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**HUMAN TRAFFICKING - TRANSPOSITION AND
IMPLEMENTATION OF INTERNATIONAL AND
EUROPEAN STANDARDS INTO NATIONAL
CRIMINAL LEGISLATION**

554.01- Criminal Law and Penal Enforcement Law

Summary of the Doctoral Thesis in Law

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SUMMARY:

Summary:	3
1. CONCEPTUAL FRAMEWORK OF THE RESEARCH	4
2. THESIS CONTENT	16
3. GENERAL CONCLUSIONS AND RECOMMENDATIONS	23
4. SELECTIVE BIBLIOGRAPHY	33
5. LIST OF PUBLICATIONS ON THE THESIS TOPIC	35
6. ANNOTATION	43

1. CONCEPTUAL FRAMEWORK OF THE RESEARCH

The relevance and importance of the problem proposed for research.

The present paper aims to analyse a phenomenon that has aroused the interest of legal thought since the end of the 19th century, namely human trafficking, a concept examined from a multi-aspect perspective, in a scientific, legal-criminal, transnational and criminological sense.

By its legal nature, the crime of human trafficking falls into the category of transnational crimes, whose incrimination in the criminal legislation of European states is based on a common preventive criminal policy, built on the basis of Euro-regional and international protocols that enshrine unitary incriminating standards.

The deep crises experienced, especially, by the states in the ex-Soviet space have placed society in front of new and complex problems, for which the solutions are neither simple nor immediate. Among these, human trafficking stands out not only by its scale and dynamics, but also by the serious consequences generated by a phenomenon with profound implications for organized crime. In the case of the Republic of Moldova, a state that appeared on the political map of Europe 35 years ago, following the collapse of the former USSR, the issue of human trafficking manifests itself with an intensity that often exceeds the capacity of internal social protection mechanisms.

In this context, it is necessary to emphasize that, in order to ensure independent social, political and economic development, the Republic of Moldova has developed and implemented its criminal policy, especially in areas aimed at the protection of human rights, in accordance with the trends of codification and harmonization of international norms in the field.

The Criminal Code of the Republic of Moldova first established criminal liability for trafficking offences through the Law of April 9, 1997, by introducing Art. 113¹ – “Sale and trafficking of children”.

Subsequently, in June 2001, Art. 113² was introduced, which established criminal liability for trafficking in human beings.

On June 12, 2003, the new Criminal Code of the Republic of Moldova, adopted by Law no. 985 of 18.04.2002, which, in Chapter III entitled "Crimes against freedom, honour and dignity of the person", regulates the crimes of trafficking in human beings (art. 165), illegal deprivation of liberty (art. 166), slavery and conditions similar to slavery (art. 167), as well as forced labor (art. 168), and in Chapter VII of the Criminal Code of the Republic of Moldova, entitled "Crimes against the family and minors", child trafficking (art. 206), illegal removal of children from the country (art. 207), as well as pimping (art. 220) are criminalized.

Statistical data reveal that, in 2018, in the Republic of Moldova, in the field of criminal prosecution of human traffickers—particularly at the pre-trial investigation stage—191 offences belonging to the category of trafficking in human beings were registered nationwide. Of these, 154 offences concerned trafficking in human beings, while 37 concerned child trafficking. An analysis of the activity aimed at detecting offences related to the phenomenon of trafficking in human beings (THB) for 2018 indicates an increase of approximately 20% in cases of trafficking in human beings (Article 165 of the Criminal Code of the Republic of Moldova) compared to the corresponding period of 2017, alongside a decrease of about 31% in cases of child trafficking (Article 206 of the Criminal Code of the Republic of Moldova). This evolution was driven by the intensification of the authorities' efforts, the improvement in the quality of investigations, and the enhancement of procedural actions undertaken.

At the same time, during the reference year, 83 criminal cases were finalized with indictments and forwarded to the courts for examination on the merits, a number comparable to that of the previous year (85 cases). Of these, 60 cases concerned the offence of trafficking in human beings, while 23 concerned the offence of child trafficking.

An analysis of judicial practice for 2018 in matters of trafficking in human beings and child trafficking shows that the courts delivered a total of 59 judgments during the reference period, including 40 judgments in cases concerning trafficking in human beings, involving 56 defendants, and 19 judgments in cases concerning child trafficking, involving 30 defendants.

Out of the total number of convicted persons, 34 individuals were found guilty of committing the offence of trafficking in human beings, while 25 individuals were convicted of committing the offence of child trafficking. Custodial sentences were imposed on 32 persons in cases of trafficking in human beings and on 24 persons in cases of child trafficking.

With regard to the sanctions applied for the offences provided for in Articles 165 and 206 of the Criminal Code of the Republic of Moldova, it was established that, for defendants sentenced to imprisonment, the duration of deprivation of liberty ranged from 3 years and 4 months to 20 years.

It is worth mentioning that, in two cases of human trafficking (paragraph (1) of article 165 of the Criminal Code of the Republic of Moldova) and in one case of child trafficking (paragraph (1) of article 206 of the Criminal Code of the Republic of Moldova), the courts ordered suspended prison sentences. All these sentences were contested by the prosecutor, requesting the application of harsher punishments, appropriate to the gravity of the acts committed.

Chapter VII of the Criminal Code of the Republic of Moldova, entitled “Crimes against the family and minors”, criminalizes child trafficking (art. 206), illegal removal of children from the country (art. 207), as well as pimping (art. 220).

Statistical data reveal that, in 2018, in the Republic of Moldova, in the field of criminal prosecution of human traffickers, especially in the criminal prosecution phase, 191 crimes in the category of human trafficking were registered at the national level. Of these, 154 crimes concerned human trafficking, and 37 – child trafficking. The analysis of the activity of detecting crimes related to the phenomenon of THB for 2018 indicates an increase of approximately 20% in cases of human trafficking (art. 165 of the Criminal Code of the Republic of Moldova) compared to the same period in 2017, simultaneously with a decrease of approximately 31% in cases of child trafficking (art. 206 of the Criminal Code of the Republic of Moldova), an evolution determined by the intensification of the efforts of the authorities, the increase in the quality of investigations and the procedural actions undertaken.

At the same time, in the reference year, 83 criminal cases were finalized with indictments and sent to the courts for examination on the merits, a number comparable to that of the previous year (85 cases), of which 60 cases had as their object the crime of human trafficking, and 23 – the crime of child trafficking.

The analysis of judicial practice for 2018 in the field of human trafficking and child trafficking reveals that the courts delivered, during the reference period, a total of 59 sentences, of which 40 sentences in human trafficking cases, concerning 56 defendants, and 19 sentences in child trafficking cases, concerning 30 defendants.

Of the total number of convicted persons, 34 persons were found guilty of committing the crime of human trafficking, and 25 persons – of committing the crime of child trafficking. Imprisonment sentences were imposed on 32 persons in human trafficking cases and on 24 persons in child trafficking cases.

Regarding the sanctions applied for the crimes provided for in art. 165 and art. 206 of the Criminal Code of the Republic of Moldova, it was found

that, in the case of defendants sentenced to imprisonment, the duration of deprivation of liberty varied between 3 years and 4 months and 20 years.

It is worth noting that, in two cases of human trafficking (paragraph (1) of article 165 of the Criminal Code of the Republic of Moldova) and in one case of child trafficking (paragraph (1) of article 206 of the Criminal Code of the Republic of Moldova), the courts ordered the conviction to imprisonment with suspension of its execution. All these sentences were contested by the prosecutor, requesting the application of harsher penalties, corresponding to the gravity of the committed acts.

In order to ensure the continuity of parallel financial investigations, simultaneously with the application of penalties to the defendants, during the reporting period the courts ordered confiscation measures, under the terms of art. 106 and art. 106¹ of the Criminal Code of the Republic of Moldova, on assets derived from crimes or used in the commission of crimes in the category of trafficking in persons. Thus, in eight criminal cases, special confiscation of assets was applied, the estimated value of which exceeded 1,350,000 lei, including cars, IT equipment and monetary amounts.

Regarding the dynamics and trends of the phenomenon of human trafficking, in 2018, 305 adult victims of human trafficking were identified at the national level (compared to 201 victims in 2017) and 60 minor victims of child trafficking (compared to 48 victims in 2017). Compared to the previous year, there was an increase of approximately 35% in the number of identified adult victims and approximately 20% in the number of child victims, an evolution determined by the intensification of the efforts of the national authorities in the field of prevention and identification of victims, the strengthening of the capacities of specialists and the improvement of the quality of investigations and procedural actions.

Of the total number of 365 identified victims of human trafficking, 79 people benefited from specialized assistance, of whom 60 were adults and 19 were minors, which represents approximately 22% of the total victims. The relatively low number of assisted victims is explained mainly by the lack of interest shown by some victims or by their refusal to benefit from the protection and assistance measures offered, an aspect also influenced by the gender dimension, given that men constituted approximately 55% of the total number of identified victims.

As regards transnational trafficking, certain changes in the external destinations of the phenomenon were observed during the reference period, materialised by the emergence of new destination states, such as Slovakia, Spain, Ireland and Portugal, while others, such as Switzerland and the United Kingdom, disappeared.

The main form of exploitation of adult victims is labour exploitation, which represented 78.7% of the total number of victims identified in 2018, of which 80.4% were men and 19.6% were women. Exploitation of adult victims for sexual purposes decreased by approximately 10% compared to the previous year.

In the case of minors, the predominant form of exploitation identified was sexual exploitation, which represented 68.3% of the total number of minor victims identified in 2018, of which 92.7% were girls and 7.3% were boys. At the same time, the exploitation of children for labor purposes experienced a significant increase of 29.4% compared to the previous year, with 58.8% girls and 41.2% boys being identified.

The analysis of the presented statistical data substantiates the topicality and necessity of an in-depth and multidisciplinary scientific research of the object of the investigation – the crime of human trafficking – approached from a new perspective, which highlights the complex and dynamic dimension of the phenomenon. This approach allows the capitalization of the normative transformations generated by the implementation of regional and international legal standards, which support the activity of the national legislator and additionally contribute to the improvement of the internal normative framework, with the aim of strengthening the state's capacity to identify and apply the appropriate legal instruments to combat and eradicate this particularly dangerous social scourge.

The purpose of the doctoral thesis is to evaluate the legal and criminal framework for preventing and combating human trafficking through criminal law, as well as to develop a scientific foundation corresponding to the current requirements of the norms for incriminating this crime, aimed at streamlining the practice of applying criminal law in the field of combating human trafficking. Throughout the entire work, the way in which universal and regional standards in the field of combating human trafficking are transposed and implemented in the legal order of the Republic of Moldova is analyzed.

The stated goal determined the research directions, which were developed by achieving the following **objectives**:

- examining the current state of conceptualization of the crime of human trafficking, by analyzing the level of knowledge in the field in the Republic of Moldova and Romania;
- conducting a comparative and evolutionary analysis of the criminalization of human trafficking;
- conducting a legal-criminal analysis of the crime of human trafficking and assessing the compatibility of the regulatory framework by elucidating its constituent elements and sub-elements;
- delimiting the composition of the crime of human trafficking from the components of adjacent or related crimes;
- assessing the compatibility of the internal regulatory framework in the field of criminalization and combating human trafficking with applicable universal and regional standards;
- identifying and theoretically solving problems aimed at combating human trafficking by means of criminal law, taking into account the specifics of the current period and the criminogenic situation in the Republic of Moldova;
- developing, based on the results of scientific research, recommendations regarding the harmonization of national regulations on the qualification of human trafficking with European Union standards.

To achieve the proposed purpose and objectives, specific research methods for scientific investigations in the field of legal sciences were used. The research is based on the analysis of doctrine, national and foreign legislation, relevant international treaties and judicial practice in the examined field.

In this regard, the complex research of the subject of the doctoral thesis was possible by applying the following **research methods**:

- the method of historical analysis, used to examine the evolution of formal sources of law, national and international, in the matter of criminalizing and preventing human trafficking, as well as to analyze the evolution of the concept of "human trafficking";

- the method of logical analysis (deductive and inductive analysis), constantly applied throughout the work in order to formulate one's own vision on the analyzed notions and concepts, as well as to deduce the legal reasoning used by the competent authorities in qualifying the crime of human trafficking;
- the method of comparative analysis, used with major incidence to examine criminal liability for human trafficking in the Republic of Moldova and Romania, as well as to assess the compatibility of the national regulatory framework with international standards in the field;
- the statistical method, used to highlight the quantitative and qualitative dimension of the phenomenon of human trafficking at national and international level;
- the prospective method, applied in order to identify the evolution trends of the phenomenon of human trafficking and also used to formulate the final recommendations of the research.

Research hypothesis.

Approaching the crime of human trafficking from a new perspective in the local legal and criminal doctrine provides the necessary premises for:

- application of criminal liability for human trafficking by reporting to new forms of trafficking of victims, determined by current social developments and realities;
- scientific substantiation of the degree of compatibility of the provisions of the criminal legislation of the Republic of Moldova with the provisions of international treaties and European Union law in the investigated field.

Although, at the legislative level, numerous relevant international and regional standards have been implemented in the Republic of Moldova, the development and strengthening of preventive measures of a criminal nature in the field of combating trafficking in human beings remains one of the essential priorities of the policy of preventing transnational crime. The continuous streamlining of criminal legislation, so that the incrimination norms are able to cover the new criminal methods of trafficking, is a constant challenge for all European states, regardless of their level of development.

Since the entry into force of the Criminal Code of the Republic of Moldova in 2002, several scientific works have been developed devoted to

the issue of preventing and combating trafficking in human beings through legal and criminal means. Among the reference works are the research conducted by Ștefănoaia M. on the regulation of liability for human trafficking crimes in comparative law, the studies of Vidacu M. and Dolea I. dedicated to combating human trafficking from the perspective of substantive and procedural law, the doctoral thesis of Ostavciuc D. on the criminal procedural aspects and forensic tactics regarding the investigation of child trafficking, as well as numerous scientific articles signed by Brînză S., Tănase A., Stati V., Nastas A. and other authors.

Although these works approach the crime of human trafficking from a legal and criminal perspective and analyze the mechanisms for its prevention and combating, the crime is examined, in most cases, fragmentarily, and the issue of complex crime and related crimes is treated only tangentially, both at the national and international levels. These findings highlight the existence of significant perspectives for theoretical deepening and justify the need for comprehensive research in the field.

Despite the considerable number of studies dedicated to human trafficking, it is necessary to re-evaluate the constitutive content of the crime provided for in art. 165 of the Criminal Code of the Republic of Moldova, in order to resolve the following issues:

1. harmonization of the criminal legislation in the matter with the standards of the European Union, in accordance with the European integration aspirations of the Republic of Moldova;
2. compatibility of the incrimination norm provided for in art. 165 of the Criminal Code of the Republic of Moldova with the constitutional standards of quality of the criminal law;
3. resolution of some practical difficulties regarding the legal classification of the acts of trafficking in human beings;
4. formulation of proposals for improving art. 165 of the Criminal Code of the Republic of Moldova, in order to make the repressive-criminal policy of preventing this dangerous social scourge more efficient.

In particular, the need to harmonize criminal legislation is highlighted in response to new forms of trafficking generated by the accelerated development of information media and the current geopolitical context, including the armed conflict in Ukraine, which has had a significant impact

on the amplification and diversification of the phenomenon of human trafficking.

The scientific novelty of the results obtained.

This work constitutes a multidimensional investigation of the phenomenon of human trafficking, and its scientific novelty lies in the substantiation of results oriented towards the harmonization of the criminal legislation of the Republic of Moldova with universal and regional international standards, especially those of the European Union, in the field of criminal prevention of human trafficking. The research proposes an integrated approach, which capitalizes on both the normative dimension, as well as the conceptual and applicative ones of the criminalization of this crime.

Among the main elements of **scientific novelty**, the following stand out:

1. In relation to its legal nature, the crime of human trafficking is qualified as a transnational crime, the criminalization of which in the criminal legislation of European states, including that of the Republic of Moldova, is based on a common preventive criminal policy, built on the basis of Euro-regional and international protocols that enshrine unitary incriminating standards.
2. The punitive criminal policy of the Republic of Moldova in the field of criminal prevention of human trafficking is analyzed through the prism of a clear differentiation of criminal liability and, implicitly, of the legal individualization of the penalties applicable for trafficking in adult persons, a differentiation that reflects the increased degree of social danger of the incriminated acts.
3. The material element of the crime of human trafficking is highlighted as having a complex character, being constituted by alternative actions-purpose and actions-means. For the existence of the legal content of the crime and for the proof of the criminal activity, it is necessary to establish factually an action-purpose carried out through an action-means, these reflecting, in total, the essential element of the exploitation of victims subjected to trafficking.
4. In terms of the subjective side, the crime of trafficking in human beings is classified in the category of crimes with alternative special purposes, inherent in the constitutive content. These purposes nuance the form of exploitation of the person and, implicitly, the

degree of prejudiciality of the crime, and their determination is indispensable for the legal classification of the act under art. 165 of the Criminal Code of the Republic of Moldova.

5. The delimitation of the crime of pimping from the crime of trafficking in human beings is based on the element of coercion, specific exclusively to the latter. This element results from two defining signs of human trafficking: the action-means of committing the act and the purpose of commercial sexual exploitation or exploitation through prostitution, which are missing from the content of the crime of pimping.

The important scientific problem solved in the research consists in the scientific argumentation of the premises for harmonizing and monitoring the process of implementing international and European standards in the field of preventing and combating human trafficking through criminal law. This includes, in particular, clarifying and identifying the constitutive signs of the crime of human trafficking, an approach that contributes to the consolidation of the set of anti-trafficking mechanisms and to increasing the quality of the act of criminal justice.

Theoretical significance of the paper

This thesis proposes a new theoretical approach to human trafficking, based on opinions and theses scientifically argued by the author, which, integrated into the existing doctrinal context, are able to contribute to the consolidation of the national criminal doctrine in the field. The theoretical dimension of the research is based on a broad and diversified analysis of the relevant doctrinal sources, which allowed for a critical, multidimensional examination of the investigated issue. The theoretical relevance of the work also lies in the formulation of theoretical and practical solutions that can be used in the process of preventing and combating human trafficking crimes.

The **theoretical importance of the research** lies in the fact that the work offers a systematized and rigorously documented study, which proposes theoretical and practical solutions regarding the legal qualification of the crime of human trafficking.

The thesis also highlights a series of current and prospective problems that may arise in the practice of applying the criminal norm, as well as possible appropriate ways of solving them.

The applicative value of the paper.

The research results and the theoretical conclusions formulated can be used in the process of improving the legislative framework in the field of criminal law, especially in the field of combating human trafficking. At the same time, the conclusions and recommendations summarized in the paper can, in certain aspects, constitute grounds for improving national criminal legislation. At the same time, the results of the scientific investigation can be useful in the process of revising and developing university curricula in the discipline of criminal law, in the development of courses, university textbooks, as well as other scientific works, articles or monographs devoted to the issue of human trafficking.

Approval and implementation of scientific results.

The basic concepts and conclusions of the thesis were exposed and disseminated through the content of several scientific works, constituting, at the same time, the subject of papers presented at national and international scientific conferences, as well as at the meetings of the Department of Public Law of the University of European Studies of Moldova, during the period 2020-2026, totalling a total of 85 scientific works, including: 3 didactic works: **CORSEI Andreea**, ȘTEFĂNOAIA Mariana-Alina, *Teste-grilă pentru examene de ană, licența și între în profesțiile juridice. Drept penal. Partea generală*, Editura Universul Juridic, ISBN 978-606-39-1247-4, Bucharest, 2023, 240 pages; **CORSEI Andreea**, General Criminal Law: General Aspects, Universul Juridic Publishing House, ISBN 978-606-39-1671-7, Bucharest, 2025, 165 pages, **CORSEI Andreea**, General Criminal Law: General Part, Universul Juridic Publishing House, ISBN 978-606-39-1663-2, Bucharest, 2025, 126 pages, 2 specialized works: **CORSEI Andreea**, *Traficul de fiinte umane - transpunerea si implementarea standardelor internationale si europene in normativul penal national al Republicii Moldova*, Universul Juridic Publishing House, ISBN 978-606-39-1695-3, Bucharest, 2025, 283 pages, **CORSEI Andreea**, *Agresivitatea între știință și contemporan*, George Tofan Publishing House, ISBN: 978-606-625-054-2, Suceava, 2012, 112 pages, **80 articles** published in journals and materials of international conferences, approved by ANACEC; publications in collections of scientific events included in other databases accepted by ANACEC in the Republic of Moldova and by CNADTCU in Romania; of which 2 articles in **SCOPUS indexed publication**, **1 WEB article**. The scientific results formulated in this work have been disseminated within several training activities on the subject of regulating human trafficking. These results can be

verified and confirmed even by accessing Google Academic Scholar where you can also see the citations related to my works. At this moment, 2 more articles in BDI indexed journals, 2 SCOPUS indexed and one WOS are submitted for publication.

2. THESIS CONTENT

Chapter I "ANALYSIS OF SCIENTIFIC MATERIALS AND THE REGULATORY FRAMEWORK IN REGULATING HUMAN TRAFFICKING" includes defining aspects regarding the concept analyzed in the paper. The phenomenon of human trafficking is analyzed in the context of doctrinal research signed by local authors, Romanian authors, international codifications, primary and derived law of the European Union. Human trafficking represents one of the manifestations of modern slavery, constituting a serious violation of human dignity and, implicitly, of fundamental human rights and freedoms. Consequently, preventing and combating human trafficking is a field of major interest for both state institutions and non-state actors, which, through cooperation, contribute to the building of functional partnerships throughout the social reaction to this dangerous phenomenon. This cooperation is manifested in all stages of the anti-trafficking process, from the development of national and international legal norms, to their effective implementation, as well as to the efficient repression of criminal conduct through legal and institutional instruments specially designed for this purpose, the legislation of the Republic of Moldova and that of Romania.

Thus, in **section 1.1. "Analysis of scientific materials on the crime of human trafficking"** we found that the phenomenon of human trafficking, through its increasingly pronounced impact on social, economic, political, national and international relations, is becoming a destabilizing and demoralizing factor of great proportions. Due to its transnational nature, human trafficking requires cooperation between states in order to strengthen the capacities of law enforcement agencies in order to ensure a prompt and adequate response to the challenges that have arisen in this regard. International structures today develop common standards, but states have a certain margin in order to develop the national mechanism through which the efficiency of international standards will be increased. The adoption/adaptation of the traditional internal regulatory framework is carried out with the extensive participation of the scientific community that can provide the most appropriate expertise in this regard.

Among the researchers who have addressed the issue of the crime of human trafficking, namely trafficking in persons, which constitutes the research topic of this thesis, we list the authors: X. Ulianovski, Al. Barbăneagră, Gh. Alecu, T. Carpov, V. Moraru, I. Dolea, R. Cojocaru, O. Rotari, V. Berliba, Al. Mariț, T. Popovici, Gh. Ulianovschi, S. Brânză, V. Stati, N. Ursu, A. Tănase, V. Cușnir, Nastas A., Gh. Botnaru, V. Bujor, O.

Bejan, I. Ciobanu, Vidaicu M., V. Volcinschi, V. Grosu, V. Budeci, etc. (Republic of Moldova); M. Dobrinoiu, Ghe. Mateuț, V. Dobrinoiu, M. Gorunescu, I. Pascu, I Chiș, C. Păun, N. Neagu, M. C. Sinescu, N. Ștefăroi, V. Petrescu, E. Onu, A. Dublea, S. Luca, D. Iovu, R. D. Tărniceriu, B.L. Gafta, C. Luca, R. A., M. A. Hotca, Al. Boroi (Romania);

The analysis of the way in which the specialized doctrine in the Republic of Moldova and Romania approaches the crime of human trafficking reveals, as a general trend, the fact that the authors limit themselves either to formulating general assessments regarding the compatibility of international regulations with domestic norms in the matter of criminalizing human trafficking, or to simple formal references to international legal instruments, without carrying out a concrete and in-depth analysis of the effective ways of transposing and implementing supranational provisions into the national legislations of the states.

In section 1.2. "Analysis of the regulatory framework in the field of preventing and combating human trafficking", at the time when negotiations on the accession of the Republic of Moldova to the European Union began, under the conditions of the screening in the chapter "Justice, freedom and security" where increased attention is paid to aspects of preventing and combating human trafficking in the Republic of Moldova, the scientific substantiation of the Government's criminal policy is required in order to ensure the harmonization of the legal framework with the European Union regulations in the field. The originality of this investigation lies in the premiere in the national doctrine of a multidisciplinary scientific study, profound compatibility of the criminal legislation of the Republic of Moldova with the provisions of international treaties, European directives in the field of preventing and combating human trafficking.

Following the examination of the provisions of international acts in the field of preventing and repressing human trafficking, we consider that in general it appears to be consistent, presenting appropriate reactions to the challenges arising from the trends in the evolution of the phenomenon analyzed.

At the same time, as regards the national legislation of the Republic of Moldova, it is necessary to note that the legislator has established its system of legal regulations, being fully inspired by the provisions of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. This approach, absolutely justified for the

early 2000s, is currently outdated and needs to be reviewed in light of the initiated process of accession to the European Union.

Chapter II "CRIMINAL-LEGAL CHARACTERIZATION OF HUMAN TRAFFICKING" is dedicated to the criminal-legal analysis of the crime, the constituent elements of the crime of human trafficking, the aggravating forms of the crime of human trafficking.

Thus, from **section 2.1. "Understandings of human trafficking"** we deduce that the phenomenon of human trafficking has been present in the history of human civilization since the slavery period and over time has taken on disguised forms, the essence remaining, however, unchanged and always constituting actions that seriously harm human dignity.

Section 2.2. "Elements and Constitutive Signs of Human Trafficking" contains a structured presentation of doctrinal polemics, normative regulations with reference to the legal object and material object of the crime of human trafficking, the objective side of human trafficking, the subjective side of the crime of human trafficking, the subject of the crime of human trafficking, the aggravating forms of the crime of human trafficking.

Following the analysis of the examined scientific material and the comparative normative framework, it can be concluded that, both in the Criminal Code of the Republic of Moldova and in the Criminal Code of Romania, the sanctioning of human trafficking is a constant concern of the legislator. This concern has materialized in a complex normative framework, configured in accordance with the European and international criteria and standards regarding the prevention and combating of this phenomenon.

The Criminal Code of the Republic of Moldova incriminates the act in art. 165 under the name of **human trafficking**, while the Criminal Code of Romania uses the phrase **trafficking in persons**, regulated in art. 210, the first distinction between the two legal systems being, therefore, of a terminological nature, at the level of the marginal name of the crime.

Despite the differences in wording, the definitions of human trafficking enshrined in the two legislations retain the same fundamental idea, aiming at recruiting, capturing or subjecting a person by coercive or abusive means, with the aim of compelling it to carry out certain activities or of valorizing it through exploitation.

In terms of the legal object, given the complex nature of the act of human trafficking, it is found that the special legal object of the crime presents, in turn, a complex structure, being susceptible to division into a main special

legal object, a secondary legal object and a material object. The crime of human trafficking affects the social relations that protect the freedom of the person, this not being limited exclusively to physical freedom, but also including psychological freedom, in the sense of excluding any illicit influence exercised through coercion or manipulation, intended to determine the modification of the individual's conduct.

Studying the object of the crime of human trafficking allows us to understand the system of values protected by criminal law and reveals the criminal policy regarding the defense of certain social values considered as fundamental values of the rule of law.

Personal freedom is conceived as a social value protected by criminal law inherent to the individual, who in a civilized society cannot be the object of any business.

In the case of human trafficking, it is a question of guilt in the form of direct intent. So the person, the trafficker, who committed the crime was aware of the fact that his action (inaction) was of a prejudicial nature, that he foresaw the prejudicial consequences and wanted them to occur.

The margin of appreciation that national authorities have in fulfilling positive obligations following the ratification of international treaties in the field of repression and punishment of trafficking in human beings is essentially expressed through the actions taken by the Moldovan legislator in the continuous adaptation of the regulatory framework to ensure effective measures in the fight against this dangerous scourge. The recent addition of the provisions of art. 165 of the Criminal Code of the Republic of Moldova with the aggravating circumstance - committing the crime for reasons of prejudice is eloquent evidence in this regard.

Chapter 3 “TRAFFICKING IN HUMAN BEINGS AND SIMILAR OFFENCES” contains a comparative analysis of trafficking offenses, migrant trafficking, pimping, prostitution both from the perspective of national normative prescriptions and in the light of international treaties on the prevention and combating of trafficking in human beings. Disparities between the analyzed offenses were clearly identified.

In **section 3.1. “Crimes related to trafficking in human beings. Defining approaches”** we established that the term “trafficking in human beings” is frequently confused with migrant trafficking and, also, trafficking in human beings for the purpose of sexual exploitation is confused with prostitution. It is considered necessary that for a better understanding of the phenomenon, a clear distinction be made between the three concepts.

Section 3.2. “Human trafficking and migrant smuggling (organization of illegal migration)” allows us to deduce the thesis that

despite the fact that the organization of illegal migration and human trafficking share similar causes, characteristics and patterns, they are differentiated by precise legal distinctions.

On the one hand, the crime of migrant smuggling, also known as the organization of illegal migration, is a crime that violates national laws and international legal norms related to the border. On the other hand, human trafficking is a crime against the person, because it violates fundamental human rights.

In **section 3.3. "Human trafficking and prostitution"** we concluded that the distinction between the crime of human trafficking for the purpose of sexual exploitation or prostitution and that of pimping is expressed in the different generic legal objects of the two incriminations, in other words, different social values are affected, namely, when committing human trafficking, the defense of the right to freedom of will and action of the person is compromised, and in the case of pimping, good morals in social coexistence relations and the licit provision of means of existence are affected.

Section 3.4. "Delimitation of the crime of human trafficking and pimping" and the analysis contained in this content unit allowed the conclusion to be drawn that between the crime of human trafficking on the one hand, and the crimes of pimping and prostitution, there are numerous similarities, but also many differences, which has led, especially in jurisprudence, to a series of interpretations, thus creating a non-unitary judicial practice in this matter.

The analysis of the differences between human trafficking and other related crimes allows a rigorous delimitation of the scope of each incrimination and contributes to the achievement of a correct legal classification of the facts, thus ensuring the unitary and coherent application of the criminal law.

Chapter 4 "COMPATIBILITY OF INTERNATIONAL COOPERATION PROVISIONS IN PREVENTING AND COMBATING THE PHENOMENON OF TRAFFICKING IN HUMAN BEINGS" contains an analysis of the attributions of universal and regional international structures with attributions in the field. The programs and actions carried out in the field of combating human trafficking on a supranational European scale are also analyzed.

Section 4.1. "Aspects and references of current Euro-regional and international protocols on combating trafficking crime"

Statistical data on human trafficking remain alarming. The causes that favor the development of this phenomenon are multiple, and the ways in which human trafficking manifests itself are in a constant process of diversification. In response to these developments, the international community has established a variety of response mechanisms, both institutionalized and non-institutionalized, of a universal and regional nature, permanent or temporary, with the objective of preventing and combating this particularly dangerous phenomenon.

Consistent actions are being taken at the global level aimed at eradicating human trafficking. Under the aegis of the United Nations, multiple initiatives have been promoted that have led to the development and adaptation of the international regulatory framework in the field of preventing and combating human trafficking. At the same time, an institutional framework has been developed capable of promptly responding to threats in this field, through specialized commissions, international conferences, special monitoring procedures, as well as by establishing international police cooperation structures.

In this context, it is noted that the initiatives adopted at the universal level are taken over, deepened and implemented at the European regional level by the main intergovernmental organizations, such as the Council of Europe, the European Union, the Organization for Security and Cooperation in Europe, as well as within the framework of regional cooperation processes.

For the Republic of Moldova, a relatively young state in the European political architecture, it becomes imperative to strengthen the capacity of law enforcement institutions in the field of combating human trafficking, including by expanding and diversifying participation in international and regional cooperation programs.

The content of **section 4.2. "European judicial cooperation in the field of preventing and combating trafficking in human beings"** allows the deduction of "good practices" in order to standardize the development and application of legislation in the investigated field.

We considered it appropriate to insist on the normative framework of the European Union in order to establish standards in addressing the aspects of substantive law and procedural law of the crime of trafficking in human beings. However, in an institutionalized form of interstate cooperation, based on the values of respect for human dignity, freedom, democracy, equality, the rule of law, as well as on respect for human rights, including the rights of

persons belonging to minorities, such as the European Union, it is imperative to create adequate and efficient legal instruments in order to achieve the objectives set by the constitutive acts of the organization.

In order to achieve the objectives of the European Union set out in the organization's constituent acts, Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, was also adopted.

As a binding act, the Directive creates positive obligations for the Member States of the European Union, including in the matter of national regulation of the crime of trafficking in human beings. In this context, the Directive provides that the exploitation of begging activities, including the use of a trafficked dependent person for begging, falls within the definition of trafficking in human beings only when all the elements characterising forced labour or service are met. In the light of the relevant case law in the field, the validity of any possible consent of the person to provide such labour or service should be assessed on a case-by-case basis. However, when it comes to a child, no possible consent of the person should ever be considered valid. The definition also includes trafficking in human beings for the purpose of organ removal, which constitutes a serious violation of human dignity and physical integrity of persons, as well as other activities, such as illegal adoption or forced marriage, insofar as they present the constitutive elements of trafficking in human beings.

Directive 2011/36 also concerns the harmonisation of criminal sanctions. Where the offence is committed in certain circumstances, for example against a particularly vulnerable victim, the sanction should be more severe. Particularly vulnerable persons should include at least all children. Other factors that could be taken into account when determining the degree of vulnerability of a victim include, for example, the possible existence of pregnancy, gender, state of health, possible disability. Where the offence is particularly serious, for example where the victim's life was put at risk or where the offence involved the commission of serious acts of violence, such as torture, the forced use of medicines or drugs, rape or other serious forms of psychological, physical or sexual violence, or caused particularly serious harm to the victim, this should also be reflected in the application of a more severe criminal sanction. In the execution of the sentence, the seriousness of the crime committed could be taken into account.

At the time of the start of the accession negotiations of the Republic of Moldova to the European Union, the European Commission notes that Moldova has a certain level of preparation in implementing the EU acquis on

the fight against organised crime. Some progress has been recorded, including in the fight against financial crime and asset recovery. Moldova has made repeated commitments and made progress in the fight against arms trafficking, drugs, trafficking in human beings and migrant smuggling. It adopted in December 2022 a new sectoral development strategy on preventing and combating organised crime for the period 2022-2025, to support the implementation of the integrated home affairs strategy (2022-2030), which was adopted in September 2022.

Section 4.3 - The Community acquis and the harmonisation of the criminal legislation of the Republic of Moldova in the field of combating trafficking in human beings

Although the existing national legislative framework generally provides the necessary tools for the work of the competent authorities, in the perspective of European integration, the full transposition into the domestic legal order of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims is required. Such an approach would allow achieving the objective of approximating national criminal legislation to the Community acquis from the pre-accession stage, strengthening the efficiency of the mechanisms for preventing and combating trafficking in human beings. At the same time, harmonisation with the Community acquis is not reduced to a simple normative transposition, but involves strengthening institutional capacity and ensuring effective application of criminal rules in practice. In this regard, challenges persist related to the coherence of aggravating circumstances, sanctioning the involvement of public officials and guaranteeing real protection of victims throughout the entire criminal process, aspects that need to be addressed systematically in order to transform formal harmonisation into substantial harmonisation.

Therefore, the Community acquis constitutes not only an external normative benchmark, but also an instrument for modernizing the criminal law of the Republic of Moldova, especially in the field of combating trafficking in human beings. Approximation to European standards contributes to the consolidation of the rule of law, to the streamlining of international judicial cooperation and to the creation of a criminal framework capable of adequately responding to the challenges generated by transnational organized crime, confirming the dynamic and evolving nature of the criminal norm in this area.

3. GENERAL CONCLUSIONS AND RECOMMENDATIONS

In the context of the major geopolitical, economic and social changes that the international community is currently facing, crime has taken

on new dimensions, expanding its scope and sphere of activity to alarming levels, a cause for concern for most states in the world and especially those whose economies are in transition, given the vulnerability of legislative systems and the fragility of democratic institutions.

Within the framework of this doctoral thesis, as a result of the research carried out, the following scientific results were substantiated, congruent with the goals and tasks outlined in the introduction of the work:

- 1) clarifying and characterizing the objective and subjective sub-elements of human trafficking;
- 2) harmonizing national criminal provisions regarding human trafficking with universal international standards;
- 3) identifying the defining features between human trafficking and related/homogeneous crimes;
- 4) formulating proposals for lege ferenda likely to contribute to the improvement of the criminalization of human trafficking

Among the most important **general conclusions** resulting from this study, we mention the following:

1. Both in the specialized literature from Romania and in the Republic of Moldova, the issue of human trafficking and human trafficking has been given special attention, and the scientific materials published on the topic of this study are multiple and eloquent. The research of scientific materials on human trafficking and human trafficking places special emphasis on the regulation of the crimes mentioned in the criminal legislation of the Republic of Moldova and Romania within the meaning of art. 165 of the Criminal Code of the Republic of Moldova and art. 210 of the Criminal Code of Romania. (Section 1.1).

2. The punitive criminal policy of the Republic of Moldova in the field of criminal prevention of human trafficking is rationalized on a clear differentiation of criminal liability and, implicitly, of the legal individualization of the criminal penalties applicable for the crime of trafficking in adults (human trafficking – art. 165 of the Criminal Code of the Republic of Moldova) and that of trafficking in children (art. 206 of the Criminal Code of the Republic of Moldova). (Section 1.2).

3. The crime of trafficking in human beings is a transnational crime whose criminalization in the criminal legislation of European states, including the Republic of Moldova, is based on a common preventive criminal policy based on Euro-regional and international protocols that define unique criminal standards.

4. The legal-criminal analysis of the constituent elements of the crimes of trafficking in human beings in the criminal legislation of the Republic of Moldova and of human trafficking in Romanian legislation

demonstrates a close approach to criminal legislation, following the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Both the special criminal legislation of Romania through Law No. 678/2001, and the criminal codes of the two states incriminate and sanction crimes of trafficking in human beings and human trafficking respectively. (Sections 1.2. and 2.1).

5. Proceeding from the intrinsic correlation existing between the generic and special legal object of the crime, it has been demonstrated that the main special legal object of the crime of trafficking in human beings is formed by a bundle of social relations relating to the physical freedom of the person, understood as freedom of will and action, an attribute inherent to the human being, protected by criminal law and incompatible, by its nature, with any form of coercion, subordination or exploitation of the person (Sections 2.2.1 and 2.3).

6. The secondary special legal object is the totality of related social relations regarding psychological freedom, physical and psychological integrity, health, inviolability and sexual freedom, dignity and life of the person, as well as other adjacent social values, the damage to which is not inevitable, but becomes possible or even necessary depending on the concrete manner of carrying out the criminal activity and the forms of coercion or violence used on the victim (Sections 2.2.1 and 2.2.5).

7. The objective side of the crime of trafficking in human beings is characterized by a complex legal and criminal structure, expressed by the performance of one of the main actions – recruitment, transportation, transfer, shelter or reception of the victim – accompanied by at least one of the adjacent modalities expressly provided for in art. 165 of the Criminal Code of the Republic of Moldova, this combination of elements giving the crime a complex character, determined by the plurality of material acts, means of coercion and successive stages of the criminal activity (section 2.2).

8. The objective side of the crime of trafficking in human beings is characterized by a complex legal and criminal structure, expressed by the performance of one of the main actions – recruitment, transportation, transfer, shelter or reception of the victim – accompanied by at least one of the adjacent modalities expressly provided for in art. 165 of the Criminal Code of the Republic of Moldova, this combination of elements gives the crime a complex character, determined by the plurality of material acts, means of coercion and successive stages of the criminal activity (section 2.2.2).

9. The adjacent actions, carried out by applying violence or threatening to apply it, by kidnapping, by stealing, concealing, degrading or destroying documents, by keeping in servitude, by threatening to disclose

confidential information to the victim's family or other natural or legal persons, by deception, as well as by abuse of a position of vulnerability or abuse of power, including by corrupting the person who has control over the victim, *reveal the concrete mechanism of coercion and subordination of the victim, which must be established when legally classifying human trafficking, highlighting the progressive and multi-phase nature of the criminal activity* (section 3.1).

10. The complexity of the objective side determines the complex character of the criminal unit of human trafficking, which, although it has a formal nature and is considered consummated from the moment of the commission of the main action, involves a multi-phase and interdependent criminal mechanism, in which each material act contributes to achieving the purpose of subordinating and exploiting the person (sections 2.2 and 2.2.2).

11. The subjective side of the crime of human trafficking is characterized by guilt in the form of direct and special intent, reflecting the conscious mental attitude of the perpetrator towards the committed act and the intended result, in the sense that he foresees and pursues the performance of the material acts in order to exploit the victim, the mens rea condition being satisfied by the existence of a will oriented towards subordinating and exploiting the person for an illicit purpose (section 2.3).

12. The special nature of the intention results from the mandatory purpose of the crime – the exploitation of the person – which does not require the actual realization of the exploitation, it being sufficient to demonstrate the will to subject the victim to forms such as forced labor or services, slavery or similar practices, sexual exploitation, removal of organs or tissues, use in criminal activities, begging, armed conflicts or other forms of abusive exploitation, which gives the subjective side a complex content, dominated by the intended purpose and the deliberate orientation of the criminal conduct (section 3.2).

13. Human trafficking is distinguished from migrant smuggling in that it is a crime against the person, characterized by the acquisition of control over the victim through coercion or abuse and by the specific intent of exploitation, while the organization of illegal migration constitutes a crime against the state and the border regime, having as its exclusive purpose the facilitation of illegal entry or stay in return for material gain, with consent, as a rule, unaltered and without the suppression of the person's freedom, which makes the purposes of the two crimes incompatible (sections 3.1, 3.2, 3.3.3.4).

14. The decisive criterion for distinguishing between human trafficking and pimping is the quality of consent and the purpose of the act: trafficking involves the impairment or suppression of will through coercion or abuse for the purpose of exploitation, while pimping involves the

determination or profiting from prostitution in the presence of a real alternative for the person, so that the transition from influence to coercion and exploitative control leads to the qualification of the act as trafficking, not pimping (section 3.4).

15. The study carried out on the compatibility of national regulations on human trafficking with international standards in the field demonstrates the full transposition of the provisions of the Protocol of 15 November 2000 to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Crime. However, the deficiencies accompanying the process of implementing the provisions of the international treaty are reported. (Section 4.2).

16. The Community *acquis* is an essential landmark in the process of harmonizing the criminal legislation of the Republic of Moldova in the field of combating trafficking in human beings, promoting a model of functional convergence oriented towards the protection of fundamental rights and the fight against serious transnational crime. Although the European Union does not impose a complete standardization of national criminal law, its minimum standards have substantially influenced the configuration of the internal regulatory framework, especially in terms of the definition of the crime, the applicable sanctions and the protection of victims.

Harmonization with the Community *acquis* implies not only the formal alignment of criminal norms, but also ensuring their effective application in practice, as an expression of the positive obligations of the state. In this sense, the approximation of the Republic of Moldova to European standards contributes to the consolidation of the rule of law, the efficiency of criminal policies and the progressive integration into the Area of Freedom, Security and Justice. (section 4.3).

In connection with the investigations undertaken in this work, we come up with the following *recommendations* that can be taken into consideration when improving legislation, especially criminal legislation:

a) for the legislation of the Republic of Moldova:

1. Given the increased risks of human trafficking in the context of armed conflicts and humanitarian crises generated by them, it is recommended to supplement art. 165 paragraph (3) of the Criminal Code of the Republic of Moldova by introducing a distinct aggravating circumstance that would target the commission of the crime by exploiting war situations or their direct consequences. Such legislative intervention would allow for the reflection of a proactive criminal policy, adapted to current geopolitical realities, and would ensure increased criminal protection for categories of persons in a state of extreme vulnerability.

De lege ferenda, it is proposed to establish an aggravating circumstance that would differentially sanction human trafficking committed by taking advantage of armed conflict situations, including in relation to persons affected by the armed conflict in Ukraine or other areas of armed conflict. Such regulation would contribute to strengthening the preventive and repressive function of the criminal norm, would allow for a more fair individualization of the punishment in relation to the concrete social danger of the act and would favor the alignment of the national regulatory framework with international and European standards on combating human trafficking in crisis situations.

2. It is appropriate to amend as soon as possible Law No. 105 of May 16, 2008 on the protection of witnesses and other participants in the criminal process of the Republic of Moldova, as well as to develop and implement a viable mechanism for its application, since the institutions that officially deal with the protection of witnesses are either unreformed or work sluggishly when it comes to the application of the current legal provisions, blocking everything, but the most serious problem of the law enforcement agencies in the Republic of Moldova is the leakage of information. Thus: "*Disclosure of information about the protected person, about the real identity or other data about him, as well as manipulation or intimidation of him shall constitute a crime*", even if some of these aspects are found in the current legislation in art. 316 of the Criminal Code of the Republic of Moldova. It is necessary to constantly pursue the harmonization of national legislation with international legislation in this matter.

3. It is necessary to make amendments to the provisions of some articles of the Criminal Code, which regulate crimes related to those related to trafficking in human beings (art. 220 "Procurement", art. 302 "Organization of illegal begging"), in order to limit the possibility of law enforcement officers to interpret and erroneously qualify criminal acts of trafficking in persons as acts of procuring or organization of illegal begging.

4. In order to achieve the objective of harmonizing national legislation with the *acquis* of the European Union as a condition of the accession of the Republic of Moldova to the European Union, it is recommended to fully transpose into the national legal order Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, as well as to replace Council Framework Decision 2002/629/JHA.

b) for Romanian legislation:

1. Supplementing art. 210 of the Romanian Criminal Code of 2009 with paragraph (3) with the following content: "The victim of trafficking is absolved of criminal liability for crimes involving the use of false documents

or for crimes provided for by the legislation on prostitution or immigration, committed by her in connection with this procedural capacity. This provision does not refer to crimes that the victim of trafficking committed or in whose commission she voluntarily participated". We recommend a similar supplement for par. (4) art. 211 of the Romanian Criminal Code of 2009 and for par. (2) art. 16 of Romanian Law no. 678/2001.

2. Amending the provision of par. (2) art. 210 and par. (3) art. 211 of the Romanian Criminal Code Romanian Criminal Code of 2009, so that the phrase "the consent of the person who is a victim of trafficking does not constitute a justifiable cause" is substituted by the phrase "the consent or knowledge of the victim or of the person who has control over the victim for the victim to be trafficked or exploited does not constitute a justifiable cause". We recommend a similar amendment for art. 16 of Romanian Law no. 678/2001, an amendment that should find its place in a separate paragraph - paragraph (1).

3. Amendment of the provision in letter e) of art. 182 of the Romanian Criminal Code of 2009, so that instead of the phrase "illegal organ removal" the phrase "removal of organs, tissues or cells" is included. We recommend a similar amendment for letter d) paragraph 2 art. 2 of Romanian Law no. 678/2001.

4. It is necessary to establish by law that the victim is the one who has the final right to decide whether or not to testify as a witness in another criminal trial; in making this decision, the victim must be assisted by an independent and qualified person (representatives of NGOs, social workers/assistant, etc.), without pressure and with an initial risk assessment.

I support the need for the final decision regarding whether or not to testify as a witness in another criminal trial to belong entirely to the victim, because as is evident from some cases, there have been unpleasant cases in which the obligation to testify as a witness led to the suicide of the person who had to be heard as a witness, being subjected to excessive psychological stress.

Just as in other European countries, the emphasis is first on the protection and rehabilitation of the victim, their wishes should be respected and the legislation in this regard should be harmonized.

5. Given the process of approximation of the Republic of Moldova to the Community acquis and the importance of consolidating the Area of Freedom, Security and Justice, it is necessary to further harmonize national criminal legislation in the field of combating trafficking in human beings, not only at the normative level, but also at the level of the effective application of the criminal norm. In this regard, it is recommended to strengthen art. 165 of the Criminal Code of the Republic of Moldova through a systematic review

of aggravating circumstances and victim protection mechanisms, in order to ensure increased coherence with European and international standards.

In the context of harmonizing the criminal legislation of the Republic of Moldova with the Community *acquis* in the field of combating trafficking in human beings, it is recommended to improve the normative framework of incrimination, with an emphasis on consolidating the content of art. 165 of the Criminal Code of the Republic of Moldova. In this regard, a systematic review of the constituent elements of the crime, in particular the aggravating circumstances and the forms of exploitation provided for by law, is required, in order to ensure greater coherence with European and international standards. It is also appropriate to clarify in law the concepts used in the criminal law, such as "vulnerability", "exploitation" or "dependence", so that the application of the criminal law is predictable and uniform. Such an approach would contribute to strengthening the effective and dissuasive nature of the criminalization of trafficking in human beings, to clearly differentiate it from related crimes and to strengthen the criminal protection of the fundamental values of the person, in accordance with the requirements of the *acquis communautaire*.

The fundamental *scientific problem* solved in this research consists of the theoretical substantiation and scientific argumentation of the need for continuous harmonization and effective monitoring of the process of implementation of international and European standards in the field of preventing and combating human trafficking through criminal law. The scientific approach focused on the analysis of how these standards are transposed and applied in national criminal legislation, with an emphasis on identifying and clarifying the constitutive signs of the crime of human trafficking, as an essential element for its correct delimitation from related crimes.

The research carried out highlighted the fact that the harmonization of criminal legislation cannot be reduced to a simple formal takeover of European norms, but involves a complex process of conceptual and normative adaptation, aimed at increasing the quality of criminalization and ensuring a uniform application of the criminal norm. In this regard, the necessary premises were argued for improving the formulation of the constitutive signs of the crime of trafficking in human beings, so that they correspond to the requirements of clarity, predictability and efficiency imposed by the European Union standards and the relevant jurisprudence in the field.

At the same time, the research demonstrated that a rigorous definition of the constitutive elements of the crime of trafficking in human beings contributes directly to the consolidation of the set of anti-trafficking mechanisms, by facilitating the correct identification of the facts, the accountability of the perpetrators and the effective protection of the victims. Raising the quality standards of the criminalization norm has a direct impact on increasing the prestige and efficiency of the criminal justice act, reducing the risk of non-unitary judicial practices and increasing the capacity of the criminal system to respond adequately to the phenomenon of human trafficking.

In conclusion, the research results reveal that the harmonization of national criminal legislation with European Union standards on human trafficking represents not only an obligation assumed by the Republic of Moldova within its European path, but also an essential condition for consolidating the rule of law and for ensuring a coherent, efficient criminal justice act oriented towards the real protection of the fundamental values of the person.

The prospective scientific research plan includes the following aspects:

1. **Specificity of measures to prevent human trafficking crimes**, with an emphasis on the role of the criminal norm in reducing social and economic vulnerabilities, as well as on the general and special preventive function of criminal sanctions.
2. **Special techniques for investigating human trafficking crimes**, analyzed from the perspective of the limits and guarantees imposed by fundamental rights, in the context of combating transnational organized crime.
3. **Particularities of criminal evidence regarding human trafficking**, including the specific difficulties in proving the subjective side, the exploitation relationship and the state of vulnerability of victims.
4. **Criminal liability of participants in the crime of human trafficking**, with an emphasis on the forms of criminal participation, the role of organized criminal structures and the delimitation from related crimes.
5. **Aggravating and mitigating circumstances of the crime of human trafficking**, including the analysis of the opportunity to

expand them in relation to new social and geopolitical realities, such as situations of armed conflict and humanitarian crisis.

6. **Criminal protection of victims of human trafficking**, from the perspective of the positive obligations of the state and the role of the criminalization norm in ensuring real and effective protection.
7. **Harmonization of national criminal legislation with international and European standards in the field of combating human trafficking**, highlighting the limits and prospects for the development of the domestic regulatory framework.
8. **The impact of transnational organized crime on the evolution of the crime of human trafficking**, as well as the adaptation of criminal policies to new forms of manifestation of the criminal phenomenon.

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2.1.1. Catan A., Antoci A., Lîsîi C., Popescu P., Corsei A. The Role of the European Court of Human Rights in the formation of the Procedures of Criminal Prosecution in Moldova. În: Pakistan Journal of Criminology, Vol. 16, No. 03, July—September 2024, p. 805-820. (0,97 c.a.), <https://doi.org/10.62271/pjc.16.3.805.820;2>.

2.1.2. CORSEI Andreea, Legal Education – A Need of Young People in Contemporary Society, articol publicat în Revista Românească pentru Educație Multidimensională ISSN: 2066-7329 | e-ISSN: 2067-9270, Abstracting & Indexing | Clarivate Analytics - Web of Science (WoS); EBSCO; Google Scholar; ICI Journals Master List - Index Copernicus; Ideas RePeC; Econpapers; Socionet; CEEOL; Philpapers; KVK; WorldCat; CrossRef; J-GATE 2025, Volume 17, Issue 2, pages: 874-889| <https://doi.org/10.18662/rrem/17.2/1009> Submitted: May 15, 2025| <https://lumenpublishing.com/journals/index.php/rrem/article/view/7390/5215>

2.2. In journals from other databases accepted by ANACEC (with indication of the database)

2.2.1. CORSEI, Andreea, *The Problem of Human Trafficking Continues in the 21st Century*. În: Acta Universitatis Danubius Juridica, Vol. 18. No. 1/2022. pp. 160-172, ISSN: 2065-3891 <https://dj.univ-danubius.ro/index.php/AUDJ/article/view/1848/2157>;

2.2.2. CORSEI, Andreea, Romania and Human Rights according to European Regulations. În Acta Universitatis Danubius Juridica. Vol. 18, No. 2/2022, ISSN: 2065-3891 <https://dj.univ-danubius.ro/index.php/AUDJ/article/view/1860>;

2.2.3. CORSEI, Andreea. International Legal Framework Regarding Human Trafficking. În: Acta Universitatis Danubius Juridica, Vol. 18, No. 3/2022. ISSN: 2065-3891, [AUDJ/article/view/2122](https://dj.univ-danubius.ro/index.php/AUDJ/article/view/2122);

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2.2.6. CORSEI, Andreea, „*Juvenile Delinquency*” — articol la International Scientific Conference- Exploration, Education and Progress in the Third Millennium, The moral, Religious and Legal Values — The Necessary Liaison of the Rule of Law, ediția a 15-a, 12-13 Mai 2023, Galați, pp. 9-16. ISSN 2668-4810;

2.2.7. CORSEI, Andreea. ȘTEFĂNOAIA, Manana-Alina. „*The Plea Agreement - in the Light of the Code of Criminal Procedure*” - articol publicat în Anuarul Universității „Petre Andrei” din Iași. Fascicula Drept, Științe Economice, Științe Politice, 24.05.2023. pp. 107-117, ISSN-L 2601-7008;

2.2.8. CORSEI Andreea, *Mandatul european de arestare – analiză generală*, articol publicat în Revista Universul Juridic Revistă lunară de doctrină și jurisprudență | ISSN 2393-3445, februarie 2025

Link - <https://revista.universuljuridic.ro/mandatul-european-de-arestare-analiza-generalala/>

Details - The journal is indexed in international databases: HeinOnline, EBSCO

2.2.9. CORSEI Andreea, *Artificial intelligence and criminal law: challenges, opportunities and perspectives*, articol publicat în Journal LEGAL AND ADMINISTRATIVE STUDIES Year XXIV, No. 1 (32) – 2025 e-ISSN: 2344-6900 ISSN-L: 1583-0772, pp. 83-92.

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Details - Currently the proceeding is electronically published by C.H.Beck Publishing House Bucharest and indexed in SSRN, CEEOL și WORLDCAT

2.2.10. CORSEI Andreea, *Respect for fundamental rights during the criminal prosecution phase: european standards and romanian PRACTICE*, articol publicat în Revista Valahia University LAW STUDY, volume XLV (45), ISSUE 1, 2025, pp. 133-142.

Link - <https://www.analefsj.ro/ro/> Details - The journal is registered with CNCISIS under category B, code 661 and listed in international databases: EBSCO Publishing, CEEOL, Index Copernicus, WorldCat, having its own web page indexed in the international search engine Google: www.analefsj.ro

2.2.11. CORSEI Andreea, *Volunteering as a form of social responsibility and civic involvement: legal and ethical dimensions*, articol publicat în Revista Valahia University LAW STUDY, volume XLV (45), ISSUE 1, 2025, pp. 90-99.

Link - <https://www.analefsj.ro/ro/>

Details - The journal is registered with CNCISIS under category B, code 661 and listed in international databases: EBSCO Publishing, CEEOL, Index Copernicus, WorldCat, having its own web page indexed in the search engine with international coverage Google: www.analefsj.ro

2.2.12. CORSEI Andreea, *Algoritmii de Scoring Penal: Etică, Legalitate și Impact asupra Libertății Individuale*, articol publicat în Revista Universul Juridic, Revistă lunară de doctrină și jurisprudență | ISSN 2393-3445,iulie,2025. - <https://revista.universuljuridic.ro/algoritmii-de-scoring-penal-etica-legalitate-si-impact-asupra-libertatii-individuale/>

Details – The journal is indexed in international databases: HeinOnline, EBSCO

2.2.13. CORSEI Andreea, *Evoluția istorică a mandatului de arestare internațional între tradiție juridică și necesitate modernă*, articol publicat în Revista Universul JuridicRevistă lunară de doctrină și jurisprudență | ISSN 2393-3445, august 2025.

Link-<https://revista.universuljuridic.ro/evolutia-istorica-a-mandatului-de-arestare-international-intre-traditie-juridica-si-necesitate-moderna/> Details - The journal is indexed in international databases: HeinOnline, EBSCO

2.2.14. CORSEI Andreea, *Fenomenul bullying-ului în școli: cauze și efecte sociale*, Revista Universul JuridicRevistă lunară de doctrină și jurisprudență | ISSN 2393-3445, iunie,2025.<https://revista.universuljuridic.ro/fenomenul-bullying-ului-in-scoli-cauze-si-efecte-sociale/>

Details - The journal is indexed in international databases: HeinOnline, EBSCO

2.2.15. CORSEI Andreea, *Mandatul european de arestare – analiză generală*, Revista Universul JuridicRevistă lunară de doctrină și

jurisprudență | ISSN 2393-3445, februarie, 2025,
<https://revista.universuljuridic.ro/mandatul-european-de-arestare-analiza-generala/> Details – The magazine is indexed in international databases: HeinOnline, EBSCO

CORSEI Andreea, *Implants and technological augmentations: new challenges for fundamental human rights*, articol publicat în Public Administration & Regional Studies, Vol. 18, No.1/2025, pp. 142-152
<https://www.gup.ugal.ro/ugaljournals/index.php/pars/article/view/8694/786>
8 Details – The journal is indexed in international databases: CEEOL, EBSCO and RePEc.

2.2.16. CORSEI Andreea, *Evaziunea fiscală frauduloasă*, Revista Universul Juridic, Revistă lunară de doctrină și jurisprudență | ISSN 2393-3445, aprilie 2025. <https://revista.universuljuridic.ro/evaziunea-fiscalafrauduloasa/>

Details – The journal is indexed in international databases: HeinOnline, EBSCO

2.2.17. CORSEI Andreea, *Cauzele care determină apariția și proliferarea traficului de ființe umane*, articol publicat în Culegerea de lucrări a Conferinței științifice Internaționale Promovarea valorilor social-economice în contextul integrării europene, Ediția a 7-a, organizată de Universitatea de Studii Europene din Moldova, 6-7 decembrie 2024, Chișinău, Republica Moldova, ISBN ISBN 978-9975-3611-4-9 (PDF), 2025, pp. 251-

265. [https://conferinte.stiu.md/sites/default/files/evenimente/Culegere de lucrari a conferintei 6-7 decembrie 2024 USEM.pdf](https://conferinte.stiu.md/sites/default/files/evenimente/Culegere%20de%20lucrari%20a%20conferintei%206-7%20decembrie%202024%20USEM.pdf) Details – The journal is indexed in the international databases CEEOL, ROAD, Crossref, e-Library.ru

2.2.18. Ștefănoaia, Mariana-Alina, CORSEI Andreea - European Monetary Policy – articol publicat în Anuarul Universității "Petre Andrei" din Iași - Fascicula: Drept, Științe Economice, Științe Politice, Vol. 32 (2024), pp. 190-195,

Link - <https://anuarupa.ro/index.php/upa-sw/article/view/19/19>

Yearbook Details - Covered in EconPapers, RePEc, CEEOL, INDEX COPERNICUS, CrossRef, CrossCheck, Google Scholar, WorldCat, KVK, SOCIONET, EBSCO, Issue 32/2024, publicat la data de 11.05.2025, pages: 190-195 | doi: <https://doi.org/10.63331/upalaw/32/16>

2.2.19. CORSEI, Andreea, ȘTEFĂNOAIA, Mariana-Alina, *Respectarea dreptului la un proces echitabil în lumina jurisprudenței Curții de Justiție a Uniunii Europene*, articol publicat în Anuarul Universității „Petre Andrei” din Iași Fascicula: Drept, Științe Economice, Științe Politice, vol. 30/24.05.2023, ISSN: 2248-1079 | ISSN-L: 2601-7008

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Yearbook Details - Covered in EconPapers, RePEc, CEEOL, ErihPlus, INDEX COPERNICUS, CrossRef, CrossCheck, Google Scholar, WorldCat, KVK, SOCIONET 2022, Issue 30, pages: 97-106 | doi: <https://doi.org/10.18662/upalaw/92>

2.2.20. CORSEI, Andreea, ȘTEFĂNOAIA MARIANA-ALINA - *Profesia de consilier juridic - consiliere și orientare în carieră* - articol publicat în volumul *Simpozionului Național cu Participare Internațională Kreatikon: Creativitate-Formare-Performanță „Creativitate Și Inovare - premise ale excelenței în educație”*, Ediția a XVIII-a, 30 martie - 1 aprilie 2023, Iași, pp. 138-148, ISSN 2068 - 1372

<http://www.upa.ro/wp-content/uploads/2023/08/Volum-lucrari-in-extenso-Kreatikon-31.03.-1.04.2023-2.pdf>

2.2.21. CORSEI Andreea, Criminological Analysis of Terrorism, articol publicat în Journal of Research in Law and Public Affairs Volume 1, Issue 2, 2025, pp. 1-13.

Link - <https://epejournals.com/index.php/jrlpa/article/view/39/34>

2.2.22. CORSEI Andreea, *Legal Aspects Of Assisted Euthanasia*, articol publicat in The Annals of „Dunarea de Jos” University of Galati, vol. 8, no. 1, pp. 423-429.

<https://www.gup.ugal.ro/ugaljournals/index.php/als/article/view/9007/7932>

Journal details - it is indexed in international databases (BDI), such as: CEEOL, EBSCO & HeinOnline

2.2.23. CORSEI Andreea, *Interdependence Between Law, Morals and Sociology*, articol publicat în Journal of Research in Law and Public Affairs Volume 1, Issue 2, 2025, pp. 14-23.

Link - <https://epejournals.com/index.php/jrlpa/article/view/40/35>

2.2.24. CORSEI Andreea, Extradition - one of the oldest forms of international cooperation, articol publicat în Journal LEGAL AND ADMINISTRATIVE STUDIES Year XXIII, No. 2 (31) – 2024 e-ISSN: 2344-6900 ISSN-L: 1583-0772, pp. 204-238

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- Currently the proceeding is electronically published by C.H.Beck Publishing House Bucharest and indexed in SSRN, CEEOL și WORLDCAT.

2.2.25. CORSEI Andreea, *The Implementation of European Directives in Criminal Procedure: Legal Framework, Challenges and Perspectives*, articol publicat în volumul International Conference on European Integration - Realities and Perspectives, ediția 20, 2025, pp. 35-40, ISSN: 2067 –9211

<https://dp.univ-danubius.ro/index.php/EIRP/article/view/692/433>

EIRP Proceedings este indexat în bazele de date internaționale (BDI), precum: EBSCO Publishing; Doaj Directory of Open Access

Journals; Vlex; Genamica; CEEOL: Biblioteca online din Europa Centrală și de Est;

2.2.26. CORSEI Andreea, *The impact of the echr jurisprudence on the romanian criminal process*, articol publicat în Journal LEGAL AND ADMINISTRATIVE STUDIES, Supplement 2025, e-ISSN: 2344-6900 ISSN-L: 1583-0772pp. 628-639.

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2.2.26. CORSEI Andreea, *The Principle of Legality in Criminal Proceedings*, articol publicat in Revista Juridica Acta Universitatis Danubius, vol. 21, No. 1/2025, pp. 21-26, ISSN: 1844-8062 Link - <https://dj.univ-danubius.ro/index.php/AUDJ/article/view/3242/3027>

Journal details - it is indexed in international databases (BDI), such as: DOAJ, ProQuest, EBSCO.

2.2.27. CORSEI Andreea, *Artificial Intelligence and the Right to a Fair Trial in the Context of Evidence Administration*, articol publicat în Anuarul Universității “Petre Andrei” din Iași, Fascicula: Drept, Științe Economice, Științe Politice, ISSN: 2248-1079| e-ISSN: 2601-7008, Issue 34, 2025, pp. 88-97 Link - <https://anuarupa.ro/index.php/upa-sw/article/view/52/58> Yearbook details - Covered in EconPapers, RePEc, CEEOL, INDEX COPERNICUS, CrossRef, CrossCheck, Google Scholar, WorldCat, KVK, SOCIONET, EBSCO

2.2.28. CORSEI Andreea, *Legal Education – A Need of Young People in Contemporary Society*, articol publicat în Revista Românească pentru Educație Multidimensională ISSN: 2066-7329 | e-ISSN: 2067-9270, Abstracting & Indexing | Clarivate Analytics - Web of Science (WoS); EBSCO; Google Scholar; ICI Journals Master List - Index Copernicus; Ideas RePeC; Econpapers; Socionet; CEEOL; Philpapers; KVK; WorldCat; CrossRef; J-GATE 2025, Volume 17, Issue 2, pages: 874-889| <https://doi.org/10.18662/rrem/17.2/1009> Submitted: May 15, 2025| Accepted for publication: May 26, 2025.

<https://lumenpublishing.com/journals/index.php/rrem/article/view/7390/5215>

2.2.28. CORSEI Andreea, *The importance of educational values in today's society*, Jurnal for Freedom of Conscience – ISSN 2495-1757 (Print) ISSN 2966-7011, DOI: <https://doi.org/10.5281/zenodo.17692605> , <https://jurnal.constiintasilibertate.ro/index.php?journal=freedom>

2.3. In journals from the National Register of specialized journals (with indication of category)

2.3.1. CORSEI, Andreea. BĂLOI, Florentina-Cristina. *Analiza practicii naționale și a CEDO pe cauzele privind violența în familie și măsuri, strategii naționale și internaționale de prevenire a victimizării minorilor.* In: Vector European. 2022, nr. 1, pp. 11-18. ISSN 2345-1106. 10.52507/2345-1106 2022-1.02;

3. Articles in the proceedings of conferences and other scientific events

3.1. In the works of scientific events included in other databases accepted by ANACEC

3.1.1. CORSEI, Andreea. „*International Judicial Cooperation in Criminal Matters — General Aspects*”- International Conference European Integration Realities and Perspectives, 18 th edition, 19-20 may 2023, Galați, pp. 32-38. ISSN 2069-9344;

3.1.2. CORSEI, Andreea. *Colaborarea făptuitorului cu organele de urmărire penală în descoperirea întregii rețele criminale în Republica Moldova.* In volumul Conferinței internaționale a doctoranzilor în drept, Ediția a 13- a. TIMOȘOARA, 2021. Dreptul crizei. Crizele dreptului/the law of crisis Crises in law, Editura: UNIVERSUL JURIDIC, ISSN:2066-6403,

3.1.3. Airapetean, Artur, CORSEI, Andreea, *The methodology of the investigation and the particularities of the criminal investigation actions regarding the investigation of the trafficking of human beings.* Literary discourse today. dialogue and multiculturalism Section: Social Sciences: "Arhipelag XXI" Press, Tîrgu Mureș, 2022.; „DIMITRIE CANTEMIR” University : 10-11 December 2022, Tîrgu Mureș, pag. 90-99. ISBN: 978-606-8624-02-0.

3.2. In the works of scientific events included in the Register of materials published on the basis of scientific events organized in the Republic of Moldova

3.2.1. CORSEI, Andreea. BULANCEA, Vădim. *Măsurile de profilaxie și de prevenție a delincvenței juvenile la nivel național.* In: Promotion of Social and Economic Values in the Context of European Integration 4th International Conference. Vol.2, 3-4 decembrie 2021, Chișinău. Republica Moldova: 2021, pp. 82-88 ISBN 978-9975-3527-2-7;

3.2.2. CORSEI, Andreea. *Particularitățile audierii martorilor privind cercetarea traficului de ființe umane.* "Economic and legal aspects of

digitalization in the context of globalization", international scientific symposium the 2nd edition, March 4-5, 2022, Chisinau. Vol. 1.-2022, pag. 186-192. ISBN 978-9975-3527-4-1.

6. ANNOTATION

CORSEI Andreea „*Traficul de ființe umane – transpunerea și implementarea standardelor internaționale și europene în normativul penal național*”. Teză de doctor în drept. Școala doctorală Științe Juridice și Relații Internaționale, Universitatea de Studii Europene din Moldova. Chișinău, 2026.

Structura tezei: introducere, analiza materialelor științifice referitoare la traficul de ființe umane, 4 capitole, concluzii generale și recomandări, bibliografia compusă din 234 titluri, 168 pagini text de bază, 7 anexe. Rezultatele obținute sunt publicate în 85 de lucrări științifice și o carte de specialitate.

Cuvinte-cheie: traficul de ființe umane, fenomenul migrației ilegale, instituții regionale internaționale, tratate internaționale, legislație europeană.

Specialitatea științifică: 554.01 - Drept penal și execuțional penal.

Scopul tezei constă în evaluarea bazei juridice penale în materia traficului de ființe umane, crearea fundamentului științific, corespunzător exigențelor actuale ale normelor ce stabilesc răspunderea pentru infracțiunea de trafic de ființe umane, precum și spre eficientizarea practicii de aplicare a dreptului penal în sfera de combatere a traficului de ființe umane. Pe tot parcursul lucrării se urmărește modul în care standardele universale și cele regionale în materia combaterii traficului de ființe umane sunt transpuse și realizate în ordinea juridică a Republicii Moldova.

Obiectivele lucrării: examinarea stadiului actual de conceptualizare a infracțiunii traficului a ființelor umane prin analiza situației de cunoaștere în domeniul de referință în Republica Moldova și în România; analiza comparativă și evolutivă a incriminării traficului de ființe umane; analiza juridico-penală a traficului de ființe umane și evaluarea compatibilității prin elucidarea elementelor și subelementelor constitutive ale infracțiunii traficului ființelor umane; delimitarea componenței infracțiunii de trafic de ființe umane de componențele de infracțiuni adiacente/conexe; evaluarea compatibilității cadrului normativ intern în materia incriminării și combaterii traficului de ființe umane cu standardele universale și regionale în domeniu; determinarea și soluționarea teoretică a problemelor ce vizează combaterea traficului de ființe umane prin mijloacele dreptului penal, ținând cont de specificul perioadei actuale și de situația criminogenă din Republica Moldova; elaborarea, în baza rezultatelor științifice, a recomandărilor privind armonizarea reglementărilor ce țin de calificarea traficului de ființe umane cu standardele Uniunii Europene.

Noutatea și originalitatea științifică a tezei de doctor rezidă în modul de abordare a instituției juridice analizate. Lucrarea conține o cercetare multidimensională a traficului de ființe umane, noutatea științifică a căreia constă în fundamentarea unor rezultate științifice destinate armonizării și reliefarea soluțiilor în vederea asigurării compatibilității legislației penale a Republicii Moldova cu standardele internaționale universale și regionale, în special cele ale Uniunii Europene în domeniul prevenirii penale a traficului de ființe umane.

Semnificația teoretică și valoarea aplicativă a lucrării. Teza întruchipează o nouă abordare teoretică a traficului de ființe umane, bazată pe opinii și teze argumentate științific de către autor, care împreună cu alte lucrări științifice sunt susceptibile de a consolida doctrina penală națională existentă în materie. Relevanța teoretică mai rezidă în elaborarea unor soluții teoretico-practice ce pot fi aplicate în procesul prevenirii și combaterii infracțiunilor de trafic de ființe umane. Lucrarea conține soluții teoretico-practice de calificare juridică a infracțiunii de trafic de ființe umane. Totodată, teza scoate în evidență unele probleme curente și de perspectivă care pot apărea în practica de aplicare a legii penale, dar și a căilor de soluționare adecvată ale acestora.

Valoarea aplicativă. Concluziile și recomandările prezentate și sintetizate în lucrare ar putea constitui, sub unele aspecte, temeiuri de inițiere a revizuirii a legislației penale în domeniu în lumina angajamentelor asumate prin ratificarea tratatelor internaționale în domeniul combaterii traficului de ființe umane. Tot astfel, se consideră că studiul sau rezultatele investigației științifice ar putea fi utile și pentru modernizarea curriculumului la disciplina dreptului penal, în elaborarea cursurilor, manualelor universitare sau ale altor studii, articole științifice sau monografii la subiectul traficului de ființe umane.

ANNOTATION

CORSEI Andreea "*Human Trafficking – Transposition and Implementation of International and European Standards in the National Criminal Law Framework*". PhD thesis in Law. Doctoral School of Legal Sciences and International Relations, European Studies University of Moldova. Chişinău, 2026.

The structure of the thesis: introduction, analysis of scientific materials related to human trafficking, 4 chapters, general conclusions and recommendations, bibliography comprising 234 titles, 168 pages of main text, 7 annexes. The results obtained are published in 85 scientific papers and a specialized book.

Keywords: human trafficking, illegal migration phenomenon, international regional institutions, international treaties, European legislation.

Scientific specialty: 554.01 - Criminal Law and Penal Execution.

The purpose of the thesis is to evaluate the criminal legal basis regarding human trafficking, to create a scientific foundation that meets current requirements of norms establishing liability for the crime of human trafficking, and to enhance the practice of applying criminal law in the field of combating human trafficking. Throughout the work, the focus is on how universal and regional standards in the field of combating human trafficking are transposed and implemented in the legal order of the Republic of Moldova.

Objectives of the thesis: examination of the current stage of conceptualization of the crime of human trafficking by analysing the state of knowledge in the field both in the Republic of Moldova, in Romania; comparative and evolutionary analysis of the criminalization of human trafficking; legal-criminal analysis of human trafficking and evaluation of compatibility by elucidating the constituent elements and sub-elements of the crime of human trafficking; delimitation of the offense of human trafficking from adjacent/related offenses; evaluation of the compatibility of the internal normative framework regarding the criminalization and combating of human trafficking with universal and regional standards in the field; determination and theoretical resolution of issues related to combating human trafficking through criminal law, considering the specificities of the current period and the criminogenic situation in the Republic of Moldova; development, based on scientific results, of recommendations regarding the harmonization of regulations concerning the qualification of human trafficking with European Union standards.

The novelty and scientific originality of the doctoral thesis lie in the approach to the analyzed legal institution. The work contains a multidimensional research of human trafficking, whose scientific novelty consists in substantiating scientific results aimed at harmonizing and highlighting solutions to ensure the compatibility of the criminal legislation of the Republic of Moldova with universal and regional international standards, particularly those of the European Union in the field of criminal prevention of human trafficking.

The theoretical significance and practical value of the work: The thesis embodies a new theoretical approach to human trafficking, based on scientifically argued opinions and theses by the author, which, together with other scientific works, are likely to consolidate the existing national criminal doctrine in the field. The theoretical relevance also lies in the development of theoretical-practical solutions that can be applied in the process of preventing and combating human trafficking crimes. The work contains theoretical-practical solutions for the legal qualification of the crime of human trafficking. At the same time, the thesis highlights current and future problems that may arise in the practice of applying criminal law, as well as appropriate solutions to these problems.

The practical value: The conclusions and recommendations presented and synthesized in the work could, in some respects, form the basis for initiating the revision of criminal legislation in the field in light of the commitments made by ratifying international treaties in the field of combating human trafficking. Likewise, it is considered that the study or the results of the scientific investigation could be useful for modernizing the curriculum in criminal law, in the development of courses, university textbooks, or other studies, scientific articles, or monographs on the subject of human trafficking.

АННОТАЦИЯ

Корсей Андрея "Торговля людьми – транспозиция и имплементация международных и европейских стандартов в национальной уголовно-правовой нормативной базе". Диссертация на соискание ученой степени доктора права. Докторальная школа Юридических Наук и Международных Отношений, Европейский Университет Молдовы. Кишинёв, 2026.

Структура диссертации: введение, анализ научных материалов, связанных с торговлей людьми, 4 главы, общие выводы и рекомендации, библиография, включающая 234 наименований, 168 страниц основного текста, 7 приложений. Полученные результаты опубликованы в 85 научных статьях и одной книге.

Ключевые слова: торговля людьми, феномен нелегальной миграции, международные региональные институты, международные договоры, европейское законодательство.

Научная специальность: 554.01 - Уголовное право и уголовно-исполнительное право.

Цель диссертации заключается в оценке уголовно-правовой базы в области торговли людьми, создании научного фундамента, соответствующего современным требованиям норм, устанавливающих ответственность за преступление торговли людьми, а также в повышении эффективности применения уголовного права в сфере борьбы с торговлей людьми. В работе акцентируется внимание на том, как универсальные и региональные стандарты в области борьбы с торговлей людьми транспонируются и реализуются в правовом порядке Республики Молдова.

Задачи работы: изучение текущего состояния концептуализации преступления торговли людьми путем анализа состояния знаний в данной области как в Республике Молдова, в Румынии; сравнительный и эволюционный анализ криминализации торговли людьми; юридико-уголовный анализ торговли людьми и оценка совместимости путем разъяснения составных элементов преступления торговли людьми; разграничение состава преступления торговли людьми от смежных преступлений; оценка совместимости внутренней нормативной базы по криминализации и борьбе с торговлей людьми с универсальными и региональными стандартами в этой области; определение и теоретическое решение проблем, касающихся борьбы с торговлей людьми средствами уголовного права, с учетом специфики текущего периода и криминогенной ситуации в Республике Молдова; разработка, на основе научных результатов, рекомендаций по гармонизации регулирования квалификации торговли людьми с стандартами Европейского Союза.

Новизна и научная оригинальность докторской диссертации заключаются в подходе к анализируемой правовой институции. Работа содержит многомерное исследование торговли людьми, научная новизна которого состоит в обосновании научных результатов, направленных на гармонизацию и выделение решений для обеспечения совместимости уголовного законодательства Республики Молдова с универсальными и региональными международными стандартами, в частности стандартами Европейского Союза в области уголовной профилактики торговли людьми.

Теоретическое значение: Диссертация воплощает новый теоретический подход к торговле людьми, основанный на научно аргументированных мнениях и тезисах автора, которые, вместе с другими научными работами, способны укрепить существующую национальную уголовную доктрину в данной области. Теоретическая значимость также заключается в разработке теоретико-практических решений, которые могут быть применены в процессе предупреждения и борьбы с преступлениями торговли людьми. Работа содержит теоретико-практические решения для юридической квалификации преступления торговли людьми. В то же время, диссертация подчеркивает текущие и перспективные проблемы, которые могут возникнуть на практике применения уголовного права, а также адекватные пути их решения

Практическая ценность: Выводы и рекомендации, представленные и обобщенные в работе, могут, в некоторых аспектах, послужить основой для инициирования пересмотра уголовного законодательства в данной области в свете обязательств, принятых путем ратификации международных договоров в области борьбы с торговлей людьми. Также считается, что исследование или результаты научного исследования могут быть полезны для модернизации учебных программ по уголовному праву, при разработке курсов, университетских учебников или других исследований, научных статей или монографий по теме торговли людьми.

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**HUMAN TRAFFICKING - TRANSPOSITION AND
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CRIMINAL LEGISLATION**

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