Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings

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Report submitted by the Norwegian authorities on measures taken to comply with Committee of the Parties Recommendation CP(2013)6 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

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ROYAL NORWEGIAN
MINISTRY OF JUSTICE AND PUBLIC SECURITY

Council of Europe

F-67075 Strasbourg Cedex
Frankrike

Your ref.	Our ref.	Date
DG-II/PN/DD/mc	15/12 - JAA	07.06.2015

Report from the Norwegian Government on the follow up to recommendation C(2013)6

Dear Ms Nestorova,

Reference is made to Your letter of 26 March 2015.

General information:

Plan of Action
Early in 2015, work began on developing a new Plan of Action against human trafficking. The Ministry of Justice and Public Security is heading the Inter-Ministerial Group producing the plan, which is to be presented before the end of 2015. Recommendation CP(2013)6 is considered as an important document in identifying measures that the plan should include.

Norway has primarily been a destination country for trafficking for sexual exploitation. We now see an increase in cases of exploitation of foreign citizens within several sectors of society. It is imperative for us to improve our ability to identify victims of traditional as well as new forms of exploitation.
Many migrants are in irregular situations in Norway, without the possibility to enter the labour market in a regular way. They are vulnerable to exploitation. A typical example will be a person who has had his application for asylum finally turned down, but still choses to stay in Norway.
The authorities have acknowledged that organized criminal groups are trying to penetrate into business, commerce and trade. This can take a number of forms, from a

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breach in the various rules and regulations for running a business, to fraudulent business practices and tax-evasion schemes. Evidence from investigations in some matters have shown that human trafficking and forced labour is part of the picture. Last year a broad investigation into a chain of grocery stores was initiated. Possible victims of trafficking were identified and given assistance. The investigation also covers fraud, tax-evasion, benefit-fraud and other crimes. This investigation is carried out by the police in close cooperation with tax authorities, the Labour Inspectorate and other authorities. Information gained from the investigation has exposed several weaknesses and loopholes in routines and reguations. The investigation is therefore being used in a systematic way to prevent future crime.

Strategy against crime in working-life
In January 2015, the government introduced a holistic strategy to combat criminal activities related to working-life. A strengthened set of control mechanisms and stronger cooperation between law enforcement agencies, labour inspectors and other authorities is a vital element of the strategy. The government has decided to increase funding to the police, Tax authorities and the Labour Inspection Authority working together to uncover crimes committed within the construction sector and other sectors. The government will build cross-sectorial partnerships in order to prevent and combat organized crime disrupting the legal business community. We are now considering the development of a common threat assessment for traditional economic crimes and new forms of organized crime. The strategy against crime related to working-life will be implemented in cooperation with the social partners.

This strategy is a measure which has a clear intention to prevent trafficking in human beings. We attach a document outlining the strategy (in Norwegian).

Comments to the list of proposals from GRETA

Legal concepts and definitions (1-2)
Article 18 of the Convention requires that «Each Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct contained in article 4 of this Convention, when committed intentionally". The Norwegian authorities consider that this requirement is fullfilled through Sections 224 and 225 of the Norwegian Criminal Code(CC) of 1902. The CC of 2005, with similar wording in the trafficking sections, will enter into force on October 1st 2015. In connection with the development of a new Plan of Action against Trafficking, we will again assess the need for a change in the wording of the relevant section.

Comprehensive approach and co-ordination (3-5)
3. The mandate and resouces of KOM is currently being considered within the framework of making a new Plan of Action.

4. In order to adopt a more proactive approach to detecting trafficking of children, a stronger form of cooperation between the police, immigration authorities and child welfare authorities is needed. The Norwegian Directorate for Children, Youth and Family Affairs (Bufdir) has taken the initiative to formulate an updated template for such cooperation, which is to be implemented in 2016.
All children shall receive the same follow-up and assistance. Bufdir does therefore not see the need for introducing special measures for Roma children.

5. Norway has decided not to evaluate the previous Plan of Action, that expired in 2014. We will however, discuss how to assess the impact of the measures included in the next plan.

Training of relevant profesionals (6)
Two larger training initiatives need to be highlighted:

1) The KOM national seminar on human trafficking was held in November 2013 with approximately 300 people attending. The target audience included employees of the police and prosecution authorities, the immigration administration, including asylum reception centres, different municipal services, healthcare services, NGOs and other organisations from across the country. Key objectives of the seminar were to enable different professions to detect cases, identify potential victims and help to bring traffickers to justice.
2) A National Seminar for Police and Prosecutors was held in October 2014. It brought together approximately 150 police officers, investigators and prosecutors with the overall aim to enhance knowledge on how to improve the criminal justice responses to human trafficking.

Other training activities of relevance conducted from May 2013 to date include:

The annual KOM conference. This is a two-day cooperation meeting for representatives of the two KOM working groups (relevant authorities and NGOs). An important aim is to familiarise the representatives of the different bodies with each other's responsibilities and tasks. The conference also provides an opportunity to tackle topics or complex issues in depth. KOM also conducts continuous training to various stakeholders, on an annual basis between 40-50 presentations and lectures to relevant professionals.

The Norwegian Police University College has set up a one-day training curriculum on human trafficking for the enrolled police students in addition to development of a specific training program for patrol officers, investigators and prosecutors.

Within the *knowledge database* for the police, human trafficking is a selected topic. This site is regularly updated and as such provides continuous awareness about specific human trafficking issues.

A large number of the KOM members from relevant authorities and civil society arrange training acitivites for their own personnel. As an example, The directorate of Immigration (UDI) has a continuous focus on improving procedures for identification. This includes training case workers and reception centre staff, and establishing better procedures for case processing. The ROSA project conducts a 2 day annual workshop on human trafficking.

Data collection and research (7-8)

7. Steps are being taken to improve the statistical systems for information on trafficking, but it remains to develop a comprehensive and coherent system. Bufdir is currently introducing a system where information on children within the child welfare system who are possible victims of trafficking are directly registered as such in the case handling system. A manual count will therefore no longer be necessary.

8. There is a need for more knowledge on the issue of children who go missing from care and reception centers. The Ministry of Justice and Social security has initiated a research project aiming to identify challenges and propose measures to improve the work in this field. The project is carried out by a Norwegian research center (NIBR). A final report, including recommendations for improved policy and practice, will be presented by the end of 2015.

International co-operation (9)

Under the mandate of the Council of the Baltic Sea States (CBSS) task force on trafficking in human beings, Norway participates in a number of regional projects such as the ADSTRINGO project and the STROM project.
The overall purpose of the ADSTRINGO project was to prevent human trafficking for exploitation in forced labour. Prevention presupposes a good understanding of the mechanisms that facilitate exploitation for forced labour and better cooperation between different national players.
The STROM project aims to strengthen the role of municipalities in the work against human trafficking in the Baltic Sea Region.

Under the Norwegian Grants scheme, Norway cooperates in a project with Caritas Lithuania focusing on cooperation at municipality level targeting police and NGOs in addition to municipality employees. Under the EEA Grants, there is an ongoing cooperation project between Romania and Norway with specific focus on victim assistance for NGOs.
In 2015 the National Police Directorate has facilitated a specific police cooperation effort between Romania and Norway whereby around 50 Romanian police officers have applied to be seconded to various police districts in Norway for a limited period. The police in Oslo, Bergen, Trondheim and Stavanger will receive two police officers each from Romania in order to improve police cooperation in human trafficking cases concerning Romanian citizens.

Measures to raise awareness and discourage demand (10-13)
Parliament has decided that from 2015, an annual sum of NOK 7 000 000 shall be earmarked for NGOs that are active in the fight against trafficking. Parliament especially wants the funding to support information and awareness raising campaigns in Norway, as well as the running of hotlines for victims. A grant scheme is established allowing organizations to apply for funding.

Several measures in the abovementioned strategy against criminal activities in the business sector are aimed at discouraging demand for the services of persons at risk of being trafficked in the relevant economic sectors.

Border measures to prevent THB and measures to enable legal migation (14)
Designing effective ways to detect and prevent THB through border control measures has proven difficult. Possible victims of trafficking are not easily identifiable at this stage, and are not likely to cooperate with authorities.

Identification of victims of trafficking in human beings (15)
A main challenge in the development of a new Plan of Action is to suggest a formalised national referral system in line with the recommendation from GRETA. We are currently discussing the issue in the Inter-ministerial working group.

Assistance measures for adult victims of trafficking (16-17)
Since 2009, a grant scheme has existed where NOK 10 000 000 is allocated to organisations that assist people in prostitution. Increasingly this scheme is being used for supporting projects aimed at helping victims of trafficking for sexual exploitation. In 2015 money from the scheme was used for assistance to victims in the form of temporary accommodation, information efforts, access to education and vocational training.

The Ministry of Foreign Affairs has produced the attached information sheet that will be distributed to privat domestic workers being accepted by the Ministry to work in Norway.

Assistance measures for child victims of trafficking (18-20)
18. Child victims who are placed in an institution under section 4-29 of the Child Welfare Act, are given tailor-made assistance. The professionals working in the institutions are specialists in providing assistance to trafficking victims. The municipality of Oslo has had 25 children under such placement since August 1st 2012, and for the rest of Norway the total number is 19 children. There is still room for improvement in the cooperation between police and child welfare officers in these cases.

19. As mentioned, The Ministry of Justice and Public Security has initiated a research project aiming to identify challenges and propose measures concerning children who go missing from care and reception centers. The project is carried out by a Norwegian research center (NIBR). A final report, including recommendations for improved policy and practice, will be presented by the end of 2015.

20. The research center Fafo is currently reviewing the new measures introduced in the Child Welfare Act 2012.

Recovery and reflection period (21)
The reflection period is still six months. The relevant authorities and assistance providers are well aware of the possiblity for possible victims to seek a reflection period. Victims are as a rule systematically informed of the implications of the reflection period.

While the reflection period was introduced also as a measure to facilitate the prosecution of traffickers, there are no obligations whatsoever on victims to cooperate with or even contact the police during the period.

Reflectants' opportunities to be placed on the housing register and gain access to a GP scheme have been a challenge for many years. Following a KOM focus meeting in 2013, where the topic was the settlement of victims who do not have valid identity papers, the Directorate of Taxes and UDI reviewed the situation and practice. A direct consequence of the meeting is that the Directorate of Taxes has amended the rules for assigning personal identity numbers to presumed victims who are granted a residence permit on the basis of human trafficking. Tax Directorate circular no. 4, 2013 regarding the Schengen-standardised residence card as a legitimate identification document when assigning personal identity numbers and D numbers states that persons who have been granted a residence permit on the basis of trafficking may also prove their identity with the Schengen standardised residence card. According to the circular, the residence card is considered an adequate identification document for assigning ID numbers to persons such as potential victims of trafficking. With a personal identity number, the person in question can register for housing and get access to a GP. The right to a GP is also important for any further referrals to specialist health services, hospital treatment and more.
Norwegian authorities have received information from civil society (the ROSA project) indicating that the victims' access to be registered with a regular general practitioner has improved. This is also expected to make it easier to get a referral to the specialist health services, as for example gynaecologists and psychologists.

Residence permits (22)
Reference is made to the above-mentioned Tax Directorate circular no.4, 2013 regarding the Schengen-standardised residence card as a legitimate identification document when assigning personal identity numbers and D numbers.

Compensation and legal redress (23)
Victims of trafficking have the right to free legal aid. Their lawyer will have the responsibility to inform them about their right to seek compensation.

Repatriation and return (24)
Through the International Organization for Migration (IOM), Norway offers a comprehensive return option to meet the needs of vulnerable migrants, which is organized in a humane, safe and dignified way. The program, *The Vulnerable groups project*, includes Victims of Trafficking, Unaccompanied Minor asylum seekers, Minors between 18 and 23 years old who arrived in Norway prior to the age of 18, migrants with medical needs and elderly migrants with special needs. Services offered include information and counselling, travel arrangements include escort if needed, return and reception assistance upon arrival as well as a cash support component and reintegration assistance (in-kind support that can be spent on courses and education, vocational training grants, startup of small business activity etc.). Monitoring for each individual returnee will last a maximum of 12 months for Victims of Trafficking, 6 months for Under Age minors and 3 months for other vulnerable groups returning under the programme. In 2014 there were 41 returnees with the program to a country of origin from Norway.

Substantive criminal law (25)
The CC of 2005 will enter into force on October 1st 2015. The new CC will raise the maximum penalty for THB cases from five to six years of imprisonment.

Non-punishment of victims of trafficking in human beings (26-27)
It has been the opinion of the authorities that the provision allowing not imposing penalties on victims of trafficking for their involvement in unlawful activities, to the extent they were compelled to do so, has been effectively applied. We have no number of cases or other possibilities to document the use of the relevant section of the Criminal Prodedure Act. The situation is in line with the guidelines issued by the Director of Public Prosecutions. As mentioned in the GRETA report, when the CC of 2005 enters into force, the new section 61 will give the court the possibility not to impose a sentence when there are special reasons for doing so.

Investigation, prosecution and procedural law (28-29)
Parliament has earmarked NOK 15 000 000 from 2015 and onwards for the establishment of special anti-trafficking groups in the largest police districts in Norway. These groups are now in the process of being established, and represent a major strengthening of investigations and prosecutions against traffickers.

In 2014 a broad investigation into a chain of grocery stores in Oslo and surroundings was initiated. Possible victims of trafficking were identified and given assistance. The investigation also covers fraud, tax-evasion, benefit-fraud and other crimes. This investigation is carried out by the police in close cooperation with tax authorities, the

Labour Inspectorate and other authorities. Information gained from the investigation has exposed several weaknesses and loopholes in routines and reguations. The investigation will therefore be used in a systematic way to prevent future crimes.

Protection of victims and witnesses (30)
There will always be room for improvement in the way victims of trafficking are informed, protected and assisted during the pre-trial and court proceedings. There is broad awareness in the police about the vulnerable situation of victims of all forms of crime in general, and for victims of trafficking especially. We are considering ways to strenghten our efforts in connection with the development o a new Plan of Action.

Regards

Jan Austad
GRETA Contact Person
Norway

ROYAL NORWEGIAN
MINISTRY OF FOREIGN AFFAIRS

The Royal Ministry of Foreign Affairs presents its compliments to Heads of Mission resident in Oslo and has the honour to draw the attention to the work of the Organization for Security and Co-operation in Europe on prevention of trafficking of human beings for domestic servitude in diplomatic households.

Various workshops were held by the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings from 2012 to 2014. The aim of the workshops was to raise the awareness of how host countries can regulate and monitor the employment conditions of private domestic workers in diplomatic households. The workshops identified relevant prevention and protection measures and discussed new trends, challenges and obstacles, and how to overcome them.

Heads of Mission are reminded of the publication "Diplomat in Norway", chapter 10, outlining the requirements to be filled before hiring private domestic workers. As a result of the OSCE work the attached information-sheet will in the future be distributed to private domestic workers being accepted by the Ministry. The aim of the information is to raise private domestic workers' awareness of their basic rights in Norway and where to seek help if required.

The Royal Ministry of Foreign Affairs avails itself of this opportunity to renew to the Heads of Mission resident in Oslo the assurance of its highest consideration.

Oslo, 27 March 2015

ROYAL MINISTRY OF FOREIGN AFFAIRS

Heads of Mission
resident in Oslo

Koordineringsenheten for Ofre for Menneskehandel

Are you coming to work in Norway?

If you are being exploited at work, you have rights and you can get help.

As an employee in Norway, you have the right to:

- be treated and paid fairly,
- not be held in a job against your will,
- keep your passport,
- report abuse without retaliation.

How to protect yourself against exploitation:

- Keep your passport safe.
- Leave copies of your passport, visa and employment contract with relatives or friends at home.
- Make a note of the days and hours you work, and the pay you receive.

Are you being exploited and a victim of human trafficking?

If you are being exploited by your employer, you may be a victim of human trafficking. Human trafficking involves exploitation in connection with prostitution or other sexual purposes, work, begging or crime. Human traffickers often abuse a vulnerable situation, deceive people, or subject them to violence, threats or coercion.

Victims of human trafficking may:

- find themselves in a different kind of work situation to that promised,
- receive low or no pay,
- work an unreasonable number of hours each day,
- have limited freedom of movement,
- be isolated from friends and family,
- lose control over their passport,
- be living under unacceptable conditions, for example deprived of food, water, sleep, medical care or other necessities,
- experience violence or threats,
- be unable to stop working, due to debt, threats or lack of money.

Human trafficking is a serious violation of human rights and is prohibited in Norway. People found guilty of human trafficking risk up to ten years' imprisonment.

Koordineringsenheten for Ofre for Menneskehandel

Assistance and protection

If you are a victim of human trafficking, you can get help from the Norwegian authorities.

You can be provided with safe accommodation at a crisis centre, and you can also receive guidance and legal assistance if you wish to report the matter to the police. You can apply for a limited residence permit for victims of human trafficking (reflection period) or for protection (asylum). If you wish to return home, the International Organization for Migration (IOM) can help you to return safely.

All professionals and officials who help you have a duty of confidentiality.

Who can help you?

The police

If you are in danger or want to report a crime, contact the police. Tel.: (+47) 02800. Emergency tel.: 112

The Norwegian Directorate of Immigration (UDI)

UDI can provide information on opportunities for a reflection period, protection (asylum), or other residence and work permits. www.udi.no, Tel.: (+47) 23 35 16 00

IOM Norway

The International Organization for Migration assists victims of trafficking and other vulnerable persons who want to return home and start a new life. www.iom.no, Tel.: (+47) 23 10 53 20

The ROSA project

ROSA (Re-establishment, Organising safe places to stay, Security, Assistance) helps women who are victims of sexual exploitation. Here you can receive guidance and help to find safe accommodation at a crisis centre, and be put in contact with a lawyer. www.rosa-help.no Tel.: (+47) 22 33 11 60, Address: Karl Johans gate 16 b, Oslo. Drop-in opening hours: 10:00–15:00 Monday to Thursday.

Oslo Red Cross

The 'Rett til å bli sett' (right to be seen) project provides victims of human trafficking with guidance, information about rights, various activities and practical help. Tel.: (+47) 94 14 60 38, Address: *ORKIS,* Chr. Krohgs gate 15, Oslo. Drop-in opening hours: 17:30–20:00 every Monday.