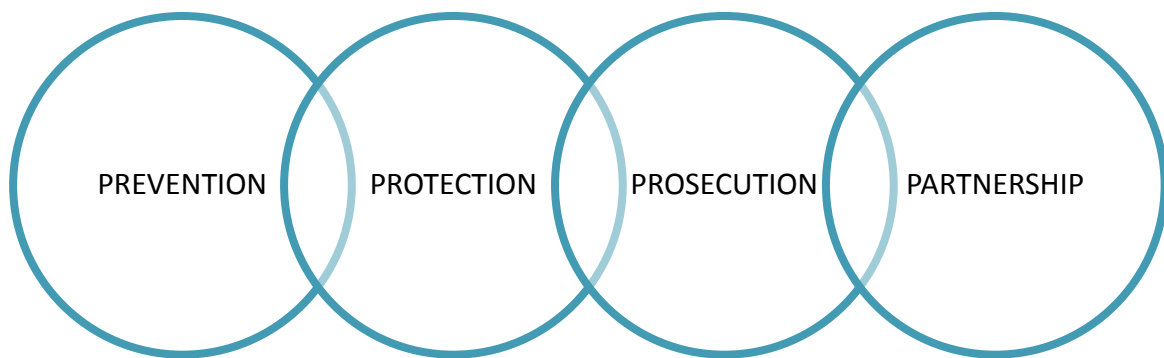


# GOVERNMENT EMPHASES IN ACTIONS AGAINST HUMAN TRAFFICKING AND OTHER TYPES OF EXPLOITATION



Ministry of Justice  
March 2019  
(21 March)

## I

The Government presents here its emphases on combating trafficking in human beings and other forms of exploitation, in accordance with Iceland's obligations under the Council of Europe Convention on Action against Trafficking in Human Beings which Iceland ratified in February 2012. This focus document is based, firstly, on two previous government action programmes on human trafficking, which applied from 2009-2016. Secondly, consideration has been given to a new report of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), which was prepared following the Group's assessment of Iceland in 2018. Thirdly, comments in the US Government Trafficking in Persons (TIP) Report of June 2018 have been taken into account.

## II

Emphasis is placed on transferring the implementation of those actions presented in the focus document from ministries to the agencies or organisations located much closer to the tasks. The responsibility for following up on the actions and monitoring their implementation will, however, remain with the Ministry of Justice. This arrangement is in accordance with the division of tasks between ministries and organisations in other areas, cf. also Chapter IV of the Act on Government Offices, No. 115/2011.

## III

These emphases map out the government's policy on human trafficking. The actions are generally worded, in order to allow the parties responsible for their implementation scope for their development. The parties responsible are expected to work together on the formulation and implementation of actions as appropriate. In so doing, the emphasis is placed on the different roles of the parties responsible and the importance of partnership, consultation and interdisciplinary co-operation in combating human trafficking. The responsible parties under each action must join forces, divide tasks among themselves, implement and define the roles of each for the purpose of achieving the objectives set out in the description. Responsible parties should, furthermore, seek to co-operate and consult with others who have important insights, expertise and experience in this field or who have interests at stake in the reforms being worked on, such as, for instance, organised labour and others consulted in the preparation of this focus document who are listed in Chapter VII.

#### IV

In line with previous action plans, the emphases set out here are based on four main focuses or categories, i.e. the so-called "four Ps", which are modelled on international actions against human trafficking:

- 1) **P**revention - preventive measures
- 2) **P**rotection - assistance, support and protection
- 3) **P**rosecution - investigation and prosecution
- 4) **P**artnership - collaboration and consultation

Each one of the ten actions described in the focus document falls into one of these four categories. The number of actions within each P category varies. To ensure the implementation of the actions and their adoption, the Ministry of Justice will summon all responsible parties to meetings and, in consultation with them, organize the work on the actions and involvement of each party. A single party will be responsible for each action. This party shall have a comprehensive view of the action and be ultimately responsible for seeing that work on the projects described is effective in achieving the goals aimed at. The Ministry of Justice will meet with the responsible parties twice each year, or more often if necessary, in order to monitor the progress of actions, what has been accomplished, the challenges and proposed improvements.

#### V

Trafficking is a human rights violation and an offence to the dignity and integrity of human beings. Each nation is permanently obliged to combat human trafficking and it is important not to relax vigilance. Accordingly, this policy document is not limited to a specific time frame but will remain valid until superseded by another. Actions are generally not given a specific time schedule but are instead to be worked on effectively and regularly reviewed for possible improvement. Certain operations do have a specific time schedule.

#### VI

It is important that the parties responsible for actions utilise the suggestions, comments and guidelines of GRETA, as presented in the Group's report on Iceland's situation, published on

15 March 2019 on the Council of Europe's website,<sup>1</sup> to make improvements, in order for Iceland to be able to fight human trafficking more effectively and successfully and to fulfil still better the international obligations it has assumed.

## VII

A draft of this focus document was submitted to those parties specified as responsible for actions in mid-January 2018, requesting their views and comments. In addition, a meeting was held with responsible parties and partners such as the Icelandic Confederation of Labour (ASÍ), Bjarkarhlíð, the Women's Shelter, the Women's Counselling, the Icelandic Human Rights Office, the Education and Counselling Center for Survivors of Sexual Abuse and Violence, and the City of Reykjavík Welfare Division in early February 2018. All of these actors play an important role in providing services and assistance to victims of trafficking and identifying them. Consideration was given to the views and suggestions expressed at the meeting and in writing following the meeting in the final draft of this focus document. Consideration was also given to a report from a working group set up by the Minister of Social and Children's Affairs on social dumping and labour market violations, published on 28 January 2019, and its proposals for combating forced labour or servitude. At subsequent stages in the preparation of the focus document both the Directorate of Internal Revenue and the Ministry of Finance and Economic Affairs were consulted concerning their role in implementing the actions.

## VIII

The actions in this document are, to a large extent, part of the statutory tasks of the relevant institutions and agencies. On the other hand, some of the actions, such as the creation of a National Referral Mechanism, require special funding. Work is underway to assess the cost of such an action and ensure appropriations for it. If the responsible parties are of the opinion that work on implementing these actions requires increased funding, this must be applied for as provided for in the Act on Public Finances.

---

<sup>1</sup> Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Iceland. Second Evaluation Round, cf. <https://rm.coe.int/greta-2019-02-fgr-isl-en/16809382d4>

## I. Prevention

### Action 1

---

#### RAISING AWARENESS AND INCREASING EXPERTISE

<b>Description</b>	<ul style="list-style-type: none"><li>○ Increase the special expertise and competences of professionals, such as employees of the judicial system, social services and healthcare system who deal with trafficking cases, of the nature and characteristics of the various manifestations of human trafficking.</li><li>○ Promote awareness-raising and education among workers, with particular emphasis on those coming from abroad, of their statutory rights and the obligations of employers.</li><li>○ Promote awareness-raising among the public in order to reduce the demand for services that often thrive on human trafficking.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ The State Prosecutor, the District Prosecutor, Police commissioners, the Directorate of Immigration, the National Courts Administration, the Child Protection Agency, the Directorate of Labour, the Administration of Occupational Safety and Health, the National Referral Mechanism, the Ministry of Health, the Ministry of Justice and the Ministry of Social Affairs.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>

### Action 2

---

#### PREVENT LABOUR EXPLOITATION

<b>Description</b>	<ul style="list-style-type: none"><li>○ Formal procedures established to detect possible trafficking when applications for residence and work permits are processed by the Directorate of Immigration and the Directorate of Labour.</li><li>○ Increase supervision of temporary work agencies and posted workers.</li><li>○ Increase supervision in certain industries where trafficking in human beings readily thrives, such as in the construction industry, tourism services, hotels and restaurants and fish processing.</li><li>○ Promote awareness raising on corporate social responsibility and the chain of responsibility.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ Directorate of Labour, the Directorate of Immigration, the Administration of Occupational Safety and Health, the police, the Directorate of Internal Revenue, the Ministry of Finance, the Ministry of Social Affairs and the Ministry of Justice.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>

### Action 3

---

#### POLICE, RULES AND ADMINISTRATIVE PROVISIONS

<b>Description</b>	<ul style="list-style-type: none"><li>○ Review legislation, administrative provisions and rules in this field in a comprehensive manner within two years.<sup>2</sup></li><li>○ Review rules and procedures in connection with temporary residence permits, such as permits, for example, for au-pairs, volunteer work and internships or vocational training, within one year.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ The Ministry of Justice, the Ministry of Social Affairs, the Ministry of Finance, the Directorate of Immigration, the Directorate of Labour, the Administration of Occupational Safety and Health, the Directorate of Internal Revenue.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>

## II. Assistance, Support and Protection (Protection)

### Action 4

---

#### ESTABLISHING A NATIONAL REFERRAL MECHANISM

<b>Description</b>	<ul style="list-style-type: none"><li>○ Establish a National Referral Mechanism no later than in 2020, with the principal role of co-ordinating procedures and responses to suspected trafficking, including by contacting the necessary professionals, as well as handling prevention and education and awareness-raising within the community.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ Ministry of Justice, Ministry of Social Affairs.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Cost assessment in preparation</li></ul>

---

<sup>2</sup> This refers, for example, to the General Penal Code, No. 19/1940; Foreign Nationals Act, No. 80/2016; Act on Foreign Nationals' Right to Work, No. 97/2002; Act on Posted Workers and Obligations of Foreign Service Providers, No. 45/2007; Act on Temporary Work Agencies, No. 139/2005; Act on Workplace Identification and Workplace Supervision, No. 42/2010; Public Procurement Act (chain of responsibility), No. 120/2016; Act on the Freedom of Employment and Residence of Workers within the European Economic Area, No. 105/2014; Act on Withholding of Public Levies at Source, No. 45/1987; Act on Value-added Tax, No. 50/1988; Act on Income Tax, No. 90/2003; and Act on Facilities, Hygiene and Safety in the Workplace, No. 46/1980.

## Action 5

---

### DETECTING VICTIMS OF HUMAN TRAFFICKING AND OTHER FORMS OF EXPLOITATION

<b>Description</b>	<ul style="list-style-type: none"><li>○ Define a formal process for identifying victims.</li><li>○ Co-ordinate definitions, guidelines, and procedures in this field.</li><li>○ Prepare guidelines and procedures to identify whether an applicant for international protection is a victim of trafficking.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ Ministry of Social Affairs, Ministry of Justice, National Referral Mechanism, Directorate of Immigration, Directorate of Labour, Administration of Occupational Safety and Health, police.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>

## Action 6

---

### ASSISTANCE AND PROTECTION

<b>Description</b>	<ul style="list-style-type: none"><li>○ Trafficking victims to have access to the necessary services, assistance and protection tailored to their gender and age.</li><li>○ Trafficking victims to have unconditional access<sup>3</sup> to the necessary information about their rights and the services and assistance available to them.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ Ministry of Justice, Ministry of Social Affairs, Ministry of Health, National Referral Mechanism, police.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Cost of housing and other services for victims.</li></ul>

## Action 7

---

### IDENTIFICATION, ASSISTANCE AND PROTECTION OF CHILDREN

<b>Description</b>	<ul style="list-style-type: none"><li>○ The child protection authorities prepare clear and effective procedures for identifying children suspected of being victims of human trafficking.</li><li>○ Provide guidelines and procedures for professionals working with children if a child is suspected of being a victim of trafficking.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ Ministry of Justice, Ministry of Social Affairs, Child Protection Agency, Child Protection Committees, Directorate of Immigration.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>

---

<sup>3</sup> "Unconditional access" means that the victim does not have to lay charges with the police or promise assistance in a criminal investigation.

### III. Investigation and prosecution (Prosecution)

#### Action 8

---

##### EFFECTIVE INVESTIGATION

<b>Description</b>	<ul style="list-style-type: none"><li>○ Increase police expertise in investigation into human trafficking offences and prosecution of human trafficking cases by prosecutors.</li><li>○ Increase police initiative in law enforcement.</li><li>○ Investigation of human trafficking and human trafficking offences made a priority.</li><li>○ Review procedures for investigating and prosecuting human trafficking, for instance, to ensure the involvement of the prosecutor at the investigation stage.</li><li>○ Improve the justice system's ability to identify and seize profits from human trafficking offences.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ State Prosecutor, District Prosecutor, Police Commissioners</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>

#### Action 9

---

##### STATISTICS

<b>Description</b>	<ul style="list-style-type: none"><li>○ Ensure recording of information about potential victims of human trafficking and the registration of information by the police and prosecution authorities of complaints and notifications regarding suspicion of human trafficking and how they are handled.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ National Referral Mechanism, District Prosecutor, police, National Courts Administration.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>



## IV Partnership and consultation (Partnership)

### Action 10

---

#### PARTNERSHIP

<b>Description</b>	<ul style="list-style-type: none"><li>○ The police strengthen and reinforce international co-operation and communication with foreign law enforcement agencies.</li><li>○ Police take the initiative in strengthening co-operation with domestic parties for the purpose of combating trafficking in human beings and increasing the efficacy of investigations of violations.</li><li>○ The National Referral Mechanism for victims of trafficking to emphasise seeking co-operation and consultation with key domestic actors on the necessary services and assistance for victims.</li><li>○ The Government to subsidise financially and strengthen international co-operation with other states to assist and protect victims of trafficking (International Referral Mechanism).</li><li>○ The National Referral Mechanism to establish lines of communication and connections with similar centres abroad and participate in the International Referral Mechanism.</li></ul>
<b>Responsible parties</b>	<ul style="list-style-type: none"><li>○ Police, National Referral Mechanism, Ministry of Justice, District Prosecutor.</li></ul>
<b>Cost</b>	<ul style="list-style-type: none"><li>○ Within the framework.</li></ul>