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PREVENTION OF TRAFFICKING IN HUMAN BEINGS AT THE NATIONAL AND INTERNATIONAL LEVEL

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Abstract

Trafficking in persons has become a category of crimes that increasingly concerns the authorities with powers in the field of combating acts of an antisocial nature, but the shock wave that this type of criminal acts produces is of a much greater amplitude, causing social disturbances, psychological-behavioral, economic including financial, with a harmful impact on the defense system of national and international public order and safety.

Key words: *human trafficking, exploitation of minors and young people, prevention of criminal acts, organized crime, organized cross-border criminal groups.*

INTRODUCTION

The world of the 21st century is in constant motion, ever sharper and wider, and everything unfolds at a dizzying speed that cannot be compared to any previous historical period. Modern man wants more and more from the environment, from his peers and even from himself, not infrequently easily crossing material, moral, cultural, psychological barriers or even beyond those limits that education and respect towards your fellows compels you to respect them.

The same behavioral deviations occur right before our eyes and in the field of exploitation of man by his peers, the interest being a petty and reprehensible one, namely that of increasing one's own material benefits, pursuing personal or group interest, the influence and rise of certain groups of organized crime.

1. SECTION

In this context of the alarming increase in the exploitation of people, the Communication from the Commission to the European Parliament, the Council,

the European Economic and Social Committee and the Committee of the Regions regarding the EU Strategy on combating human trafficking for the period was adopted at the European Union level on April 14, 2021 in Buxelles 2021-2025 which stipulates that "Trafficking in persons is a serious and complex crime, which especially women and children fall victim to. It brings huge profits to criminals, while causing enormous suffering to victims and high costs to our society. Despite progress over the past decade in strengthening the Union's response to human trafficking, any vulnerable person remains at high risk of becoming a victim of human trafficking. Human trafficking has consequences for the fabric of society, the rule of law and sustainable development in EU Member States and our partner countries"

All countries competing through legislative or other measures to prevent and combat human trafficking, agree that the effectiveness of the fight against this scourge can only be manifested through close cooperation and collaboration of all national and international institutions and bodies that have such attributions, including by adopting common fighting strategies based on international cooperation in criminal matters and not only.

But in order to achieve an effective prevention in the field of human trafficking, an in-depth analysis is required on the way in which all the actions and movements of the members of organized criminal groups are carried out. This analysis starts from the identification of the environments of origin of the possible victims and the enabling factors, the analysis of the ways in which they are recruited through various methods (physical or moral coercion, the loverboy method, promises of a better life, etc.), transport and/ or the transfer of the victim, the operations of handing over and receiving the victim between the recruiter, the transporter, the host and finally the exploiter, the identification of the way or rather the ways in which the victims are exploited (sexual exploitation, through work, through determination to commit acts antisocial etc.), the benefits made by traffickers through exploitation and last but not least, the transfer of money or other benefits to members of organized crime groups, including the ways of "laundering dirty money" and injecting these benefits into the economic circuit of the countries of origin or existence of members of organized crime groups.

All these activities represent true sources of information regarding the implementation of strategies to prevent the commission of such criminal acts, but at the same time, the activities to combat human trafficking by identifying organized crime groups that have such concerns. And when we mention these aspects, we must take into account the whole range of informative-operative activities that lead to the identification, destruction and prosecution of traffickers, as well as the mediatization of such cases, mediatization that can either deter potential criminals or increase attention and caution from potential victims.

One of the main institutions with responsibilities in the field of human trafficking prevention in Romania is the National Agency Against Human

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Trafficking, which in September of this year, elaborated and presented a brief analysis of the evolution of the phenomenon of human trafficking recorded in our country, analysis in which states that:

"Human trafficking cannot be reduced only to its criminal dimension, being in reality much more than that, i.e. a particularly complex social phenomenon, the result of the emergence of multiple realities and dynamics (social, economic factors, labor migration , globalization, educational factors, degree of social impunity, degree of information, etc.).

The first half of 2022 brought to the fore the refugee crisis in Ukraine and the need to take all measures to protect them, including eliminating the risk of becoming victims of human trafficking. According to the existing data at the national level, there was no case of human trafficking among migrants with protective measures on the territory of Romania or in transit. Suspicions of human trafficking were reported but which, following the investigation by the competent bodies, were not confirmed."

However, for an outline of the means and methods of preventing human trafficking, I propose a brief analysis of the main generating causes and modes of operation of this type of crime, which can implicitly lead to an identification of possible levers and preventive actions.

So:

- *identification of the environments of origin of the possible victims and the favoring factors.*

A very important role in this process is played by the local authorities of the environment where the possible victim lives permanently or for a period of time and earns his living or not. The sphere of local authorities can include administrative authorities from town halls, those with duties to maintain public order, those with an educational nature, respectively education and training units, staff from units aimed at the health of the population, including authorities that carry out activities of a spiritual educational nature such as the church . All of these, during the exercise of their duties, can compete in a real way to identify cases of people in financial and educational difficulty, in a situation of school dropout or non-frequenting of a form of education and culture, of temporary or permanent family abandonment, of single-parent or broken families, of children or young people who are homeless or left to grow up, educate and supervise under the care of grandparents, children whose parents are away working abroad, or other similar situations that may represent favorable conditions for the recruitment of victims of child trafficking or even adults.

- *analysis of the ways in which victims are recruited through various methods (physical or moral coercion, the loverboy method, promises of a better life, etc.)*

Such an analysis highlights, on the one hand, the vulnerabilities (physical, material, emotional, spirit of adventure) to which the potential victims

of human trafficking are exposed and the ways in which these vulnerabilities can be removed or diminished, and on the other hand, the mode of operation used by members of organized crime groups, which can lead to the design of strategies to fight against them and ultimately lead to the destruction of such groups and the prevention of potential victim recruitment.

- studying the ways in which the victim is transported and/or transferred from the environment of origin to the destination, where she is to be exploited

Such a study presents very important elements regarding the criminal connections of the members of the organized criminal group, being able to establish the persons who have criminal connections in the field of illegal transporters, of those at the border crossing points involved, of the hosts engaged in such antisocial activities, or of those involved in ensuring the victim's arrival at the destination. All these actions are coordinated and directed by criminals who are located on a higher level in the pyramid of the organized criminal group and who in turn lead to the top of the pyramid's command and action.

- carrying out the operations of handing over and receiving the victim between the recruiter, the transporter, the host and finally the exploiter

Each of these operations is carried out in different conditions and environments, between different people, who usually have knowledge of the criminal nature of the activities they carry out. The activities take place either on the territory of the victim's place of origin, or in the border area, or at the place of accommodation or shelter of the victim before the actual exploitation activity has started. Such an analysis provides important data with reference to the place of origin of the victim, the route or routes followed, the criminal connections, the means of transport used (land, air or sea), the place of destination and the mode of operation used by the criminals.

- identifying the way or rather the ways in which the victims are exploited (sexual exploitation, by work, by determination to commit antisocial acts, drug cartels, organ trafficking or computer crimes, etc.)

As a rule, these complex operations are carried out on the basis of interstate cooperation and collaboration for the destructuring of the entire criminal network and involve concerted actions of the authorities that are specifically responsible for combating cross-border criminality, including illegal migration.

- the benefits made by traffickers through exploitation

From this perspective, an assessment of the dimensions of the phenomenon is required to establish its degree of complexity and the area of territorial coverage, often there are situations where the members of the criminal group belong to several states. Also, an intense collaboration between the institutions with attributions in the economic-financial field is necessary to establish the size of the benefit obtained from criminal activities, the method of appropriation of these benefits (especially money), their transfer to the country or

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countries where investments will be made and the people involved in these processes and mechanisms.

- the ways of "laundering dirty money" and injecting these benefits into the economic circuit of the countries of origin or existence of members of organized crime groups.

The discovery and study of this mechanism presents very useful data for documenting the entire criminal activity of the criminal group, the methods used and the persons involved, the aim being the unavailability and confiscation of goods, money or other values originating from or related to the crime, but also that of establishing the amount compensation for exploited victims in the judicial process.

CONCLUSIONS

If two decades ago, human trafficking was a crime that was mainly aimed at obtaining financial benefits resulting from the sexual exploitation of young women, later the area of exploitation expanded in many directions, including exploitation through work, begging, but also through coercion when committing various acts criminalized by the respective criminal law, thefts, involvement in drug production, transport and distribution networks, recruitment and transport networks of emigrants, or involvement in groups with concerns in the field of crimes involving radioactive materials or computer crimes.

In order to reduce these trends but also to counter the phenomenon of human trafficking, the authorities around the world are focusing more and more on preventing and combating this phenomenon, by adopting their own measures specific to a certain state or by concerted measures at an international or global level.

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