



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

**Recommendation CP/Rec(2022)05
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Norway**

*adopted at the 30th meeting of the Committee of the Parties
on 17 June 2022*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as "the Convention"), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Norway on 17 January 2008;

Recalling Committee of the Parties' Recommendation CP(2017)30 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Norway and the report of the Norwegian authorities on measures taken to comply with this recommendation, submitted on 16 October 2018;

Having examined the third report concerning the implementation of the Convention by Norway, adopted by GRETA at its 43rd meeting (28 March - 1 April 2022), as well as the comments of the Norwegian Government received on 11 May 2022;

Bearing in mind the focus of the third evaluation round of the Convention on access to justice and effective remedies for victims of trafficking;

Considering the conclusions and proposals contained in Appendix I of GRETA's third report on topics related to the third evaluation round and follow-up topics specific to Norway;

Welcoming the measures taken and progress achieved by the Norwegian authorities in implementing the Convention, and in particular:

- the further development of the legislative framework relevant to action against trafficking in human beings (THB), including amendments to the Criminal Code and the adoption of the Transparency Act imposing obligations on larger enterprises to conduct due diligence to identify, prevent and

mitigate violations of fundamental human rights and ensure decent working conditions in their supply chains;

- the setting up of specialised THB units in all police districts;
- the setting up of a network of health-care professionals working with victims of THB and the updated guidelines for health-care professionals on treating victims of THB;
- the establishment of a central guidance unit for child victims of trafficking within the Norwegian Directorate for Children, Youth and Family Affairs;
- the steps taken to prevent and combat trafficking for the purpose of labour exploitation, including the establishment of inter-agency centres against work related crime and the adoption of a number of legislative and policy documents;
- the engagement in international co-operation in the field of action against human trafficking, including through funding projects in countries of origin victims of THB.

A. Recommends that the Government of Norway take measures to address the following issues for immediate action¹ identified in GRETA's report:

1. Facilitate access to state compensation in cases in which no criminal proceedings were instituted against the alleged perpetrator, even when the perpetrator does not give his/her consent to have the compensation claim decided by the Compensation Authority (paragraph 75);
2. Strengthen the criminal justice response to human trafficking, and in particular:
 - ensure that human trafficking offences are promptly investigated, regardless of whether a report has been filed or not, making use of all possible evidence gathered through special investigation techniques and financial investigations, and not having to rely mainly on the testimony of victims or witnesses;
 - provide adequate financial and human resources to the specialised police THB units and ensure that they are utilised accordingly;
 - ensure that trafficking offences are classified as such every time the circumstances of a case allow this, including cases of trafficking for the purpose of labour exploitation, and that they lead to effective, proportionate and dissuasive sanctions for those convicted. If a case is (re)qualified as a lesser offence, the authorities should ensure that THB victims are not deprived of access to a reflection period, legal aid, and compensation as a result, as well as that special investigative measures remain available to law enforcement;
 - ensure that property used to commit THB, or which can reasonably be considered to constitute proceeds of this crime, is seized to the greatest extent possible (paragraph 98);
3. Strengthen the identification of victims of trafficking and their referral to assistance by:
 - setting up a formalised National Referral Mechanism which defines the procedures and roles of all frontline actors who may come into contact with victims of trafficking, in order to improve clarity and legal certainty, and applying the procedures to all victims of trafficking, regardless of the setting in which the victims are detected;
 - ensuring that there is a separation between immigration enforcement functions and labour inspectorate roles, and that labour inspectors prioritise the detection of persons working in irregular situations who are vulnerable to THB;
 - improving the identification of victims of trafficking among asylum seekers, migrants and persons placed in detention centres;

¹ The number of the paragraph setting out GRETA's proposals in the report is indicated in brackets.

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- reviewing the legislation limiting the time period for appealing negative asylum decisions with a view to leaving sufficient time for identifying victims of trafficking and ensuring the effective exercise of the right to judicial review (paragraph 169);
4. In compliance with the obligations under Article 13 of the Convention, ensure that all possible victims of trafficking are offered a recovery and reflection period, without having to apply for it themselves, and all forms of assistance and protection that go with it regardless of whether a temporary residence permit and access to assistance can be secured on other grounds (paragraph 193).
- B. Recommends that the Norwegian authorities take measures to implement the other proposals for action listed in Appendix 1 of GRETA's third evaluation report.
- C. Requests the Government of Norway to report to the Committee of the Parties on the measures taken to comply with this recommendation by **17 June 2024**.
- D. Invites the Government of Norway to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.