking in persons prosecuted through the offence of trafficking in human beings are very limited in France, and that human trafficking cases are mostly prosecuted through the offence of “soliciting prostitution” in cases of sexual exploitation. In cases of trafficking for forced labor, the offence of “labor and

living conditions against human dignity” is mostly used. This in turn, gives little statistics on prosecutions of offenders of trafficking and a rather unclear picture of the situation.

FIGURE 3: VICTIMS OF “SOLICITING PROSTITUTION” IN FRANCE, BY GENDER AND AGE (2003 – 2006)

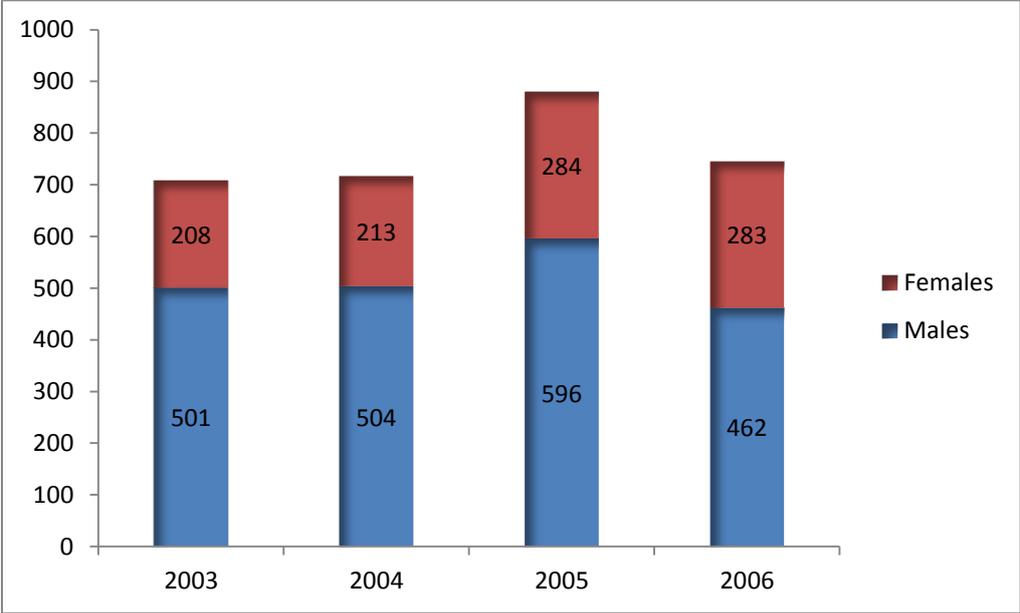


Source: OCRTEH – French National Statistics, in United Nations Global Report on Trafficking in Persons (2008)

Figure 3 demonstrates the number of victims of soliciting prostitution in France from 2003 – 2006, where women are the majority. The numbers are slightly increasing every year, indicating a negative development. According to the report by the United Nations Office on Drugs and Crime (2008), the victims’ nationality was reported to be majorly South-East Europe and West-Central Africa. The number of persons prosecuted for “soliciting prostitution” was from 2003 – 2006 reported to be rather stable, at approximately 700 each year, demonstrated by Figure 4. The majority of prosecuted offenders were male. It was not possible to retrieve any specific data on victims of trafficking in France.

FIGURE 4: PERSONS PROSECUTED FOR “SOLICITING PROSTITUTION” IN FRANCE, BY

GENDER (2003 - 2006)



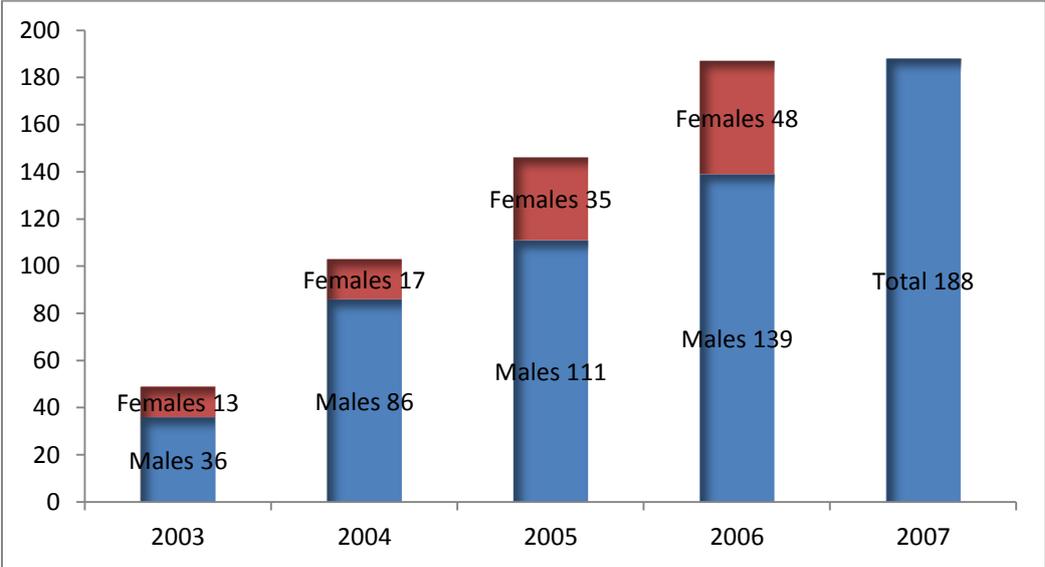
Source: OCRTEH – French National Statistics, in United Nations Global Report on Trafficking in Persons (2008)

1.6 Romania

According to several reports and statistics, Romania has a large number of victims of trafficking; they are trafficked to Western European countries for the purpose of exploitation. Romania is a republic which became a member of the European Union in 2007. Romania’s history within the EU is therefore only four years, which must be taken into account when analyzing EU’s influence on Romania. According to the US TIP Report 2010, Romania is ranked as a “Tier 2” country, indicating that “*the government does not fully comply with the Trafficking Victims Protection Act’s (TVPA) minimum standards, but is making significant efforts to bring itself into compliance with those standards*”. The National Agency against Trafficking in Persons (NAATIP) was established in 2005 to monitor all measures against trafficking in human beings in Romania. Previous research on Romania has revealed that low income is a frequent factor for why people choose to work abroad, in addition to lack of job

opportunities in the home-country and a desire to earn quick money (Human Trafficking Survey: Belarus, Bulgaria, Moldova, Romania and Ukraine, 2006). In this report, 24.4 % of respondents stated that someone in their family worked abroad. Additionally, it was found that 213.000 Romanians were working illegally abroad. Romanians reported that adapting stricter laws and penalties for traffickers, improving economic conditions and raise wages, and providing information on human trafficking and how to avoid risk as important measures for how to prevent trafficking, in addition to combating corruption. In Romania, the definition and criminalization of all forms of trafficking in human beings is codified in *Law No. 678/2001 on Preventing and Combating Trafficking in Human Beings*, which is in accordance with the Palermo-Protocol.

FIGURE 5: PERSONS CONVICTED OF TRAFFICKING IN PERSONS IN ROMANIA, BY GENDER (2003-2007)

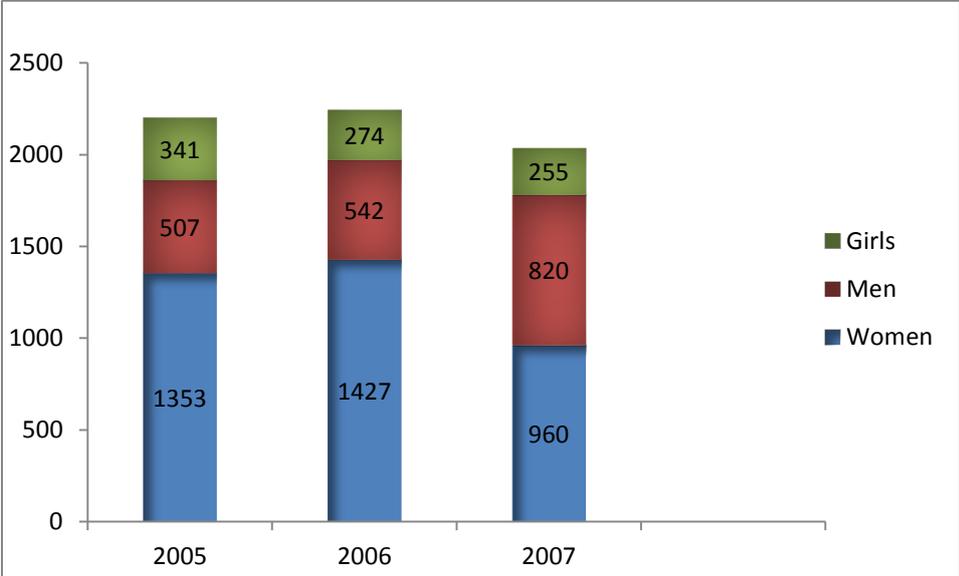


Source: Resource Center for Combating Trafficking in Persons of the Inspectorate General of Romanian Police and Directorate for the Investigation of Organized Crime and Terrorism, in United Nations Global Report on Trafficking in Persons (2008)

Figure 5 demonstrates the number of persons convicted for trafficking in persons from 2003 to 2007; the numbers are increasing every year. This trend is an illustration of the slow evolution in criminal justice response to the problem in Romania. The adaption of specific legislation increases the number of convictions in the area of trafficking; 49 were convicted in

2003, while 188 were convicted in 2007. In Figure 6, the victims of trafficking in Romania are identified by gender and age, where the majority is trafficked internationally, mainly to South and West Europe, while a small number are trafficked domestically.

FIGURE 6: VICTIMS OF TRAFFICKING IN PERSONS IN ROMANIA, BY GENDER (2005-2007)



Source: The Romanian Directorate for the Investigation of Organized Crime and Terrorism, in United Nations Global Report on trafficking in Persons (2008)

2. Literature Review

Trafficking in human beings has been a growing concern in Europe during the previous years. It is estimated that on a yearly basis 12, 3 million people worldwide are being victims of trafficking in human beings (US TIP Report 2010). In comparison, only 49, 105 victims were identified, and only 4, 501 offenders were prosecuted for offenses related to trafficking and forced labor. The U.S. President Barack Obama expressed in 2010 that *“The victims of modern slavery have many faces. They are men and women, adults and children. Yet, all are denied basic human dignity and freedom... All too often suffering from physical and sexual abuse, it is hard for them to imagine that there might be a place of refuge.”*

The research concerned about trafficking of human beings within Europe is varied and with diverse perspectives and views. Previous literature regarding European policies on trafficking in persons stretches from a negative perspective on the European Union’s ability to successfully influence the fight against trafficking to the belief that the efforts made by the EU during the last decade have resulted in great improvements. A large part of the existing research is concentrated around failing migration policies within the European Union, and around the belief that individual human rights must be the bull’s eye in the fight against trafficking rather than the interest of the state. While statistics and reports by both NGO’s and governmental institutions do provide some numbers and an illustration of the problem, there is still much information missing. Numbers are often only estimates, and in some countries numbers and official statistics are completely missing. A large part of the problem with retrieving information about trafficking lies within the scope of the dilemma trafficking in persons is; like the drug industry, it is a crime that is hidden away from society. It takes a great amount of resources and work to prevent this sort of crime to occur. However, there is some literature of importance relating to the work that has been underdone to combat trafficking in human beings, and where the methods that are being practiced for fighting

trafficking are being discussed. According to d'Estrée (2008), the concern for trafficking in human being has gone from a relatively unknown and little reported problem to a “cause célèbre” motivated by unbelievable and troubling stories covered daily in the media, only during the last decade. However, although the focus is there, there is little evidence for any declining numbers of victims. As mentioned earlier, it is estimated that on average, 12, 3 million people are being trafficked worldwide for exploitative reasons every year. In Europe, nearly all countries are affected, by either being a country of origin, transport or destination (Rijken & de Volder, 2009).

Because trafficking in human beings is a serious violation on basic human rights, the problem has been handled in a human rights law perspective. At the international level, the United Nations has developed conventions specifically determined to fight the crime of trafficking, illustrated by the Palermo-protocol. At the regional level, the European Union has through the European Commission and the Council of Europe, produced a number of preventing measures. These international institutions set the international standards for the criminalization of trafficking in human beings. However, it is equally important that national prevention against trafficking is being implemented, in both countries of origin and countries of destination.

The causes for trafficking in human beings are many; however, in the society that we live in today, human exploitation is an unfortunate result of globalization and competing economic markets (Winterdyk & Reichel, 2010). Moreover, at a G-8 meeting, trafficking was associated as the “dark side” of globalization. It has clearly been easier for traffickers to recruit victims in today’s society where information is easily accessible to everyone at all times. Factors that affects trafficking is often divided into push and pull factors, where push factors might be armed conflicts, poverty, gender inequality, low education attainment and family break ups, while the pull factors are associated with demand for cheap sex and labor and the high

remuneration for the traffickers (Rigby, 2010). Rijken & de Volder (2009) argues that the current EU approach to fight trafficking in human beings fails to apply an integrated approach based on respect for human rights and that EU action has primarily focused on criminal justice in the direction of prevention of trafficking and prosecution of traffickers. Little attention has been given to the area of victim protection, which is where EU action fails, according to Rijken & Volder (2009). However, a new EU Directive this year takes a more victim centered approach, including a gender perspective, to cover actions in different areas such as criminal law provisions, prosecution of offenders, victims' support and victims' rights in criminal proceedings, prevention and monitoring of the implementation. The main EU objective with the new Directive is tougher penalties for traffickers and better protection for victims. This new measures will hopefully improve the situation in Europe and last but not least, advance the framework that protects victims of trafficking.

D'Estrée (2008) emphasizes the importance of a review of the situation on a country by country, region by region and topic by topic basis, in order to get a clearer picture of what the situation is actually like. Because of the small amount of relevant research in the field of trafficking in human beings, international and regional institutions and governments do not have any other choice but to make policy decisions based on little considerable analysis of the problem. Even after the new Directive of 2011, this is an important area to focus on, in order to get a realistic illustration of the situation. The present analysis of the two EU Member States is being carried out with the intention of giving a clearer picture of the situation today; one country of origin and one country of destination – in order to identify their main challenges. Rijken & Volder (2009) suggest that EU measures against trafficking must be addressed in a more equal manner. It must in addition to criminal law measures, also take into account issues related to migration law, labor law, external relations and development policies. Without taking these issues into account, the problem of human trafficking cannot be

solved on an equal basis. Salt (2000) has a similar point of view in terms of how trafficking of human beings are being approached; it is not a lack of interest in this complex dilemma that is the problem, it is the fact that governmental institutions and NGO's are running ahead of the academic research and theoretical understanding of the problem. Because of the lack of reliable research in this field, governments and international policies may be affected by unintended side effects and less efficiency. This brings us to the heart of the problem, namely that trafficking of human beings is such a complex crime and that the gathering of reliable data takes great amounts of resources and competencies, which in turn makes it problematic to carry out reliable research on the subject. It seems however, that international institutions and governments need to prioritize the gathering and collection of reliable data. Then, skilled personnel would need to decide what kind of data to collect and how to use it, in order to get a useful result. They might be interested in both the victims of trafficking and the traffickers themselves. Thus, it might be useful to know the number of trafficking businesses, or the number of their employees. How the trafficking is organized, whether the trafficking is across countries or interstate, and the victims' motivations and expectations are also data that might be advantageous.

According to Salt (2000), there are no in-depth studies regarding these issues in Western European countries. He suggests that business and market development are important features of the investigation of human trafficking; these markets include prostitution, trafficking into manufacturing sweatshops and ethnic economic enclaves. These niche markets need to be analyzed in a business manner. In addition, the area of organized crime needs to be investigated in a more detailed manner, to identify how deeply they are involved in trafficking.

Finally, migration policies will need to interact with policies related to trafficking, as they are often interconnected. At the EU level, the issue of trafficking has generally been seen as an

issue of organized crime, and to a lesser extent an issue of migration (Rijken & Volder, 2009). The need for a more integrated approach is therefore crucial in the fight against trafficking of human beings. This is also discussed by Morrison & Crosland (2000), who claim that refugees are being forced to use illegal means to get into Europe, and that the European policies in the migration field is ending the right of asylum rather than solving the problem of trafficking.

It is still a challenge for the European Union to balance the interest of states against the rights of individuals. Chou (2008) questions whether the European Union's approach to fight trafficking in human beings is being comprehensive or contradicting in a study where he discusses human trafficking from an EU migration perspective. He suggests that from a comprehensive approach, the EU proposes to act in the interests of the migrants, while from a contradicting or securitarian approach, the EU is aiming at implementing the security maintenance aspect rather than focusing on victim protection and rehabilitation. Furthermore, he emphasizes the significance of international cooperation in the migration policy area, as fundamental in the fight against human trafficking; unless all countries and institutions are willing to cooperate, the phenomenon of trafficking in human beings will only continue. Chou's (2008) angle is beyond doubt interesting; there is certainly a link between trafficking in human beings and the focus on migration policies. After all, it all comes down to the simple question of survival. People who migrate and people who are being trafficked all have one thing in common; they want a better life, an improvement of their social, economic and political status. The more the EU Member States increase their capabilities of detection and control of illegal immigrants, the better it is for organized criminal groups; emigrants who lack the right connections that enable them to avoid controls are then forced to deal with organized criminal groups in order to reach their destination. The EU Council Directive for the short term residence permit issued to victims of actions to facilitate illegal immigration or

trafficking in human beings who cooperate with the competent authorities, is in fact unique, as it is the only adopted EU policy that has been implemented to address human trafficking from a migration perspective. However, in Chou's (2008) view, this Directive has been postulated within a security-maintenance perspective, rather than in a victim-protection perspective; a victim-centered approach is fundamental in the fight against trafficking in human beings. There is some truth to this interpretation, and a tricky task for the European Union here is to manage the fine balance between individual human rights, and state security and control of immigrants.

In a study by Laczko & Gramegna (2003), the emphasis is on how to develop better indicators of human trafficking, and on the process of data collection. They argue that although trafficking in human beings has become a political priority for many governments, the amount of available information and particularly of reliable data is still very limited. Because there is a great variety in the bodies and agencies that do have such data, it is critical for them to share and exchange information, both within countries and between countries. Laczko & Gramegna (2003) observe that the sharing of information at the international level often occurs on an *ad hoc* basis, and especially between countries of origin and countries of destination. It is interesting that only a small number of countries have been able to produce statistics on trafficking; countries should learn from each other in order to coordinate the data more efficiently and to extend the volume of statistics. As mentioned earlier, an important mission for the European Union is to focus on the collection of reliable data in order to come up with solutions according to current situations. This takes time and money, but is necessary to achieve an improvement of the current situation in Europe and for future decisions. Additionally, it is necessary for both countries of origin and countries of destination to share ideas about innovative methods on how to gather such data, and that as many countries as possible get involved.

3. Methods

3.1 Design

The paper intends to investigate the relationship between EU standards and procedures in the field of trafficking in human beings, and the standards and procedures in two European countries. A qualitative research approach will be applied using a human rights impact assessment method to analyze the relationship between official EU law and practices in Romania and France, in order to explore how the EU Council Frameworks for combating trafficking in human beings are functioning in these two countries. Previous research has suggested that the current EU approach emphasizes prosecution of offenders and protection of victims, while issues related to immigration and labor are ignored. All member countries are obliged to follow the EU guidelines and rules, however, the national implementation of practices and procedures varies across Member States.

In this study, Romania and France have been chosen as countries to be investigated and analyzed; Romania is seen as a country of origin for victims of trafficking, while France is traditionally seen as a country of destination for victims of trafficking. Applying a country from each of these groups will give light to different areas of concern at two different levels. By using a human rights impact assessment method, the main issues of concern to the EU, Romania and France will be explored. Using this approach will give an illustration of how EU legislation is being practiced in each country; in addition, it will reveal what kind of human rights methods that are improving the situation. The data collected from the above sources will be analyzed through a human rights assessment approach; a Direct Ex post form will be used in order to evaluate and assess the policies, strategies and programs that have been implemented to change the human rights situation (Landman, 2006). An ex post analysis has been chosen because the desire is to assess changes over time and to examine whether the major aims and objectives have been met through the pursuit of a specific set of activities. In

this study, these are the set of the five EU policies. A set of criteria will be matched across various indicators of success to see whether significant human rights improvements have been made; the validity of this exercise will be strengthened through the construction of a Boolean “truth table” (Ragin, 1987), which will list all the cases being examined and the configuration of causal conditions and outcomes of interest.

This study consists of two cases; Romania and France. The causal conditions applied are as follows:

A = Ratification of EU policies

B = Domestic implementation of EU policies

C = Supportive domestic political environment

D = Implementation of additional legal instruments

E = Improvement in the human rights situation (combating and preventing trafficking in human beings).

The purpose of the truth table is to identify any distinct patterns across the causal conditions and the different outcomes. One truth table will be composed for each of the EU Council Frameworks that have been introduced. It should be mentioned that most of the data used in this analysis was relatively easily accessible, with France being the exception; neither the French government nor any French NGOs were willing to share any information to be used in this study. Furthermore, the information that is actually available in French is not translated and has therefore not been valuable to the researcher.

3.2 Materials

The materials used in this study to gather information about each country, consist of a range of documents listed below, in addition to the five EU legal documents that have been used. Furthermore, the Boolean “truth-table” (Ragin, 1987) has been used to analyze the findings.

3.2.1 Romania

- The European Commission, Fight against Trafficking in Human Beings, National Info Pages, Romania
- National Action Plan for Implementing the National Strategy against Trafficking in Persons 2006 – 2010
- 2007 Report on Trafficking in Persons in Romania
- Report of the Achievements of Objectives of the National Action Plan 2006 -2007
- National Agency against Trafficking in Persons, Legislation
- International Centre for Migration Policy Development, Study on the assessment of the extent of different types of Trafficking in Human Beings in EU countries 2010
- US Trafficking in Persons Report 2010

3.2.2 France

- The European Commission, Fight against Trafficking in Human Beings, National Info Pages, France
- International Center for Migration Policy Development, Study on the assessment of the extent of different types of Trafficking in Human Beings in EU countries 2010
- US Trafficking in Persons Report 2010

3.2.3 EU Legal Documents

- EU Council Framework Decision of 2002 on Combating Trafficking in Human Beings (Appendix A)
- Council Framework Decision of 2003 on combating the sexual exploitation of children and child pornography (Appendix B)

- Council Directive of 2004 relating to compensation to crime victims (Appendix C)
- Council Directive of 2004 on residence permit (Appendix D)
- Council Framework of 2008 on the fight against organized crime (Appendix E)

The EU legal frameworks have been chosen based on their legal relevance, their relevance to the fight against trafficking in human beings and the year they were introduced. The first legal introduction is represented by the EU Council Framework Decision of 2002 on combating trafficking in human beings, while the latest introduction is represented by the Council Framework of 2008 on the Fight against Organized Crime. This gives a timeline of six years, and will illustrate the nature of progression by the EU as well as by France and Romania in the field of combating trafficking in persons within this timeline.

4. Ethics

This study is investigating trafficking in human beings, which is considered as a complex and difficult phenomenon that in many cases would need to be handled with confidentiality and care. However, the nature of the present study has low / minimal ethical issues involved. In the present study, the assessment has concentrated on the European Union's ability to fight and prevent trafficking in human beings, in addition to national efforts by governments in Romania and France. No participants have been involved, as the study has been solely based on document analysis. The findings do not reflect the views of either the European Union, nor Romania or France, but are solely based on facts that are uncovered. The conclusions are neither binding on any parties, but rather explanations made by the researcher in terms of the results of the Boolean "truth tables".

5. Findings

5.1 EU Council Framework Decision of 2002 on Combating Trafficking in Human Beings

TABLE 1: EU COUNCIL FRAMEWORK DECISION OF 2002 ON COMBATING TRAFFICKING IN HUMAN BEINGS, ROMANIA AND FRANCE

Case:	Causal Conditions				Outcome
	A	B	C	D	
Romania	A	B	C	D	E
France	A	b	C	D	E

Key to table: A = ratification of EU policies, B = domestic implementation of EU policies, C = supportive domestic political environment, D = implementation of additional legal instruments, E = improvement in the human rights situation, Capital letter = presence of condition or outcome, Lower-case letter = absence of condition or outcome

5.1.1 Romania

According to the National Agency against Trafficking in Persons (NAATIP), Romania adopted the so called United Nations Palermo Protocol in 2003 and adapted its first National Action Plan for combating Trafficking in Human Beings as early as in 2001; this indicates that Romania also acts according to the EU Council Framework Decision of 2002 on combating trafficking in human beings. Romania introduced Law no. 678/2001 on Preventing and Combating Trafficking in Human Beings in the Criminal Code in 2002, which recommends penalties of three to fifteen years of imprisonment. Since then, Romania has on a general basis undergone a significant effort to fight the phenomenon of trafficking in persons.

The country is one of the first EU countries that have appointed a National Rapporteur through NAATIP in 2009. This individual is responsible for monitoring the implementation of anti-trafficking policies at both national and EU level. The National Rapporteurs meets annually under the coordination of the European Commission. Figure 5 illustrates that during the period from 2003 – 2007, the number of prosecutions have increased significantly, while

Figure 6 demonstrates that the number of victims has gone slightly down from 2005 – 2007. These data indicate that the human rights situation has improved and that since the implementation of the EU Council Decision Framework of 2002 on Combating Trafficking in Human Beings, a direct result has been a decrease in criminal convictions. However, according to the US TIP Report 2010, Romania does not fully comply with the minimum standards for the prevention and combating trafficking in human beings, but is making significant efforts to do so. Although the Romanian government identified a significant number of victims of forced labor, the government has been unable to disaggregate labor trafficking law enforcement statistics from sex trafficking statistics; this in turn gives no information about labor trafficking investigations, labor prosecutions and convictions. The government has demonstrated law enforcement efforts through the investigation of 759 cases in 2009, up from 494 cases in 2008. No cases where government officials were involved in trafficking offences were reported. In 2009, 303 individuals were sentenced by the government for trafficking, up from 125 sentences in 2008. The time these offenders spent in prison, varied significantly.

A public awareness-raising campaign about trafficking was run in 2009, called “The Two-Faced Man”; this was expected to reach out to about 620,000 people by advertisements on television and radio, and on posters on public transportation. Another awareness-raising campaign was run in schools the same year. According to the 2007 Report on Trafficking in Persons in Romania by NAATIP, no victims of foreign origin were detected in the country. Last, Romania has through the initiative of NAATIP developed an exceptional and thorough database of anti-trafficking measures, prevention of and assistance to victims in terms of their social reintegration, which became fully operative in 2007. This detailed data system enables competent personnel to receive and process victims’ personal data, monitor the assistance provided to victims and comprehend the size and dynamics of the trafficking phenomenon.

5.1.2 France

In France, the specific offence of trafficking in persons was first introduced in 2003 under the Law on Internal Security; this law introduced the definition of trafficking in human beings in the Criminal Code and ensures that offenders are prosecuted in accordance with EU standards. In 2008, alterations to this law criminalized trafficking for sexual exploitation, labor exploitation and trafficking of children. However, so far, France has a limited number of prosecutions of trafficking, and most offenders have been prosecuted through the offence of “soliciting prostitution” and “labor and living conditions under human dignity”. The French government has established an inter-ministerial working group that consists of competent personnel and is responsible for the coordination of all anti-trafficking activities throughout France. France has not yet established a National Action Plan against trafficking in persons, nor appointed a National Rapporteur; however, the planning of both implementations is underway and shall be appointed by the inter-ministerial working group. According to Figure 3 and Figure 4, statistic wise, France has a gradually rise in victims of “soliciting prostitution” from 2003 – 2006, while the proportion of offenders of “soliciting prostitution” has been relatively stable during the same timeline. According to the US TIP Report 2010, the French border police do not meet the requirements which are needed in order to identify possible victims of trafficking, while local observers reported that women in prostitution are criminalized and fined without being considered being a victim of trafficking. However, the government reported to improve the training with law enforcement personnel in order for them to be more aware of possible trafficking victims. In the area of prevention of trafficking, France is reported to be a strong provider. The country led European efforts to combat trafficking through a multi-disciplinary group in order to improve coordination between states and to focus more on a victim-centered approach. Moreover, a national campaign highlighting trafficking in women was launched by the government in 2010, in addition to sponsoring a national conference for NGOs and law enforcement personnel, aiming at better

protection for victims and preventing trafficking. The government was also responsible for the training of personnel in major hotels, providing employees with better means to identify possible trafficking victims. Moreover, an awareness campaign was launched in 2009 by End Child prostitution, Child Pornography and the Trafficking of Children (ECPAT) France in cooperation with Air France with the aim of preventing child sex tourists, and to demonstrate the legal consequences of crimes relating to sexually exploitation of children.

5.2 Council Framework Decision of 2003 on Combating the Sexual Exploitation of Children and Child Pornography

TABLE 2: COUNCIL FRAMEWORK DECISION OF 2003 ON COMBATING THE SEXUAL EXPLOITATION OF CHILDREN AND CHILD PORNOGRAPHY, ROMANIA AND FRANCE

Case:	Causal Conditions				Outcome
	A	B	C	D	
Romania	A	B	C	D	E
France	A	B	c	D	e

Key to table: A = ratification of EU policies, B = domestic implementation of EU policies, C = supportive domestic political environment, D = implementation of additional legal instruments, E = improvement in the human rights situation, Capital letter = presence of condition or outcome, Lower-case letter = absence of condition or outcome

5.2.1 Romania

As exploitation of children is a major concern in Romania, the Romanian government has taken special measures ; according to ANTIP, in addition to adopting the Council Framework Decision of 2003 on combating the sexual exploitation of children and child pornography, Romania has implemented a number of legal instruments at national level directed at child exploitation; these include Law 272 / 2004 on the protection and promotion of the rights of the child, Government Decision 1295 / 2004 to approve the National Action Plan on preventing and combating trafficking in children, Government Decision 1769 / 2004 on the approval of the National Action Plan to eliminate child labor exploitation, and Government Decision 1504 / 2004 on the approval of the National Action Plan to prevent and combat

sexual abuse and commercial sexual exploitation of children. This indicates that Romania acknowledges its high proportion of children exploited and is dedicated to combat the problem. Statistics illustrated by Figure 6 indicate that from 2005 – 2007, the number of victims under 18 has gone slightly down. In terms of these findings, one might conclude that the situation has improved during the previous years, although efforts to keep the number of victims down must still continue.

5.2.2 France

France is committed to fight exploitation of children and adopted the 2000 United Nations Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2003. Nationally, French law prohibits child trafficking in different ways; article 225 – 4 – 2 in the Penal Code (Code Pénal) states that trafficking against a minor is punishable by deprivation of liberty for a maximum of ten years, sexual exploitation of a minor is defined in the Penal Code in several articles and are punishable by up to twenty years of imprisonment. In addition, France use the other articles, in particular the offence of “*soliciting prostitution*” in many trafficking cases.

According to the US TIP Report 2010, the French government reported 26 cases where trafficking offenders were convicted for the forced prostitution of children, with sentences up to seven years. However, the US TIP Report 2010 reports that Human Rights Watch has cited the French government for abusive police treatment and the forced removal of unaccompanied minors, including possible victims of trafficking, from Roissy Charles de Gaulle airport. Again. The French government was reported to failing the evaluation of these minors being victims of trafficking, whereas they were deported back to their home countries with the danger of being re-trafficked and persecuted. The Red Cross in France is reported to regularly alert the government about the need to assess these unaccompanied minors who might be victims of trafficking before deporting them. France has not established any

National Action Plans against trafficking in minors, but has arranged an agreement with Romania in 2002 that relates to “*cooperation to protect Romanian minors facing difficulties on French territory and their return to their country of origin as well as the fight against exploitation networks*”. According to statistics, Figure 3 illustrates that the number of minor victims of “*soliciting prostitution*” in France in the period from 2003 – 2006 has been rather constant, with a downfall in 2006. These findings suggest that although the relevant national legal framework is present, the French government needs to coordinate the distribution of information and activities related to minor victims of trafficking with relevant employee groups, to improve the levels of expertise and knowledge in this field.

5.3 Council Directive of 2004 Relating to Compensation to Crime Victims

TABLE 3: COUNCIL DIRECTIVE OF 2004 RELATING TO COMPENSATION TO CRIME

VICTIMS, ROMANIA AND FRANCE

Case:	Causal Conditions				Outcome
	A	B	C	D	E
Romania	A	B	c	D	e
France	A	B	c	d	e

Key to table: A = ratification of EU policies, B = domestic implementation of EU policies, C = supportive domestic political environment, D = implementation of additional legal instruments, E = improvement in the human rights situation, Capital letter = presence of condition or outcome, Lower-case letter = absence of condition or outcome

5.3.1 Romania

ANTIP and the National Authority for the Protection of Children’s Rights are responsible for monitoring the implementation of assistance to victims of trafficking. In 2008, the National Action Plan was adopted for implementation of the National Strategy; this included development of National Standards for Specialized Assistance Services to improve the quality of assistance provided to victims, development of the National Database on Victims of Trafficking, and an anti-trafficking toll free help-line. In addition, the establishment of the

Victims Coordination Program, initiated by ANTIP in 2006, increased the number of victims of trafficking who acted as witnesses or injured parties in trials. The Victims Coordination Program also reduced the number of victims who left the assistance program before the intervention was over.

National legislation includes Law 211 / 2004 concerning measures to ensure protection to victims of crime as well as state financial compensation to victims. It also enables victims the possibility to request financial compensation in transnational situations. Law 682 / 2002 on witness protection also applies in this category. Other main legal instruments implemented include the ANTIP President Decision 1 / 2007, published in the Official Journal 749 / 5.11.2007, to approve the National Interest Program to improve protection of and assistance to victims, and the ANTIP President Decision 2 / 2008, published in the Official Journal 132 / 20.02.2008, to approve the National Interest Program to improve protection of and assistance to victims. These legal norms enable an operational and unique device for the protection of and assistance to victims according to their social reintegration.

According to the US TIP Report 2010, NAATIP was originally an independent, national agency with the influence to manage state funding for anti-trafficking initiatives. In 2009 however, the organization was changed into a subordinate agency of the National police under the Ministry of Interior. It has been reported that this conversion led to a noteworthy negative impact on victim assistance; the government was less cooperating with anti-trafficking NGOs and granted less federal funding to these NGOs. This in turn, led to the termination of many of the NGOs and less governmental funding to victims of trafficking. In comparison, the government provided \$270, 000 in funding to NGOs in 2008 before the reorganization of NAATIP. The government saw a decrease in the number of victims identified; from 1,240 in 2008 to 780 in 2009. A significant number of these victims were minors. Additionally, there was a substantial decrease in the number of victims serving as witnesses; from 1,053 in 2008

to 158 in 2009. At the moment, the circumstances related to victims' assistance and compensation is significantly worse than it was a few years back, as a result of the reorganization of NAATIP.

5.3.2 France

Data relating to victims of trafficking is limited in France; the government does not provide any information regarding this. However, according to the European Commission, the French government does provide funding to victims of trafficking, in addition to medical care, legal assistance, shelter and psychological counseling, and cooperates with local NGOs to provide a network of services to the victims. The US TIP Report 2010 states that the French government provided some indirect funding to victim's care in 2009, but the government did not state clearly how much money that went to whom. Furthermore, some NGOs reported to receive substantial funding from the government, whilst other NGOs reported that they had to seek private funding or funding elsewhere in order to meet the needs of victims.

The government also reported 799 trafficking victims to NGOs for assistance, identified and referred by the police and other authorities in 2009, but no official data of percentage or numbers of these victims were gathered. In order to improve the protection, return and reintegration of Romani unaccompanied minors, the government increased its cooperation with the Romanian government. France has been criticized by NGOs for not enabling systematic efforts to ensure that victims receive the support they need, and, according to recent data by the US TIP Report 2011, inconsistency occurs within the field of protecting and taking care of victims and victims are not always made aware of their legal rights.

Whether or not France has introduced additional legal measures relating to the protection of victims has not been identified, as the reference to such laws has been absent. However, although the minimum standards of legislation have been introduced in France, the French

government may benefit from improving its contribution to NGOs and other services to victims of trafficking.

5.4 Council Directive of 2004 on the Residence Permit Issued to Third Country-Nationals who are Victims of Trafficking in Human Beings or who have been the Subject of an Action to Facilitate Illegal Immigration, who Cooperate with the Competent Authorities

TABLE 4: COUNCIL DIRECTIVE OF 2004 ON THE RESIDENCE PERMIT ISSUED TO THIRD COUNTRY-NATIONALS WHO ARE VICTIMS OF TRAFFICKING IN HUMAN BEINGS OR WHO HAVE BEEN THE SUBJECT OF AN ACTION TO FACILITATE ILLEGAL IMMIGRATION, WHO COOPERATE WITH THE COMPETENT AUTHORITIES, ROMANIA AND FRANCE

Case:	Causal Conditions				Outcome
	A	B	C	D	E
Romania	A	B	C	d	E
France	A	B	C	d	E

Key to table: A = ratification of EU policies, B = domestic implementation of EU policies, C = supportive domestic political environment, D = implementation of additional legal instruments, E = improvement in the human rights situation, Capital letter = presence of condition or outcome, Lower-case letter = absence of condition or outcome

5.4.1 Romania

Foreign victims of trafficking in persons receive a 90 day reflection period in Romania; in this period the victims may decide whether they wish to cooperate with the authorities in criminal proceedings. Victims are offered legal advice, psychological counseling, are made aware of their rights and are offered subsidiary state compensation. Romanian legislation does not foresee resident permits for victims of trafficking, but has a tolerance regime of up to six months that meets the requirements of the Council Directive of 2004 on Residence Permit. However, no victims were registered to apply for and receive this offer in 2009, according to the US TIP Report from 2010. These findings suggest that Romania does comply with the minimum EU standards, but as there are few victims of foreign origin in Romania, this Directive is rarely practiced in reality.

5.4.2 France

In France, identified trafficking victims are offered a 30-day reflection period where the victim may decide whether or not to cooperate with the government. Victims of trafficking are offered a six months temporary residence permit in which the victim may stay in the country in order to decide whether or not to cooperate with the police. A further six months is provided to those who decide to cooperate in criminal proceedings. A trafficking victim may only receive permanent residence permit if the offender is successfully prosecuted by the government. Diverse NGOs have been reported to complain about the fees relating to the residence permit and some having to supply the victims with monthly stipends. There are no official numbers of victims receiving temporary or permanent residence permit in France in 2009, but according to the US TIP Report from 2009, the Paris police reported issuance 92 residency permits to persons believed to have been victims of trafficking in 2008. Although there have been some complaints regarding the fees relating to residence permits, France comply with EU minimum standards in this field. However, as mentioned previously, the French government might benefit from improving their contribution to victims’ assistance, as victims’ economic resources are usually limited.

5.5 Council Framework of 2008 on the Fight against Organized Crime

TABLE 5: COUNCIL FRAMEWORK OF 2008 ON THE FIGHT AGAINST ORGANIZED CRIME, ROMANIA AND FRANCE

Case:	Causal Conditions				Outcome
	A	B	C	D	E
Romania	A	B	C	D	E
France	A	B	C	d	E

Key to table: A = ratification of EU policies, B = domestic implementation of EU policies, C = supportive domestic political environment, D = implementation of additional legal instruments, E = improvement in the human rights situation, Capital letter = presence of condition or outcome, Lower-case letter = absence of condition or outcome

5.5.1 Romania

According to the Romanian National Action Plan for Implementing the National Strategy against Trafficking in Persons 2006 – 2010, the international cooperation with EU member states and non-EU member states, as well as states on the trafficking routes, including transit, source and destination countries, has been enhanced by increasing the frequency of information exchange and transfer of experience, know-how and best practices in the field between countries, at bilateral and multi-lateral level. In addition, Romania intends to participate in the specific programs and activities developed by the EU institutions with the aim of combating trafficking in persons.

Other aims and objectives relevant to the Council Framework of 2008 on the Fight against Organized Crime include carrying out joint investigations on concrete cases, through direct contact with the competent authorities in the destination countries, and the preparation of periodical reports of the progress registered by Romania in accomplishing the provisions of the EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings. Applicable national legislation includes Law 302 / 2004 on international judicial cooperation in criminal matters and Law 39 / 2003 on prevention and combat of organized crime. According to the NAATIP, the Romanian police has managed to dismantle several organized criminal groups; with both Romanian and foreign origin, and improved their capability of recognizing how these groups operate. These findings are pointing in a progressive direction for Romania, as the government demonstrates significant efforts to fight organized crime and compliance with EU standards.

5.5.2 France

According to the European Commission, France contributes to the supply of information to the Phoenix European criminal analytical work file on cross-border procuring. Bilateral contact networks were set up with Romania and Bulgaria in 2008; with the intention of

dismantle procurements. Furthermore, the French government produced a joint anti-trafficking unit with Belgian law enforcement counterparts, which is reported to be the first of its kind within the EU. According to the US TIP Report 2010, the French Government successfully detected and dismantled 40 trafficking rings in France in 2009 and by cooperating with other countries, 14 international networks with bilateral partners were dismantled through joint investigations created to investigate cases across borders. Whether or not France has introduced additional legal measures to fight organized crime has not been possible for the researcher to identify. However, through significant efforts with respectable results, France demonstrates dedication to fight organized crime.

6. Discussion

In the present study, the aim and objectives were to investigate the relationship between EU accomplishments and national action in the field of combating and preventing trafficking in human beings. In addition, an important element was to explore how EU actions have affected the two EU Member States Romania and France, to handle the problem of trafficking in human beings. Clearly, the European Union alone cannot alone successfully combat the problem of trafficking in human beings; Member States of the EU must be willing to cooperate with the EU and with each other in order to coordinate migration policies and legislation procedures.

The present analysis has explored the legislative measures developed by the European Union, and by Romania and France; five EU resolutions related to the fight against trafficking were presented and then matched with national procedures in Romania and France. To start with, Romania is ranked as a “Tier 2” country, indicating that the country does not fully comply with international standards in the fight against trafficking, but that the country is making a significant effort to do so. The analysis suggests that the greatest challenge for Romania so far, has been the high number of victims from their own country, how to best protect these victims and how to decrease the number of these victims. The Romanian government states that trafficking in persons has been one of their main priorities and the effort that has been put down is revealed by numerous awareness-raising campaigns across the country, the adaption of most relevant international and EU legal frameworks, the appointment of a National Rapporteur, the development of Action Plans as well as a comprehensive and unique database for trafficking in persons. The number of Romanian trafficking victims has decreased since 2006, which indicates a progressive development, as well as an increasing in the number of convictions. Until 2008, the numbers were heading steadily in a progressive direction; however, the reorganization of NAATIP occurred to have had a negative impact on

Romania's fight against trafficking, as the number of victims identified decreased after this occurred. So did the number of victims willing to serve as witnesses in order to prosecute offenders of trafficking. Additionally, the fact that after the reorganization, the Romanian government was unwilling to grant funding to NGOs working with protection of victims, also adds to an undesirable development for Romania in the fight against trafficking. In order to turn this development in the other direction, the Romanian government must reconsider its priorities in order to meet the international and regional EU standards to combat trafficking. The reasons behind the decision of turning NAATIP into a subordinate division of the National police under the Ministry of Interior goes beyond the findings of this study, but this conversion has clearly had a negative impact on the Romanian fight against trafficking and should be dealt with at the earliest possible time. Furthermore, it should be noticed that Romania's entry into the European Union in 2007 has resulted in more relaxed border control, as a result of the Schengen agreement. This in turn, makes it easier for international traffickers to operate in this area. Recently, Romania was identified as a global center for trafficking in human beings (Batstone, 2011), and that corruption and ignorance by the Romanian police is common. An important mission for Romania is therefore to maintain the standard of NAATIP before the reorganization, either by making significant changes internally in the organization together with the National police and the Ministry of Interior; or, to go back to the original organization of the agency, when it was an independent, national institution with the authority to manage state funding to anti-trafficking initiatives. Either way, a change is significant in order to have a device that ensures and supports the protection of victims and the prevention of trafficking in human beings.

France has been ranked as a "Tier 1" country, indicating that the French government fully complies with the international standards relating to fighting trafficking in human beings. The analysis demonstrates that France has adopted most EU and other international conventions

that are relevant within the field of trafficking, and implemented these into their national legislation system. Furthermore, France has participated in several successfully international investigations of trafficking networks, aimed at fighting organized crime. The French government is reported to grant some funding to NGOs dealing with the protection of victims, although there are contradictory beliefs among NGOs as to whether the funding is satisfactory. France complies with the Council Directive on the Residence Permit issued to Third Country-Nationals by offering victims a 30 day reflection period in addition to a six months temporary residence permit where the victims may decide to cooperate with the government. However, the analysis reveals that NGOs complain about the fees related to the residence permit. Furthermore, the French police have been accused of mistreating and the removal of unaccompanied minors who might have been possible victims of trafficking, indicating a negative trend. Although France has been responsible for several awareness-raising campaigns aimed at preventing trafficking, as well as training for employees in the hotel industry and in the law enforcement, France must continue to inform staff employed in relevant industries about the possibility for victims of trafficking, in addition to improve the protection of all unaccompanied minors that might be victims of trafficking. Equally important, is the improvement of data collection; gathering of data concerning victims profiles as well as statistics on prosecutions and convictions is significant in order to understand the scope of the problem, and is an activity that has been relatively limited in France up to this point. Finally, France needs to center their attention towards a more victim-centered approach against trafficking, instead of concentrating on the security of the state.

As discussed previous in this paper, unless the focus is on victims' protection, the phenomenon of trafficking in human beings is unlikely to go away. France as a destination country is therefore responsible for facilitating a satisfactory system that provides for victims in the best possible way, in addition to continue the provisions to prevent trafficking from

occurring. The French government recently announced through a report by the French Parliamentary Prostitution Commission that they are considering criminalizing prostitution. In addition, the report recommends access to legal services and compensation to victims of prostitution and trafficking in human beings, increasing of budgets and economic resources related to education and alternative projects to strengthen victims of trafficking and prostitution, and strengthening France's active role in the fight against trafficking in human beings, especially within international institutions like the European Union and the United Nations. This indicates that improvement is underway, and that the French government recognizes the importance of continuous attention within this area in order to have a possibility to stay ahead of the traffickers.

The European Union has developed several legal mechanisms in order to prevent trafficking in human beings during the last decade, to prosecute the offenders and to protect the victims of trafficking. What the European Union has accomplished through these initiatives is demonstrated through the progression within the EU Member States. The EU legal frameworks that have been presented in this study have all been adapted by both France and Romania, although Romania did adapt some of them at a later point than France. Moreover, both EU Member States have implemented a national legal framework according to EU standards. However, some gaps have been identified in terms of EU standards and procedures versus national standards and procedures; for instance, as previously mentioned, the Romanian government needs to improve their support and funding to protect the victims of trafficking, in order to reach up to regional and international standards. Although France is considered a country that fully complies with international standards to fight trafficking, the current analysis has revealed areas of improvement to consider; France will need to focus more on a victim-centered approach rather than on security maintenance, and realize that trafficking is often an issue closely related to migration, demonstrating that the victim must

always be the center of protection. Having said that, in terms of what the European Union has accomplished during the last decade, much of the EU attention has been directed towards the prosecution of trafficking offenders and the protection of victims. The protection of victims is demonstrated through various Council Frameworks and Directives relating to compensation to crime victims and to temporary residence permit for victims. Although the Council Directive that entitles victims of trafficking with a temporary residence permit has been criticized for addressing security aspects instead of the protection of victims, it is the first EU legal device that addresses trafficking within a migration perspective, and is crucial for most victims who find themselves in unstable and dangerous social circumstances. Not surprisingly, people without citizenship or any legal documents are always vulnerable for traffickers. The current analysis has demonstrated that during the last decade, the European Union has through the implementations of various legal devices, managed to transfer these standards and procedures into France and Romania; two EU Member States. However, the European Union still needs to focus on the collection of reliable data in order to develop better indicators for how to fight trafficking and to better understand the supply and demand factors that is underlying for the trafficking business. The current amount of data is not adequate, and this might be one of EU's priorities in the years to come. Still, the number of victims of trafficking exceeds the number of convictions for trafficking; for every 800 people that are trafficked, only one person is convicted (OSCE, 2007). It should also be mentioned that a new Directive will soon replace the 2002 Framework Decision on Combating Trafficking in Human Beings; the new Directive will improve the protection of victims and require all Member States to appoint National Rapporteurs for monitoring implementation of anti-trafficking policies at the national level. Then it is up to the individual Member States on how to apply these new standards into their legal system.

7. Conclusion

The present study has reached to the conclusion that although a substantial amount of preventing and protecting measures have been developed during the last decade, trafficking in human beings still remains a troubling and severe crime in Europe. Although the phenomenon has achieved political attention at international, regional and national levels, there are still many issues that need to be solved in order for this crime to disappear. For all parts involved in fighting trafficking in persons, cooperation and sharing of information is significant in order to understand the complexity of this crime and to get a better illustration of the scope of the crime within Europe. This study's findings on the European Union's initiative to fight trafficking in human beings suggest that as a European institution, an important task is to set regional standards for trafficking and to assist and encourage Member States to adapt these standards. It appears that most of these standards have been applied in both examined Member States. However, it appears that Romania as a country of origin versus France as a country of destination, both need to adapt a more victim centered approach in order to meet regional standards. Furthermore, it is significant for both regional and national actors to view the trafficking dilemma in the current European aspect and to be aware of the close connection between migration, globalization and trafficking. With the current European expansion eastward in mind, this is more important than ever and might be a beneficial angle to take advantage of in the next years fight against trafficking in persons. It is now 11 years since the United Nations set the international standards for the fight against trafficking with the Palermo Protocol. The European Union has during these years been busy with improving the regional legal norms and standards, and has through these actions managed to accomplish great triumphs. Yet, the present study demonstrates that there is still much work to be done in order to preserve modern slavery under control.

Freedom is nothing else than a chance to be better.

Bibliography

- Batstone, D. (2011). *Romania a Global Center for Human Trafficking*. CNN, at <http://edition.cnn.com/2011/OPINION/02/07/batstone.romania.sex.trade/index.html>
- Chou, M-H. (2008). *the European Union and the Fights against Human Trafficking: Comprehensive or Contradicting?* Stair. Vol. 4:1, pp. 76-95
- Council of the European Union: Presidency Conclusions from the Conference “Towards a multidisciplinary approach to prevention of trafficking in human beings, prosecution of traffickers and protection of victims, at <http://ec.europa.eu/anti-trafficking/download.action?nodeId=77e963d8-ea56-4a72-a236-058a808af9d6&fileName=Presidency+Conclusions+of+Anti-Trafficking+Day+conference+2010.pdf>
- D’Estrée, C. (2008). *Human Rights and Human Trafficking*. Human Rights & Human Welfare
- European Commission; Fight Against Trafficking in Human Beings, at <http://ec.europa.eu/anti-trafficking/showNIPsection.action?country=France>
- EU Organized Crime Threat Assessment 2011, at https://www.europol.europa.eu/sites/default/files/publications/octa_2011.pdf
- Goodey, J. (2008). *Human Trafficking: Sketchy Data and Policy Responses*. Criminology and Criminal Justice. Vol. 8:411
- Hauber, L. (1998). *The Trafficking of Women for Prostitution: A Growing Problem within the European Union*. Boston College International and Comparative Law Review. Vol. 21:1. Article 6
- Human Trafficking Survey: Belarus, Bulgaria, Moldova, Romania and Ukraine, 2006. Prepared by GfK Ukraine for the International Organization for Migration, Mission in Ukraine, at <http://www.childcentre.info/projects/traffickin/dbaFile13968.pdf>

- International Centre for Migration Policy Development, Study on the assessment of the extent of different types of Trafficking in Human Beings in EU countries 2010, at http://ec.europa.eu/anti-trafficking/download.action?nodeId=af5fb5cf-fdc7-4571-bcb9-97a6f4afed6a&fileName=ICMPD+Study+on+the+assessment+of+extent+of+different+types+of+trafficking+in+EU+countries_en.pdf&fileType=pdf
- Laczko, F., & Gramegna, M. A. (2003). *Developing Better Indicators of Human Trafficking*. Brown Journal of World Affairs. Volume X, Issue 1
- Landman, T. (2006). *Studying Human Rights*. Oxon: Routledge
- NAATIP: National Action Plan for Implementing the National Strategy against Trafficking in Persons 2006 – 2010, at http://ec.europa.eu/anti-trafficking/download.action?nodeId=7799c086-42c5-4ae2-97bd-e74b3fe3527a&fileName=National+Action+Plan+for+Implementing+the+National+Strategy+against+Trafficking+in+Persons+2006-2010_en.pdf&fileType=pdf
- NAATIP: Report of the Achievements of Objectives of the National Action Plan 2006 -2007, at http://ec.europa.eu/anti-trafficking/download.action?nodeId=8f6ec71d-337e-47cf-aa8b-99d720f5a3dd&fileName=Report+of+the+achievement+of+objectives+in+the+National+Action+Plan+2006-2007_en.pdf&fileType=pdf
- Organization for Security and Cooperation in Europe (OSCE): Press Information, at <http://www.osce.org/cthb/43556>
- Ragin, C. (1987). *The Comparative Method: Moving beyond Qualitative and Quantitative Strategies*. Berkeley: University of California Press
- Rigby, P. (2010). *Human Trafficking: A Role for Youth and Criminal Justice Workers?* Criminal Justice Social Work, Development Center for Scotland. Vol. 11

- Rijken, C., & de Volder, E. (2009). *The European Union's Struggle to Realize a Human Rights-Based Approach to Trafficking in Human Beings*. Connecticut Journal of International Law. Vol.25:49
- Salt, J. (2000). *Trafficking and Human Smuggling: A European Perspective*. International Migration. Special Issue 2000/1
- Schmidt, A. G., & Morehouse, C. (2010). *Europe's Fights against Human Trafficking*. Spotlight Europe, published by Bertelsmann Stiftung
- The European Commission, Fight against Trafficking in Human Beings, at <http://ec.europa.eu/anti-trafficking/section.action?sectionId=847aa1b2-50c5-43a6-877b-e2baf0b23fc9§ionType=TAG&page=1&breadCrumbReset=true>
- The National Agency against Trafficking in Persons, Legislation, at <http://anitp.mai.gov.ro/en/>
- The National Agency against Trafficking in Persons: Report on Trafficking in Persons in Romania 2007, at <http://anitp.mai.gov.ro/en/trafic/rapoarte/raport%202007%20engleza.pdf>
- United Nations Office on Drugs and Crime: Global Report on Trafficking in Persons 2008, at http://www.unodc.org/documents/human-trafficking/Country_profiles/Western_Central_Europe.pdf
- United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organised Crime at http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention%20traff_eng.pdf
- US Trafficking In Persons Report, 2010, at <http://ec.europa.eu/anti-trafficking/download.action?nodeId=46938bea-d022-4193-a61c->

[3bc74391bd89&fileName=US+Trafficking+in+Persons+Report+2010_en.pdf&fileType=pdf](#)

- Winterdyk, J., & Reichel, P. (2009). *Introduction to Special Issue Human Trafficking: Issues and Perspectives*. *European Journal of Criminology*. Vol. 7:1, 5 - 10

Word count: 14,539