



DREPT INTERNAȚIONAL

CZU: 341.4

https://doi.org/10.52277/1857-405.2024.4(71).08

INTERNATIONAL COOPERATION IN THE PROCESS OF INVESTIGATING HUMAN TRAFFIKING CRIMES



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SUMMARY

Human trafficking is a part of organized crime, a contemporary form of slavery, accompanied by the worst violations of human rights. It is obvious that, in order to solve this serious problem, we need the considerable efforts of the entire international community. This is conditioned by the fact that human trafficking does not belong to the borders of a single country, it is carried out by crossing borders, with the attraction of traffickers of different nationalities and a multitude of places where the crime is committed, and it exceeds the range of action of the enforcement bodies of the legal norms of the Republic of Moldova.

In this study, we want to draw attention to the fact that when investigating crimes related to transnational trafficking of human beings, from the aspect of procedural interaction, the international collaboration of law enforcement bodies is of particular importance. Provisions, which regulate certain issues in the matter of international collaboration of several states in the field of combating transnational crime, including human trafficking, are contained in the UN Convention against Transnational Organized Crime, signed in Palermo on December 9, 2000, and in the additional protocols of this document: a) Protocol to prevent, suppress and punish trafficking in persons especially women and children from November 15, 2000; b) Protocol against the smuggling of migrants by land, sea and air from November 15, 2000.

Key-words: *trafficking of human beings, organized crime, criminal process, criminal prosecution, investigation methods, international collaboration, international police structures.*

COOPERARE INTERNAȚIONALĂ ÎN PROCESUL DE INVESTIGARE A INFRAȚIUNILOR CU TRAFIC DE FIINȚE UMANE

SUMAR

Traficul de persoane este o parte a crimei organizate, o formă contemporană de sclavie, însoțită de cele mai grave încălcări ale drepturilor omului. Este evident că, pentru a rezolva această problemă gravă, avem nevoie de eforturile considerabile ale întregii comunități internaționale. Acest lucru este condiționat de faptul că traficul de persoane nu depinde de granițele unei singure țări, acesta este realizat prin trecerea frontierelor, cu atragerea traficantilor de naționalități diferite și a unei multitudini de locuri în care se comite infracțiunea și depășește raza de acțiune a organelor de drept ale Republicii Moldova.

În acest studiu dorim să atragem atenția asupra faptului că în investigarea infracțiunilor ce țin de traficul transnațional de ființe umane, sub aspectul interacțiunii procesuale, este de o importanță deosebită colaborarea internațională a organelor de drept. Prevederi care reglementează anumite aspecte în materia colaborării internaționale a mai multor state în domeniul combaterii criminalității transnaționale, inclusiv a traficului de persoane, sunt cuprinse în Convenția ONU împotriva criminalității transnaționale organizate, semnată la Palermo la 9 decembrie 2000, și în protocoalele suplimentare ale acestui document: a) Protocolul pentru prevenirea, suprimarea și pedepsirea traficului de persoane, în special de femei și copii, din 15 noiembrie 2000; b) Protocolul împotriva traficului ilegal de migranți pe uscat, pe mare și pe aer din 15 noiembrie 2000.

Cuvinte-cheie: *trafic de ființe umane, crimă organizată, proces penal, urmărire penală, metode de investigare, colaborare internațională, structuri polițieneste internaționale.*

Introduction

The establishment of an all-encompassing system of international security requires the improvement and development of the collaboration of states in the fight against criminality. Thus, „the globalization process of today’s life, the deepening of integrationist processes within the international community could not help but influence the cardinal review of such an important field as the collaboration of the world’s states in the fight against criminality” [21, p. 80; 29, p. 3].

In this framework, international cooperation in criminal matters has acquired new dimensions and valences these days. Or, „in order to solve a case with extraneous elements, multiple cooperation methods are necessary, such as: the unavailability or confiscation of the assets that served to commit the crime or its product, goods located on the territory of another state; the transmission of objects that constitute means of proof; listening to witnesses or experts who are in a different state than the one in which the criminal prosecution is being conducted; the establishment of joint investigation teams in order to solve cases of a transnational character etc.” [24, p. 10].

All this is also characteristic of the research activity of human trafficking crimes. It is a part of organized crime, a form of contemporary slavery, accompanied by the worst violations of human rights. Currently, we find that „this problem is characteristic of the Republic of Moldova as well. More and more citizens are becoming victims of these crimes, among the victims being, first of all, women and children, i.e. the most vulnerable members of our society. It is obvious that, in order to solve this serious problem, the considerable efforts of the entire international community are needed. This is conditioned by the fact that human trafficking does not belong to the borders of a single country, it is carried out by crossing borders, with the attraction of traffickers of different nationalities and a multitude of places where the crime is committed, and exceeds the range of action of the protection bodies of the legal norms of the Republic of Moldova” [18, p. 58].

On the other hand, the danger of the human trafficking crimes „consists, also, in close links of this type of crime with transnational organized crime. Traffickers, organized on a transnational level, are treacherous, cunning, lacking in compassion and mercy; having important financial sources they can afford to use modern tech-

nologies, sophisticated means of communication and money laundering techniques to facilitate crime. It is certain that criminal networks do not act in isolation. They have established connections with other forms of organized crime. At the structural level, these links can be permanent or one-time, depending on the interest and profitability of the participants” [7, p. 392].

Generating complex social problems, whose ways of manifestation, repercussions and ways of solving interest both institutionalized control factors and public opinion, Tigel G. claims that „cross-border organized crime tends to become a particularly serious and dangerous phenomenon, with destructive consequences on the structure and stability of the bodies and institutions of a democratic state, and with an impact that calls into question not only the social-economic stability of any human community, but, in extremis, even the security and peace of nations. Generated by complex causes, cross-border human trafficking, as a modern form of slavery, is a phenomenon with deep economic, social, demographic, axiological and psychological implications, alters human values and slows social progress. Today there is talk of a veritable industry of illegal migration, prostitution and international pimping, of a flourishing sex tourism, of the growing dimensions of pornography - including on the Internet - of contract killings, blackmail, kidnapping, arms and ammunition trafficking, drugs and even trafficking of human organs and tissues” [34, p. 67].

However, as the researcher Cusnir V. claims, „the phenomenon of human trafficking has been placed among the most widespread statistics, a fact which, in addition to prevention and combating activities, also includes the coordinated, multidisciplinary approach at the regional and international level to the phenomenon in question” [12, p. 17].

The trafficking in human beings (especially of women, young females even if men are equally counted as victims) is developing worldwide. When the desire for emigration to the West cannot be legally satisfied, the migration candidates have resorted to the intermediaries that often turned out to be part of the organized crime networks and that they were empowered to recruit the prostitution intended persons. Especially the situation of some regions of Central and Oriental Europe (since the borders opening, the unemployment rate rising, the rising of the poverty, the disturbing of the state’s structures and the minimizing of the control) tend to favor the development of all the trafficking



forms and especially of the human beings trafficking with the purpose of sexual exploitation [22, 8]. Therefore, the trafficking in human beings phenomenon is defined through the illegal migration [6, p. 224].

The international legal framework

The first attempt to criminalize both trafficking and exploitation of victims was marked by the UN Convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others from December 2, 1949 [11].

Based on this legislative framework, the normative construction of a community in the field of human trafficking began in the modern era. It was a timid beginning, lacking urgency, but today this normative construction is increasingly proving its practical importance for maintaining a climate of security, safety and public order [1, p. 123].

The need for international collaboration in issues related to the police in the European space appeared at the beginning of the last century. After the Congresses of Monaco (1914) and Vienna (1923), European countries, represented by national police chiefs, established an International Criminal Police Commission, which would later become the International Criminal Police Organization, also known as Interpol. Over the years, as an absolutely necessary condition that has been established, international police cooperation in the following fields:

- a) combating international terrorism;
- b) combating the production, consumption and trafficking of drugs and psychotropic substances;
- c) combating illegal economic activity;
- d) combating the smuggling of goods of historical or artistic value;
- e) combating illegal crossing of the border.

Due to the diversification of the criminal phenomenon, international cooperation in combating the trafficking of human beings was subsequently imposed [30, p. 98]. In general, the EU legislative instruments and those adopted by the Council of Europe concern cooperation in the field of criminal procedure, more specifically police and judicial cooperation. The complexity of the functioning of the European structures in question has resulted in a dense network of rules, agreements and treaties, all regulating in principle the same matters, which calls into question their relevance and practical effectiveness. The general framework for preventing and combating human trafficking was primarily provided by Title VI of the Treaty on European

Union. The provisions of the Treaty offered the possibility of defining an express institutional framework in the field of judicial cooperation, being later introduced in the Maastricht Treaty in the compartment of police and judicial cooperation in the criminal field (the Treaty was signed on February 7, 1992 and entered into force on November 1, 1993). Thus, by the decisions of the European Council, two structures were created with distinctive but convergent attributions: *Euro-pol* and *Eurojust* [1, p. 123].

In the mid-90s of the last century, the European Union began to take measures to combat human trafficking, focusing on the trafficking of women for the purpose of prostitution. The most important stages were: The decision adopted by the European Parliament in 1996 (Resolution on Trafficking in Human Beings, OJ No C032, 05/02/1996); The joint action in 1997, adopted by the Council of Europe and the Hague Declaration from 1997 (the Hague Declaration - European guiding principles on preventing and combating trafficking in women, April 26, 1997, DCE-97-429), adopted by the Conference of Ministers. Most of these documents relate to trafficking in women and trafficking in children [5, p. 81].

Currently, „the prevention and combating of human trafficking is the most current issue at the international and national level, which is on the agenda of the United Nations, the Organization for Security and Cooperation in Europe, the governments and parliaments of their member states, having the obligation to undertake actions to prevent, track and persecute the phenomenon, ensuring the protection and support of victims of trafficking, based on national and international normative acts” [2, p. 121].

We should also dwell on the fact that in the investigation of crimes related to the transnational trafficking of human beings, from the aspect of procedural interaction, the international collaboration of law enforcement bodies is of particular importance. Or, which regulates certain issues and provisions in the matter of international collaboration of several states in the field of combating transnational crime and human trafficking, on the content of the UN Convention against transnational organized crime [10, p. 333], signed in Palermo (December 9, 2000) and in the Additional Protocols of this document:

- a) Protocol to prevent, suppress and punish trafficking in persons especially women and children [25];
- b) Protocol against the smuggling of migrants by land, sea and air [26], from November 15, 2000.

Certain rules governing the international collaboration of the CIS states are also found in the Minsk Convention on legal assistance and legal relations in civil, family and criminal proceedings [9], signed on January 22, 1993. The priority directions of international collaboration in the fight against crime segment, embodied by these regulations, refer to:

- 1) international legal assistance in criminal matters;
- 2) directing the materials of the criminal cases for the criminal investigation;
- 3) execution of requests regarding the initiation of criminal prosecution and its execution on the territory of the CIS states;
- 4) extradition of persons in order to bring them to criminal responsibility;
- 5) the transfer of convicted persons in order to serve their sentences in the states of which they are citizens.

The conventions indicated above (from Palermo and Minsk) also provide the possibility of addressing requests, regarding the performance of special investigative measures on the territory of the member states. Thus, Art. 20 of the Palermo Convention provides the possibility for the competent authorities of the member states, in the manner and within the limits established by national legislation, of controlled deliveries, various forms of surveillance (electronic etc.) using special methods and means, such as various agency operations. It should be noted that other agreements on cooperation and mutual legal assistance can be concluded between states, which would establish a higher level of integration in criminal matters and would materialize more perfect forms of international collaboration. In particular, the Palermo Convention lays the foundation for the conclusion of agreements that would provide the possibility for the creation of international investigation groups, which is quite current for the state of affairs existing at the moment, precisely because transnational criminal groups carry out criminal activities related to the creation of international „networks” for the trafficking in human beings.

Mechanisms and institutions of international cooperation

When organizing and arranging international collaboration it is recommended to use/practice the possibilities and opportunities of different international police organizations such as *Interpol* and *Europol*. The THB (*Trafficking in*

Human Beings) section of *Interpol* is involved in the fight against human trafficking, the illegal circulation of human organs and tissues, illegal migration and sexual crimes against minors. Also of special interest is the information accumulated within the *OCP (Organized Crime Projects)* section – specialized in the fight against international organized crime. One of the areas of activity of this section refers to the „*Millennium*” project, specialized in the fight against organized criminal groups in Eastern Europe. The most important and priority directions for the discovery and investigation of the facts of human trafficking, carried out in the segment of the collaboration of law enforcement bodies with *Interpol* and *Europol*, are: the announcement of an international search for missing victims and accused persons; coordination of joint police operations; addressing requests regarding the performance of certain criminal prosecution actions or special investigative measures; addressing requests related to obtaining information, kept within the structures that hold informative-operative records, follow-up, and forensic expertise etc. [18, p. 440].

With reference to the criminal cases regarding the trafficking in human beings on the *Interpol* line, namely on the basis of the corresponding requests, the following activities can be carried out: „1) the search for the accused, with their subsequent arrest and extradition; 2) the identification of victims, suspects, as well as other persons who present a certain operative interest, with their follow-up and subsequent surveillance; 3) searching for victims, lost without a trace” [21, p. 85]. We do not overlook the fact that, if the prosecution at the local level only includes the involvement of the subdivisions of the internal affairs bodies and other state bodies in the Republic of Moldova, then the interstate and international prosecution implies the involvement of law enforcement bodies from other states in carrying out these actions, according to international treaties to which the Republic of Moldova is a party. In this context, a special role in combating crime and solving the tasks of the criminal process belongs to the international investigation through the Central National Bureau – *Interpol*. The importance of this method is due to the fact that often people who have committed crimes, especially serious ones, evade prosecution and judgment by going abroad. Precisely for these reasons, the contribution of the International Criminal Police Organization – *Interpol*, is to ensure and promote the widest possible mutual assistance



to all criminal police authorities within the limits of existing regulations in different countries and in the spirit of the Universal Declaration of Human Rights [14, pp. 11-18], to establish and to develop all institutions, capable of effectively contributing to the prevention and repression of common law crimes.

The international prosecution of accused persons and defendants represents „a complex of operative-investigative measures, carried out by the competent bodies of the state initiating the investigation and the interpellated state, directed to the detection, arrest and extradition of the wanted criminals, carried out on the territory of each state participating in the search, in accordance with the norms and principles of international law and the international treaties, concluded between these states. International tracking is one of the main directions of activity aimed at cooperation in the fight against crime in Interpol member state” [8, p. 390]. „Tracking through Interpol is carried out in cases when:

- a) a criminal accused (defendant, convicted) of committing a serious crime is brought to justice;
- b) precise or presumed information is available about the departure of the person being pursued abroad;
- c) the wanted person (with an arrest warrant) has not been detected on the territory of the Republic of Moldova for 3 months;
- d) there is precise or presumed information about the departure abroad of the persons declared missing;
- e) corpses and persons with unknown identity have not been identified for 3 months and there is data that they are foreign persons” [8, p. 391].

With reference to the investigation of transnational human trafficking, the following categories of records, organized within Interpol, may be of interest:

- a) the alphabetical directory of people with criminal records, suspected of committing crimes, in which information can be found regarding their dubious behavior, relationships and their movement;
- b) the filing cabinet of documents and names where, in the „documents” compartment, is placed the information about the passports used by the criminals, as well as the names of certain companies taken into account in connection with involvement in criminal activity, including human trafficking;

- c) the crime file, that includes several compartments, where information is stored, depending on the criterion of gender and species of the crime committed. Human trafficking offenses are also found here. In the information related to the crimes, the method of committing them is fixed, in a mandatory manner. By using this method of record, it is possible to identify the criminal structure according to the criterion of criminal behavior (which is specific, in particular, for human trafficking crimes);
- d) dactyloscopic card file;
- e) people’s photo library. In addition to the image on the photo, the evidence documents also contain the compositional portraits, as well as the external signs characteristic of the criminals;
- f) the directory, related to the external appearance of the person (*the directory „S”*). This is where the exposed data is stored, based on the talking portrait method. It contains about 177 indicators, including gender, nationality, race, particular features etc.;
- g) the filing cabinet of persons and unidentified corpses [21, p. 87].

Under these conditions, the effort made by Interpol for international police cooperation is determined by the complexity of different legal systems of the states, the definition of crimes, the rules of record, incompatible extradition laws, incongruent information systems, restrictions on the spread of information, etc. These are just some of the barriers Interpol is trying to help the world overcome in its fight against the highest levels of international crime [31, p. 101].

Last but not least, we will point out that Moldova’s aspiration for European integration has required the revision of the legal framework, regarding legal assistance in criminal matters and the modernization of the mechanisms available to the prosecutor and criminal investigation bodies, in order to accumulate the evidence necessary to prosecute those involved in the cross-border organized crime. Or, „the competent authorities of at least two states can constitute a joint investigation team, by common agreement, with a specific objective and for a limited period of time, which can be extended with the agreement of all parties, in order to carry out the criminal investigation in one or more of the states that make up the team. The joint investigation team may be created when:

- a) within the framework of an ongoing criminal

investigation, difficult criminal investigations must be carried out in the requesting state, which involve the mobilization of important means that concern other states as well; b) multiple states conduct criminal prosecutions that require coordinated and focused action in those states" [28, pp. 38-39].

Information obtained during the work of joint investigation teams can be used [19, pp. 213-219]: „1) for the purpose for which the team was created; 2) to discover, investigate or prosecute other crimes, with the consent of the state in whose territory the information was obtained; 3) to prevent an imminent and serious danger to public security; 4) for other purposes, if this is agreed by the states that formed the team". The procedures, that regulate the operation of the joint investigation team - the duration, location, members, organization, functions, expenses, purpose and conditions of participation of the members in the investigation activities carried out on the territory of another state - are established by an agreement, concluded between the designated authorities by each of the states involved [28, p. 40].

Also interesting is the original information transmission system, outside of the computerized X-400 system, namely of the notes. „These represent documents edited by the General Secretariat (for example: Police division, Subdivision IV, International Notes Group, disseminated to all National Central Offices). Information is often received by the General Secretariat from several sources located in different countries, which are combined and analyzed in Lyon. For example, identity data and reasons for the pursuit are provided by one requesting office, but fingerprints, other operative data and forensic photography may come from other offices. In practice, there are five types of notes, all having in the upper right corner a square of different colors, inside which, is the emblem of the organization [33, p. 44]:

1) *Red corner notes* - prepared for the arrest and extradition of an offender. They contain all the data necessary to identify a person, the act or acts committed that are the subject of the investigation, the legal classification in the Criminal Code, the number and date of the warrant of arrest or execution of the criminal sentence, the name of the person who issued it (the prosecutor or the judge respectively), the photo, fingerprints, as well as the name and address of the requesting National Central Office;

- 2) *Green corner notes* - drawn up for criminals, who are not being pursued for arrest, but with important criminal antecedents, recidivists, whose criminal record must be known by the police in order to keep them in mind during their stay on the territory of the respective country;
- 3) *Blue corner notes* - prepared for obtaining information about a person. They are used more often to find out where a criminal is staying;
- 4) *Yellow corner notes* - prepared for reporting the missing persons. They are used especially in the case of minors, with the aim of being discovered and returned to the family;
- 5) *Black corner notes* - prepared for unidentified corpses;
- 6) Other types of notes are used in the case of special modes of operation, used by criminals to achieve their goals („*Modus operandi*”).

The Judicial Intelligence and Liaison Division (Police Division II) receives information about crimes, offenders, the means and methods used by them and other operational data, which it analyses, and when they prove useful to the operational services of the affiliated police, broadcasts them to interested NCB and after, enters them into the appropriate files" [33, p. 44-46]. The basis for launching the international pursuit of a person at the initiative of the law enforcement bodies of the Republic of Moldova is the message of these bodies, according to the form established in the Interpol' NCB address. A. CLEFOS says that „in the message it is necessary to indicate objective and complete information about events, facts, wanted persons, with the indication of foreign cities, other geographical names and concrete addresses. At the same time, in case of tracking the suspect, the accused or the convicted person, who is hiding abroad, the message reflects the following: a) the number of the criminal file, the date of filing and the name of the criminal prosecution body, the brief description of the act committed by the accused person, the qualification of the actions according to the Criminal Code, with the indication of the sanction of the incriminated norm; b) the opportunity, after establishing the tracked person, to establish control over his movement (in this case, „signal information" about the departure of this person abroad can be received from foreign partners); c) the need to detain the wanted person and his subsequent extradition" [8, p. 391].



Also, he declares, „with the help of Interpol's international tracking system, law enforcement subdivisions can:

- a) to receive information about the whereabouts in foreign countries and the occupations of persons under investigation, suspected of committing crimes, as well as accused and convicted persons, who are evading criminal responsibility or serving their sentence;
- b) to establish the location of the person who crossed the border or the missing person;
- c) to identify the person under investigation;
- d) to establish control over the activity and movement of persons who are hiding from law enforcement bodies abroad” [8, p. 391].

Necessary information for the investigation of the facts of human trafficking can also be identified in the content of Europol's operative-informative and forensic records, as well as in the interstate records, prepared by the legal bodies of the CIS states, according to the agreements, concluded in this regard. *Europol* is a supranational institution, created on the basis of intergovernmental agreements. Before the ratification of the European instruments on Europol, there was a precursor to it, namely the Europol Drug Unit (EDU), which operated in The Hague, consisting of member states' liaison officers, who had direct access to the investigation of personal data and drug cases. As a result of joint actions by member states, on March 10, 1995, the EDU's jurisdiction was extended to cover illegal trafficking in radioactive and nuclear substances, illegal trafficking in immigrants and vehicle theft [3, pp. 352-353].

Created on the original structure of *European Drug Unit* (1995), Europol has, among other things, an important role in preventing and combating illegal migration and human trafficking, being empowered to coordinate cooperation at this level between the appropriate authorities of the member states. In 1997, by establishing the Action Plan on combating organized crime at the Union level, Europol strengthened its role as a coordinator in the field, but its competence was limited to cross-border crimes, including human trafficking, but committed only in organized criminal groups [1, p. 123]. Thus, we note that Europol was established by the Europol Convention of 1995, which was repealed by the Decision of the Council of the European Union 2009/371/JHA [13] from April 6, 2009, on the establish-

ment of the European Police Office. Europol's competence covers the investigation of crimes in the field of organized crime, presented in an annex of the Decision 2009/371/JHA, which also includes crimes related to trafficking in human beings. According to the provisions of art. 3 of the Decision 2009/371/JHA, „Europol's objective is to support and strengthen the activity of the competent authorities of the member states and their mutual cooperation in order to prevent and combat organized crime, terrorism and other serious forms of crime affecting two or more member states”. Each member state of the European Union designates a national unit headed by an official from each member state. The national unit is the only liaison body between Europol and the competent authorities of the member states. Member States may allow direct contacts between the competent designated authorities and Europol. Each national unit should have at least one Europol liaison officer. Europol uses a secure computer system for the processing of personal data which is very useful in the field of combating serious crimes [23, p. 163].

Europol's duties are to „facilitate the exchange of information between member states by collecting and analysing information and, by transmitting to the competent authorities of the member states, without delay, through the national profile units, the necessary data regarding them, thus helping the investigations in these states. An information system contains the data of persons, who have committed acts, submitted to the competence of Europol or, who have taken part in the commission of these acts in the member states. Data held by Europol for analysis purposes are contained in other files. This data includes information about people who have had the status of witnesses or potential or actual victims of crimes” [3, pp. 352-353].

The criminal investigation body of the European Union, *i.e.* Europol, deals with the field of crime. Its mission is to improve the efficiency and cooperation between the competent authorities of the member states in preventing and combating serious forms of international organized crime. Europol's mission is to make an important contribution to the European Union's criminal prosecution measures against organized crime. In 1998, Europol was also tasked with other areas of activity: obtaining and analyzing information, informing the member countries about the preparation of crimes, establishing a communication network for the purpose of exchanging criminal information, etc. Based on the Council's decision of December 6, 2001, Europol's field of activity

has been extended, since 1st of January 2002, to other serious forms of international crime, such as: crimes against the environment, organized robbery, illicit trade in cultural goods, human trafficking etc. [16, p. 366] *Europol's* complementary body is *Eurojust*, within its jurisdiction are prosecutors, judges and police officers delegated from the member states, responsible for ensuring judicial cooperation in preventing and combating organized crime.

In the context of the above, we support the opinion that the competent authorities should continue to cooperate in order to strengthen the fight against the phenomenon in question. In this regard, close cooperation between states is essential, including through the exchange of information and best practices, as well as through a permanent open dialogue between the police, judicial and financial authorities of different states [32, p. 13]. However, the approximation of material and procedural-criminal norms could result in the conclusion of a European legal order, with the diminishing of the role of the member states in favour of the structures of the Union [27, pp. 265-266].

Also, it has to be mentioned the fact that, at the moment, the most important legal instrument in the field of combating human trafficking at the level of the European Union is the Directive 2011/36/EU of the European Parliament and the Council of the European Union from April 5, 2011, regarding the prevention and combating of human trafficking [15]. Also, we would like to draw attention to the following fact: "today, in order to combat human trafficking, unification of international legislation is necessary, in order to allow and facilitate the prosecution and sentencing of persons who have committed crimes in the field of human trafficking or related to trafficking, regardless of the country in which the acts were committed and, including in situations where the acts were committed in more than one country, regardless of whether the countries in question sanction the acts in question or not" [17, p. 138].

Exceeding this moment would largely exclude the cases of ineffective, difficult collaboration of the competent international structures in the matter of preventing, investigating and combating human trafficking crimes, a fact that is due to the multitude of requirements and regulations in this field, as well as the lack of proper coordination between the actions of law enforcement bodies in different states.

Without any doubt, the most recent challenges of the European Union include putting the

freedom, security and justice area on new bases (pursuant to changes brought by the Lisbon Treaty) with the guarantee of freedom viewed to provide affordable justice and safety to all citizens who can now resort to courts in any Member State with the same ease as they would go to courts in their own countries, on the one hand, and allowing the criminals, on the other hand, whose mobility is guaranteed by the freedom of movement principles, to take advantage of the differences existing between the various judicial systems of Member States [4, p. 7].

Conclusions

Trafficking in human beings, being a form of manifestation of organized crime, has a transnational character, involving a wide circle of criminals - organizers, authors, instigators and others, but it is also related to other crimes, thus it raises the joint effort of several competent entities, a fact, which in turn, requires an effective interaction with the investigative-operative subdivisions, with the border police, with the customs service, with the public services, with other state bodies and non-governmental organizations, specialized in the field, in order to document the facts and prosecute the suspects, the accused. At the same time, in the process of discovering human trafficking and criminal prosecutions it is imperative to determine the potential risks, obstacles and opposition to the criminal prosecution and take measures to counter these actions.

In order to effectively prevent and fight the crimes of human trafficking, it is necessary for the member states to undertake actions to prevent, track and persecute the phenomenon, ensuring the protection and support of the victims of trafficking, based on the normative acts at national and international level. When investigating crimes, related to transnational trafficking in human beings, from the aspect of procedural interaction, the international collaboration of law enforcement bodies is of particular importance. Close cooperation between states is also essential, including through the exchange of information and best practices, as well as a permanent open dialogue between police, judicial and financial authorities in different states.

The discovery of human trafficking raises, as appropriate, measures of international police cooperation (including through Interpol, Europol) - exchange of information, mutual information, cross-border surveillance, special investigative techniques; or international cooperation actions



in criminal matters- joint investigation teams, letters rogatory, communication of evidence, files and documents, hearing of witnesses including via video conference, the transfer of criminal proceedings, the tracing and seizing of the proceeds of crime, extradition and other actions incidental to international conventions, according to the international acts.

We also support, that other agreements on collaboration and mutual judicial assistance can be concluded between states, which would establish a higher level of integration in criminal matters and materialize more perfect forms of international collaboration. In particular, the Palermo Convention lays the foundation for the conclusion of agreements, which would provide for the possibility of creating international investigation groups, which is, quite current for the state of affairs existing at the moment, because transnational criminal groups carry out a criminal activity, related to the creation of international „networks” for the trafficking in human beings.

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