

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



CP(2017)6

Report submitted by the authorities of Iceland
on measures taken to comply with
Committee of the Parties Recommendation
CP(2014)15 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings

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Iceland – February 2017

Status report on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

1. Definition of “trafficking in human beings”

Iceland is in the midst of reviewing the relevant article of the Penal Code, concerning trafficking in human beings, with the intent of including all means and exploitation in the Convention. Among the issues that will also be reviewed is labour exploitation and the use of services which are the object of labour exploitation. Proposals from GRETA will also be a part of the review.

The aim is to put a bill forward amending the relevant articles in the fall of 2017.

2. Comprehensive approach and co-ordination

The ministry of the interior has established a consultation forum (a steering committee) of the relevant actors to consult and co-operate on development and implementation of anti-trafficking policy. Participants in the forum are from the ministry of the interior, ministry of welfare, police, directorate of immigration, social services of Reykjavik city, Human rights centre, trade unions and the Red Cross (from spring 2016).

The main focus within the group has been on awareness raising for professionals regarding THB, the identifiers and what can be done to assist possible victims.

An education team with representatives from police and social services was formed in spring 2014. Educational programs have been held regionally for police officers, health care workers, social workers and labour inspectors to also boost local co-operation.

Education has also been provided to border guards, staff at the directorate of immigration and labour, children services, labour unions, hotel staff and many others. The education team had at the end of 2016 provided education for over 2000 people.

The Ministry of Welfare has had an agreement with The Women’s shelter in Iceland since December 2014. The goal of the agreement is to ensure all female victims a temporary safe house.

The Human right office provides the victims with legal assistance, free of charge.

In the last two years authorities have put greater focus on labour exploitation. Close knit co-operation between police, tax authorities and labour inspectors on work site inspections where conditions are inspected as well as rights of workers and possible forced labour has been established.

Human trafficking team has been formed at the Department of Labour and work procedures put in place.

Specific measures at the Department of Labour include: increased awareness of employees, increased cooperation with other government agencies f. ex. police, tax authorities and trade unions, review of the process of work permits, temporary work agencies and posted workers cases are handled.

Increased cooperation between supervisory bodies with special focus on social dumping and inspectors have had some training on how to spot possible trafficking cases.

The metropolitan police has made some changes to their investigation units and added an investigation unit focused on human trafficking and prostitution. They have also set up a special email address for tip offs or inquiries about possible human trafficking.

Development of a new action plan is also on the agenda for this year. It will be co-ordinated through the consultation forum based on the experience built in the last few years taking into account the proposals from GRETA.

A new government was formed in January following elections in October last year. One of the issues raised in the government's agenda is that victims of THB shall be provided with the necessary legal protection and support.

3. Training of relevant professionals

As addressed above some training programs have been held in the last few years. Increased effort needs to be put into training for the relevant professionals, f. ex. prosecutors and judges.

The Ministry of the Interior, Ministry of Welfare, Metropolitan Police, Federation of General and Special Workers in Iceland (SGS) and Department for Social Services of City of Reykjavik have been running an education program for relevant professionals (police, health care officials, social workers, labour union officials) on issues concerning trafficking, how to identify possible victims and what assistance can be provided.

The Ministry of welfare and the specialist from the city of Reykjavik addressed the importance of good local welfare service for THB while raising awareness about the topic.

Through awareness raising among professionals measures have been implemented to combat forced labour in already existing work place inspection systems through ASÍ's project Equal Rights, No Exception and in cooperation with the police, labour officials and tax officers amongst others.

4. Data collection and research

One of the issues that the next action plan will tackle is a national referral mechanism which will also help with data collection. As is no national data collection is in place. The police has though made changes to their systems to register better possible cases of THB.

There have been 11 victims registered in the data base of the Ministry of Welfare since august 2015. Before that the Ministry did not have a special data base for those victims. Of those 11 cases there were 8 women. Ten of the victims had contact with the social service within the Municipality were they were staying. Three different Municipalities had some contact with these victims and sometimes, when they had had the service from another municipality, they also received a support from the municipality of Reykjavik when they stayed at the Women's shelter. Most of the victims were in contact with the Welfare department in Reykjavik, only one did not have contact with them.

Six women stayed at the Women's shelter from December 2014 until December 2016. All of them, except for one, stayed there in the year of 2016. These six women came eight times to the shelter and stayed from two days up to 27. They were from the age of 15 up to 32. Only one was under the age of 18. They came from five different countries, all outside of EU.

5. International co-operation

International co-operation in this field is vital for us and has proven to be a source of education and best practices and in light of THB being a transnational crime that knows no borders. We are currently chairing the task force against trafficking in human beings within the council of the Baltic Sea States. The police is active in the work of Frontex and Europol as well.

The Council of the Baltic Sea States have held four seminars to train Diplomatic and Consular Personnel on assistance to victims of human trafficking and providing them with tools to act confidently and responsibly. Two representatives from Iceland have attended every seminar. The representatives have been from the Ministry of welfare, the Metropolitan Police, the Child Protection service in Reykjavik and the Government Agency for Child Protection. ... fleiri?

IOM started a new project called Nordic Health Care Network on Counter-Trafficking in the year 2016. The goal was to share expertise among Nordic health care professionals and counter – trafficking actors

to enhance health sector capacity to identify and respond to needs of victims of trafficking. Three meetings were held; one in Copenhagen in June, one in Helsinki in September and one in Oslo in November. A representative from the Ministry of Welfare took part in all three meetings.

6. Measures to raise awareness and discourage demand

With the education program mentioned above the aim was also to raise awareness. Added media coverage has also been one of the benefits of that which has also helped with raising public awareness. We also held a conference open to the public on THB issues focusing on forced labour, with input from GRETA specialists.

With the Red Cross joining the consultation forum we also aim to tap into their expertise on awareness raising and their vast network for information and possible co-operation.

The Ministry of the Interior, Ministry of Welfare, Metropolitan Police, Federation of General and Special Workers in Iceland (SGS) and Department for Social Services of City of Reykjavik have been running an education program for relevant professionals (police, health care officials, social workers, labour union officials) on issues concerning trafficking, how to identify possible victims and what assistance can be provided.

7. Social, economic and other measures for groups vulnerable to THB

By including the Directorate of Immigration and the trade unions in the consultation forum the aim is to integrate the prevention of THB and raise awareness with the relevant professionals regarding unaccompanied children, migrant workers and asylum seekers.

The Government Agency for Child Protection and the Directorate of Immigration have been working together on the process of cases for unaccompanied children who arrive to Iceland and seek for an international protection. These children are interviewed at the Children's' house, run by the Agency for Child Protection. There are specialists in the field of violence on children. The specialists are well aware of human trafficking and the affect that may cause.

8. Border measures to prevent THB and measures to enable legal migration

We take into account GRETA's recommendations to translate necessary information into different languages and to ensure that foreign nationals arriving in Iceland are provided with written information, in a language that they understand, in order to alert them to the risks of THB, inform them of their rights and where to turn to for advice and assistance. This is something that we will be working on this year.

9. Identification of victims of trafficking in human beings

See answer 4.

The protection and service for a victim of human trafficking have been assessed case by case. The police, specialists by the social service or other stakeholders report possible victims to the Ministry. The Ministry takes a decision with the social service and if the situation demands with the police on necessary support and protection. The Ministry of Welfare hosts an operational team with the stakeholders that are in contact with the victim. That is usually the local social service, local police, the Women shelter and the local health care centre. The local Social service has an overview over the service that is provided for each victim and takes care of the victim's needs.

The operational team is called up on whenever a suspicion of a victim arises and the goal is to ensure individual victims of human trafficking relevant welfare service. The Team works on case by case status and is gathered to have a multidimensional approach on each case with specialists from different fields and to ensure comprehensive welfare service. The Team members are from: The health care center in Reykjavik city center, The Women's shelter, The Reykjavik Metropolitan police, The human rights office of the city of Reykjavik, The Welfare department within the Municipality of Reykjavik and the Ministry of Welfare that chairs the team.

When victims are located outside Reykjavík a temporary Team is established with representatives from the local service providers. That is most often the social service, the health care center and the police.

The Ministry of Welfare has an agreement with the Women shelter so all the women that are identified as victims of human trafficking can stay at the shelter and get the necessary protection there. Male victims would be provided with other kind of an arrangement that would suit them, like guesthouses. It has not come to that.

The child's protection agency is always informed if there is a child involved with an adult that is a possible victim of human trafficking. If a child is thought to be trafficked it would always be put under the care of child's protection.

The aim is to train specialist at local service to identify possible victims and specialise in providing them with service.

The Human right office provides the victims with legal assistance, free of charge.

Recently a family house was established where victims of violence will be interviewed and supported. The family house is called Bjarkarhlíð and is a cooperation between the Ministry of Welfare, the Ministry of Interior and the municipality of Reykjavik.

10. Assistance to victims

The ministry of welfare is responsible for providing assistance to victims. The ministry has formed two working teams, a consultation and cooperation team works on policy making aiming at aiding the victims of human trafficking. Stakeholders are representatives from agencies that would provide victims with service or specialists in policy making for institutions or Ministries. That is: The Ministry of Welfare, The Health Care Centre for the City of Reykjavík and surroundings, Ministry of Interior, The Women Shelter, The National Hospital (the department of mental health), The Metropolitan police in Reykjavík, The Human Rights Office, Stígamót, Directorate of Immigration, Welfare Department of Reykjavík and The Directorate of Labour. This team meets two to three times per year.

These two teams, the operational team and consultation and cooperation team, were set to coordinate three actions in the National action Plan Against Human Trafficking 2013–2016. That will be actions 9, 10 and 11. Action 9 is on resources for the victims. Victims should be secured an offer of a physical, social and psychological assistance. Action 10 is on secure housing and action 11 is about active social capability of the victims and looking at prospects to be able to develop resources for the victims with that goal.

11. Recovery and reflection period

New act on foreigners entered into effect on January 1st 2017. Article 75 stipulates that possible THB victims can be issued a temporary residence permit for nine months. Same applies if the victim has child and the child is in the country with the victim.

The Ministry of the Interior, Ministry of Welfare, Metropolitan Police, Federation of General and Special Workers in Iceland (SGS) and Department for Social Services of City of Reykjavik have been running an education program for relevant professionals (police, health care officials, social workers, labour union officials) on issues concerning trafficking, how to identify possible victims and what assistance can be provided.

12. Residence permits

Article 76 of the new act stipulates that a one year renewable permit can be issued for a THB victim and the victim's child if it is present in the country as well.

13. Compensation and legal redress

We will take GRETA's recommendations into account when formulating information sheets for victims.

14. Repatriation and return of victims

We will take GRETA's recommendations into account in our work on the new action plan

15. Substantive criminal law

See answer 1

16. Non-punishment of victims of trafficking in human beings

We welcome GRETA's recommendations and will take them into account during the law review being carried out this year.

17. Investigation, prosecution and procedural law

As stated above, police has put greater efforts into investigations and education. Icelandic police also puts great effort into international police co-operation. We also aim to put more focus on education for prosecutors and judges.

18. Protection of victims and witnesses

The National Commissioner of the Icelandic Police has issued guidelines for police officers concerning detection, investigation, interviewing victims, assistance and protection.