

## **G R E T A**

Group of Experts on Action  
against Trafficking in Human Beings

GRETA(2023)11\_NOR\_rep

# **Reply from Norway to the Questionnaire for the Evaluation of the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings**

Fourth evaluation round

## **Thematic focus: Addressing vulnerabilities to trafficking in human beings**

Adopted by the Group of Experts on Action against  
Trafficking in Human Beings (GRETA) on 30 June 2023

**Reply submitted on 28 October 2024**

## Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims' access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.<sup>1</sup>

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of "vulnerability" appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, "by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce."

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as "those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked". It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.<sup>2</sup> Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.<sup>3</sup> The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics

<sup>1</sup> [Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.](#)

<sup>2</sup> [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

<sup>3</sup> [https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio\\_ecological\\_model\\_and\\_trafficking.pdf](https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf)

do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive **country-specific follow-up questions** related to recommendations not implemented or partially implemented after the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

## Part 1 – Addressing vulnerabilities to trafficking in human beings

### I. PREVENTION (Articles 5, 6 and 7)

1. Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

**In June 2024, the Government decided to create a strategy against trafficking in human beings. Work is currently ongoing to map existing challenges, including clarifying which groups of people are vulnerable to trafficking.**

**Since trafficking first came to the attention of the authorities many years ago, foreign women in prostitution in Norway have been understood as being exposed to many vulnerabilities. At a round table in October 2024 organised by the Ministry of Justice, stakeholders from authorities and civil society discussed the situation in the prostitution markets. There was general agreement that the personal, situational and contextual situation of foreign women in prostitution, still places them in the highest position of vulnerability.**

**Following this, measures to identify and assist victims exploited in prostitution will be a priority in the strategy.**

**Migrant workers are exploited in many various sectors, but their situation is in general not as grave as for women in prostitution.**

2. What specific measures are taken to reduce children's vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:

- a. protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);
- b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;
- c. putting in place a system for monitoring and reporting cases of abuse;
- d. providing training to child care professionals, legal guardians, education professionals;

### Child protection systems

**The Child Welfare Services' responsibility for children identified as victims of trafficking is regulated by the Child Welfare Act. Children identified as possible victims of trafficking are entitled to assistance and protection with all the corresponding rights and duties. Norwegian authorities have a duty to facilitate identification of minor victims of trafficking and provide them with assistance and protection. When a child is identified as a victim of trafficking, the child will be informed of his/her rights and provided with assistance and protection. To enable the Child Welfare Service to carry out its tasks, public authorities have a statutory duty to report to the Child Welfare Service when there is a reason to believe that a child is or will be exploited for human trafficking (Section 13-2 in the Child Welfare Act). The duty to inform is an independent, personal responsibility and takes precedence over the statutory duty of confidentiality.**

The Child Welfare Act contains a provision to protect potential victims of trafficking: an emergency order for the placement of a child in an institution when there is a risk of human trafficking. An emergency order may only be issued when it is necessary to protect the child. If there is a need for further measures, the Child Welfare Service must promptly follow up the emergency order with an application to the Child Welfare Tribunal for placement in an institution pursuant to section 6-6. If such an application has not been made within two weeks of the date of the order, the emergency order lapses. The provision entered into force on 1 January 2023, building on the previous legislation section 4-29.

### **Strengthening legislation**

A legislative committee appointed by the government has recently published a green paper (NOU 2024:13) assessing whether the legislation provides adequate legal protection for children and young people who are subjected to negative social control, honour-related violence, forced marriages, and child marriages, or if changes to the legislation are needed. The committee proposes a number of regulatory changes, including amendments to the Child Welfare Act. These changes include a proposal that forced marriages and child marriages should be classified as forms of exploitation under the human trafficking provision.

### **Training and capacity building**

The National Guidance Unit for Cases of Trafficking in Children was established within the Directorate for Children, Youth and Family Affairs (Bufdir) at the end of 2019. The establishment of the Guidance Unit was requested by the Norwegian Parliament in 2017, following disappearances of unaccompanied asylum-seeking children from reception centres. It was assumed that some of these children could be victims of trafficking.

The Guidance Unit is responsible for following up minors who are victims of human trafficking and providing guidance to local Child Welfare Services and other actors in cases where human trafficking is suspected. The Guidance Unit works on improving procedures for the identification of children that are victims of trafficking, provides guidance, training and capacity-building activities, and supports and strengthens the coordination between different authorities in protection of child victims of trafficking. An information video has been produced and made available on YouTube, and a training-course has been developed. The training is focusing on identification and assistance to child victims of trafficking, the best interests of the child being the primary consideration in all actions concerning trafficked children, appropriate care and protection of child victims of trafficking and how to support cooperation between different stakeholders. The training is taking into account the gender dimension of trafficking and the particular vulnerability of children.

### **National Referral Mechanism**

A process has been initiated in Norway to develop a new strategy against human trafficking. An important measure in this strategy is to set up a National Referral Mechanism (NRM) for child victims of trafficking. The NRM will take into account the special circumstances and needs of child victims and ensure that the best interests of the child are the primary considerations in all proceedings relating to child victims of trafficking and children at risk.

### **Monitoring and reporting cases**

Children need to feel safe if they are reporting a case of exploitation or abuse. In the process of developing a new strategy against trafficking, one of the goals is to establish

**a better system for collecting data and figures about exploited children. This will contribute to a better system for monitoring cases where children are identified as victims of trafficking. In addition, it could help us to develop better measures to protect child victims of trafficking. A national helpline for children and young people who have been subjected to violence, abuse, or neglect: Alarmtelefonen for barn og unge (116111.no)**

- e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;

**All children up to the age of 18 have the same rights to health and care services as other children in Norway. Children without legal residence do not have the right to be registered with a general practitioner.**

- f. birth registration for all children born in the country.

**All children are registered by birth.**

3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:

- a. research;

**The Action Plan for Freedom from Negative Social Control and Honour-Related Violence, which applies for the period 2021-2024, includes measures to increase competence in the aid services and strengthen information on rights, services and alternatives to persons exposed to negative social control, involuntary stays abroad, forced marriage and female genital mutilation. The Government aims to present a new action plan against negative social control and honour-related violence in the spring of 2025.**

**The Ministry of Labour and Social Inclusion and the Directorate of Integration and Diversity (hereinafter IMDi) have commissioned a lot of research on negative social control and honour-related violence in recent years. National reports have been carried out and there have been appointed expert groups on the topic, which has led us to gain knowledge about:**

- o The extent of negative social control in school**
- o Negative social control on digital platforms**
- o Legal protection for vulnerable persons**
- o Young people who are left abroad against their will**
- o Follow-up of people who have been left abroad**
- o Causes and consequences of women being left abroad**
- o Queer immigrants' exposure to negative social control and honour-related violence**
- o The help services' need for competence on negative social control and honour related violence**
- o Extent of violence and abuse**

## **o Voluntary organisations' efforts to combat negative social control and honour related violence**

- b. information, awareness-raising and education campaigns;

**Through the escalation plan against violence and abuse against children and violence in close relations (2024-2028), the Government will strengthen information on rights and assistance for victims of violence to persons who come on family immigration. This group is vulnerable to exploitation, and is heavily dependent on the person who has brought them to Norway**

**IMDi develops, publishes and manages content on the web portal Nora (Nora | IMDi), which is one of several tools in the work against negative social control. With the portal Nora, more people will learn about negative social control, about your own rights and who you can contact for help. Nora also shares stories that young people can recognise.**

- c. socio-economic initiatives targeting underlying and structural causes;

**Negative social control and honour-related violence have frontiers to human trafficking. Norway has several special services that work preventively in this field.**

- **Diversity advisor: Diversity advisors are deployed at schools and adult education centres around the country, and work to prevent persons, primarily young people, from being exposed to negative social control, involuntary stays abroad, female genital mutilation and forced marriage.**
- **IMDi's team for the prevention of negative social control: The efforts of IMDi's team are mainly focused on employees in schools that do not have diversity advisors and employees in adult education centres and refugee services. In addition to providing competence to the target groups on how to prevent, detect and follow up people exposed to negative social control, honour-related violence, forced marriage and female genital mutilation, the team contributes to making the other services in the field better known.**
- **The National Team for building competence on negative social control and honour related violence: The Competence Team is a national inter-agency team that assists the aid system in specific cases of forced marriage, female genital mutilation or other forms of honour-related violence. The competence team guides both first- and secondline services, such as police, kindergartens, schools, asylum reception centres, health centres, child welfare services, crisis centres, Norwegian foreign service missions and The Norwegian Directorate of Immigration.**
- **Special envoys for integration cases: In addition to the preventive work, four special envoys have been deployed to Norwegian embassies in Kenya, Pakistan, Türkiye and Jordan. The special envoys assist vulnerable persons connected to Norway in consular matters, such as issuing passports and assisted return to Norway.**
- **Accommodation for persons exposed to negative social control and honour-related violence: The accommodation is for persons over the age of 18 who are subjected to forced marriage, honour-related violence and/or negative social control and need a safe place to live and support to re-establish themselves.**

- d. education, vocational training and job placement programmes.

**The Integration Act came into force in 2021. The Integration Act aims to integrate foreigners into Norwegian society by enabling them to gain Norwegian language skills and knowledge about Norwegian society. The law will also help immigrants become financially independent.**

**In particular, women with refugee backgrounds have low employment rates. The government has therefore launched a program called "Jobbsjansen". The purpose is to contribute to increased employment among domestic immigrant women who are far from the labour market and who need qualifications to get into work or ordinary education. The job opportunity shall, through individually adapted programmes, strengthen the participants' qualifications so that the individual, in the long term, can have a permanent connection to the labour market and become financially self-reliant. Helping women become financially independent is in itself an important part of the work towards negative social control and exploitation.**

5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:

- a. deinstitutionalisation, including community and family-based services for children and support for independent living;
- b. monitoring institutions and foster families accommodating persons with disabilities;
- c. procedure for the selection and appointment of legal guardians and monitoring of their work;
- d. access to adequate accommodation, education and work;
- e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.

**Normalization and inclusion have been key words for a number of reforms aimed at people with disabilities. The aim of the *responsibility reform* was to safeguard the right to an independent life and to be part of society, with the same choices as others - also the right to choose how you want to live. The individual person should be able to live the way he or she wants, whether the desire is to buy a home, rent a home, live for himself or live with others.**

**The Housing Bank have provided guidelines/rules for co-located housing and community housing to prevent institutional-like housing. Furthermore, the guidelines recommend that the number of residential units that are located together must not be too large, and they should be placed in ordinary living environments so that the principles of normalization and integration are met.**

6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;

**Asylum seekers are registered in START (Self-registration tool) in a language they can understand, where everyone is informed that they can get help in Norway if they are victims of violence or exploitation and who they can contact. Because the majority of Ukrainians are not interviewed by the Directorate of Immigration (UDI), they are asked in START whether they are exposed to violence or exploited for human trafficking. Those who answer "yes" or "do not know" shall be summoned to an interview with the National Police Immigration Service (PU) or the UDI.**

**At the National Arrival Centre (NAS), everyone is offered a conversation with Caritas in a language they can understand. When Caritas identifies vulnerable applicants, this is**



reported to the UDI, in agreement with the applicant. The applicant is registered as an asylum seeker by the National Police Immigration Service (PU), with an interpreter in their own language. Where there are indications of possible human trafficking, PU will map this further, please see [UDI 2010-081 \(udiregelverk.no\)](#), chapter 5.

Asylum interviews are conducted with an interpreter. Where the interviewer perceives indications of THB, the interviewer must map the suspicion. The interviewer will then provide the applicant with information about the rights of potential victims of human trafficking and offer to put the applicant in contact with the support system, based on guidance material from KOM, ROSA and the website [www.menneskertilsalgs.no](#). Case officers can also seek help from the UDI's coordinators and contact persons for human trafficking.

Applicants at NAS also receive information through information screens and posters and brochures on NAS. Information about domestic violence and human trafficking is provided in several different languages. Information about human trafficking is also available at UDIs webpage, please see [Human trafficking - UDI](#).

- b. access to legal assistance and representation;

Case workers in UDI are to give possible victims of THB information about the right for free legal assistance, information about ROSA ([www.rosanorge.no](#)) and offer to contact ROSA on behalf of the applicant.

- c. access to decent accommodation, health (including psychological) care, work and education.

When there is a suspicion that a resident in a reception center may be a victim of trafficking, the center is to carry out a conversation with the resident (see [Routines for reception centre \(udi.no\)](#) section 5.1.1 and ["tiltakskort" on THB \(udi.no\)](#) section 2, only available in Norwegian). The purpose is to provide information about who can offer help and clarify the resident's needs. Examples of follow-up can for instance be assistance to contact the health services or the police, shielded housing facility or moving to another reception center.

Victims of THB who are granted a residence permit in Norway, are allowed to work. Asylum seekers can be granted a temporary work permit according to the Immigration Act section 94 and the Immigration Regulations section 17-24 – 17-27.

7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;
- b. provision of clear employment contracts;
- c. access to decent work and housing, health care, social services and education;
- d. possibility to change employers;
- e. access to confidential complaints mechanisms;

- f. right to join trade unions and to engage in collective bargaining;
- g. legal avenues for regularising their stay in the country.

**a. The Norwegian Labour Inspection Authority has information on current regulations and workers' rights available on their website. Some of this information has been translated into several languages and specifically aimed at foreign workers via the "Know Your Rights" campaign. In addition, there are campaigns on social media where the information is aimed at people who reside in Norway and have language settings other than Norwegian on their smartphone. Furthermore, information material translated into several languages are handed out on supervisions where the Labour Inspection Authority meet people with other language backgrounds than Norwegian. If necessary, the inspectors can also use an interpreter.**

**There is also a Service Centre for Foreign Workers (SUA) in several cities. Here, the Labour Inspection Authority and other agencies are available for enquiries and there are employees at the centres who master different languages. The Labour Inspection Authority may also refer foreign citizens to their country's consulate or embassy in Norway for more information.**

**b. The provision on minimum requirements regarding the content of the written employment contract has recently been amended to implement the EU Directive (19/1152) on Transparent and Predictable Working Conditions. The provision now reads:**

#### **Section 14-6. Minimum requirements regarding the content of the written contract**

**(1) The contract of employment shall state factors of major significance for the employment relationship, including:**

- a. the identity of the parties,**
- b. the place of work. If there is no fixed or main place of work, the contract of employment shall provide information to the effect that the employee is employed at various locations or can freely decide on their place of work, and state the registered place of business or, where appropriate, the home address of the employer,**
- c. a description of the work or the employee's title, post or category of work,**
- d. the date of commencement of the employment relationship,**
- e. if the employment relationship is of a temporary nature, its expected duration and the basis for the appointment, cf. Section 14-9**
- f. any provisions relating to a trial period of employment, cf. section 15-3, seventh paragraph and section 15-6,**
- g. the employee's right to holiday and holiday pay, the provisions concerning the fixing of dates for holidays, and any right to other paid leave from the employer,**
- h. the periods of notice applicable to the employee and the employer and procedure upon termination of the employment relationship,**
- i. the pay applicable or agreed on commencement of the employment relationship, any supplements and other remuneration not included in the pay, for example, pension payments and allowances for meals or accommodation, method of payment and payment intervals for salary payments. The different elements must be specified separately.**
- j. duration and disposition of the daily and weekly working hours. If the work is to be performed periodically or the daily and weekly working hours will vary, the contract of employment shall provide information to this effect, and stipulate or provide a basis for calculating when the work shall be performed.**
- k. length of breaks.**

**l. agreement concerning a special working-hour arrangement, cf. section 10-2, second, third and fourth paragraphs,**  
**m. arrangements for shift changes, cf. section 10-3, and arrangements for work exceeding the agreed working hours, including payment for such work,**  
**n. information concerning any collective pay agreements regulating the employment relationship. If an agreement has been concluded by parties outside the undertaking, the contract of employment shall state the identities of the parties to the collective pay agreements,**  
**o. the identity of the hirer if the employee is hired out from a temporary-work agency. The information must be provided as soon as the identity of the hirer is known,**  
**p. right to competence development that the employer may offer,**  
**q. social security benefits under the auspices of the employer as well as the names of institutions that receive payments from the employer in this regard.**

**(2) Information referred to in the first paragraph (g) to (k) and (m), (p) and (q) may be given in the form of a reference to the Acts, regulations or collective pay agreements regulating these matters.**

**(3) If the employer has not stated that the employment relationship is temporary, cf. first paragraph (e) and section 14-5, it shall be assumed that the employee is permanently employed unless otherwise is considered highly probable.**

**(4) If the employer has not stated the scope of the post, cf. first paragraph (j) and section 14- 5, the employee's claim regarding the scope of the post shall be used as a basis unless otherwise is considered highly probable.**

**In addition, standard employment contracts can be found on the Labour Inspection Authority's website and offices and at the Service Centre for foreign workers. The Labour Inspection Authority's inspectors also carry standard copies that they hand out for supervision.**

#### **c. Accommodation provided by the employer**

**There are detailed regulations on requirements for accommodation provided by the employer to the employee. These can be found in the regulations concerning the design and layout of workplaces, work premises and accommodation (the Workplace Regulations) chapter 3A which was amended in 2024. The chapter is divided into the following sections: general accommodation requirements (inter al regarding daylight, maintenance, temperatures and storage, preparation and consumption of food), requirement for single occupancy rooms as bedrooms, requirement for living area and access to shower and toilet.**

**The Labour Inspection Authority informs about rights and obligations in the workplace and supervises compliance with the regulations regarding working conditions and accommodation of employees. When it comes to access to private housing, private health services, social services and education, the Labour Inspection Authority refers employees to their partners in the public sector, such as the municipality in question and to NGOs.**

**Access to education and work: The Integration Act aims to provide asylum seekers, refugees and immigrants with relevant skills, access to the labour market and the opportunity to become financially independent, through the introduction programme. The aim of the introduction programme is to provide participants with basic skills in Norwegian, basic insight into Norwegian society and prepare them for work or education.**

**Access to housing:** All refugees living in Norway must live in a municipality. Settlement and integration of refugees is a municipal task, and municipalities that settle refugees receive grants from the state. Settlement with public assistance is a voluntary offer from the state. There is only one offer of settlement, and refugees may be offered any municipality in Norway. This means that in order to have opportunities to participate in the introduction programme, receive introductory benefits and other financial assistance, persons in the target group for the introduction programme must be settled through an agreement between the municipality and The Directorate of integration and diversity.

**d.** It is established by the Constitution article 93 that no "one shall be held in slavery or required to perform forced labour" and that the "authorities of the State shall protect the right to life and oppose torture, slavery, forced labour and other forms of inhuman or degrading treatment".

Employees are entitled annul the employment relationship due to material breach of contract obligations or human rights.

The Labour Inspection Authority will inform employees on where to find available information about vacancies. They also refer to the Norwegian Labour and Welfare Administration (NAV), which is the agency that can provide guidance, various work measures and information about vacancies.

**e.** Employees have the right to report issues of concern in the employer's undertaking. Workers hired from temporary-work agencies also have a right to report issues of concern at the hirer's undertaking. This is regulated in the working environment act (WEA) section 2 A-1. Section 2 A-7 regulates that when supervisory authorities or other public authorities receive an external report concerning issues of concern, any person who performs work or services for the body receiving such a report shall be obliged to prevent other persons from gaining knowledge of employees' names or other information identifying employees. This duty of confidentiality shall also apply in relation to parties to the case and their representatives.

It is also regulated in the WEA section 18-2 that when the Labour Inspection Authority is informed of circumstances that are in contravention of the WEA, any person who performs work or services for the Labour Inspection Authority shall be obliged to prevent other persons from gaining knowledge of the name of the notifier or other information identifying the notifier. The duty of secrecy also applies in relation to the person or undertaking whose affairs are reported.

When the Labour Inspection Authority receives tips and reports on issues of concern at a workplace, they assess whether this should be followed up through supervision. It is possible to report anonymously and the Labour Inspection Authority inform that they treat the information they receive confidentially. The Labour Inspection Authority experience that several foreign citizens prefer contact with NGOs, such as Caritas, Red Cross, Church City Mission, Salvation Army etc.

**f.** It is established by the Constitution article 101 that everyone has the right to form, join and leave associations, including trade unions. Thus, foreign workers may freely join relevant trade unions and participate in collective bargaining. The Labour Inspection Authority will refer workers who seeks assistance to relevant organisations.

**g.** On request The Labour Inspection Authority refers to various free legal aid measures, such as websites for free legal assistance, various legal aid measures (Jussbuss etc) legal aid through voluntary organisations or the public sector.

8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

**The Labour Inspection Authority supervises compliance with the requirements of the Norwegian working environment regulations. The agency receives financial resources to conduct necessary supervision and other activities. Work on social dumping and work-related crime is prioritised. The Labour Inspection Authority cooperates with other relevant agencies to combat social dumping and work-related crime. There are also several collocated joint operation centres around the country, in which the Labour Inspection Authority cooperates with the police, the Tax Administration and NAV. In these centres the employees from the four aforementioned agencies work together towards common goals to reduce crime in the workplace. This work is regulated by common inter-agency objectives – and governing documents for all four agencies. The Labour Inspection Authority also cooperates with trade unions through dialogue and cooperation in joint forums, for example in tripartite cooperation. The activities of the Labour Inspection Authority and Immigration Control are regulated by different regulations and legal requirements.**

9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

**All undertakings whose purpose is to hire out labour in Norway must have an approval as a temporary-work agency by the Labour Inspection Authority. In order for a temporary-work agency to be approved, it must comply with specific conditions regarding:**

- employment agreements
- safety service
- registration in statutory public registers
- procedures for equal treatment regarding pay and working conditions when hiring out workers
- occupational injury insurance or equivalent that provides compensation to employees in the event of occupational injury

**Approved temporary-work agencies are filed in a temporary-work agency-register by the Labour Inspection Authority.**

**It is legal to hire workers from approved temporary-work agencies. However, the hiring undertaking must be aware that the Working Environment Act sets some requirements for when it is legal to hire workers from an approved temporary-work agency.**

10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?

**There are several measures/instruments in place to prevent and sanction abuses. One of these instruments is the general application of collective agreements in sectors that are considered especially vulnerable to social dumping. In addition to the general application of collective agreements in these sectors, other regulations are also used to**

ensure the workers their rights. For instance, it is regulated that the main contractor must ensure that generally applicable conditions are complied with by subcontractors. With regard to public procurement there is a number of regulations to ensure that society's resources are use on legitimate suppliers, to help combat work-related crimes. It is inter alia a limitation on the number of levels in a contract chain in public procurement regarding public works contracts and contracts regarding cleaning services above certain threshold values.

Norway has also implemented the EU Posting of Workers Directive (96/71), which ensures posted workers certain terms and conditions of employment, and its accompanying Enforcement Directive (14/67).

The definition of an employee in the working environment act has been amended inter alia to clarify the difference between employment and self-employment. The amended section came into force in 2024 and reads:

#### **Section 1-8. The employee and the employer**

**(1) For the purposes of this Act, an employee shall mean anyone who performs work for and is subordinate to another. When determining this, emphasis shall be placed on, among other things, whether the person in question makes their personal labour available on an ongoing basis, and whether the person in question is subordinate through management, leadership, and control. It shall be assumed that an employment relationship exists unless the client shows it to be highly probable that an independent contractual relationship exists.**

**(2) For the purposes of this Act, an employer shall mean anyone who has employed an employee pursuant to the first paragraph. The provisions of this Act relating to the employer shall apply correspondingly to a person managing the undertaking in the employer's stead.**

The Norwegian Labour Inspection Authority's most important instrument for uncovering workrelated crime is supervision. Pursuant to the Working Environment Act, the Norwegian Labour Inspection Authority may in its supervisions conclude that persons who are alleged self-employed are in reality regarded as employees and thus shall be protected by the rules of the Working Environment Act.

The Labour Inspection Authority's reactions are decisions concerning orders, decisions on cessation, decisions concerning coercive fines, violation fines and police reporting.

The Norwegian Labour Inspection Authority has also established a group of human trafficking contacts located around Norway. They cooperate with the police in cases where there are suspicions of victims of human trafficking.

As previously mentioned, the Labour Inspection Authority cooperate with other control agencies in the inter-agency cooperation against work-related crime.

11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

**Residence permits are granted to migrant workers based on their skills and employment in Norway. Most migrant workers from third countries are skilled workers or seasonal workers. The Norwegian Immigration law requires that the migrant worker's salary and working conditions are according to the collective wage agreement or regulations for the industry.**

12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

**Our ban on the purchase of sex is aimed at reducing the level of prostitution.**

13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?

**We have had few suspected cases of THB in sports.**

15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?

16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, child care professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?

**The training of social workers raising awareness of the risks of technology-facilitated THB is important. In 2023 The National Guidance Unit for Cases of Trafficking in Children organized a seminar for child care professionals, and other frontline workers. The conference focused on children and the risks of exploitation into technology-facilitated THB and other forms of exploitation into trafficking.**

17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?

**No specific anti-THB cooperation.**

18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

**We have not established any formalised way of receiving and analysing experiences of victims.**

## **II. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)**

19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?

**In some lgbti+ asylum cases, the applicant also claims to be a victim of THB. In some cases, their vulnerability due to their sexual orientation or gender identity has placed them in a situation that has led to exploitation in human trafficking. Transgender persons in prostitution are in an extremely vulnerable position. We are not aware of reports about police misconduct.**

20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?

***Web conferences within the agricultural sector***

**UDI arranges web conferences for farmers, other employers within the agricultural sector and their trade organizations. One of the main purposes of the conferences is to inform the employers about their duties and responsibility when they hire migrant workers from high-risk regions.**

***Measures to detect false documents in applications for work permits***

**UDI have experienced many incidents where documentation submitted along with applications for work permits in industries where there is a risk of being subjected to exploitation to forced labor, is fraudulent or contains incorrect information. Individuals who come to Norway on false grounds may be more vulnerable to being exploited to work in Norway. The UDI have therefore implemented measures to detect false documents so that the applications are rejected while the applicant is still abroad.**

21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

**Various information measures aimed at possible victims.**

22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?

**The UDI Return Unit processes applications for assisted return to the home country. If a person expresses a need for help, the unit may obtain relevant from UDI's systems, the police, ROSA, asylum reception centers etc.**

**A possible victim of human trafficking who wishes to return home, will be granted a reintegration grant to particularly vulnerable persons of up to NOK 22,000. The person will, in collaboration with our service provider, prepare an individual plan for reintegration in their home country before returning.**

23. What measures are taken in your country to identify victims of THB in immigration detection centres and prisons?

**ROSA has conducted visits and trainings in prisons in order to identify victims and raise awareness.**

24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:

- a. persons with disabilities;
- b. LGBTI+ persons;



- c. victims with children;
- d. victims with severe mental and physical trauma;
- e. homeless persons;
- f. other.

**Our authorities and support organisations will carry out an overall assessment of the needs of possible victims, and design assistance in accordance with the findings. A main challenge is providing specific assistance to victims with mental disabilities.**

25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?

**Our return programme run by IOM will assist in reintegration efforts in the home country of the victim.**

26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

**Residence permits, including the recovery and reflection period, is described in previous reports, cf. also [RS 2013-014](#) (only available in Norwegian). For more information regarding various residence permits, we refer to the information provided by Norwegian authorities in the third report of 2020 page 21, the first GRETA report of 2013 paragraph 179-196, and GRETA's second report of 2017 paragraph 127-131.**

**After an individual assessment, if a former victim of human trafficking upon return to his or her home country is at risk of persecution or re-trafficking, the person will be granted asylum in accordance with to Section 28, Section 1, letter a, of the Immigration Act. In Accordance with the Immigration Act § 30, section 1, letter c, former victims of human trafficking should be considered members of a special social group.**

**If the foreign national does not meet the requirements/conditions for the residence permit applied for, UDI can issue a residence permit due to the victim's personal situation cf. Immigration Act section 38, provided that strong humanitarian considerations apply or the foreign national has a particular connection with the realm. To determine whether such strong humanitarian considerations apply, an overall assessment of the case shall be undertaken.**

27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

**Child welfare services that support trafficking victims are bound by a duty of confidentiality, according to the Child Welfare Act. Personal details about a child victim of trafficking can only be shared with authorized persons or authorities that are directly involved in the child's case.**

28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?

Ethical code for media, with complaint mechanism.

29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?

**No cases yet.**

30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?

**Persons in this group will frequently be investigated by the police. The investigation will aim to clarify the details of the recruitment and exploitation process.**

31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

**No specific THB requirements. We refer to para 178 in GRETA's second report.**

### **III. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)**

32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.

**Yes. There have been several court cases discussing the concepts. The Supreme Court stated in a ruling in 2006 that it is necessary to build on an overall assessment of a number of circumstances. Central points will be the life situation of the victim prior to exploitation, as well as the conditions surrounding the exploitative situation. An important point is the victim's factual possibility to make choices.**

33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

**Section 77 in the Criminal Code lists aggravating factors for all cases. It is an aggravating factor when the offender has exploited or misled young people, people in a very difficult life situation, who are mentally disabled or are in a dependent relationship with the offender.**

34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of "abuse of a position of vulnerability" is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should have known of the victim's vulnerability, and intentionally manipulated the victim on this basis?

***Intent* on the existence of a position of vulnerability must be proven. *Intent* exists when someone commits an act that covers the description of the act**

- a. on purpose,**
- b. with awareness that the act certainly or most likely covers the description of the crime, or**
- c. considers it possible that the action covers the description of the crime, and chooses to act even if that were the case.**

35. Is the concept of “abuse of a position of vulnerability” addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

**It will only be addressed in THB specific trainings.**

36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

**For THB cases a lawyer will be appointed to assist the victim free of cost. Prior to a court case, our special “victim support” offices can show the court room to victims and explain procedures.**

37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.

38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?

**The police use a number of technology-based tools in fighting all forms of crime. The National Cybercrime Center (NC3) at Kripas is the police's national knowledge and competence center for technology-related police tasks. We have not introduced specific THB tools.**

39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?

## **Part II – Country-specific follow-up questions**

40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA’s previous reports:

- ensure that trafficking offences are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions;
- guarantee effective access to compensation for victims of trafficking in human beings;
- ensure that all possible victims of trafficking are offered a recovery and reflection period and all forms of assistance and protection that go with it;
- set 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;

- develop a comprehensive system for the collection and analysis of data on THB, including measures to protect and promote the rights of victims of THB.

**We refer to our letter to the Committee of the Parties dated 17 June 2024.**

41. Please provide information on developments in your country since GRETA's third evaluation report concerning:

- emerging trends of trafficking in human beings;
- the legislation and regulations relevant to action against THB;
- the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);
- the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results);
- recent case-law concerning THB for different forms of exploitation.

**We refer to our letter to the Committee of the Parties dated 17 June 2024.**

### **Part III - Statistics on THB**

42. Please provide the following statistics, per year starting with 2019, where available disaggregated as indicated below:

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

**2023: 10 persons were granted a reflection period by UDI as presumed victims of THB.**

**2022: 9 persons**

**2021: 8 persons**

**2020: 3 persons**

- Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).
- Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

**We do not have such detailed information.**

- Number of child victims of THB who were appointed legal guardians.

- Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).

**2023: 10 persons were granted a reflection period by UDI as presumed victims of THB.**

**2022: 9 persons**

**2021: 8 persons**

**2020: 3 persons**

- Number of victims of THB granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation).
- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).

**2023: 3 persons granted protection as victims of THB**

**2022: 5 persons**

- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).
- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.
- Number of victims of THB who received free legal aid.
- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).

**2023:**

**3 adults, all women, were granted reintegration support as victims of THB. 2 exploited in forced labour and 1 in prostitution. 2 returned to Asian countries and 1 to Latin America.**

**2022:**

**4 adults were granted reintegration support. Two women and two men. 2 exploited in forced labour and 2 in prostitution. 2 returned to Asian countries, 1 to a European country and 1 to an African country.**

- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).

**2023: 27 registered cases with the police. 17 concerned sexual exploitation and 8 forced labour. A total of 25 possible victims, hereunder 13 minors.**

**2022: 32 registered cases with the police. 9 concerned sexual exploitation and 23 forced labour. A total of 30 possible victims, hereunder 1 minor.**

**2021: 30 registered cases within the police. 14 concerned sexual exploitation and 10 forced labour. A total of 30 possible victims, hereunder 10 minors.**

**2020: 39 registered cases with the police. 17 concerned sexual exploitation and 20 forced labour.**

- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).
- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).

**2023: No convicted persons**

**2022: No convicted persons**

**2021: 4 convicted in the same case. 2 men and 2 women from Romania. Sexual exploitation.**

**2020: 1 convicted woman from Sweden. Sexual exploitation and forced labour**

**2019: 3 Norwegian men in 3 separate cases. Sexual exploitation.**

**We attach an overview from KOM on all THB court cases, updated 31 August 2024.**

- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.

**2023: No convictions**

**2022: No convictions**

**2021: 1 conviction. Sexual exploitation. 2 adult female victims from Romania. 4 convicted Rumanian citizens**

**2020: 1 conviction. Sexual exploitation and forced labour. Adult female victim from Thailand.**

**2019: 3 convictions. Sexual exploitation. Adult victims.**

- Number of judgments in THB cases resulting in the confiscation of assets.
- Number of convictions of legal entities for THB.

**None**