

KNOWLEDGE FORUM II

# TRAFFICKING IN HUMAN BEINGS

SOCIAL CONSEQUENCES

*Challenges and Roles of the National Parliaments – Nordic-Baltic Cooperation*

Riga, 27-28 November 2014

Sonja Mandt, Member of Parliament of Norway and Member of Nordic Council

Dear Chairperson,

Dear Conference delegates,

It is a great honour for me as a Member of the Norwegian Parliament as well as a Member of the Nordic council – that is the Nordic cooperation between the Nordic parliaments - to speak on the subject of *the Challenges and roles of the National Parliaments* in terms of social consequences of the victims of human trafficking.

The crime of human trafficking is very cynical exploitation of vulnerable persons, which affects every region of the world. While domestic trafficking is widely detected, the main part tends to cross borders in a sub region between neighbouring countries. The traffickers are constantly finding new ways of exploitation and we as legislators are fighting an up-hill struggle to keep up with relevant legislation to combat this complex crime.

The victims tend to be vulnerable people, mainly women, but also men, and worryingly more and more children as stated in the newly released Global Report on Trafficking in Persons from the United Nations Office on Drugs and Crime (UNODC) which shows that:

- One in three known victims of human trafficking is a child – a five per cent increase compared to the 2007-2010-period.
- Girls make up two out of every third victims, and together with women account for 70 per cent of overall victims worldwide.
- Additionally, I would assume there is a big number of unreported male victims, constituting of young men

Depressingly, despite the fact that most countries have introduced measures against human trafficking, such as national action plans and new legislation against trafficking in persons – or to put it bluntly: modern slavery -, trafficking has not been reduced.

The number of convictions against human traffickers is still low. More and more forms of human trafficking can be seen; forced labour, theft or other criminal activities, begging, identity theft, forced marriage, trade in children and trade in human organs – the list is long and quickly gets longer.

The exploitation of vulnerable people seem to be never ending, which makes it ever more important to focus on the victims,

Since the start of the conference yesterday have we already heard a lot of very interesting facts relating to the various aspects of the victims of human trafficking in terms of our joint responsibility within Europe as regards to supporting and protecting victims, the social consequences for the victims, challenges of reintegration of trafficked women as well as the

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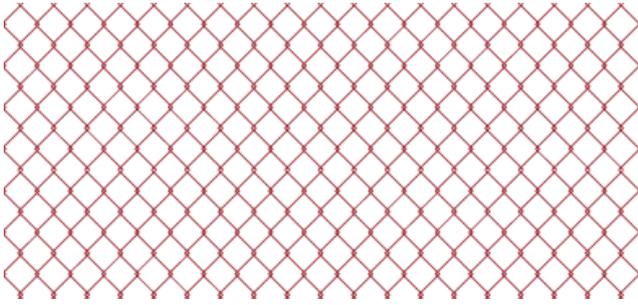


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important aspect of assistance and rehabilitation of victims and the psychological characteristics of defining victims versus criminals.

Earlier today we have also heard about the specific aspects of dealing with children victims and efforts in order to prevent vulnerable teenagers to fall into the hands of traffickers as well as ways to empower and assist victims in accordance to their individual needs. Furthermore we have looked at the critical role of the police when identifying victims of human trafficking and heard about the challenges of providing undocumented migrants health care.

I will now focus on what I believe to be the crucial role of the national parliaments in order to protect the vulnerable victims and the challenges we face in trying to do so.

As a Member of the Norwegian Parliament, I will obviously have to talk a little about the national measures Norway has taken in order to combat human trafficking.

Also, I have previously represented the Nordic Council in a Nordic-Baltic working group on human trafficking within the Baltic Sea Parliamentary Conference. The working group was active in the period 2010 to 2013 and prepared a number of political recommendations that we believe are crucial in order to get to grips with human trafficking. So I will also mention a few words on these.

**Firstly**, let me start with what we do in Norway:

In order to curb the demand for services provided by human traffickers Norway criminalized buying sex in 2009. The main rationale for implementing the law (from 1st of January 2009) against commercial sex was to prevent and reduce human trafficking in Norway. By making it illegal to buy sex the Norwegian government also wanted to

1. change attitudes in the population,
2. reduce the size of the Norwegian sex market by constraining supply and demand, and
3. to prevent entry into prostitution and hence to reduce possible sexual exploitation of men and women in prostitution.

The law also seeks to protect people in prostitution and to help people with the transit out of sex work.

Five years after adopting the law, the Norwegian government has evaluated its' initial effects. The ban on purchasing sexual services is much debated in Norway and law making on this issue is complicated due to moral and ethical questions. For instance, there are worries that the law has resulted in negative side effects for people in prostitution. Hence, it is important to follow up on the effects of the law.

The findings of the evaluation show that:

The ban on purchasing sexual services has reduced demand for sex and thus contributed to reduce the extent of prostitution in Norway. The enforcement of the law, in combination with the laws against trafficking and pimping, makes Norway a less attractive country for prostitution based trafficking than what would have been the case if the law had not been adopted.

Additionally, attitudes among young men in Norway towards buying sex have changed more than among older men. So the law seems to have a normative effect on people's behaviour. This is also the case in Sweden, according to evaluations of a similar law introduced in 1999.

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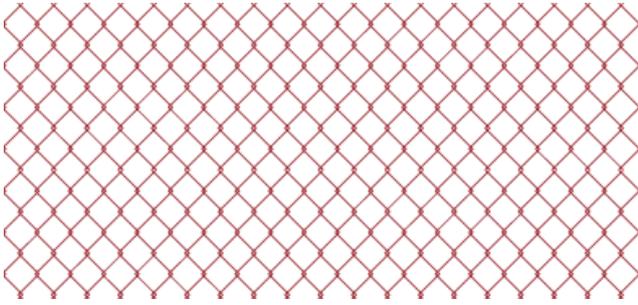


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So from these results, the law could be seen as a successful tool.

However, there are also reports that women on the street market now have a weaker bargaining position and more safety concerns now than before the law was introduced.

While the law criminalises the buying of sex, it should strengthen the rights of the seller in the sense that the buyer could be reported to the police. This could thus be considered as a tool to manage “bad” customers. However, the threshold for reporting a violent customer to the police seems to be higher after the law, as people in prostitution are afraid that such actions could come back to haunt them at a later stage. Even so, the evaluation finds no clear evidence that there is more violence against women in the street market after the introduction of the law.

All in all, I would say that it is a success in order to reduce demand, but that we need to put a stronger focus on supporting vulnerable persons in prostitution and persons who would want to come out of prostitution.

The evaluation also notes that the economic conditions for prostitution in Norway are reduced following the implementation of the law. Prices on the prostitution market are lower now than before the introduction of the law, which is due, not only to the introduction of the law, but mainly to the financial crisis which has led to increased competition and increased supply in the European prostitution market.

However, this brings me to one of the political recommendations from the Baltic Sea Parliamentary Conference – BSPC - working group and my **second point** of my speech: In order to fight the traffickers we have to focus on where it would hurt them the most: “follow the money”, so to speak in order to make it more difficult to profit from human trafficking:

The working group recommends to initiate and support extended analyses of the economic aspects of trafficking in human beings, promote coordination between relevant authorities and institutions to detect money flows stemming from trafficking in human beings, enhance the capabilities and cooperation of police, tax authorities and other relevant institutions to track money emanating from human trafficking and strengthen the legal and administrative means to confiscate proceeds from, as well as imposing stern fines on, those engaged in trafficking in persons.

All in all we suggested 15 important measures, of which I want to also address another couple of recommendations; such as addressing the specific problems of trafficked children as well as the importance of applying a human rights approach when it comes to protect the victims of human trafficking.

In relation to children, the working group strongly recommended that the specific issues of trafficked children in legislation and in administrative guidelines, by employing a multi-sectorial coordination with the child’s best interest as an over-arching priority. This includes for example that the child should not be detained as a matter of principle, a formal policy of non-punishment and a guaranteed provision of shelters with suitable facilities tailored to the needs of the child.

With the increase of children as victims of human trafficking this becomes even more urgent.

Looking more generally at victims of human trafficking, the working group stresses the importance of ensuring that a victim-centred approach is adopted in all measures and actions against trafficking in human beings, noting that trafficking is exploitation irrespective of where it takes place or what form it takes.

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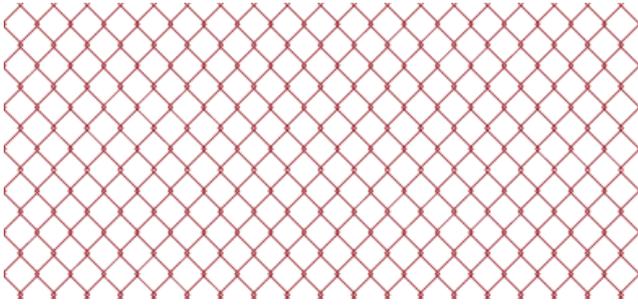


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Also we pointed out that the human rights of trafficked persons should be at the centre of all efforts against trafficking, that victims should be protected, assisted and empowered, and that victims and relatives of victims should receive unconditional assistance regardless of their status, their willingness to participate in criminal proceedings against traffickers or the kind of exploitation experienced;

Here I would like to say a few words on the Nordic study that was published in 2013 on the subject of "Balancing protection and prosecution in anti-trafficking policies".

The study summarises the various approaches the Nordic states have applied when it comes to providing the victims with a reflection period in order to assess whether or not they are able to face taking part in a legal process in order to prosecute the traffickers.

Here Denmark stands out by providing only 30 days for victims to consider whether or not they would like to cooperate on their return to their home country, and as such not actually whether or not they would like to assist the police in their investigations. The other Nordic countries all provide up to six months reflection period, while the details vary from Norway where they will be given permanent residency if they testify in human trafficking cases in court, to a more strict approach in Sweden where six months are provided only if it is considered relevant for the legal investigation and the main rule is to provide one month.

As human trafficking is a cross-border crime, this varied situation within the Nordic countries could be considered to make cooperation across borders more complex. While respecting that the individual national government have their right to develop their own rules, I would like to stress the importance of providing the victims with actual support and assistance during this period and, where relevant, give possibilities for meaningful activities.

As I stated initially, very few cases of human trafficking make it all the way through court, as the rules to convict traffickers are strict and complex. We have to enable prosecutors to build strong cases against these criminals and at the same time find ways to support the trafficked victims.

It is very difficult to identify victims of human trafficking- partly because the victims themselves are not always considering themselves as victims. The police are key when it comes to identifying victims of human trafficking, but as they could also be suspected of wanting to send the victims out of the country, it is important that not only special human trafficking units within the police are trained, but actually more general training of the police force overall would need to be initiated in order to improve the situation and getting more convictions.

Also, I'd like to stress the importance that we as Parliamentarians organize ourselves and exchange information between ourselves and the various international organisations we are involved in, in order to benefit from the various information and measures that are developed to combat trafficking

Networking is crucial here: - within the national, Nordic as well as Nordic-Baltic context.

Not only do the Parliamentarians need to exchange information, but also all relevant organisations, authorities, NGOs and other organisations involved at various levels in combating trafficking and supporting victims.

Finally, the most important role of the national parliament is to keep political focus on human trafficking – by constantly making it difficult for the traffickers, with updated legislation and

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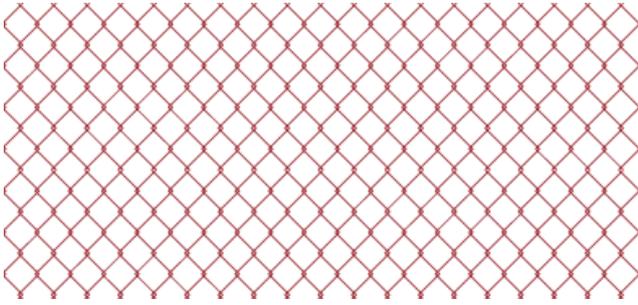


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useful support measures to the victims, the Parliaments need to keep this important issue on the political agenda.

Thank you.

I would be happy to answer any questions you may have.

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