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Coordination as a New Style of Policy Management in Anti-Trafficking Field



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Foreword

Trafficking in human beings continues to be one of the great challenges of the XXI-st century, requiring close attention and implementation of an effective counteracting state policy in this field. The complexity of the human trafficking phenomenon and the need for a coordinated multidisciplinary approach in fighting this phenomenon have repeatedly been noted in international standards adopted with a view to enhance anti-trafficking response. Over a number of years the Republic of Moldova develops step-by-step a policy coordination mechanism in anti-trafficking field. At present our country managed to accomplish serious results:

- there have been created various interdepartmental multidisciplinary bodies (National Committee, territorial commissions, territorial multidisciplinary teams and multidisciplinary working groups) at different levels of public management to co-ordinate the activity of government, non-governmental and intergovernmental organizations, actively working on prevention and combatting trafficking in human beings;
- have been adopted the legislative and regulatory framework to ensure a coordinated approach in the anti-trafficking activity.

Thus, the National Committee for Combatting Trafficking in Human Beings has been created in 2001 and currently is working as a consultative body of the Government. Its mission is to assist the national public administration authority in studying the human trafficking phenomenon, making appropriate decisions and coordinat-

ing their implementation. The National Committee is chaired by the Deputy Prime Minister of the Republic of Moldova and its members are the heads of leading ministries competent in the anti-trafficking field, as well as representatives of the civil society and of the intergovernmental organisations.

Later, in 2005-2006, considering the efforts of the Government to decentralize the power and to develop local self-administration, under the executive bodies of regions (rayons) and municipalities of the Republic of Moldova, as well as under the autonomous territorial unit of Gagauzia, have been created territorial commissions for combating trafficking in human beings. Territorial commissions are set up to co-ordinate activities for the prevention and combatting of trafficking in human beings at the level of administrative - territorial units (municipalities and regions). For the coordination of operational activities there were created territorial multidisciplinary teams to provide direct assistance to trafficked persons.

Moreover, in 2011 the Government has created under the State Chancellery the Permanent Secretariat of the National Committee for Combatting Trafficking in Human Beings. Despite the fact that the National Committee has been created in 2001, until 2011 its activity has not been supported by a permanent secretariat, which fact negatively influenced the performance of statutory functions of the Committee. The creation of a Permanent Secretariat under the Government raised the management of state anti-trafficking policy to a higher level of quality. At present, the develop-

The Permanent Secretariat of the National Committee shall have the following functional duties in the field of combating trafficking in human beings:

- "... ensures coordination of activities to prevent and combat trafficking in human beings, as well as cooperation with public authorities, international and intergovernmental organizations, other agencies and representatives of the civil society;
- monitors the degree of implementation of the legal provisions governing the field of preventing and combatting trafficking in human beings by the public authorities and, if necessary, presents recommendations for their improvement;
- monitors the implementation of policies the field of preventing and combatting trafficking in human beings by the authorized institutions at all levels of public administration, as well as by intergovernmental and non-governmental organizations actively working in this field;
- creates interdepartmental working groups to elaborate proposals for the improvement of policies in the field of prevention and combatting of trafficking in human beings;





- requests from the institutions responsible for the prevention and combating trafficking in human beings necessary information and on its basis develops national reports in this field;

- coordinates the process of elaboration of a national action plan for the prevention and combating trafficking in human beings... “;

- other duties.

Regulation of the National Committee on Combatting Trafficking in Human Beings, approved by Government Decision no. 472 of 26 March 2008, with following amendments and supplements (Official Gazette of the Republic of Moldova, 2008, no. 69-71, art. 453), paragraph 91.

ment of the policy in this field - the National Action Plan for Preventing and Combating Trafficking in Human Beings (NAP), monitoring and evaluation of its implementation is carried out by the Permanent Secretariat in collaboration with the professionals from specialized central and local public administration, non-governmental and inter-governmental organisations active in this field. In 2014 there has been carried out the first independent evaluation of NAP implementation for the periods 2010-2011 and 2012-2013.¹ Recommendations of this evaluation provide the eventual solutions for the improvement of state policy not only to effectively address the problem of

trafficking in human beings, complying with international obligations assumed by the Republic of Moldova in this area, but also to develop the new democratic ways of governance in this area.

This publication is the first attempt for an in-depth analysis of the coordination mechanism in anti-trafficking field, created in the Republic of Moldova. It is necessary to continue our efforts to improve this mechanism for state policy coordination, taking into account the priorities of European policy, scientific recommendations in this field and the best practices of other countries.

***Ecaterina Berejan, Head of the Permanent Secretariat,
Secretary of the National Committee for Combating Trafficking in Human Beings,
State Chancellery of the Republic of Moldova***



¹ <http://antitrafic.gov.md/lib.php?l=ro&idc=31>

A few words about this issue

This special edition is the sixth issue in a series of thematic publications „La Strada EXPRESS”, developed by the International Center “La Strada” (Moldova) in order to highlight different aspects of the problem of human trafficking and to eradicate this phenomenon. Similarly to previous editions, this publication is focused exclusively on the only one topic.

The topic of our new issue „La Strada EXPRESS” is the **coordination of national anti-trafficking response**. This publication is dedicated mainly to the analysis of the experience of the Republic of Moldova in the field and has practical importance, due to the fact that all the information collected and structured can be used to improve the existing coordination mechanisms. This publication has been prepared in close collaboration and with the participation of the specialists of the **Permanent Secretariat of the National Committee for Combating Trafficking in Human Beings** - a government body, which is primarily responsible for the coordination of state anti-trafficking policy in our country.

The issue of coordination of state anti-trafficking policy is of high priority - it has been paid great attention within various international documents, but at the same time this topic is insufficiently examined. International and regional standards in the anti-trafficking field, first of all - Council of Europe Convention on Action against Trafficking in Human Beings, impose on all member states obligations to take measures in order to promote the coordination of joint activity in this area

as one of the main conditions for the effectiveness of this work. However, these standards do not provide a definition of the notion “coordination”, do not explain how the “coordination mechanism” should function and what it consists of. Despite the fact that from the international standards it follows that coordination is closely associated with data collection, monitoring and evaluation, as the main coordination tool is mentioned only the setting-up of national coordination bodies.

At the same time, there are serious scientific sources on the theory of coordination. The founder of the theory of coordination is considered to be the famous American researcher on issues of modern organizational structures - Thomas W. Malone, the Patrick J. McGovern Professor of Management at the MIT (Massachusetts Institute of Technology) Sloan School of Management and the Founder and Director of the MIT Center for Coordination Science. His book “The Future of Work”² contains a description of the modern theory of coordination - the definition of the notion “coordination”, analysis of the relationship between coordination with the development of democracy, with traditional and new decentralized methods of management, the impact of the development of information technologies on the process of coordination, a description of modern methods of coordination and other issues. Despite the fact that this book is primarily aimed at the development of business management of big companies, its findings can be successfully adapted and used for the develop-

“Trafficking in human beings takes many forms, cuts across various fields and has implications for various branches of society. To be effective, and given the nature of the phenomenon, preventive action against trafficking must be coordinated. The first paragraph of Article 5 is therefore concerned to promote a multidisciplinary coordination approach by requiring that Parties take measures to establish or strengthen coordination nationally between the various bodies responsible for preventing and combating trafficking in human beings. The paragraph makes it a requirement to coordinate all the sectors whose action is essential in preventing and combating trafficking,



² Thomas W. Malone, The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life. Harvard Business School Press, Boston, Massachusetts, 2004.



such as the agencies with social, police, migration, customs, judicial or administrative responsibilities, non-governmental organisations, other organisations with relevant responsibilities and other elements of civil society".

Explanatory Report on the Council Of Europe Convention on Action against Trafficking in Human Beings, paragraph 102.

ment of state policies management, including in such a problematic area as preventing and combating trafficking in human beings.

The main idea of this publication is to use the ideas of the modern theory of coordination to analyze the level of development of the coordination mechanism created in our country in the anti-trafficking field, identify the existing gaps and elaborate recommendations for its improvement. Moreover, this publication presents the best practices of other countries, particularly the well-known experience of the Netherlands, deserving special attention, with a view to create the independent institution of the National Rapporteur, as well as the experience in coordinating European policy in this area.

We hope that this publication will help to enrich our common perception and understanding of the mechanism of coordinating the national anti-trafficking policy, as well as the policy in other areas, and will serve as an important resource for the conceptualization of the notion "coordination" and further development of coordination at all levels of management in the Republic of Moldova.

International Center "La Strada"



I. Theoretical aspects of coordination

I.1. The subject of coordination in international and regional standards, policy documents and professional literature on human trafficking issue

The term “**coordination**”, “**coordination bodies**” and “**coordination mechanism**” is often used in international and regional standards, in international political documents, as well as in special literature on the issue of human trafficking. The need for coordinated actions is conditioned by the very nature of the phenomenon of human trafficking, which appears in various forms, affects and influences different areas of public life. To combat this phenomenon concerted actions of professionals from various fields of human activity (multidisciplinary and cross-sector approach) are necessary, it is important to involve experts not only from governmental agencies, but also from the civil society and intergovernmental organisations. Coordination is designed to ensure effective cooperation between professionals from different fields of social life in order to stop the spread of the phenomenon of trafficking in human beings in a modern society.

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000)

This Protocol is aimed at combating human trafficking as one of the fields of activity of transnational organized

crime. Though the Protocol does not employ the notion of coordination, the Part III (art.9 and art.10) of this international standard stresses the need for cooperation between the countries, as well as the need for cooperation of government agencies and civil society organisations within the States Parties to the Convention. Moreover, it is noted that the cooperation between the countries should be implemented by exchanging information,³ which traditionally is referred to the methods of coordination, and is necessary for the correlation of joint activities.

In 2010 the United Nations Office on Drugs and Crime developed a Model Law against Trafficking in Persons. This document has been drafted to support and assist the States Parties to the UN Convention against Transnational Organized Crime and Protocols thereto, including assistance in the implementation of the provisions contained in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The Model Law focuses in detail on coordination. Thus, Article 35 of this Model Law is dedicated to the issues of establishment of a national coordinating body (inter-agency anti-trafficking task force) and its competences, which should include development of

³ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Protocols thereto, article 10 „Information exchange and training”.

“The National Anti-Trafficking Coordinating Body [Inter-agency Anti-Trafficking Task Force] shall carry out the following activities:

(a) Coordinate the implementation of this Law, including developing protocols and guidelines;

(b) Develop [within [one year] of the enactment of this Law] a national plan of action, consisting of a comprehensive set of measures for the prevention of trafficking, identification of, assistance to and protection of victims, including victims who are repatriated from another State to the prosecution of traffickers and the training of relevant State and non-State agencies, as well as coordinate and monitor its implementation;



(c) Develop, coordinate and monitor the implementation of a national referral mechanism to ensure the proper identification of, referral of, assistance to and protection of victims of trafficking in persons, including child victims, and to ensure that they receive adequate assistance while protecting their human rights;

(d) Establish procedures to collect data and to promote research on the scale and nature of both domestic and transnational trafficking in persons and its forced labour and slavery-like outcomes, the factors that further and maintain trafficking in persons and best practices for the prevention of trafficking, for assistance to and protection of victims and the prosecution of traffickers;



a national action plan, establishment of the national referral mechanism to ensure the proper identification, referral and assistance for trafficked persons, establishment of procedures to collect data on the scale and nature of human trafficking and best practices to counter this phenomenon, etc.⁴

Council of Europe Convention on Action against Trafficking in Human Beings (2005)

Council of Europe Convention on Action against Trafficking in Human Beings clearly provided the need for coordination. Article 5 paragraph 1) of the Convention in this regard reads as follows:

*“Each Party shall take measures to establish or strengthen national **co-ordination** between the various bodies responsible for preventing and combating trafficking in human beings”.*

The Explanatory Report to the Convention states that:

*“The paragraph (par.1 of Art.5) makes it a requirement to **coordinate all the sectors whose action is essential in preventing and combating trafficking, such as the agencies with social, police, migration, customs, judicial or administrative responsibilities, non-governmental organisations, other organisations with relevant responsibilities and other elements of civil society**”.*⁵

The Convention confirmed as the main measures of coordination - the establishment of a coordinating body. Thus, Article 29 (2) of the Convention found that each State Party of this Convention, “... shall adopt **such measures as may be necessary to ensure co-ordi-**

nation of the policies and actions of their governments’ departments and other public agencies against trafficking in human beings, where appropriate, through setting up co-ordinating bodies”.

EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016

EU Strategy towards the Eradication of Trafficking in Human Beings for 2012-2016 has been developed by the European Commission - the executive body of the European Union (EU), one of the main functions of which is to coordinate the work of executive authorities of all Member States of the EU. The Strategy has recognized the need to improve coordination and cooperation among key actors in anti-trafficking field, and has even stated that enhanced coordination and cooperation among key actors is one of the five priorities (**Priority D**) of the European policy in the mentioned field for the given period.⁶

Section 2.4. of the Strategy is dedicated to the enhancement of coordination and cooperation. A careful reading of this section implies that the coordination of European policy in the anti-trafficking field is carried out by the European Commission, and the measures planned are intended to help the Commission to improve and develop this duty. In contrast to the Council of Europe Convention on Action against Trafficking in Human Beings, the Strategy is not focused solely on the creating coordinating bodies, as the European Commission is a coordinating body itself. The measures outlined in the Strategy to improve coordination and cooperation refer to **data collection, research, monitoring of EU policy, as**

⁴ United Nations Office on Drugs and Crime, Model Law against Trafficking in Persons, 2010, pp.84-85.

⁵ Explanatory Report on the Council of Europe Convention on Action against Trafficking in Human Beings, paragraph 102.

⁶ The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, p.5.

well as improvement of the exchange of information between the European Commission and other anti-trafficking actors. Thus, according to Section 2.4. of the Strategy, the European Commission should strengthen the Informal EU Network of National Rapporteurs or Equivalent Mechanisms, established in 2009, whose tasks include gathering data and assessment of the impact of anti-trafficking efforts.⁷ The European Commission also intends to support the development of the EU-wide coordination mechanism by enhancing such components as monitoring of the implementation of international commitments of EU Member States in the field, collection of data and research of trends in the evolution of the phenomenon of human trafficking, monitoring and evaluation of policies' progress in this field.

Moreover, the Strategy provides measures to strength and formalize cooperation between the European Commission and intergovernmental organisations (UN bodies, Council of Europe, OSCE, etc.) with a view to improve the exchange of information and ensure the cooperation, particularly in the areas of policy planning, prioritisation, data collection, research, monitoring and evaluation.⁸ In addition to that, European Commission has identified specific measures of cooperation with civil society organisations and establishment of a **Civil Society EU Platform**.

OSCE documents

The documents containing political commitments of OSCE participating

States in anti-trafficking field have repeatedly highlighted the need to develop coordination. For instance, the **Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings**, adopted in 2013 - 10 years following the adoption of the aforementioned Action Plan - recommends to the countries to develop national coordination mechanisms. These mechanisms should facilitate the cooperation of all anti-trafficking actors (public authorities, trade unions, NGOs and other relevant institutions), as well as *"... to contribute to the identification of trafficked persons and advance the protection of the rights of potential, presumed and actual victims of trafficking in human beings"*.⁹

Moreover, the need to develop coordination is stated in various sources of scientific literature, notably the well-known practical OSCE/ODIHR Guide "National Referral Mechanisms. Joining efforts to protect the rights of trafficked persons: A Practical Handbook".¹⁰ Coordination is also mentioned as one of the most important aspects of cooperation in the recent publication of OSCE/ODIHR "Guiding Principles on Human Rights in the Return of Trafficked Persons".¹¹

However, there were no studies dedicated to the conceptualization of the notion "coordination" in the anti-trafficking field. The only source known, which is dedicated to the study of the experience of different countries in the development of coordination mechanisms in anti-trafficking field, is the OSCE research, published as

(e) Facilitate inter-agency and multidisciplinary cooperation between the various government agencies and between governmental and non-governmental agencies, including labour inspectors and other labour market actors;

(f) Facilitate cooperation among countries of origin, transit and destination;

(g) Act as a focal point for national institutions and other State and non-State actors, as well as international bodies and other actors, engaged in the prevention of trafficking in persons, the prosecution of traffickers and assistance to victims; and

(h) Ensure that anti-trafficking measures comply with existing human rights norms and do not undermine or adversely affect the human rights of the groups affected".

United Nations Office on Drugs and Crime (UNODC), Model Law against Trafficking in persons, 2010, Art. 35, paragraph (2).

⁷ The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, p. 11.

⁸ The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, p. 12.

⁹ Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later (December 2013), section V "Partnerships", subsection "Recommended action at the national level", p.8.

¹⁰ OSCE/ODIHR, "National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons: A Practical Handbook", Warsaw, 2004.

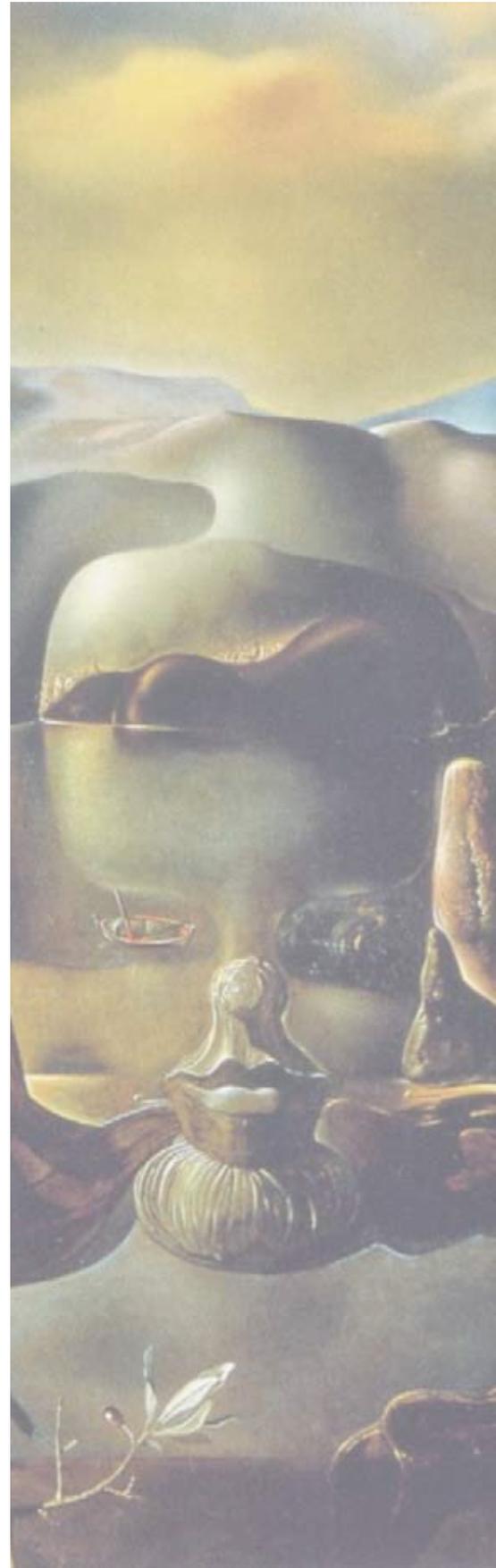
¹¹ OSCE/ODIHR, "Guiding Principles on Human Rights in the Return of Trafficked Persons", 2014, p.92-93.

«The co-ordination of anti-trafficking efforts is a complex undertaking. National Co-ordination Mechanisms (NCMs) exist to provide leadership for the co-ordination of concrete anti-trafficking efforts and activities and also to foster positive collaboration in the pursuing and achieving of a participating State's anti-trafficking objectives domestically and internationally. The fundamental purpose of the existence of an NCM is to organize the collective efforts of a country to produce the most effective and significant anti-trafficking results. This requires that such mechanisms, as far as they can, synthesize and integrate different missions, competencies, responsibilities, authorities, expertise, and perspectives into a unified and coherent operational vision and approach».

OSCE, "Efforts to Combat Trafficking in Human beings in the OSCE area: Co-ordination and Reporting Mechanisms". 2008 Annual Report of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, presented at the Permanent Council Meeting, 13 November 2008, p.25.

an annual report (2008) of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, entitled "Efforts to Combat Trafficking in Human beings in the OSCE area: Co-ordination and Reporting Mechanisms"¹². However, this study did not pay enough attention to the terminology and conceptualization of the notion of coordination. Under the creation of a "**national coordination mechanism**" the study mainly refers to the creation of multi-disciplinary coordination body involving the representatives of civil society organisations and conferring it certain competences. It is curious that, despite the fact that this study refers to the national action plan as "co-ordinated policy response" of the country on the issue of human trafficking, the study does not consider the national action plan as an element of the co-ordination mechanism.

¹² OSCE, «Efforts to Combat Trafficking in Human beings in the OSCE area: Co-ordination and Reporting Mechanisms. 2008 Annual Report of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, presented at the Permanent Council Meeting, 13 November 2008.



I.2. The modern theory of coordination

Under the term “**coordination**” we usually understand actions that are necessary in order to organize a collaborative work. The word “coordination” comes from the Latin “co” meaning jointly and “ordination”, meaning regulation. Correspondingly, “to coordinate” means to direct work of different people for the achievement of a common goal,¹³ to concert joint actions, to make them concordant, to establish a relationship. Still one can direct someone’s actions only through management. Therefore, the concept of “coordination” is tightly connected to such notions as “administration” or “management”. The use of the term “administrate” implies complete subordination of people under control. Coordination is a more kind and democratic method of administration, involving some freedom of movement of those under administration and to a certain extent self-administration.

As the analysis of the above mentioned international and regional instruments, policy documents in anti-trafficking field, as well as professional literature on this issue have shown, these sources point out the need for coordination for an effective organisation of combatting trafficking in human beings. However, these sources do not provide a definition of “coordination”. In order to accomplish coordination at the national level, these documents generally recommend the following:

a) establishment of coordination body - inter-agency committee/commission, members of which meet from time to time, i.e. held interdepartmental meetings where

the anti-trafficking actors can exchange information and thus coordinate their further actions;

b) adoption of a National Action Plan allowing to develop policy shared goals and objectives and thus to co-ordinate the actions of the actors.

In fact, all the existing recommendations on policy coordination in the anti-trafficking field are reduced to the use of the following two instruments:

- strengthening **the direct exchange of information / communication** between the anti-trafficking actors, by organizing their regular meetings;
- **development of shared goals and objectives.**

As a result some questions arise - whether this set of instruments/measures for modern policy management is sufficient and whether in this case the anti-trafficking policy will be effective? There are doubts about that. In this century marked by a rapid development of new information technologies, an effective exchange of information cannot be reduced to the organisation of inter-departmental meetings for a face-to-face communication, which take place actually just several times a year. There should be other instruments, as well. The only document in the field of combating trafficking in human beings, which suggests that the instruments of policy coordination cannot be reduced to a mere creation of a coordinating body and development of a National Action Plan is the EU Strategy towards the eradication of trafficking in human

¹³ Explicative Dictionary of the Romanian Language, p. 441 (translation of the explanation from Romanian).

beings (2012-2016). As it has already been noted, this policy document outlines such measures to improve the coordination of the European policy in this area, as the improvement of **data collection**, conduction of **researches**, carrying out of policy **monitoring and evaluation**. Still, the Strategy does not and should not be explained system relationship between coordination and the above mentioned measures.

To understand the issue of instruments for coordination let us consider the general modern coordination theory, developed by Thomas W. Malone, the Patrick J. McGovern Professor of Management at the MIT (Massachusetts Institute of Technology) Sloan School of Management and the Founder and Director of the MIT Center for Coordination Science. In his book "The Future of Work", based on 26 years of experience in his research he concluded that **coordination is a modern style of management**.

Coordination, as a modern style of management differs from the **traditional command-and-control management** in that it is based on a combination of control and freedom of action and permits deviation from the system of strict control, raise peoples' motivation, creativity, interest in general results of their work.

Despite the fact that the applied aspects of the theory of coordination relates to the economic domain - organizational forms of business, possibility to apply this theory goes far beyond the economic domain. The one of fundamental ideas of Thomas W. Malone consists particularly in the fact that any changes in the management of business structures (micro-level) are similar to the changes occurring in the management of the society as a whole (macro-level). His research has proven this fact by setting a clear relationship between the methods of management with ongoing political, social and technological changes in the society. In particular, Thomas W. Malone has proved that the development of democratic methods of governance entails democratization of business management. According to Malone, "*... some businesses already act like miniature democracies, in which the decisions are made by vote*".¹⁴ Thus, the modern theory of coordination developed by Thomas W. Malone, covers management processes at different levels (micro and macro levels), and, therefore, is applicable for the management of joint work of different agencies working to address social problems, including such issues as combating trafficking in human beings.

¹⁴ Thomas W. Malone "The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life". Harvard Business School Press, Boston, Massachusetts, 2004, p.6.

I.3. Logical connection between coordination and democratization of social processes and the development of informational technologies

Most people associate management with the classical model of command-and-control management system based on the hierarchy and tight control from a single center. Under this kind of centralized management all decisions are taken within a single center where the instructions flow down the power vertical and the reports on the implementation of these instructions are sent bottom-up.

This centralized scheme of management is typical for most countries, but it does not allow to fully realize the idea of democracy - participation of every citizen in making key decisions for the society. Even in developed countries where the citizens elect through democratic elections their representative government bodies, the system of management is still relatively centralized. In many countries, although the President and Parliament are elected, the country is ruled by a hierarchical bureaucracy. To promote democratic reforms **a decentralization of man-**

agement is necessary, which involves not only the **delegation of authority** to lower levels of management within traditional organizational structures, but also the **participation of a large number of people in decision-making, the development of self-government**. According to Thomas W. Malone, in a certain sense, "... decentralization means roughly the same thing as freedom".¹⁵ In fact, the degree of democracy and freedom is determined by the degree of decentralization of management.

Promotion of **decentralization** highly depends on the **degree of development of information technologies**. In order to ensure that many people take part in making the decisions that matter to them and that these decisions are effective, these people should be well informed and be able to quickly and more or less cheaply convey their decision up - the top management. Here large amounts of information have to be transmitted from top to bottom and from bottom to the top.

«Now, why should this matter? In a centralized hierarchy relatively little communications is required, because, in general, information only needs to be communicated once to a single place - the top of the hierarchy. In a decentralized system, however, many more people make decisions, and they all need information. Today's new communication technologies make an efficient, decentralized system possible for the first time».

Thomas W. Malone "The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life", Harvard Business School Press, Boston, Massachusetts, pp.33-34.

The realization of the task related to the transmission of large amounts of information through personal meetings or letters implies big costs. With

the development of information technologies the communication costs are decreased, and a mutual decision-making process in all areas is be-

¹⁵ Thomas W. Malone "The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life", Harvard Business School Press, Boston, Massachusetts, p.5.

coming more realistic. In this regard Thomas W. Malone had an interesting assumption that the development of information technology and declining costs for transmission of information represent factors that generate societal changes. For example, the development of writing in ancient society, according to this author, became a rallying factor and contributed to the transition from the primitive society to the state structure, ruled by kings, emperors and other central rulers. Later on the invention of the printing press was accompanied by dissemination of information among large numbers of people, growth of democratic feelings, birth of the revolutionary movement and development of self-government in many countries.

As Thomas W. Malone considers, we live in an amazing time when **modern information technologies enable for first time an efficient decentralized management system**. Development of the e-mail, Internet and of such communication tools as messenger, viber, skype, etc. allow us to ensure decentralized management, i.e. participation of many people in decision-making. This in turn should result in benefits (including economic ones) for the development of the society, as it increases the chances of using different approaches and solutions for the adoption of every decision and of choosing only the better solution from a number of proposed alternatives. In addition, it increases the chances that the adopted decision will be implemented by everybody - studies show that everyone respect group decisions and they are respected even by those not agreeing with it. Participation in decision-making is an incentive for the development of people, enhancement of their creativity, due to the fact that people like freedom.

Of course, decentralization of management cannot be achieved overnight, because to this extent it is necessary to change people's mentality. It is necessary to restructure our thinking from **command-and-control** management to **coordinate-and-cultivate**, where coordination will be focused on the actions to be performed, and cultivation - on the people performing these actions. Cultivation should help people find and develop their own strong natural qualities. It takes time, and at some point it is necessary to combine the traditional control with the freedom of actions.

It should be noted that democracy and decentralization have their own strengths and weaknesses. As it has been noted, the **strengths of decentralization** of management include the following:

- participation of many people in decision-making, thereby increasing the effectiveness of the solutions adopted;
- ensuring flexibility of actions during the implementation of decisions and stimulating the execution of the decisions adopted;
- development of creativity and work motivation.

The **weaknesses of decentralization** include:

- need to spend plenty of time and money on communication (even when using electronic communication means) to ensure that everyone is well informed about the core issues;
- incompetence of people adversely affecting the decisions under adoption;
- when unpopular decisions are adopted, this violates ordinary

life for a longer period of time as compared to a highly centralized management.

In such a situation the new style of management appeared - **coordination**, which is the **art of combining the new democratic decentralized** methods of management with the traditional **centralized** ones. In other words

coordination is the balance of the methods of control and correct techniques for the provision of freedom. Traditional centralized management will never disappear completely, but the use of decentralized methods of management will increase in the coming decades, as this is required by the new spirit of the times.

„Figuring out how to combine decentralization and centralization is still more an art than a science. But it is an art whose practice will become much more important in the coming decades“.

Thomas W. Malone "The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life", Harvard Business School Press, Boston, Massachusetts, p.124.



I.4. Main conditions in order to ensure best results of joint actions

According to Thomas W. Malone, centralized management includes only two main instruments or techniques of management - orders and control over their execution. The techniques of decentralized management are much more diverse. **Coordination** as a new style of management combining centralized and decentralized approaches **has to ensure the provision of the following basic conditions for a good result of joint actions:**

- - The ability of specialists to do what is necessary;
- - Common goals and standards of joint activities, as well as incentives to be associated with them;
- - Connection between actions and information.

Capacity development

The existence of necessary abilities is ensured by a correct selection and **training of the specialists**. Experience shows that if we want to get a good cooperation among the staff from different organizations, training should be carried out jointly. This helps to establish informal contacts and to develop cooperation. No coordination

could help if you do not have people willing to communicate and to work together.

If speaking about organization of combatting trafficking in human beings, it has to be noted that the development of abilities of specialists is connected to the access to necessary information. Nowadays, in addition to traditional paper sources of information, electronic sources of information become increasingly important. Creation of thematic sites with a library containing legal documents, literature on the issue and other useful information is a valuable source of information for specialists and help in raising the degree of their knowledge. Moreover, organization of scientific conferences, seminars and other activities enables mutual communication, exchange of experience, and thereby helps to develop the skills of specialists.

Coordination as the new style of management requires greater attention to the education of the staff. It is necessary to learn new types of relations under the terms of a democracy and decentralization - not to try to impose one's will on the others.

„Most of us grew up in families that had very clear hierarchies, with the parents having much more power than the children. How can all these years of living in hierarchical situations of vast power inequality not have an impact on the kinds of relationships we have in our adult lives?

Moreover, all of us are primates who, as biologists tell us, have biological drives to create certain kinds of dominance hierarchies, or pecking orders. How can this not affect the ways we relate to our fellow primates at work? The answer is not that we should try to do away with all top-down control, but that we should learn to live with the tension - we should learn to balance control and acceptance in the right ways and at the right times. And that is what the metaphor of cultivation will help us do”.

Thomas W. Malone “The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life”, Harvard Business School Press, Boston, Massachusetts, p.160.

As Thomas W. Malone notes, to achieve the best development it is necessary to reject the solutions imposed from top of hierarchy, and the ability to improvise and compete. It is noteworthy that such an approach to politics was first proposed by Mao Tse-tung: „The policy of letting a hundred flowers blossom and a hundred schools of thought contend is the policy for promoting the

progress of the arts and the sciences".¹⁶ These words of Mao prove that this approach is already generally accepted in the field of art and science, where creativity is the main condition. While creativity is becoming increasingly crucial in all other areas of public life as well, the thousand flowers approach will become an increasingly important part of the new style of management.

Thomas W. Malone has formulated the following **amazing paradox of power**:

„Sometimes the best way to gain power is to give it away.

If you try to micromanage people too much, they'll resist you, or if they capitulate, they'll lack the motivation to help you achieve your goals. On the other hand, if you give people the power to make their own decisions, they will be more prone to support you and more likely to donate with their energy, creativity, dedication to your cause. They'll be more successful, as so will you. By giving them more power, in other words, you gain more power, too".

Thomas W. Malone "The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life", Harvard Business School Press, Boston, Massachusetts, p.162.

Incentives and goals

According to the theory of coordination, incentives or motivation of the specialists are the most important conditions to achieve best results of joint activities. Without diminishing the role of financial incentives, it should be noted that the good incentive for work are not always financial one, it may be public recognition, as well as the opportunity to perform an interesting work offering satisfaction, etc. The main thing is that the **incentives should be associated with the achievement of the common goals of the joint activity.**

Correspondingly, the development of a proper goal or goals of joint activity is an important aspect of coordination. General goals can be establishes:

- centralized – by the top of the management hierarchy;

- decentralized - together by the people who have to work jointly to achieve a common goal.

In the case of organization of anti-trafficking at the national level, common policy goals and objectives are established by the Government when developing the **National Action Plan** for the next planning period. The coordinator of this process has to ensure that the greatest possible number of organizations of different legal forms, including civil society organizations will participate in this activity, so that all the people who will have to implement the National Action Plan could take active part in the process of its development. This will help to make the plan more effective.

It is interesting that the stimulation of joint activity by public recognition of an organization or a specialist's achievements during monitoring or evalua-

¹⁶ Thomas W. Malone "The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life", Harvard Business School Press, Boston, Massachusetts, p.157.

tion of implementation of the national Action Plan, is not currently very often used in practice, although theoretically it should serve as one of the most important incentives to achieve a best results of joint activities.

Standardization of types of activities

For the organization of joint activities establishment of overall goals is not enough. The goals are usually too broad and people hardly observed their connection with habitual daily activities. **Therefore, one of the best ways to manage this connection in the context of decentralization is to establish standards.**

It may seem unusual to combine strict standards with decentralization and the inherent flexibility of management. However, paradoxically under the conditions of a decentralized man-

agement the role of standards is enhanced – a **set of interrelated standards** appear instead of single ones. The fact is that under the traditional centralized management system standards are much less important, because the bosses can simply tell people what they have to do. However, when people make their own decisions, the existence of standards is of a paramount importance. It is already the problem of the **standards, not of the manager, to ensure that the actions of each person correspond to the direction of overall goals.** Standards should be installed not on each process, only on those that are particularly important for management. According to Thomas W. Malone, in future the development of standards (defining of the rules of the game) will become one of the main responsibilities of all senior managers.

„If you're like most people, you probably assume that rigid standards stand in opposition to flexibility and decentralization. If you have rigid standards, you can't be adaptable. If everything is standardized, individuals can't make their own decisions. „Surely”, you probably think, “the world of decentralization is about getting away from constraining, suffocating standards.”

But here is a surprising paradox of decentralized coordination:

Rigid standards in the rights parts of a system can enable much more flexibility and decentralization in other parts of the system”.

Thomas W. Malone “The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life”, Harvard Business School Press, Boston, Massachusetts, p.133.

The standards may be formal - upon centralized adoption, having though to comply with democratic rules, and informal - established by the agreement of the participants to the joint action. However, the use of informal standards requires a certain degree of cultivation of the participants to the joint action.

Referring to the state policy in anti-trafficking field, certainly the stand-

ards officially approved by the Parliament or the Government of the Republic of Moldova are primarily used in this area. Thus, Parliament had approved a special Law on preventing and combating trafficking in human beings¹⁷ and a policy document - the Strategy of the National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings

¹⁷Law on preventing and combating trafficking in human beings No.241-XVI of 20 October 2005 (Official Gazette of the Republic of Moldova, 2005, No.164-167, art. 812).

(2009-2016).¹⁸ The Government has approved a number of regulations that govern the joint activity of anti-trafficking actors, among which:

- 1) National Action Plan for Prevention and Combatting Trafficking in Human Beings established for the defined period of years (currently the sixth National Action Plan adopted in this field);¹⁹
- 2) Regulations on the activity of coordination bodies created at various levels of public administration of measures to combat trafficking in human beings, composed of representatives of various (state and nonstate) organizations:
 - a. National Committee for Combatting Trafficking in Human Beings;²⁰
 - b. territorial commissions for combatting trafficking in human beings;²¹
 - c. territorial multidisciplinary teams that provide direct assistance to trafficked persons;²²
- 1) Regulations regarding the provision of assistance to victims of human trafficking, involving representatives from different agencies:

- a. placement in a specialized center (shelter) for assistance and protection of victims of human trafficking;²³
- b. assistance in repatriation.²⁴

It is obvious that there has been created a set of interrelated standards in the anti-trafficking field in the Republic of Moldova. All these standards have been established according to the centralized approach, but in compliance with democratic rules: different anti-trafficking actors have participated in the process of standards-setting, including representatives of intergovernmental and non-governmental organisations.

International Center "La Strada" took an active part in the development of most of these standards. On the basis of the experience collected it can be noted that the democratic rules of development require prior approval of the draft standard among a large number of specialists, and this in turn requires significant time and effort. Development of a standard can last more than a year, and it may happen to fail having positive results. For example, International Centre "La Strada" has

¹⁸ Strategy of the National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings, approved by the Decision of the Parliament of the Republic of Moldova No.257-XVI of 05 December 2008 (Official Gazette of the Republic of Moldova, 2009, No.27-29, art. 66).

¹⁹ National Action Plan for Prevention and Combatting Trafficking in Human Beings for 2014-2016, approved by the Decision of the Government of the Republic of Moldova No. 484 of 26.06.2014 (Official Gazette of the Republic of Moldova, 2014, No.174-177, art. 529).

²⁰ Decision of the Government of the Republic of Moldova No. 472 of 26.03.2008 "On the approval of the composition of the National Committee for Combatting Trafficking in Human Beings and the Regulation on the National Committee for Combatting Trafficking in Human Beings" (Official Gazette of the Republic of Moldova, 2008, No.69-71, art. 453).

²¹ Decision of the Government of the Republic of Moldova No. 234 of 29.02.2008 "On the approval of the Model Regulation of territorial commissions for combatting trafficking in human beings" (Official Gazette of the Republic of Moldova, 2008, No.47-48, art. 298).

²² Decision of the Government of the Republic of Moldova No. 228 of 28.03.2014 "On the approval of the Regulation on territorial multidisciplinary team within the National Referral System" (Official Gazette of the Republic of Moldova, 2014, No.80-85, art. 251).

²³ Decision of the Government of the Republic of Moldova No. 1362 of 29.11.2006 "On the approval of the Model Regulation on organisation and functioning of centers for assistance and protection of victims of trafficking in human beings" (Official Gazette of the Republic of Moldova, 2006, No.186-188, art. 1457).

²⁴ Decision of the Government of the Republic of Moldova No. 948 of 07.08.2008 "On the approval of the Regulation on repatriation of children and adults - victims of trafficking in human beings, illegal migration, as well as of unaccompanied children" (Official Gazette of the Republic of Moldova, 2008, No.152-153, art. 949).

been trying for 6 years to create a regulation regarding the identification of victims of trafficking in human beings. Despite the fact that the development of this standard was planned by the Action Plan to implement the Strategy of the National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings for 2009-2011, which was approved by the Parliament, this regulation has never been approved by the Government. Its development was finalized in 2012, when the regulation has been approved by the Ministry of Labour, Social Protection and Family.²⁵ Due to the fact that the mentioned ministry cannot establish the rule of work for the representatives of agencies that are not subordinated to this ministry, this Regulation is not mandatory for all participants of the identification process, it is mainly a recommendation.

Another problem of standardization is the fact that there is neither an official definition of a "standard" nor of this concept in Moldova, that would establish a connection between standardization and decentralization of management. Even if the Government has already approved a number of regulations, called the minimum standards of social services quality, the Law on the Normative Acts of the Government and of Other Central and Local Public Authorities²⁶ does not contain the provisions regarding the standards.

Coordination of the interaction between specialists. Communication and information management

The last key to successful coordination is **information management** – a proper

connection between actions and information. Information is always necessary to ensure the proper management. It is important to identify the list of necessary information, methods of data collection and sharing the information, rules for its processing and use.

The coordinator must also ensure a proper system of **communication** between all the participants to the joint activities to ensure the collection and exchange of information that is necessary to control the process of movement towards the outlined goal, as well as to evaluate the results achieved. The coordinator and all the participants to the joint work should be in possess of such information.

The coordinator may collect information at different levels of the management hierarchy. However, according to the theory of coordination, along with decentralization, the role of horizontal relations, i.e. communication on the same level of management increases, while vertical connections are gradually losing their importance. Common goals are the crucial thing for coordination.

Communication between the coordinator and the bodies and experts under his management shall be carried out in the following manner:

- direct information exchange between people (inter-departmental meetings, seminars, conferences, etc.);
- indirect information exchange (letters, phone calls, e-mail, etc.).

The development of technical means of interaction - new communication and information technologies is crucial for the development of coordi-

²⁵ Order of the Ministry of Labour, Social Protection and Family No. 33 of 20.02.2012 "On the approval of the Regulation on identification of victims and potential victims of trafficking in human beings". Published in Romanian on the website: http://www.mmptf.gov.md/md/docum_int/.

²⁶ Art.12 of the Law on the normative acts of the Government and of other central and local public authorities No.317-XV of 18 July 2003 (Official Gazette of the Republic of Moldova, 2003, No.208-210, art. 783).

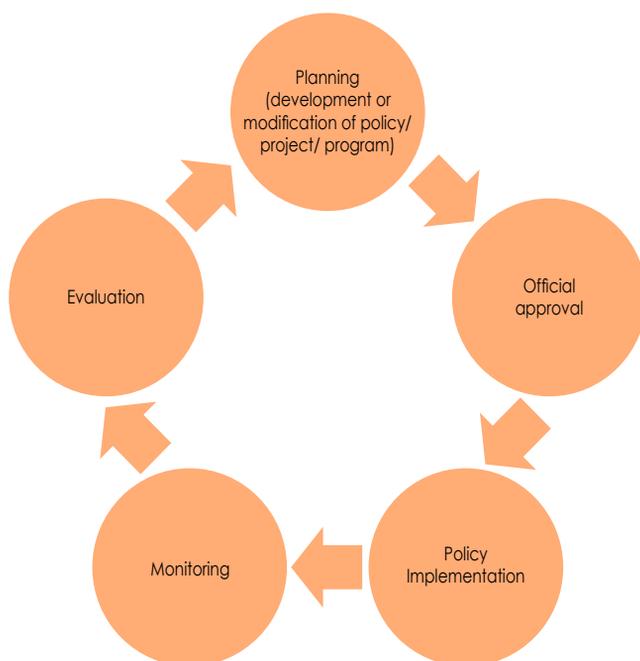
nation. Over the recent years, many large organizations have developed specific communication strategies that clearly define the internal policies to promote the exchange of information, including methods of communication.

Referring to combatting trafficking in human beings the collection of information should meet specialists' need of knowledge relative to:

- the status and trends in evolution of the phenomenon of trafficking in human beings, which are necessary for policy planning in this area;

- measures taken to counter this phenomenon, which should be compiled in the form of reports on the monitoring and evaluation of policies.

Monitoring and evaluation of policies are elements of a single cycle of the results-based policy management.²⁷



²⁷ Over the last decades approaches related to planning, monitoring and evaluation of policies on the international level have changed considerably. After a series of international events - conferences, conventions etc., particularly following the adoption of the Paris Declaration of 2005 systematic approach for the development of government policy and international cooperation has been applied. The essence of this approach is to increase the effectiveness of efforts and accountability of the results/responsibility (of the government towards the citizens, of the project executors towards the donors), as well as sustainability of the results achieved. Following the implementation of this approach for the development of policy projects there took place a transition from simple planning of activities (measures) to a more complex planning and management, focusing on the outcomes and the impacts of the implementation of these projects/programs. This new systematic approach to policy/project/program management is called the results-based management.

Implementation of the policy should be monitored for the whole period of implementation of the policy document (strategy and/or national action plan) with compilation of the monitoring reports that is necessary to identify possible errors or unforeseen effects of policy implementation. Monitoring reports are the basis for modifications in the policy document in order to improve the policy.

Evaluation shall be carried out in the mid-term of the policy implementation period and/or at the end of the implementation of policies and serves as basis for the development of a new policy document for the next planning period.



I.5. Coordination of key dependences and budgeting

Coordination means managing dependencies between activities.²⁸ According to Thomas W. Malone, if there is no interdependence between people's activities, then there is nothing to coordinate. But when people are working together on some issues, the action of each individual will influence the decisions of others as well as the final result of the work. It is important to foresee which individual is going to perform a certain part of the work, it is necessary to identify and distribute the necessary resources.

According to the theory of coordination, there are three types of key dependencies of participants to the general process to be managed:

- 1) *Technological dependence* - when the activity product of one participant is a resource for the activity of other participant of the common process;
- 2) *Dependence on the distribution of resources* - when the same resource is used by different actors of the general process, or when different activities are financed from a single budget;
- 3) *Dependence on coherent activities* - when several members of the common process produce a single product.

In order to manage each kind of dependence there is a certain set of coordination methods. The task of the coordinator is to identify the key dependences and consider alternative ways to control each dependency, i.e. to create a specific model of joint activities. There are no any particular ready-made recipes. Coordination is a creative process. The main thing while making a definite decision is that the coordinator as well as the rest of participants of the common process should know what are the common goals towards which it is necessary to achieve.

Referring to coordination of the policy in the field of combating trafficking in human beings it is necessary to make a pointed reference to the *dependence on the distribution of resources*, where different types of activities are funded from the same budget. Such dependence shall be considered in the process of implementation of a specific project within the framework of foreign donation or within the development of a national action plan which implementation is being financed from the state budget. Under limited resources, it is important to learn how to choose priorities, i.e. priority areas of concern in combatting trafficking in human beings, where available funds should be directed first of all. Ideally, the national coordinator should know how to develop a national project and be able to attract necessary resources for its implementation out of domestic sources or foreign sources.

²⁸ Thomas W. Malone "The Future of Work: How the New Order of Business Will Shape Your Organization, Your Management Style, and Your Life", LLC Oлимп, 2006, p. 160.

General conclusions

The aforementioned elements of the modern theory of coordination are suitable for the development and implementation of new models of coordination in any areas, including for policy coordination in anti-trafficking field.

Modern coordination cannot be reduced only to:

- a) the establishment of an **inter-agency coordinating body** with the participation of representatives of civil society and intergovernmental organisations and
- b) the development of a **national action plan**.

A national coordinating mechanism should also include creation of the following conditions for a better result of joint activities of all anti-trafficking actors:

- **Capacity building/training and education of professionals, as well as provision of incentives for their work;**
- **Development of standards for common activities;**
- **Coordination of the interaction between specialists – creation of an adequate system of communication between the anti-trafficking actors using new information technologies;**
- **Collection, analysis, processing and presentation of information on the status and evolution of the phenomenon of trafficking in human beings and on various aspects of combating this phenomenon;**
- **Monitoring and evaluation of policies under implementation;**
- **Attraction and the joint distribution of necessary resources.**



II. EXPERIENCE OF THE REPUBLIC OF MOLDOVA

II.1. Coordinating bodies created in the anti-trafficking field in the Republic of Moldova

Creation of a coordination mechanism in the anti-trafficking field in the Republic of Moldova started in November 2001. During this period the Government Decision²⁹ provided for the creation of the first national inter-agency coordinating body in this field under the Government - National Committee for Combatting Trafficking in Human Beings. This coordinating body is working in Moldova for more than 12 years and has proven its effectiveness in practice.

Gradually after that, along with the development of the anti-trafficking system, have been created other coordinating bodies operating under different public authorities at different levels of public administration (national and local levels of government), as well as at the transnational level - in order to interact with partners from the countries of destination for the trafficking of human beings. As a result, now we can state that our country has an extended coordination mechanism which includes three types of coordinating bodies in this field created for different purposes, namely:

- a) **general coordination of anti-trafficking policy** at the national level (in the capital of the Republic of Moldova) and at the local levels (in the administrative - territorial units of the country);
- b) **coordination of the work of law enforcement agencies** to prevent

the crimes related to trafficking in human beings;

- c) **coordination of the direct assistance to the trafficked persons** within the National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings (NRS).

General policy coordination

General coordination of the policy in the anti-trafficking field is carried out by the Government at the national level and by relevant local public authorities at the local level, i.e. on the territory of the corresponding administrative - territorial unit of the country (rayon, municipality etc.). For this purpose, Moldova has created the following special **inter-agency coordinating bodies**:

- a) **The National Committee for Combatting Trafficking in Human Beings** - an advisory body under the Government, which represents, in fact, a high-level interdepartmental council. The National Committee is chaired by the Deputy Prime Minister and is composed of ministers acting as representatives of various ministries that have been empowered by the law with the competence in the anti-trafficking field. In addition, there are a number of non-governmental organisations (NGO "La Strada",

"Coordination of activity to prevent and combat trafficking in human beings and cooperation of public administration authorities with international organizations, non-governmental organizations, other institutions and representatives of civil society [in such activities], shall be carried out by the National Committee for Combating Trafficking in Human Beings. The National Committee is a consultative body of the Government. Organizational matters of the National Committee are ensured by a secretariat".

Law on the preventing and combating trafficking in human beings No.241-XVI of 20 October 2005 (Official Gazette of the Republic of Moldova, 2005, No.164-167, art. 812), paragraph 8.

²⁹ Decision of the Government of the Republic of Moldova No. 1219 of 09.11.2001 (Official Gazette, 2001, no. 136-138, art. 1274)

" A coordinating council of law enforcement bodies with functions in the field of combating of trafficking in human beings shall be created by the General Prosecutor . The law enforcement bodies shall submit annually, not later than the 10th of January, to the coordinating council of the General Prosecutor, reports on the observance within the country of legislation on preventing and combating trafficking in human beings; also the General Prosecutor shall submit these respective reports to the National Committee by the 20th of January".

Law on the preventing and combating trafficking in human beings No.241-XVI of 20 October 2005 (Official Gazette of the Republic of Moldova, 2005, No.164-167, art. 812), paragraph 11.

CNPAC, etc.) and intergovernmental organizations (IOM, OSCE etc.) active in this field which take part in the work of this body having a deliberative vote. The National Committee holds its meetings about 3-4 times a year. During these meetings the members of the National Committee assess the most important issues of the state policy in this area, such as:

- development, monitoring and evaluation of National Action Plans in this field;
- implementation of internal plans of various ministries and agencies empowered with competences in the anti-trafficking field;
- external monitoring of the Government's activity in this field and
- other issues.

b) **Permanent Secretariat of the National Committee for Combatting Trafficking in Human Beings** – is a **permanent body** created to support the activities of the National Committee; this is a department of 4 people within the staff of the **State Chancellery** – the authority supporting the functioning of the Government of the Republic of Moldova.

The Permanent Secretariat has been created in late 2011. This event was preceded by hard work and a search for the best managerial solution. During the period 2001-2009 the functional and organizational activity of the National Committee had been ensured by its Secretary, a representative of the Ministry of Internal Affairs who was working on a part-time schedule being partially exempt-

ed from his direct functional duties. Subsequently, in late 2009 there has been created a Secretariat composed of the representatives of 3 ministries who were working also on a part-time basis. Nevertheless, all the attempts made by the Government to decentralize the management in this area and to delegate coordination to the Ministry of Internal Affairs were unsuccessful. Only the creation of the Secretariat on a permanent basis under the State Chancellery, having hooked here the main information flows on the measures taken by all parties involved in combatting trafficking in human beings in the Republic of Moldova, including within the framework of international assistance projects, permitted to raise the issue of combatting trafficking in human beings in the country to a new level. The idea of creation of the Permanent Secretariat under the State Chancellery was actively supported by international organizations. Particularly, during the period 2011-2013 the financial support of the Permanent Secretariat has been provided by the International Organization for Migration and the OSCE. The International Center "La Strada" has offered the expert support to the Permanent Secretariat staff in the same period. In 2014, the Permanent Secretariat staff has been enlarged from 1 to 4 people, and thus the Government has strengthened public support for the activity of this body.

c) **Interministerial working group under the Permanent Secretariat** has been created quite recently, in 2012, and is composed of the representatives of ministries, mid-level managers responsible for

any contacts with the Permanent Secretariat, as well as with the representatives of non-governmental and intergovernmental organizations. The Permanent Secretariat has provided a series of trainings for the members of this working group, covering such issues as the results based policy management, policy performance indicators, policy coordination, budgeting, special rights of victims of trafficking etc. The members of this working group are involved in the development and monitoring of the implementation of the National Action Plan for Preventing and Combatting Trafficking in Human Beings. The creation of this coordinating body has improved the quality of the national policy.

- d) **Territorial commissions** for combatting trafficking in human beings are created under the local public administration authorities in all rayons of the Republic of Moldova according to the Law on Preventing and Combatting Trafficking in Human Beings №241-XVI of 20.10.2005. According to the Law, these commissions work as decentralized bodies, still they must annually submit to the National Committee reports on their activities (*a combination of centralized and decentralized management*). However, a verification of these commissions' activities carried out by the Permanent Secretariat in 2012, identified a number of shortcomings. Therefore, the Permanent Secretariat decided to strengthen assistance in order to train their members and to support their functioning.

Coordination of the activity of law enforcement bodies

Coordinating Council of Law Enforcement Bodies empowered with com-

petence in the field of combating trafficking in human beings has been created under the General Prosecutor. This Council focuses on the activities of law enforcement bodies. Law enforcement bodies (police, prosecutor's office, etc.) are required to present during the meeting of this Coordinating Council annual reports on their activities in order to prevent and combat trafficking in human beings.

Coordination of direct assistance to victims of trafficking within the NRS

In order to coordinate the current work related to the settlement of specific cases of trafficking in human beings in the Republic of Moldova there has been created:

- a) **NRS National Coordination Unit** under the Ministry of Labour, Social Protection and Family (*in composed of one specialist not exempted from basic functional duties*).

NRS National Coordination Unit receives information about all identified victims of trafficking in human beings who are in need of special assistance. The Unit carries out monitoring of the process of assistance delivery to trafficked persons and referral them from the national level to the district level and vice versa, through an exchange of information with the NRS contact persons in each district which are the members of territorial multidisciplinary teams.

It should be noted that, despite the fact that the Unit has been created in the framework of an international assistance project and is functioning under the Ministry of Labour, Social Protection and Family since 2006, when the creation of NRS in Moldova has

"Territorial commissions to combat trafficking in human beings (hereinafter referred to as territorial commissions) shall be created in districts, municipals and in the autonomous territorial unit Gagauz-Yeri under the executive body of local public administration in order to coordinate activities of preventing and combating trafficking in human beings. In Chişinău municipality such commissions shall be created in sectors. The commissions' activity shall be subordinated to the National Committee. "

Model regulation of territorial commissions for combatting trafficking in human beings, approved by the Decision of the Government of the Republic of Moldova no. 234 of 29.02.2008 (Official Gazette of the Republic of Moldova, 2008, no. 47-48, art.298), paragraph 2.

"The activities on prevention and combatting trafficking in human beings, provision of assistance and protection to victims and potential victims of trafficking shall be carried out by the members of territorial multidisciplinary teams, according to their functional responsibilities, by joining the resources, expertise and knowledge as well as quick exchange of information, providing a systematic approach to the common efforts under a cross-sectorial framework".

Regulation on the functioning of multidisciplinary territorial teams within the National Referral System, approved by the Decision of the Government of the Republic of Moldova no. 228 of 28.03.2014 (Official Gazette of the Republic of Moldova, 2014, no. 80-85, art.251), paragraph 2.

just started, its activity has not yet been legalized (there is no clear legal basis). The activity of the NRS Coordination UNIT has been actively supported by the International Organization for Migration for a long period of time, and the Unit has proven its effectiveness in practice. However, the Ministry has not managed to obtain so far allocation of an additional staff member to ensure the proper functioning of this Unit in future. The Ministry, under the general decentralization policy, eventually has to decentralize the provision of assistance to trafficked persons and to transfer the responsibility to coordinate this work to the level of local public administration. Still, first of all it is necessary to create necessary conditions on the local level, such as to settle the issue of budgeting of these services, ensure capacity building of professionals, set out the range of services etc. Prior to solving these problems, the function of coordinating the assistance for victims of

trafficking should remain for some time the duty of the *Ministry of Labour, Social Protection and Family*.

b) Territorial multidisciplinary teams (TMT) are the groups created under the local public administration authorities in the framework of NRS Strategy in order to ensure access of victims and potential victims of trafficking in human beings to assistance and protection. TMTs are composed of specialists from various organizations (social security bodies, police, non-governmental organizations, etc.).

These groups started to be created since 2006 within the joint project of the *Ministry of Labour, Social Protection and Family*. Currently, TMTs are created in all rayons of the Republic of Moldova and their members are properly trained. Currently an activity is carried out to create such groups at a lower level of government, particularly at the level of commune/villages.

International Center "La Strada"



Permanent Secretariat of the National Committee for Combatting Trafficking in Human Beings

As it has already been noted, the Permanent Secretariat of the National Committee for Combatting Trafficking in Human Beings has been created in 2011 as part of the State Chancellery Staff. From the very beginning its activity has been administrated by Ms. Ecaterina Berejan. Prior to being appointed to this position, Ms. Berejan worked at the Ministry of Labour, Social Protection and Family and actively contributed to the creation of a National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings. Ms. Berejan successfully transferred her experience in coordination of the activities to provide direct assistance to trafficked persons to a higher level - coordination of the national policy in the anti-trafficking field.

Making use of various tools of policy coordination, the Permanent Secretariat managed in 3 years of its activity to significantly enhance interaction between all anti-trafficking actors (government, non-governmental and inter-governmental organizations), to increase the number of jointly performed activities, to establish informal communication between specialists from various agencies working actively in this area.

The Permanent Secretariat considers its main goal to be the management of the public policy on combatting trafficking in human beings – the development of a National Action Plan for preventing and combatting trafficking in human beings, organization of continuous monitoring and independent evaluation of its implementation. The Permanent Secretariat annually publishes monitoring reports on the implementation of the National Action Plan. Moreover, in 2014 the national anti-trafficking policy for 2010-2013 has been submitted for the first time for an independent evaluation with the participation of the experts of International Centre „La Strada” (Moldova). Besides, a communication strategy of the Permanent Secretariat has been developed and put into practice, a governmental specialized website www.antitrafic.gov.md has been created and supported.

Permanent Secretariat often addresses the issues of standardization of activities in the relevant field and coordinates joint development of various laws and regulations. Particularly, due to the efforts of this body in 2013 there were operated amendments to the Criminal Code in order to avoid contradictions and to incriminate all forms of trafficking of human beings provided in international and regional standards. Upon the initiative of the Permanent Secretariat a number of interesting independent studies have been conducted and published on the website of this body.

In this publication the representatives of the Permanent Secretariat share their views on various aspects of policy coordination in the anti-trafficking field.

International Center “La Strada”, Moldova

II.2. A view on the management of the policy on preventing and combatting trafficking in human beings in Republic of Moldova

Ecaterina Berejan, head of Permanent Secretariat, Secretary of the National Committee for Combatting Trafficking in Human Beings, the State Chancellery of Republic of Moldova

Trafficking in human beings has the dimensions and peculiarities of a transnational phenomenon. For which reason, from 2000, the fight against this phenomenon has become for Moldova a priority in its international policy. Initially, through the light of the international policy, the emphasis has been put on the fight against trafficking in women and children for the purpose of sexual exploitation. However, recent manifestations and further evolution of the phenomenon of trafficking in human beings determined the need of adopting additional measures for counteracting such manifestations of this phenomenon as human trafficking for forced labour exploitation, begging, for organs, etc. The tendencies of this phenomenon are continuously changing – former origin countries become transit countries, while transit countries – countries of destination. All these are to be reflected in tactical and strategic intervention measures, taken by the governments of different states in this field. Plus, under the obligations concerning human rights, states are bound to guarantee protection and social assistance at equal extent both to its citizens and foreigners, stateless people, who had suffered from trafficking in human beings on their territories.

Referring to Moldova's experience in this segment of activity, we can establish, first of all, that the Government put considerable efforts in harmonization of the national legislation with the

international legislation in this field. Concurrently, a special attention has been paid to the consolidation of the institutional mechanism for enhancing the efficiency of the activity of institutions specialized in the provision of assistance to trafficked persons. Specific measures taken the last few years in view of criminalization of actions which fall under the notion of human trafficking, recognized on international level, proves Moldova's will of drafting policies, that would comply with requirements of the European integration process. This process dictates also the need of reviewing the entire policy on preventing and combatting trafficking in human beings and the need of drafting a new policy, correlated with the existing economic, social and political requirements, both on European and national levels.

Challenges of human trafficking phenomenon generate the need of consolidating joint efforts for drafting a coherent and systemic policy of counteracting this phenomenon, which would regulate legal relations, the volume of assistance provided to the victims and potential victims of trafficking in human beings, the collaboration framework of public administration authorities with national non-governmental organisations, the cooperation with relevant international organisations and other measures. All the above-mentioned can be accomplished by applying certain effective methods of efficient coordi-

nation, by adopting a new coordination/management style, based on the combination of control and freedom of actions, away from the rigid control system, which would encourage motivation, creativity, people's interest for the final result of the work.

The first steps for accomplishing this mission had been taken in 2001,³⁰ when the National Committee for Combatting Trafficking in Human Beings had been created, which was led by the Minister of Internal Affairs, assisted by a Secretary, appointed from among the employees of the Ministry of Internal Affairs. This coordination model, with some minor changes, has been in full force and effect up till 2009.

Later on, by the Government Decision No. 795 of 03.12.2009 on the approval of amendments and additions operated in the Government Decision No. 472 of 26.03.2008 had been stipulated that the Chairman of the National Committee for Combatting Trafficking in Human Beings is the Deputy Prime Minister of Republic of Moldova, the Minister of Foreign Affairs and European Integration. This decision was also stipulating the creation of the National Committee *Secretariat*, consisting of the representatives of the Ministry of Labour, Social Protection and Family, Ministry of Justice and Ministry of Education, as well as their head – secretary of the National Committee, appointed from among the employees of the Centre for Combatting Trafficking in Persons of the Ministry of Internal Affairs. The new Secretariat was gathering representatives of different ministries, but who were not removed from their basic workplace, accomplishing the new obligations along with their job duties of institu-

tions they were working at. For this reason, their involvement in the activity of the Secretariat was restricted in time, and hence, the establishment of the Secretariat did not achieve the expected increase of efficiency of the promoted policy.

Only two years later, on the insistence of the civil society and international organizations, and with the support of donor organizations, by the Government Decision No. 900 of 02.12.2011 on the amendment and supplementation of the Government Decision No. 472 of 26.03.2008, had been created the Permanent Secretariat of the National Committee for Combatting Trafficking Human Beings. By this Decision, the Government assumed also the obligation of institutionalizing the Secretariat by establishing a special subdivision within the State Chancellery, starting with 2014. The Government kept its promise – it issued Decision No.33 of 22.01.2004 by which it approved the creation of a Permanent Secretariat of the National Committee for Combatting Trafficking Human Beings, with the status of section of the State Chancellery and with a staff of 4 units.

The creation of the legal and normative framework, of an institutionalized mechanism, the development of staff potential, of victim assistance and protection services, the provision of financial resources, the monitoring and assessment of policies, raising awareness, national and transnational cooperation are the priority components of the national anti-trafficking policy, which generate the duties and the scope of activity of the National Committee, and subsequently, the competences of the permanent Secretariat.

³⁰ Government Decision No.1219 of November 9, 2001 "On the approval of nominal list of members of the National Committee for Combatting Trafficking in Human Beings and the National Action Plan for Preventing and Combating Trafficking in Human Beings" (Official Gazette, 2001, no. 136-138, art. 1274).

Currently, competences of the Permanent Secretariat are resumed at the following:

- 1) to ensure the **coordination** of activities of preventing and combatting trafficking in human beings, as well as the cooperation with public authorities, international and intergovernmental organizations, other agencies and representatives of the civil society;
- 2) to monitor and assess the implementation of the policy in anti-trafficking field, accomplished by relevant institutions at all levels of public administration, as well as by intergovernmental, non-governmental organizations working in this field;
- 3) to coordinate the process of drafting the National Action Plan for preventing and combatting trafficking in human beings;
- 4) to create inter-agency workgroups for drafting proposals of policy improvement regarding the preventing and combatting human trafficking;
- 5) to ask for information, to gather data from relevant institutions with duties related to the prevention and combat of trafficking in human beings and, on their basis, to

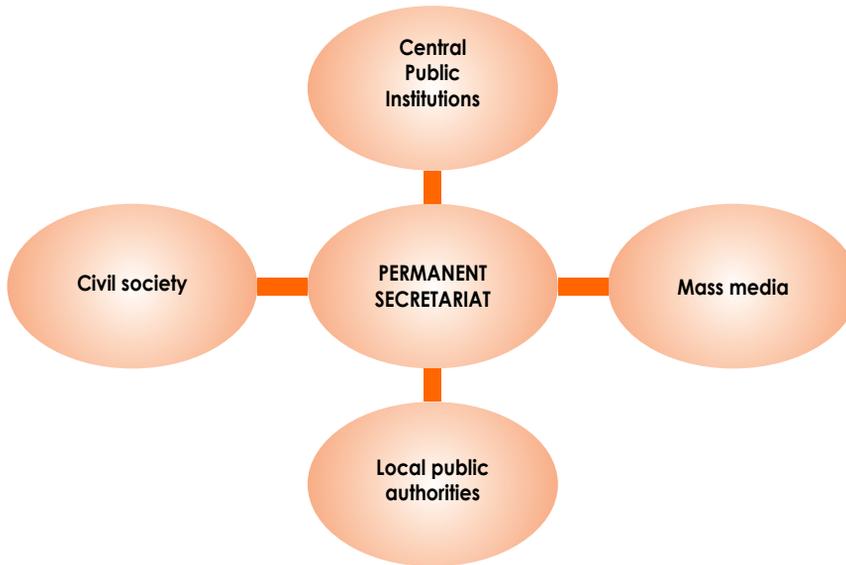
draft national reports in this field;

- 6) to contribute to the development of collaboration of public authorities with intergovernmental, non-governmental organizations from Moldova, with institutions from other states and to provide the necessary support in the execution of interstate projects;
- 7) to monitor the transnational cooperation mechanism for experience exchange between countries and for the consolidation of human resources;
- 8) to support national and international information and public awareness campaigns regarding the phenomenon of human trafficking and to collaborate with mass media in this field.

As regards the coordination mechanism of the permanent Secretariat, we should mention that this body ensures interaction and cooperation between:

- central public administration bodies with duties in the anti-trafficking field;
- civil society;
- means of mass information;
- local public administration bodies.

Coordination mechanism of the Permanent Secretariat



We should mention that currently, along with the Permanent Secretariat, 2 more inter-institutional coordination mechanisms are operating:

- the Coordinating Council under the General Prosecutor, consisting of 7 representatives of law enforcement bodies and
- the Coordination unit of the National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings, operating under the Ministry of Labour, Social Protection and Family.

These mechanisms ensure the coordination of joint activity on all levels of national public administration and, as the case may be, the transnational cooperation.

On the level of local public administration had been also created and operate the following coordination bodies:

- *Territorial commissions for combating trafficking in human beings*, consultative bodies, the task

of which consists in the consolidation of efforts of bodies vested with duties in the field of combating trafficking in human beings in territorial-administrative units, as well as the establishment of common goals and measures in anti-trafficking field (Government Decision No. 234 of 29.02.2008) and

- *Territorial multidisciplinary teams within the National Referral System*, created under the local public administration of first or second level, which represent coordination bodies of the operative activity of direct assistance for victims and potential victims of trafficking in human beings within the National Referral System (Government Decision No. 228 of 28.03.2014).

The National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings represents a cooperative framework through which public authorities fulfill their obligations regarding the protection and pro-

"To better organize the protection and assistance of victims of human trafficking, to implement measures to prevent human trafficking, and to consolidate the efforts of all actors involved in combating this phenomenon in the Republic of Moldova, a systemic approach is needed. The NRS is created to reflect a special framework for cooperation, through which governmental structures would fulfil their obligations related to the protection and promotion of human rights of the victims of human trafficking and coordinate their efforts in a strategic partnership with civil society and with other actors in the field."

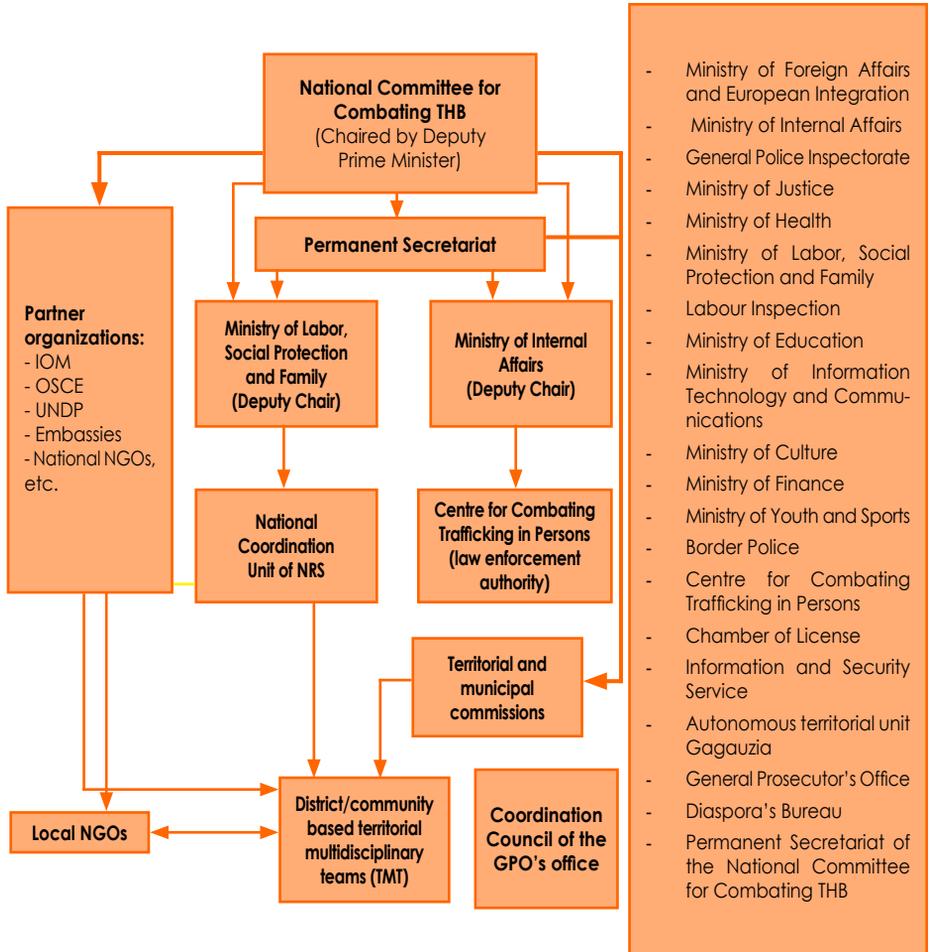
Strategy of the National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings, approved by the Decision of the Parliament of the Republic of Moldova No.257-XVI of 05 December 2008 (Official Gazette of the Republic of Moldova, 2009, No.27-29, art. 66), paragraph 5.

"A territorial multidisciplinary district team under the local public administration authorities of the second level created within the territory of Chisinau and Balti municipalities and within autonomous territorial unit of Gagauzia, is composed of the representatives of:

- 1) the department/direction of social assistance and family protection;
- 2) the direction of education;
- 3) district health institutions;
- 4) regional office of the Centre for Combating Trafficking in Human Beings under the General Police Inspectorate;
- 5) civil service;

motion of human rights of trafficked persons, coordinating the efforts in a strategic partnership with civil society,

as well as with other anti-trafficking actors (Decision of the Parliament No.257-XVI of 05.12.2008).



It is necessary to mention also the importance of *Collaboration Agreements/Memorandums*, as efficient tools for developing the cooperation and coordination in this field. Therefore, in May 2008 had been signed the Memorandum for assistance and protection of victims and potential victims of human trafficking between state structures and civil society organizations: Ministry of Labour, Social Protection and Family, General Prosecutor's Office, Ministry of Internal Affairs, International Organization for Migration (IOM), Mission to Moldova, interna-

tional Centre „La Strada" (NGO) and the Centre for Prevention Trafficking in Women (NGO). Subsequently, a series of other bilateral/multilateral agreements on national/international level had been also signed, between institutions of public administration and nongovernmental organizations.

Referring to coordination development, we must take into account **communication** opportunities provided by modern information technologies. For using this tool as efficiently as possible, has been created a *Communication Strategy*, the mission of which

is to ensure an inter-agency communication between all anti-trafficking actors, for strengthening the cooperation between participants in the efficient implementation of the National Action Plan for combatting trafficking in human beings, and for ensuring the visibility/transparency of the obtained results. One of the most efficient communication/information tools became the webpage of the National Committee for Combatting Trafficking in Human Beings (www.antitrafic.gov.md). The development and administration of this Internet page (*concept, drafting, development, content, updates*) is ensured by the Permanent Secretariat, benefiting at the same time of constant contributions from the part of anti-trafficking actors. At the same time, a mass media communication insufficiency is also felt.

An efficient communication is impossible without **data collection**. Currently, one of the biggest challenges for *the data collection process about real cases of trafficking in human beings* is the establishment of certain indicators which are possible to obtain from relevant agencies, without violating the provisions of Law No.133 of 08.07.2011 On the Protection of Personal Data. For this reason, it has been decided to collect such data by means of their depersonalization. We consider that depersonalization has no influence over the aim of collecting such information, which includes the analysis of dimensions, state and tendencies of the phenomenon of human trafficking, the supply of authentic information to partners and the use of such data for drafting reports and for the elaboration of anti-trafficking measures. For collecting the data, the Permanent Secretariat created *special forms*, which contain a series of relevant indicators. Currently, such forms

are going through an piloting and improving process.

We should outline the fact that the preventing and combatting trafficking in human beings is an ongoing process, which cannot be completed in a short time, which is why it shall be constantly and intensively supported by state bodies. The dynamics of the situation of this phenomenon depends largely on the level of social and economic development of the country, of the political situation, of ideological and cultural factors. Any success in the development of society leads to the increase of the process of prevention of this rod, and to the thoroughness of the political content in the sphere of counteracting trafficking in human beings. And vice versa, the dynamism/activism in this field is reflected through the light of transformations which take place in society.

Concurrently, the systemic approach to preventing and combatting trafficking in human beings, stipulated in various normative acts, cannot be put into practice in the absence of certain tools of implementation of such provisions. Such a tool is the National Action Plan for preventing and combatting trafficking in human beings. Starting with 2001, 7 National Action Plans had been drafted and approved. The National Action Plan represents a political tool of the state policy in the anti-trafficking field by making certain short-term positive changes, but which pursue and provide long-term results, targeting a wide and global range of state relations and is an efficient document that regulates the entire state activity during its implementation.

The Permanent Secretariat, which coordinates the process of drafting of the National Action Plan, ensures the

6) regional employment agencies;

7) the territorial subdivisions of the state enterprise «CRYS «Registru» under the Ministry of Information Technologies and Communications responsible for the registration of the population and the issuance of identity documents;

8) public associations and other organizations competent in this field."

Regulation on the functioning of multidisciplinary territorial teams within the National Referral System, approved by the Decision of the Government of the Republic of Moldova no. 228 of 28.03.2014 (Official Gazette of the Republic of Moldova, 2014, no. 80-85, art.251), paragraph 9.

transparency of this process. Starting with the initial stage of drafting of the National Action Plan, stakeholders and implementation partners receive exhaustive information about the performance of this process.

For defining the priorities and activity directions in the framework of the future National Action Plan, as a policy in this field, are to be analysed recommendations from various international and national reports on this issue, such as:

- GRETA – Group of Experts created for the monitoring of implementation of the Council of Europe Convention on Action against Trafficking in Human Beings;
- GTIP –“Trafficking in Persons” Report of the U.S. Department of State;
- UPR Universal Periodic Review – country reports drafted within the Universal Periodic Review versus the new mechanism in the field of human rights, established by the United Nations Human Rights Council;
- Special OSCE Representative and Co-ordinator for Combating Trafficking in Human Beings;
- National reports on preventing and combating trafficking in human beings for the expired period of the plan;
- Other reports.

When drafting the National Action Plan, the priorities of public institutions (ministries, departments) with relevant competences are also taken into account, as well as the recommendations of independent experts. For these purposes, there are organized bilateral meetings and consultations of experts, who are drafting the National Action Plan, and of representatives of

organizations involved in counteracting the trafficking in human beings. As the case may be, if certain divergences occur, these are analysed in certain multilateral working meetings. All proposals are included in the formulation of the existent problems. Subsequently, the draft National Action Plan is gradually supplemented with the proposals of public administration bodies and civil society organisations. The interaction between the Permanent Secretariat and the representatives of the above-mentioned structures takes place both directly and by e-mail.

Such an approach in the development of the National Action Plan contributes to the harmonization of interests and the involvement in this process of competent specialists from different organisations for the identification of existent problems/needs and relevant measures, which are to be included in the Draft National Action Plan, which, in consequence, leads to the consolidation of the entire policy.

The tasks of the National Action Plan cover the execution of certain complex measures and social and economic initiatives focused on the preventing and combating trafficking in human beings, on the protection of victims, the development of cooperation with international, nongovernmental organisations and other actors. Apart from that, the Plan is setting the terms for conducting the planned actions and appoints public institutions, responsible for the execution of activities. The National Action Plan is setting policy priorities and serves as basis for its monitoring and evaluation, as well as for the self-evaluation of every organisation involved in the preventing and combating trafficking in human beings.

The Structure of the National Action Plan comprises **5 compartments**.

1. General support measures (coordination, legal framework, capacity building, etc.);
2. Prevention;
3. Assistance and protection of victims;
4. Criminal investigation and prosecution;
5. Transnational cooperation.

Each of these 5 compartments is divided, at its turn, into **11 boxes (columns)**:

Identified Problems, Goals, Objectives, Activities, Structures responsible for implementation, Partners, Terms of Execution, Sources/Costs (budgetary costs, other uncovered sources), Expected Outcomes (indicators).

The promotion of the Draft National Action Plan is executed in accordance with the legal technical procedure for draft normative acts.

We should also outline several difficult aspects/bottlenecks in the development and promotion of the Draft National Action Plan:

- drafting relevant progress indicators;
- assessment of costs/expenditures for the planned activities;
- responsibility of anti-trafficking actors;
- low/insufficient reflection of budgetary and extra-budgetary funds;
- tergiversation of the terms (delay) of examination and approval of the draft Plan on different levels;
- diversity of central public administration bodies, participating in the elaboration of the Plan.

The Permanent Secretariat performs the monitoring of the degree of imple-

mentation of the National Action Plan, develops the annual National Report, which reflects the intensity of the activity of the entire anti-trafficking community. Conclusions and recommendations of this Report are reflected in the development of new national Action Plan for the subsequent period. For drafting national reports, has been developed the draft Methodology of management (planning, monitoring and evaluation) of the policies in anti-trafficking field, which is currently on the experimental stage.

Lessons learned

The Permanent Secretariat is operating only the 3rd year and is trying to build its activity through the light of democratization and decentralization, which also increase in our country. Our perception of coordination, its objectives and methods is continuously enhancing. Currently, we started to understand coordination not just as a harmonization of actions of different organisations through information exchange, but as a new style of management of the state policy, which allows the increase of its efficiency.

Lessons learned during these years of activity are limited to the following coordination aspects:

- 1) The coordination body is more often a forum for the direct exchange of opinions/dialogue between state structures and civil society, which supports the Government and other structures of public administration bodies/power in the drafting and implementing an efficient policy in the field of preventing and combating trafficking in human beings and the settlement of the existent problems. At the same time, the responsibility for the implementation of policies, as a state activ-

- ity of country management, shall continue to fall within the competence of power structures. Coordination bodies do not replace power structures, but only support them in view of a democratic administration.
- 2) Currently, coordination bodies are increasingly operating not only as a forum for dialogue, but also as a platform for finding common solutions, attended, to an equal extent, by representatives of state structures, of the civil society, of the academic environment and the international community. Our experience proves that despite of the time spent for making the parties come to an agreement, the quality of administrative decisions is visibly improving from the account of the flow of interesting ideas, of different points of view, etc.
 - 3) Coordination in conditions of democracy presumes more freedom on the local level. However, knowledge is necessary for benefiting of this freedom. It is not enough for the Government to distribute the duties with the local public authorities. Specialists' incompetence does not allow them to work efficiently, which is why the Government must ensure the professional improvement of local staff as well, monitoring their activity.
 - 4) Activity coordination is executed also through the standardization of certain processes. The coordination body must launch initiatives and support the process of creating draft documents. The Government of the Republic of Moldova revealed 3 standards regarding the coordination of relevant policies: the Regulation of the National Committee for Combatting Trafficking in Human Beings, the Model Regulation of territorial commissions for combating trafficking in human beings and the Regulation on the activity of territorial multidisciplinary teams (TMT) within the NRS. Apart from that, in our country had been developed a set of regulations on the identification of victims and potential victims of trafficking in human beings, on the repatriation of victims of trafficking in human beings, on the organisation and function of assistance centres (shelters) for the victims of trafficking in human beings.
 - 5) In conclusion, we should outline the importance of developing such an activity coordination method, as common resource allocation. It is no secret that democratic transformations in Moldova largely take place with the financial support from outside. The Permanent Secretariat has also the task of coordinating distribution of funds obtained from outside, so that these are oriented towards the support of priority policy directions and bring the expected results. We must learn to define in common the priorities in combatting trafficking in human beings, to plan and to allocate the necessary resources, taking into account the opinions of different professionals, both from the state and nongovernmental sectors. This would help us further increase the efficiency of measures for preventing and combatting trafficking in human beings in the Republic of Moldova.

II.3. Activity of territorial commissions for combatting trafficking in human beings and decentralization

Ala Vechiu, principal consultant in the field of assistance and protection for victims and potential victims of trafficking in human beings, the Permanent Secretariat of the National Committee for Combatting Trafficking in Human Beings, the State Chancellery of the Republic of Moldova.

At the beginning of the 90s, Republic of Moldova became a country of origin of trafficking in human beings, determining public authorities to institute a functional institutional framework, which would efficiently react for ensuring the prevention and combat of trafficking in human beings, as well as the assistance and protection of victims.

A systemic approach applied by authorities on different levels of administration, became a priority for the organization of prevention and combat of trafficking in human beings, starting with 2005-2006, when had been ratified the Council of Europe Convention on Action against Trafficking in Human Beings and the United Nations Convention against Transnational Organized Crime, has been adopted the Law on Preventing and Combatting Trafficking in Human Beings. The year of 2008 also acquired significant importance for the organization of the institutional framework in anti-trafficking field on regional (rayon) level, when had been approved the Government Decision on the creation of **territorial commissions for combatting trafficking in human beings**.

On the basis of the activity of territorial commissions, as local consultative bodies, is the Model Regulation of commissions for combatting trafficking in human beings, approved by the Government Decision No. 234 as

of 29.02.2008. This document provides an interaction platform between territorial commissions' members for the adoption of common strategic decisions. The organizational structure of each territorial commission includes institutions from various fields of activity, the mission of which is to settle common tasks, such as planning, coordination, monitoring and assessment of local anti-trafficking policies.

The composition of territorial commissions for combatting trafficking in human beings **reflects** the composition of the National Committee for combatting human trafficking, only the first one is operating on local level, but the role and duties of these bodies are basically the same – of coordination.

Due to the creation in 2011 of the Permanent Secretariat of the National Committee for combatting trafficking in human beings, territorial commissions suffered a series of "transformations" for the purpose of strengthening staff potential. The recommendations of some external experts and, most of all, of the annual Report of the U.S. Department of State "Trafficking in Persons", concerning the need to reanimate territorial commissions, have determined the Permanent Secretariat to channel its efforts not only for boosting the activity of the national Committee, but of the territorial commissions as well. For this reason, even from the beginning of their activity,

"The territorial commission is a counselling body tasked with the consolidation of efforts of the bodies vested with the attributions in the field of combating trafficking in human beings within administrative-territorial units, as well as with the establishment of coordinated objectives and measures aimed at preventing and combatting trafficking in human beings."

Model regulation of territorial commissions for combatting trafficking in human beings, approved by the Decision of the Government of the Republic of Moldova no. 234 of 29.02.2008 (Official Gazette of the Republic of Moldova, 2008, no. 47-48, art.298), paragraph 10.

"In the composition of the territorial commission shall be usually included representatives of de-concentrated bodies of the ministries, other central administrative authorities vested with the attributions in the field of prevention and combating of trafficking in human beings, NGOs active in the field of prevention, combating and provision of support to the victims of trafficking in human beings and other organizations, whenever this is required".

Model regulation of territorial commissions for combatting trafficking in human beings, approved by the Decision of the Government of the Republic of Moldova no. 234 of 29.02.2008 (Official Gazette of the Republic of Moldova, 2008, no. 47-48, art.298), paragraph 90.

the employees of the Permanent Secretariat paid a special attention to the settlement of working contacts with the members of territorial commissions, on-site visits for monitoring the activity and for attending the meetings of such commissions. In this way, positive changes had been recorded. If up to that time the activity of these commissions was formal (insignificant) and not so efficient, meetings being called irregularly and the protocols of such meetings being incomplete, currently, we can notice that these commissions operate efficiently in all rayons (a total number of 35 territorial commissions). Meetings are held systematically – each trimester, according to the Model Regulation of territorial commissions. Their activity became more fluid also due to the annual planning of the meetings and preparation beforehand of matters on the agenda of each meeting, more visible as well, through the discussed subjects and the adopted decisions at such meetings.

We should outline the fact that each territorial commission has appointed persons in charge of the interaction with the Permanent Secretariat, fact which allows the provision of a permanent interaction and cooperation with these bodies. Moreover, on-site monitoring visits of the Permanent Secretariat representatives, the request of semi-annual and annual information regarding the results of activity, organization of trainings for the members of territorial commissions have improved the degree of this cooperation.

Reanimation of the activity of territorial commissions contributed also to the improvement of work with the victims of trafficking in human beings, to the creation of a friendly attitude, in order for the victim to feel protected at her residence place, because, ac-

ording to statistics, 72% of victims are from the rural area. For this reason, for an efficient counteracting of trafficking in human beings, it is important to "invest" in the existing territorial commissions.

We should also emphasize the fact that in the context of decentralization reform of local public authorities, local authorities have now the real right and possibility to manage, in accordance with the law, under their own responsibility and in the interest of the local population, an important part of public works, including in the sphere of combating trafficking in human beings. Territorial commissions benefit of the conferred freedom of action, while the normative act which regulates the activity of these commissions has the mission to facilitate their activity, granting working tools, setting the main fields of activity and defining the necessary normative regulatory framework. For this reason, this normative act shall not be interpreted exclusively as additional duties on the shoulders of local institutions. But, for representatives of local public bodies to acknowledge this fact, it is necessary to ensure a continuous training/capacity building of specialists on all levels.

It is also important to refer to the **financial decentralization**, particularly to the obligation of public authorities to allot financial resources for the support of the combat of trafficking in human beings. The Permanent Secretariat insists on developing also this aspect of the activity of territorial commissions. Consequently, we can bring some examples. After at least 4 common regional meetings, organized at the end of 2013 with the participation of representatives of the Permanent Secretariat, for certain commissions had been planned and distributed

financial resources from the district/rayon budget for conducting public awareness campaigns on local level regarding the problem of trafficking in human beings. In this way, territorial commissions had been successively involved in the organization of the National Campaign "The week of fight against trafficking in human beings", a fact which can be taken as an answer of the local authorities to the implementation of national anti-trafficking policies on local level. Members of territorial commissions, playing the role of local coordinators, participated in debates on local TV channels, organized mass actions (flash mobs), meetings with mayors of villages/heads of local public bodies, participated directly in the placement of information materials for the population. Another example of remediation of the financial activity of territorial commissions is the case when, on their initiative, certain financial sources had been allocated for the purchase of health insurance policies for persons in distress, including victims and potential victims of trafficking in human beings.

The revitalization of territorial commissions occurred largely due to the systematic development of local plans of actions, approved on the basis of National Action Plan in anti-trafficking field. Today, we can firmly observe that 90% of territorial commissions drafted plans for combating trafficking in human beings on local level. Less positive is the fact that these plans have certain gaps – the confusion of strategic formulation of goals, objectives, assessment of outcomes, planning of financial resources.

We should also specify that the Internal Regulation of the National Committee for combatting trafficking in human beings (par.17), approved by the Government Decision No. 472 of

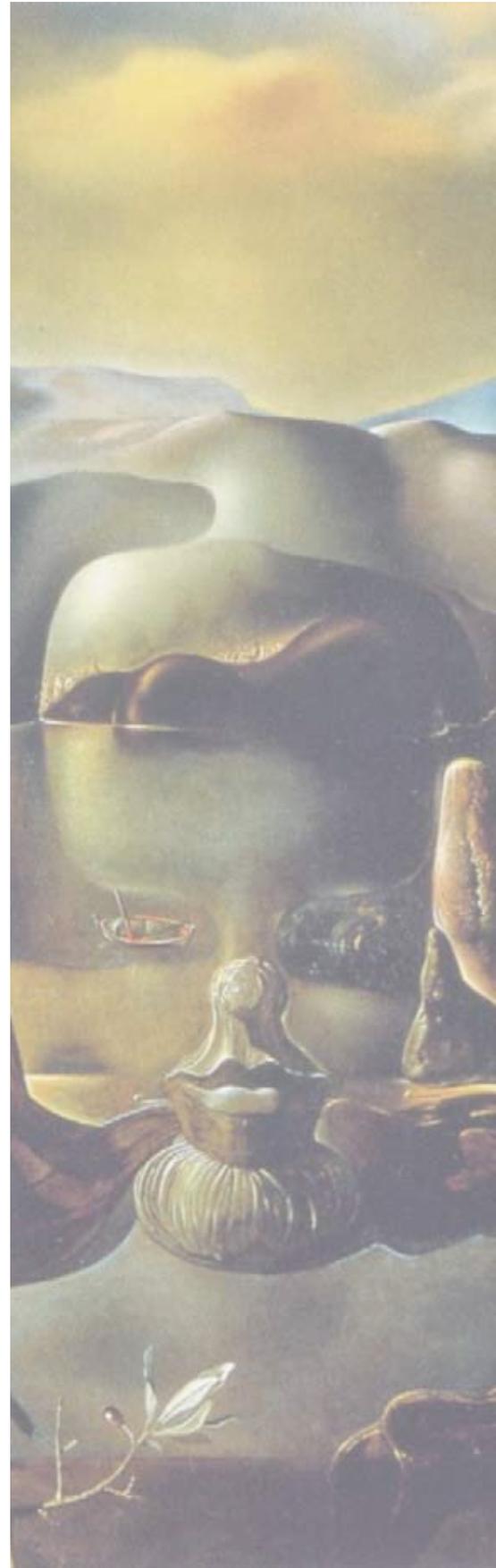
March 26, 2008, stipulates that Decisions of the National Committee are binding for public authorities, provided that these are signed by the Prime Minister. This administrative lever had been used in the situation when it became necessary for each territorial commission to review its composition, to include the representative of Labour Inspectorate as a member. This step became obviously necessary in result of collected data, which proved an increase of the number of victims exploited through forced labour. This measure had been discussed at the meeting of the National Committee and approved by a Decision, informed subsequently to all territorial commissions. Consequently, this decision of the National Committee had been executed in all the districts where offices of Labour Inspection exist, while their representatives had been included in the composition of territorial commissions.

We should mention that the Permanent Secretariat is continuously monitoring the activities organized by territorial commissions and includes these data in the National Report on the country. Consequently, for the last few years, data about the activity of territorial commissions are more often reflected in the annual Report of the U.S. Department of State "Trafficking in Persons", where are appreciated the efforts of these commissions of coordination of actions of combatting trafficking in human beings on local level.

An example of external monitoring of the activity of territorial commissions is the year of 2013, when within the mission of assessment of Moldova - EU Plan of Actions on visa regime liberalization, one of the territorial commissions (Causeni district), the multidisciplinary team created in this district,

as well as the Centre for assistance and protection for trafficked persons, which operates in this area and which provides services to human trafficking victims from both sides of river Nistru, had been subject to monitoring. Ultimately, members of this commission succeeded to prove that their activity is well organized, that the decision-making process is objective and transparent, that nongovernmental organizations are attending the meetings of territorial commission.

The monitoring also proved that general management of the activity of counteracting trafficking in human beings in this district is performed by the territorial commission, a strategic coordination body, while the territorial multidisciplinary team provides direct assistance to those who had to suffer from human trafficking, as an operative body interferes in concrete cases. Organizing the activity in this way, we succeed to prove the efficiency of practical implementation of the multidisciplinary approach.



II.4. The practice of drafting instructions for territorial multidisciplinary teams

Nicolae GURIEV, principal consultant, policy monitoring and efficient communication, the Permanent Secretariat of the National Committee for Combating Trafficking in Human Beings, the State Chancellery of Republic of Moldova

Republic of Moldova is, in fact, is a country of origin of trafficking in human beings. This fact is due to the reduced level of population welfare, insufficiency of workplaces, gender discrimination, as well as other internal or external negative factors. Despite the taken measures, the phenomenon of human trafficking is easily adapting to reality, new tendencies of its manifestation appear and continue to be an increasing danger for the society, especially for women and children.

The consequences for individuals who have gone through a human trafficking situation and had been subject to exploitation are often irreversible. Their integration in the social life is extremely difficult and requires considerable efforts and means. The process of integration of individuals who suffered from sexual exploitation is even more complicated, due to the fact that in certain cases, everything that victims have gone through becomes known not only to victim's siblings, but to a more extended circle of people as well, consequently, the victim is stigmatized and marginalized at the place of residence.

Taking into account these realities, the Ministry of Labour, Social Protection and Family, with the support of the International Organization for Migration, mission to Moldova, starting from 2006, has initiated the creation of a National Referral System to provide assistance and protection to victims and potential victims of trafficking

in human beings. This system is based on a multidisciplinary approach in the settlement of issues faced by individuals who suffered from human trafficking and is oriented towards ensuring certain special rights guaranteed through international obligations of Republic of Moldova in this field. Later on, by the Parliament Decision No.257-XVI of 05.12.2008, had been officially adopted the Strategy of the National Referral System to provide assistance and protection to victims and potential victims of trafficking in human beings (NRS), the fundamental institutional link in this system becoming the territorial multidisciplinary team, in the composition of which enter specialists from institutions responsible for the prevention and combat of trafficking in human beings.

Gradually, along with the execution of the NRS Strategy, territorial multidisciplinary teams are instituted in all districts of the country, as well as in Chisinau municipality, Balti municipality and in ATU Gagauzia. Further, takes place the creation of territorial multidisciplinary teams on the level of village/commune as well. In all cases, the coordinator of the team is the representative of the national social protection system. This resides in the fact that the main goal of NRS creation is the exercise of rights of those who suffered from human trafficking in the provision of special assistance from the part of the state. Besides, the NRS Strategy also stipulates the right to granting as-

"With a view to provide assistance and protection to the beneficiaries of the National Referral System (NRS), all the members of territorial multidisciplinary teams are responsible for:

1) the access of the NRS beneficiary identified by the members of the territorial multidisciplinary teams to the necessary protection and assistance, using the potential of territorial multidisciplinary teams at the local level and / or, as the case may be, the referral of the NRS beneficiary to specialized or highly specialized social services;





2) the access of the NRS beneficiary who is permanently residing or has the domicile in another administrative-territorial unit, to emergency assistance and protection, and the referral following the provision of the necessary assistance to the territorial multidisciplinary teams in the community to provide follow-up care;

3) the application of the measures necessary to ensure protection and assistance to NRS beneficiaries, including:

a) emergency assistance in critical situations representing a direct physical or psychosocial threat (release from exploitation, physical security, accommodation in a safe place, provision of emergency medical care, etc.);

b) ensuring the living conditions that guarantee the minimum living wage of these persons, employing such measures as temporary placement in a specialized center, provision of psychological and financial assistance;



assistance to potential victims of human trafficking (persons in difficult situation, in result of which they can find themselves in a human trafficking situation). As all the victims and potential victims of human trafficking, according to the NRS Strategy, are beneficiaries of the national social assistance system, all actions taken for granting assistance and protection are to be performed on the basis of case management methodology, set by the Ministry of Labour, Social Protection and Family, as well as according to an individualized assistance plan.

The experience of the activity of territorial multidisciplinary teams had been recognized to be successful. At the same time, practice proved the need of legal regulation of the cooperation between the members of this team – social workers, police officers, doctors and specialists of other structures, as well as representatives of the civil society. Legal Reports of this public-public and public-private collaboration for the observance of human rights are new for our society and had not been sufficiently determined in the NRS Strategy. This is why, in 2013, the Ministry of Labour, Social Protection and Family started to develop actively the draft Regulation of multidisciplinary teams' activity for the systematization of the experience gained by these teams and the assignment of a stable character to their operation.

In the process of development and completion of the above-mentioned Regulation, had been consulted all institutions and organizations with duties in the field of prevention and combating of trafficking in human beings: central and local public authorities, nongovernmental and international organizations, members of already operating territorial multidisciplinary teams.

We should outline the fact that partners from the nongovernmental sector and inter-governmental organizations provided an essential support to the Ministry of Labour, Social Protection and Family in the drafting of this Regulation. The fact that the majority of implied actors showed interest and actively involved in the process of drafting of the Regulation allowed the drafting of a rather interesting and innovative Government normative act for the law system.

Therefore, by the *Government Decision No. 228 of 28.03.2014* had been approved the *Regulation of the activity of territorial multidisciplinary teams within the National Referral System*. This Regulation defines the order of creation and the activity of territorial multidisciplinary teams, the main task of which is the exercise of specific rights of victims and potential victims of human trafficking. The Regulation also contains provisions on the rights, obligations and duties of the members of territorial multidisciplinary teams and their coordinator, cooperation methods, including information exchange and personal data protection, technical-organizational environment for team's activity, members' training, etc. All the above-mentioned enabled the creation of strong relations between different organizations which are part of the NRS, and allowed territorial multidisciplinary teams obtain an official legal status. This Regulation is an objective reflection of the common efforts of the Government and its partners, channelled towards the combating of trafficking in human beings, serving as a real contribution in the creation of institutions of the state subject to the rule of law in our country.

The model of the National Referral System, successfully implemented by Republic of Moldova, proved that



efficient activities can be performed only through teamwork, that the proposed objectives can be reached only through consolidation and mobilization of resources of all individuals involved in the combatting of trafficking in human beings.

Due to prompt and coordinated actions of the members of territorial multidisciplinary teams, the number of victims and potential victims of trafficking in human beings, identified on local level (in districts, villages and communes), increased considerably, while the socio-professional and/or family reintegration became a priority and a responsibility fully assumed by local public authorities.

These achievements make us believe that Republic of Moldova is and will be able to face new challenges of human trafficking phenomenon, ensuring in this way the protection and safety of its citizens, especially of children and women.

c) rehabilitation assistance through the provision of specialized medical, psychological, legal and social services;

d) special assistance permitting to observe and take into account their rights and interests during the stages of criminal proceedings against the author of the crime;

e) facilitation of the access of NRS beneficiaries to the labour market, vocational training, including access to education for their children;

f) consultation and information on their rights provided by the law, and to social services available to them;

g) translation services, repatriation assistance.

Regulation on the functioning of multidisciplinary territorial teams within the National Referral System, approved by the Decision of the Government of the Republic of Moldova no. 228 of 28.03.2014 (Official Gazette of the Republic of Moldova, 2014, no. 80-85, art.251), paragraph 15.

III. COORDINATION EXPERIENCE OF OTHER COUNTRIES

The Institute of the National Rapporteur of Netherlands on trafficking in human beings and sexual abuse of children (hereinafter - the National Rapporteur) was created in 2000 according to the recommendations of The Hague Declaration of 1997.³¹ The main goal of the National Rapporteur is to collect information referring to the phenomenon of trafficking in human beings and on measures to combat this phenomenon undertaken by the State/monitoring of the implemented policies.

It may seem interesting that many professionals are surprised why the National Rapporteur is referred to as an independent institution if this institution is funded from the government budgetary funds. Independence, as the most outstanding characteristic of the National Rapporteur, is due to the fact that this institution is not in subordinated neither to the national coordinator of the policy on combating trafficking in human beings nor to other public bodies competent in this field. As a result, the employees of the Bureau of the National Rapporteur enjoy a high degree of freedom and opportunity to criticize in its reports the work of the National Coordinator. The independent status of the National Rapporteur has been enshrined in the legislation of the Netherlands in November 2013. This experience of the Netherlands has been recognized highly progressive on the international level and is recommended for implementation in other European countries in accordance with Art. 29 (p. 4) of the Council of Europe Convention on Action against Trafficking in Human Beings.

It is worth mentioning that the Netherlands has developed a higher level of decentralization of policy management in the field of combating trafficking in human beings than in any other European country. The function referring to the administration of the state policy in the field of combating trafficking in human beings has not only been decentralized, as in other countries, through a transfer to a lower level of management hierarchy - from the government to the line ministry, moreover the functions referring to the collection of information on the phenomenon of trafficking and policy monitoring are separated from the functions referring to the coordination and are transferred to a different organization. Thus the coordination of combatting trafficking in human beings in the Netherlands is the responsibility of the Ministry of Justice and Security (National Coordinator) and the monitoring is the responsibility of the National Rapporteur (an organization that is not directly subordinated to the Ministry of Justice and Security). The National Rapporteur is entitled to request any information from all public bodies competent in the field of combating trafficking in human beings necessary to conduct researches. The National Rapporteur provides recommendations to relevant persons and bodies and thus it influences their activity in this field. This body prepares reports for the Government of the Netherlands, which are published on the website www.dutchrapporteur.nl.

International Center "La Strada", Moldova

³¹ EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. Article 19 mentions that "member states shall take the necessary measures to establish national rapporteurs or equivalent mechanisms. The tasks of such mechanisms shall include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organizations active in this field, and reporting".

Researching and Reporting on Trafficking in Human Beings

Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children

Growing attention to the subject of trafficking in human beings highlights the real need for more knowledge on its nature and scale. To address the crime effectively, we need answers to such questions as: where does human trafficking occur? How large is the problem? What form does it take? Through data collection, anti-trafficking policies can be monitored to see to what extent goals are being achieved. In fact, the gathering of accurate, valid and reliable data ensures the availability of information on the basis of which policy can be drafted. By extension, data collection may result in evidence-based policy. This, however, requires a self-critical approach and the participation of every sector of society.

Pursuant to the EU Directive on Trafficking in Human Beings (2011),³² member states have introduced (or are implementing) national rapporteurs or equivalent mechanisms. In 2000, the task to report on the nature and extent of trafficking in human beings in the Netherlands and on the effects of the government policies pursued has been mandated to the Dutch National Rapporteur. Since 2006, Mrs. C.E. Dettmeijer-Vermeulen is the Dutch Nation-

al Rapporteur on Trafficking in Human Beings and Sexual Violence against Children in the Netherlands. She is assisted by a team of 13 staff members who together constitute the Bureau of the Dutch National Rapporteur.

The Rapporteur keeps in contact with and gathers information from authorities, organizations, and individuals involved in anti-trafficking efforts. The Rapporteur works independently and yet in close cooperation with the relevant stakeholders such as the Ministry of Security and Justice (and other ministries involved in anti-trafficking efforts), Public Prosecution Service, the National Police and civil society.³³ Many of these organizations are responsible for a great part of the data on which analyses have been performed.

Independent status

Many operational sources of relevant data exist at national level. In order to collect and subsequently to analyze this data, it must be shared from all areas where persons might come across victims or offenders. However, the sensitivity of trafficking in human beings may imply a problematic in-

"Each Party shall consider appointing National Rapporteurs or other mechanisms for monitoring the anti-trafficking activities of State institutions and the implementation of national legislation requirements".

Council Of Europe Convention on Action against Trafficking in Human Beings, art.29, paragraph (4).

³² EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. Article 19 mentions that "member states shall take the necessary measures to establish national rapporteurs or equivalent mechanisms. The tasks of such mechanisms shall include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organizations active in this field, and reporting".

³³ Human trafficking can only be effectively combatted if at least the following two essential conditions are met: awareness of the forms that human trafficking can take and cooperation. Against the background that there is an increasing number of stakeholders involved in anti-trafficking efforts, the Dutch National Rapporteur has underlined the importance of the closest possible cooperation between all relevant government agencies and support organizations for providing optimal protection for trafficked persons. In her Ninth Report, the Dutch National Rapporteur has recommended the development of a comprehensive document that describes all relevant procedures and stakeholders. Such a National Referral Mechanism is in the process of being implemented. See also National Rapporteur 2014.

formation-sharing. For example, non-governmental organizations may be reluctant to share data on assisted trafficked persons with government agencies. Protecting the victim's privacy and uncertainty about the information that is provided are crucial aspects in this regard. Although information on suspects or offenders is generally made available, concerns about impediments of fair trial may also hinder this type of information-sharing. Such problems may be reduced through a central, independent rapporteur that collects and analyzes data. The independent position enjoyed by the Dutch National Rapporteur, which is established by law and means that the rapporteur is not part of another body such as a ministry or Parliament, guarantees the protection of sensitive data on trafficking in human beings and, by extension, ensures access to sufficient data.

The Dutch National Rapporteur publishes periodically reports that include quantitative and qualitative data on relevant regulations and legislation, prevention, criminal investigations, prosecutions of offenders and support for trafficked persons. In order to enhance the fight against trafficking in human beings, the reports include recommendations to the government, which subsequently responds to the reports to Parliament.³⁴ In May 2014 the Rapporteur has published

an extensive quantitative report, the second in the series "Trafficking in Human Beings: Visible and Invisible".³⁵ The latest report provides an overview of what is known about trafficking in human beings in the Netherlands. The report raises new questions, the answers to which must be central in shaping policy toward human trafficking. The figures allow organizations with responsibility for protecting victims, investigating human trafficking and prosecuting offenders to reflect critically on their own role in combating human trafficking. Nevertheless, in order to put forward statistics that are meaningful, statistical analyzes require more additional qualitative research and interpretation. Hence, a mixed method approach is essential.

Scale statistics

A large amount of statistics on the total scale of human trafficking circulate in the anti-trafficking field. Some of these statistics have started to lead a life of their own: in media, in (academic) literature, and in policy. Subsequently, these statistics do the opposite of what is intended, which is to provide reliable information. Such "scale statistics"³⁶ should be taken with caution in terms of their reliability and validity. Given the hidden aspects of trafficking in human beings, the total scale of the crime can only be estimated. Thus far, none of the estimates have proven to be reliable enough to form a solid basis for policy.³⁷ However, the

³⁴ See also: <http://www.dutchrapporteur.nl/about/>.

³⁵ See also: Factsheet on Trafficking in Human Beings: Visible and Invisible II. A quantitative report 2008-2012. Available via www.dutchrapporteur.nl/reports/trafficking-visible-invisible-II/. An English summary of the report is forthcoming.

³⁶ See, for the use of this term, De Vries and Dettmeijer, "De Vries, Ieke and C.E. Dettmeijer-Vermeulen. "Extremely Wanted: Human Trafficking Statistics. Then What to Do With the Hodgepodge of Numbers", UN Forum on Crime and Society (forthcoming).

³⁷ The Dutch National Rapporteur has critically examined three estimates on the total scale of human trafficking and commented on the invalid use of national statistics in cross-country comparisons; see also: National Rapporteur (2012b), National Rapporteur (2013), National Rapporteur (2014) and De Vries and Dettmeijer, "De Vries, Ieke and C.E. Dettmeijer-Vermeulen. "Extremely Wanted: Human Trafficking Statistics. Then What to Do With the Hodgepodge of Numbers", UN Forum on Crime and Society (forthcoming).

absence of reliable scale statistics does not hinder an alternative use of statistics in anti-trafficking efforts. In a forthcoming article by Ieke De Vries (researcher at the office of the Dutch National Rapporteur) and Corinne E. Dettmeijer-Vermeulen (The Dutch National Rapporteur),³⁸ such an alternative perspective on the use of statistics is put forward. The following will elucidate on the key aspects of this alternative approach.

A threefold aim of statistics underlying anti-trafficking measures

In the absence of reliable estimates, we are left with statistics on the visible part of human trafficking. Such statistics depend, to a great extent, on developments that are not necessarily related to the actual scale of human trafficking such as (changing) underlying legal instruments that define human trafficking, the priorities set by authorities, the capacity that is made available within, awareness on the crime, the research methods and the research facilities to register trafficked persons or traffickers. Such factors may differ per country, which ultimately hinders cross-country comparisons. Nevertheless, statistics gathered at a lower level of aggregation (local or national level) may provide guidance for anti-trafficking measures. On the basis of research that the Dutch National Rapporteur and her staff have conducted, De Vries and Dettmeijer-Vermeulen introduce an alternative perspective on the potential of statistics to lay the ground for anti-trafficking measures.³⁹

Statistics to inform policy makers

Statistics may provide a foundation for anti-trafficking measures as regards to the well-known 5-*Ps*: “Prevention”, “Protection”, “Protection”, “Prosecution”, “Punishment” and “Partnership”. By way of illustration, preventive measures (the first “P”) shall be based upon knowledge about the start of the human trafficking process. Since recruitment lies at the start of human trafficking, preventive measures can be imposed at locations where trafficked persons were recruited. The Dutch National Rapporteur has conducted an analysis of 77 criminal investigations regarding human trafficking in the Netherlands, which were sent to the Public Prosecution Service in 2012. Based on these criminal investigations, generally two human trafficking situations can be distinguished: those in which most trafficked persons were recruited in the Netherlands versus those in which most trafficked persons were recruited abroad. The former indicates the countries with which the Netherlands may consider to continue working together (mainly Central and Eastern European countries). The latter can be supplemented with specific locations in the Netherlands where recruitment takes place, namely bars and clubs, via internet, at schools or in prostitution areas (in case of sexual exploitation). This is where barriers can be erected or reinforced.⁴⁰

Statistics to expose bottlenecks

Statistics may expose bottlenecks in the attempts that are made to combat human trafficking. In a legal and

³⁸ De Vries and Dettmeijer, “De Vries, Ieke and C.E. Dettmeijer-Vermeulen. “Extremely Wanted: Human Trafficking Statistics. Then What to Do With the Hodgepodge of Numbers”, UN Forum on Crime and Society (forthcoming).

³⁹ De Vries and Dettmeijer, “De Vries, Ieke and C.E. Dettmeijer-Vermeulen. “Extremely Wanted: Human Trafficking Statistics. Then What to Do With the Hodgepodge of Numbers”, UN Forum on Crime and Society (forthcoming).

⁴⁰ See also: National Rapporteur (2014).

statistical case law analysis, the Dutch National Rapporteur revealed several bottlenecks in sentencing and ruling human trafficking cases in the Netherlands. A qualitative and partially quantitative analysis of judgments rendered in the period October 2009 up to August 2012 confirmed that the provision of the Dutch Criminal Code pertaining to human trafficking is a complex provision to apply in practice. In spite of this, basic figures have unraveled the overall inexperience of judges. For instance, more than three-quarters of the judges concerned in 2010 had dealt with only a single human trafficking investigation in that year. Such rudimentary statistics can be used to raise concern about the unequal enforcement of laws and by extension, to stimulate more rational criminal justice policy. The Rapporteur's case law study has resulted in the National Consultative Body for Presidents of Criminal Courts to adopt measures relating to the specialization and training of judges hearing human trafficking cases.⁴¹

Statistics as a starting point to look further

Statistics regularly illustrate aspects of human trafficking that on the one hand are overrepresented and on the other hand seem to be underexposed. For example, statistics that indicate the number of seen and registered trafficked persons⁴² highlight the dominant focus on sexual exploitation in anti-trafficking efforts. By far the majority of the registered possible trafficked persons in the Netherlands was sexually exploited. Exploitation outside the sex industry seems to be un-

derexposed, plausibly caused by less attention being paid to exploitation outside the sex industry. A look across the border may indicate what we can expect in the Netherlands: what is happening elsewhere may sooner or later also reach the Netherlands. Examples might be human trafficking for the purpose of organ removal, forced begging and exploitation of criminal activities.⁴³

To conclude

In summary, in the absence of reliable estimates the Dutch National Rapporteur encourages the data collection and analysis within the framework of the relevance of statistics as has been outlined above. Accordingly, by providing hard evidence, statistics can 1) inform policy makers, 2) expose bottlenecks in anti-trafficking measures, and 3) point to the direction where further research is needed.

Acknowledgements

This contribution is an extract of the following reports/articles:

- National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2012a). *Case Law on Trafficking in Human Beings 2009-2012. An Analysis*. The Hague: National Rapporteur.
- National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2012b). *Trafficking in Human Beings: Visible and Invisible. A quantitative Report 2007-2011*. The Hague: National Rapporteur.
- National Rapporteur on Trafficking in Human Beings and Sexual

⁴¹ See also: National Rapporteur (2012a) and www.dutchrapporteur.nl/reports/case-law/.

⁴² Possible trafficked persons are registered at the NGO CoMensha, for the purposes of the National Rapporteur's reporting.

⁴³ See also: Factsheet on Trafficking in Human Beings: Visible and Invisible II. A quantitative report 2008-2012. Available via www.dutchrapporteur.nl/reports/trafficking-visible-invisible-ii/.



Violence against Children (2013). *Does Legalised Prostitution Generate more Human Trafficking?* The Hague: National Rapporteur, www.dutchrapporteur.nl/reports/otherpublications/.

- National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (2014). *Mensenhandel In en Uit Beeld II. Cijfermatige rapportage 2008-2012*. The Hague: National Rapporteur.
- De Vries, Ieke and C.E. Dettmeijer-Vermeulen. "Extremely Wanted: Human Trafficking Statistics. Then What to Do With the Hodgepodge of Numbers", *UN Forum on Crime and Society* (forthcoming).

IV. COORDINATION OF THE EU POLICY

European Union (EU) has been recognized as a unique phenomenon of international relations. The EU represents a very complex political structure – it is neither a state nor an international organization, still it has its own agencies and resources and assures administration of the interaction between countries – EU Member States in order to achieve and implement common goals. A new flexible style of management, known as the **Open Method of Coordination (OMC)**, has been developed in the EU. **OMC combines elements of both centralized and decentralized management.** OMC is designed to make the decision-making process at the EU level more transparent, i.e. allow the citizens of EU Member States to participate in the decision-making process thus ensuring the balance between the interests of individual countries and the common interests.

OMC is a mechanism of building the EU institutional, legal and political system, consisting of the following elements:

development of common goals and guiding principles for the EU Member States, as well as of specific timeframes for the achievement of goals within short-, mid- and long-term;

joint monitoring and evaluation tools, established as a process of mutual education with application of quantitative and qualitative indicators;

establishment of **baseline**, which will be used for comparison during monitoring and evaluation;

transformation of goals and principles developed at EU level into national policies and setting of **specific** goals and objectives, taking into account national specificities.

The methodologies for OMC application in various areas of EU policy are different, but all methodologies have a number of important common features:

choice of the political decision is carried out at the national level while EU legislation is just a reference;

choice of the national policy is carried out in the context of identification of common problems and the efforts shall be focused on an agreement on the common goals, indicators, benchmarks, etc.;

countries – EU Member States are ready to discuss their plans, carry out a comparative analysis and present the results for mutual discussion;

coordination depends on voluntary cooperation and lack of formal sanctions against Member States, the results of which do not meet the previous agreements between the states.

Due to its versatility OMC is recognized as a preferential method of management to be used in different areas. This method is used also for the management of the EU policy in the anti-trafficking field.

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Enhancement of EU Policy Coordination in the Anti-Trafficking Field

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Eradication of trafficking in human beings continues to be in focus of the European policy over the last decade. In order to fight against this dangerous and complex transnational phenomenon the European Union (EU) has developed a comprehensive legal and policy framework recognizing the need to join the efforts of the EU Member States in this field and to coordinate the joint activities - an important condition for the effectiveness of the common policy pursued.

Legal and policy framework of EU coordination in the anti-trafficking field

The Stockholm Programme „An open and secure Europe serving and protecting the citizens”, adopted by the Council of the EU in December 2009, has acknowledged trafficking in human beings as a very serious crime involving violations of human rights and human dignity that the EU cannot condone. The Programme found it necessary to develop a consolidated EU policy against trafficking in human beings that would include measures of improving coordination and cooperation within the Union, particularly establishing an EU Anti-Trafficking Coordinator.⁴⁴ In addition, the Stockholm Programme called for:

- Europol - the EU law enforcement agency to step up support for in-

formation gathering and strategic analysis,

- Eurojust - the EU Judicial Cooperation Unit to step up its efforts to coordinate investigations conducted by Member States' authorities into trafficking in human beings.

Development of a common policy in this area (EU Strategy) and the establishment of the position of the EU Anti-Trafficking Coordinator are also provided by the article 20 of the Directive 2011/36/EU dtd. 05.04.2011 of the European Parliament and the Council of the EU on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.⁴⁵ The Directive is the first act at EU level to address THB in a comprehensive and integrated way, focusing among other things on coordination issue.

In order to implement the Stockholm Programme and the aforesaid EU Directive in **March 2011**, within the staff of the European Commission, there **has been established the position of EU Anti-Trafficking Coordinator** to which Ms. Myria Vassiliadou has been appointed. Later in June 2012 the European Commission adopted the **EU Strategy towards the Eradication of Trafficking in Human Beings for 2012-2016**. The EU Anti-Trafficking Coordi-

⁴⁴ Stockholm Programme – An open and secure Europe serving and protecting the citizens, p.45. See: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/the_stockholm_programme_-_an_open_and_secure_europe_en_1.pdf.

⁴⁵ Directive 2011/36/EU of the European Parliament and the Council on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. Strasbourg, 5.IV.2011. See: <https://ec.europa.eu/anti-trafficking/node/4522>.

nator provides overall strategic policy orientation of the EU in this field. The Coordinator is responsible for:

- improving coordination and coherence among EU institutions, EU agencies, Member States and international actors;
- implementation and monitoring of the EU policy in this field (especially of the *Strategy towards the Eradication of Trafficking in Human Beings for 2012-2016*);
- development of a new EU policy to address trafficking in human beings;
- other.⁴⁶

It should be noted that the *EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)* has identifies the enhanced coordination as **one of the five priorities of EU policy** for the given period (priority D). The Strategy noted the need of enhancing coordination and cooperation based on a multi-sectorial and multi-disciplinary approach. It also notes the need for "... formalised mechanisms and procedures that create a clear commitment and clarify the roles and tasks of those involved".⁴⁷ The EU Strategy provides for the implementation of a number of actions that are necessary to enhance coordination, namely:

- 1) **Strengthening the EU Network of National Rapporteurs or Equivalent Mechanisms (NREMs)** created in the EU Member-States. This informal network was established in 2009, and the European Commission has outlined measures to support the work NREMs' do to monitor the implementation of Member States' EU and international obligations; to collect data,

analyse and research human trafficking trends at national level, and assess progress on preventing and combating human trafficking as well as on protecting victims, while ensuring the participation of civil society;

- 2) **Coordinating EU External Policy Activities**, which include the development of a list of priority third countries and regions for future partnerships, making use of the potential of the EU Delegations operating in these countries and regions. Moreover, The European Commission will also work towards strengthening and formalising partnerships with international organizations active in the field of trafficking in human beings such as the International Organization for Migration, the OSCE, the Council of Europe and others. The Commission also intends to cover the promotion of concept of human rights in third countries and to finance projects/programs to combat trafficking in human beings in these countries;
- 3) **The establishment of a Civil Society Platform** - the European Commission has scheduled to make available the funds needed to establish an EU Platform - forum for the cooperation with civil society organizations and service providers for victims of trafficking in human beings in EU Member States and some selected third countries;
- 4) **Reviewing Projects funded by the EU** to map the geographical areas, fields, different actors and types of projects, as well as their outcomes and recommendations. This review will strengthen future projects and

⁴⁶ https://ec.europa.eu/anti-trafficking/eu-anti-trafficking-coordinator_en.

⁴⁷ The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, p.11.

provide a solid basis for coherent, cost effective, and strategic EU policy and funding initiatives;

- 5) Strengthen the fundamental rights in anti-trafficking policy and related actions** - mainstreaming fundamental rights in anti-trafficking policy and legislation to ensure their coherency with the Charter of Fundamental Rights of the European Union. The European Commission will start to develop a tool, such as a handbook or a guide, to assist Member States in addressing fundamental rights issues specifically related to anti-trafficking policy and related actions, which will take into account relevant structures, processes, and outcomes and will focus on the rights of victims, incorporating a gender perspective and the best interests of the child. An important role in this process is attributed to various EU agencies and UN structures;
- 6) Coordinating Training Needs in a Multidisciplinary Context** - the European Commission has identified a number of actions to strengthen the judiciary, law enforcement officers and other professionals who work directly with cases of trafficking in human beings. The main focus of the Commission will be to bring together various actors in order to increase policy coherence.

First achievements

The mentioned EU Strategy has been implemented for over 2 years, and there have already been achieved

certain results. On 17 October 2014, just before the celebration of the EU Anti-trafficking Day, the European Commission has published the **Mid-term report on the implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)** for the period starting with the beginning of 2012 until the IIIrd quarter of the year 2014.⁴⁸ This report provides information on the progress made in the implementation of the actions planned, including measures **to enhance coordination.**

Thus the report emphasizes first the leading role of the EU Anti-Trafficking Coordinator in the implementation of European policy in this area (including the above-mentioned Strategy). Myria Vassiliadou - EU Anti-Trafficking (AT) Coordinator ensures coordination of the scheduled actions and coordination of the funds allocated for their implementation according to the established priorities, keeps close cooperation with EU Informal Network of **NREMs**. The EU AT Coordinator holds biannual meetings with the network, which plays an important role in discussing issues relating to the collection of comparable data assessing trends based on commonly developed and agreed reporting templates.⁴⁹

Moreover, the EU AT Coordinator is taking steps to coordinate the work of Eurofound and of 7 EU agencies involved in the implementation of the Strategy.⁵⁰ These EU Agencies have signed in October 2011 in Warsaw a joint statement undertaking to align

⁴⁸ Mid-term report on the implementation of the EU Strategy towards the eradication of the trafficking in human beings. Commissions Staff Working Document. Brussels, 17.10.2014, p.2.

⁴⁹ Mid-term report on the implementation of the EU Strategy towards the eradication of the trafficking in human beings. Commissions Staff Working Document. Brussels, 17.10.2014, p.12.

⁵⁰ The European Police College (CEPOL), the EU Judicial Cooperation Unit (Eurojust), the EU law enforcement agency (Europol), the European Asylum Support Office (EASO), the European Institute for Gender Equality (EIGE), the EU Agency for Fundamental Rights (FRA) and the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex).

their planning on actions against trafficking in human beings and to take actions together. Since then, the EU Anti-Trafficking Coordinator is helping these agencies in regular exchange of information, generating synergies and avoiding duplication of actions. These agencies focus on the creation of a high level public awareness on the problem of trafficking in human beings and the development of special training programs that will enhance the synergy of joint activities of the EU agencies. During the reporting period there have been developed various training programs, manuals and training materials.

The EU Anti-Trafficking Coordinator carries out its activity in close cooperation with intergovernmental organizations that are active in anti-trafficking field. The European Commission has taken steps to formalise this cooperation by signing letters of intent on cooperation with UN bodies. The EU and the **International Organization for Migration (IOM)** have established a framework for strategic cooperation with, which serves as basis for political dialogue and cooperation.

The report notes that the EU uses indicators of success in cooperation in combating trafficking in human beings with certain partners - countries non-EU Member States, such as Moldova, Ukraine and Georgia, serving as components of integral benchmarks, the achievement of which is necessary to adopt the decision on the visa liberalization regime with these countries. This allows ensuring the coordination of anti-trafficking policies in these countries and its compliance with regional and international standards in this area.

The EU Anti-Trafficking Coordinator is cooperating with civil society, using

the Civil Society Platform established in May 2013. This structure gathered more than 100 civil society organizations from the EU Member States and some selected third countries (Albania, Morocco, Turkey and Ukraine). This Platform shall hold meetings every two years in Brussels. Its work is supplemented by the operation of e-Platform, which helps to maintain communication between organizations for the periods between meetings held on a biennial basis.

Follow up steps

The **Mid-term report on the implementation of the EU Strategy** concludes with some recommendations referring to the next steps focusing on the enhancement of cooperation, including practical ones, to address the phenomenon of trafficking in human beings in a coordinated, coherent and comprehensive manner.

Among other things the report has recommended:

- further strengthening the informal network of NREMs;
- ensuring support for the EU Civil Society Platform;
- elaboration of the report of the EU Commission on the THB situation in the EU, on the basis of information received by the Member States and other stakeholders.

When working with the EU Member States the EU agencies should make a special effort to encourage the coherent implementation of the Directive 2011/36/EU. In accordance with Article 23 of the Directive the EU Commission shall, by 6 April 2015, submit a report to the European Parliament and the Council, assessing the extent to which the Member States have taken the necessary measures in order to comply with this Directive. The EU



Commission is currently analyzing the information received and drafting the report on the state transposition of the Directive 2011/36/EU across all Member States.

The European Commission represented by the EU Anti-Trafficking Coordinator will continue the monitoring of the progress achieved in the implementation of the *EU Strategy towards the Eradication of Trafficking in Human Beings*.

The EU Strategy expires in 2016. The European Commission plans to develop a new post-2016 Strategy in consultation with relevant stakeholders on the basis of the lessons learnt and needs identified.⁵¹

⁵¹ Mid-term report on the implementation of the EU Strategy towards the eradication of the trafficking in human beings. Commissions Staff Working Document. Brussels, 17.10.2014, p.20.

CONCLUSIONS

As far as the information provided in this thematic publication indicates, coordination is a new method of public policy management that is rapidly evolving in many countries. The previous management methods based on command and administration, on severe control from a unique center and on complete obedience of people are disappearing and giving way to much more democratic methods of management involving a certain degree of freedom of action, and even self-government. The experience of the Republic of Moldova in the creation of a coordination

Components of the coordination mechanism:

- 1 **Creation of inter-agency coordinating bodies including** *the representatives of the government, of nongovernmental and intergovernmental organisations;*
- 2 **Coordination of goals – development of common goals of the joint activities** *(at the stage of National Action Plan development or during the creation of task forces to settle a particular problem) and elaboration of incentives associated with achievement of common goals;*
- 3 **Personnel management, capacity building and cultivation/education of personnel;**
- 4 **Standardization of activities** - *definition of specific fields of activities to achieve each particular goal and development of «rules of the game»;*
5. *Coordination of the interaction between specialists, development of communication;*
6. *Coordination of key dependencies between joint activities in relation to:*
 - *Allocation of resources;*
 - *Feedback between actions and results of joint activities.*

mechanism in the anti-trafficking field demonstrates dramatic changes in the policy management in this area. The innovative style of management including joint identification of social problems, development of common goals and objectives, as well as of actions planned for their achievement, joint development of standards, joint discussion of the results of monitoring and evaluation have become a standard in the policy management in the anti-trafficking field. The political will of the Government, diversity of coordinating bodies created at different levels of administration and a modern communication technology have made possible the decentralization of management, not only as a transfer of

responsibilities from the Government to the local level, but also the involvement of a number of government agencies and civil society in government decision-making process in this field. This fact has contributed to the development of creative potential of professionals and to the efficiency of the decisions adopted.

Not all the problems are solved, of course. This publication demonstrates that coordination has not yet got adequate advancement at the local level and not all the instruments of coordination are involved. Some additional efforts of the Moldovan Government are necessary, especially:

- creation of a solid base for col-

laborative learning, professional development and education of professionals from different institutions (primarily at the local level - rayons and communes) to develop their skills and create new types of relations within democratic conditions and decentralization of power;

- development of electronic information sources and strengthening their role for the communication of professionals and their self-learning;
- development of motivation to achieve common goals of joint activity - both financial and non-financial incentives (competitive aspect, public recognition, etc.);
- creation of a coherent system of collection and analysis of information regarding the status and evolution of the phenomenon of trafficking in human beings, as well as on various aspects of the national

anti-trafficking response;

- mobilization and joint distribution of the necessary funds/budgeting on the principles of activity within national projects.

The optimal model of coordination of policies to fight trafficking in human beings cannot be created overnight. This requires creative thinking and use of scientific achievements - the modern theory of coordination, as well as best practices from other countries. While striving to develop a coordination mechanism in the anti-trafficking field in our country it is necessary, first of all, to rely on the best practice of the Netherlands in this area, as well as on the overall experience of European policy coordination. In addition, while creating this optimal model the existing national conditions should be taken into account. This will help to significantly improve the effectiveness of anti-trafficking policies pursued.

