



CONFERENCE REPORT

NORDIC-BALTIC CONFERENCE ON HUMAN TRAFFICKING

10 & 11 November 2016 in Tallinn, Estonia

Seminar 10 November 2016

**NATIONAL MECHANISMS COMBATING HUMAN TRAFFICKING IN THE NORDIC
AND BALTIC COUNTRIES**

Seminar 11 November 2016

CHALLENGES IN COMBATING HUMAN TRAFFICKING



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The Nordic-Baltic **conference** on human trafficking consisted of **two seminars** addressing:

- **national mechanisms** in the Nordic and Baltic countries; and
- **challenges to combat human trafficking.**

The purpose **of the conference** was:

- to bring together parliamentarians, politicians, decision-makers and such experts as police officers, prosecutors, judges, officials, social workers, researchers and representatives of NGOs
- to share knowledge and experience on national mechanisms, new forms of trafficking, crime investigations, legal proceedings, national actions to combat human trafficking, legislative measures and tools developed for anti-trafficking policies
- to contribute to strengthening the networks between the experts and professionals in the participating countries.

The conference provided **a platform** for exchanging knowledge on national mechanisms to combat human trafficking, exchange information on human trafficking today and discuss the challenges of the continuously changing forms of human trafficking.

Seminar 10 November 2016

NATIONAL MECHANISMS COMBATING HUMAN TRAFFICKING IN THE NORDIC AND BALTIC COUNTRIES

At this seminar, the Nordic and the Baltic countries presented *the mandates, roles and tasks of the national mechanisms* established in the countries to combat human trafficking.

Moderator: Thomas Stritzl

The Baltic Sea Parliamentary Conference (BSPC) Rapporteur on Human Trafficking, Member of the Bundestag, Deputy Chairman of the BSPC delegation of the German Bundestag, GERMANY

NATIONAL RAPPORTEURS

SONATA MICKUTE



Chief Officer, Public Security and Public Order Division, Public Security Policy Department,
LITHUANIA

The Lithuanian government agreed in October 2016 to appoint a national rapporteur on Trafficking in Human Beings (THB). The National Rapporteur works in the Ministry of the Interior of Lithuania.

The **tasks of the National Rapporteur** are to:

- **collect and publish** statistics and data on the THB situation in Lithuania as well as on THB tools and actions;
- **carry out analyses and evaluations** of THB trends and results of actions;
- **draft recommendations** to improve the combatting of THB in Lithuania;
- **represent Lithuania** in the EU national mechanisms network and other international arenas and meetings; and
- **compile reports** on THB in Lithuania for the EU anti-trafficking coordinator.

The **Ministry of the Interior coordinates THB data management in Lithuania. THB data is collected** annually (with a deadline of 30 January) from the following Lithuanian institutions:

- Ministry of the Interior: Information Technology and Communication Department, Migration Department, Police Department and State Border Guard Service
- Ministry of Social Security and Labour, Ministry of Health, Ministry of Justice and Ministry of Foreign Affairs
- Prosecutor General's Office
- National Courts Administration
- Lithuanian Labour Exchange Agency
- State Labour Inspectorate
- State Child Rights Protection and Adoption Service
- Municipal Authorities
- International Organisation of Migration (IOM)
- NGOs
- Other relevant institutions and organisations

THB data management has created a special e-mail address (prekybazmonemis@vrm.lt) for collecting the forms with information from the state organisations and NGOs. Questions about THB in Lithuania can also be sent to this e-mail address.

The Lithuanian national rapporteur **reports** to:

- the Committee for the Coordination of the Fight against THB;
- the Minister of the Interior;
- the Lithuanian government; and
- the EU Anti-Trafficking Coordinator.

The **Lithuanian Committee for the Coordination of the Fight against THB** has 23 high-level members representing state organisations, authorities and NGOs. The committee:

- **analyses and evaluates;**
- **gives comments and recommendations on; and**
- **implements** the report compiled by the National Rapporteur.



All of the members of the committee are obliged to implement decisions for the improvement of THB in their own organisation and thus guarantee that information on the improvement of THB spreads outside of the Ministry of the Interior.

KAJSA WAHLBERG

National Rapporteur on Human Trafficking, Detective Superintendent, Swedish Police Authority, **SWEDEN**

Anna Ekstedt, the National Coordinator of Prostitution and Human Trafficking in Sweden, gave the presentation because Wahlberg was unable to participate in the seminar. The Swedish Government appointed the National Police Board in Sweden as the National Rapporteur on Trafficking in Human Beings (THB) in 1998, as a follow-up to the joint declaration of the European Union in 1997.

The National Rapporteur presents an **annual monitoring report** to the Swedish Government on all forms of human trafficking in Sweden. This report includes recommendations for future actions against THB. The information is collected from the seven existing police regions, the County Administrative Board of Stockholm (the National Coordinator), the Swedish Migration Agency, Social Services and NGOs within the Swedish platform Civil Society against Human Trafficking (<https://manniskohandel.se/in-english/>). Information on trends and statistics is also collected in cooperation with relevant organisations, such as women's organisations working to counter violence against women. The National Rapporteur has published 17 annual reports since 1999.

The *Office of the National Rapporteur (ONRT)* distributes the report to government authorities and civil society in Sweden. The ONRT answers questions from the media and the public, arranges and participates in seminars and training nationally and internationally and provides information about emerging issues, such as new forms of THB.

The **mandate** of the National Rapporteur is to:

- **collect and analyse** data and information on all forms of THB to, through and in Sweden;
- **give recommendations** to the Swedish government, public authorities and organisations on how to prevent and combat THB;
- **report annually** on the results of THB to the Swedish government;
- **train** the Swedish Police in how to investigate THB crimes; and
- **represent** Sweden at meetings of regional and international law enforcement bodies and cooperation schemes, including the European Commission Informal Network of National Rapporteurs.

The most important **tasks** of the National Rapporteur are to:

- **monitor, analyse** and **present** comparative data on THB to and in Sweden;
- **evaluate** the effectiveness of law enforcement actions and legal, policy and practical measures and initiatives;
- **collect** information from national and regional police and prosecution authorities and from other anti-trafficking actors; and



- **study** the effectiveness of already implemented policy, legal and practical measures, or the lack of measures, as the case may be.

The **Swedish government reviews the mandate and work** of the National Rapporteur with some regularity.

The National Rapporteur:

- **examines** investigations, prosecutions and the sentencing of buyers, procurers, traffickers and organised crime networks; and
- **monitors, evaluates and publishes information and data** about emerging issues, such as new forms and methods of trafficking in women and children to and within the EU.

It is important that monitoring not only focuses on legislative and prosecutorial measures, but that it also includes an analysis of prevention programmes, including prevention of demand, protection and assistance programmes for victims and the effects of anti-trafficking policies internationally and regionally.

The National Rapporteur also **meets and consults** with affected groups and individuals, public authorities, Members of Parliament and legislatures, academic and community researchers, interest groups, relevant NGOs and other stakeholders.

The National Rapporteur has developed a large national and international network with representatives of Interpol, Europol, governments, public authorities, agencies and regional and non-governmental organisations combatting THB.

The Swedish National Rapporteur has, with their broad-ranging mandate and 20 years of experience, been given a unique opportunity to influence the policy and legislative development and the implementation of measures to prevent and combat THB in Sweden. The comprehensive, collaborative, community-public authority model of Sweden could be a model for developing similar mechanisms in other countries.

It is evident that the National Rapporteur on THB in Sweden and their 17 annual monitoring reports and recommendations have been central in the development and implementation of the policy and legislation of Swedish governments, and have also been important factors in the increase of understanding and knowledge about prostitution and THB in Sweden.

<https://polisen.se/Aktuellt/Nyheter/2016/Oktober/Sa-satsar-polisen-mot-manniskohandeln/> (in Swedish)

<https://polisen.se/Om-polisen/Olika-typer-av-brott/Manniskohandel/> (in Swedish)

KIRSI PIMIÄ

National Rapporteur on Human Trafficking, Non-Discrimination Ombudsman, **FINLAND**

The Finnish Non-Discrimination Ombudsman was appointed as the National Rapporteur in 2009. Since then a lot has been done and achieved by the Rapporteur and other relevant actors to combat human trafficking in Finland.



The **Finnish National Rapporteur is an independent public authority** whose duties were appointed to the Non-Discrimination Ombudsman. The Rapporteur forms part of Finland's human rights architecture, aiming to enhance the protection of human rights – especially of those who are most vulnerable in society – and improve egalitarian and democratic values in society.

The **duties** of the National Rapporteur are to:

- **monitor** the fulfilment of international obligations and the effectiveness of national anti-human trafficking legislation;
- **issue** recommendations, statements and advice;
- **provide legal counselling** and **assistance** to victims;
- **keep in contact** with international organisations;
- **draft regular reports** for the government; and
- **most importantly, draft reports directly for the parliament** on human trafficking and related phenomena.

The National Rapporteur:

- comprehensively **evaluates** the implementation and implications of anti-human trafficking legislation and practices from a human rights perspective;
- **brings** drawbacks and deficiencies in anti-human trafficking action to the attention of politicians and government officials. An outsider's perspective – often critical in tone – allows us to understand the problematic nature of human trafficking in depth and to give comprehensive and concrete legislative and other recommendations for improving structures and practices;
- **highlights** the victim's perspective; and
- **seeks** to identify gaps between the ideal situation and the real world or between legal obligations (whether international or national in nature) and practice.

The **Finnish National Rapporteur has a direct link to parliament**, i.e. to the decision-making legislative body, which is exceptional in international terms. The Rapporteur **reports directly to parliament once every four years**, meaning once per election period. This was done in both 2010 and 2014. This link allows the parliament to obtain the latest information on the situation, trends and possible threads in human trafficking, and to steer the government in the direction that the parliament desires. The parliament has discussed the reports thoroughly in a number of parliamentary committees and adopted well-founded statements in which it has required the government to take action in order to enhance victim identification, assistance and protection, and to improve pre-trial investigation and prosecution processes. The National Rapporteur has been very satisfied with the results.

In order to achieve results, the National Rapporteur **cooperates closely** with civil society and other authorities, such as police, prosecutors, the Labour Inspectorate, Migration Services and the system for the assistance of victims.

The **independent mandate of the National Rapporteur** enhances cooperation with civil society actors and builds trust between governmental and non-governmental bodies. This independence also lowers the threshold for victims themselves to contact the National Rapporteur's Office to tell them about their experiences and seek help. The Rapporteur, at



best, acts as a bridge-builder between stakeholders by offering a neutral forum for discussion and exchange of views.

Kirsi Pimiä ended her presentation by saying: "To my mind, national rapporteurs can have remarkable added value in the implementation of political commitment and legislation based thereon. The experience in Finland is that action taken against human trafficking becomes more efficient and human rights-friendly if there is an independent monitoring mechanism with a strong mandate and authority to report on shortcomings to the legislative decision-making body and make recommendations for improvement. Trafficking in human beings is a phenomenon which requires determined and comprehensive action from all relevant authorities, together with civil society."

<https://www.syrjinta.fi/web/en/human-trafficking> (in English)

NATIONAL COORDINATORS IN THE POLICE

KNUT BRÅTTVIK

Police Superintendent, National Contact Point THB, Intelligence and Analysis Section, Criminal Investigation Department, KRIPOS – NCIS, **NORWAY**

The **tasks of the National Contact Point combating THB** in the Norwegian police are to:

- **strengthen communication and cooperation** between the National Contact Point and police districts; and
- **cooperate with NGOs and other actors** dealing with anti-trafficking actions in Norway.

In recent years the **police in Norway have made improvements** in combating THB and **have achieved** and implemented many of their goals and plans. They have been able to **increase their efforts** and **draw attention** to this field because they have received **more resources and manpower** for actions against THB.

Expert groups have been established in the police with funding from the government in five of the 12 police districts in Norway. The plan is to establish expert groups in all 12 districts. The National Contact Point advises and, if needed, participates in concrete investigation work to solve problems when investigating THB cases.

The **mandate** of the National Contact Point is to:

- **be responsible** for the work of national expert groups, including police and prosecutors; and
- **create a better understanding** about THB for law enforcement officials, prosecutors and others.

The police have created a **national intelligence database on THB**. This is a very useful tool and helps experts cooperate across police district borders. Today all police districts can read what cases other districts are working on, as information on all of the cases is available in the intelligence based database.



One of the tasks of the national expert groups is **training**. The police have trained staff (management, pilots and flight attendants) at Gardemoen Airport in Oslo. The aim is to create a policy for business against human trafficking based on the training at the airport. This training can also be given in hotels, restaurants, construction companies, the cleaning sector, etc. Bråttvik is also a member of the Interpol investigation group for THB and works as an Interpol instructor in training on THB. His Interpol work provides him with a good overview and experience of international THB cases and anti-trafficking actions.

Information about THB is important and the National Contact Point wants to support the production of a documentary on THB. The aim is to make a film focussing on THB cases in Norway in cooperation with the national expert group to raise awareness about THB in the country.

The National Contact Point works, in close cooperation with intergovernmental and non-governmental organisations, on **assistance and support for human trafficking victims**. Women's organisations and the Red Cross have assisted women victims and the Salvation Army in Norway has now started to assist men, who are victims of THB. The National Contact Point is also cooperating with Europol on two projects involving Nigerians.

It is very important to **include financial investigations in THB cases**. Norway has now started to involve a financial expert in actions against human trafficking. Prosecutors must also be trained to look at the financial aspect of human trafficking.

https://www.politi.no/strategier_og_analyser/strategier_og_tiltak/Tema_18.xhtml

https://www.politi.no/vedlegg/lokale_vedlegg/politidirektoratet/Vedlegg_3727.pdf

(both in Norwegian)

KIT ANDERSEN

Detective Inspector, National Coordinator, National Centre of Investigation (NCI), Danish National Police, **DENMARK**

Kit Andersen gave a presentation on the work of the National Centre of Investigation (NCI), which is the national coordinator of THB in the Danish Police and the contact point for all cooperation with national and international partners.

The NCI cooperates on anti-trafficking actions with:

- police districts; and
- the Danish Centre against Human Trafficking (CMM).

The NCI also cooperates with tax authorities, immigration services, labour inspectors, trade unions and NGOs. In these large groups, knowledge and information are shared during regular meetings. The NCI National Coordinator also attends meetings at Europol and Interpol and other meetings and arenas related to THB.

Cooperation between the National Coordinator and the CMM has two different tracks:

- The **statement of the victims** is the best evidence in a THB case, but in Denmark it is a major problem to get statements from victims. The CMM helps in the investigation process of THB cases. The police investigate, prosecute and convict



traffickers and the CMM cooperates in the **identification of victims**. The CMM talks to the victims to get them to understand the importance of their statements in solving criminal cases. The NCI, also in cooperation with the CMM, works to provide **effective victim protection** and **assistance to victims**.

- The **training of police officers**. The National Coordinator, in cooperation with the CMM, trains police officers to identify victims of THB. It is important that new police officers obtain information on how to identify victims, not only traffickers and perpetrators.

The NCI gathers information on THB from police stations and districts: statistics about victims, charges and convictions; and reports about the latest trends. The NCI also gives support and help to the police districts in the investigation of THB cases.

Andersen pointed out that there are a lot of Nigerian women in Denmark who are victims of human trafficking for sexual exploitation, that most of these women speak Edo and that there are no interpreters who speak this language in the country. Andersen explained the problems of not having interpreters speaking the language of the victims. Today the Danish police send the interviews abroad for translation, which is a lengthy and expensive procedure. Andersen stated that if the police do not have a statement it is hard to start an investigation. Another problem is that the victims, the kingpins and their Danish contacts are usually all of the same nationality and sometimes also come from the same village in a country.

Thai prostitution is a problem in Denmark. A lot of the kingpins are Thai women taking care of the prostitutes, and many of these women have previously been prostitutes themselves. Motorcycle gangs have been convicted in THB cases in Denmark for pimping and these cases are hard to investigate, as the gangs use the Internet. The Danish police are currently working on how to stop such business via the Internet. Andersen said that another problem is older Danish men, who marry young foreign women and force them to sell sexual services. Denmark has also identified sham marriage cases where women from EU countries had married men from countries outside of the EU who were seeking EU citizenship. These women are promised money, but in the end they do not receive it.

The number of human trafficking cases rose during 2015 and 2016. One explanation is that the police have been better able to identify victims; another is the Wasp Nest case which started in 2015 (see the presentation of Anders Morville).

NATIONAL COORDINATORS

ANU LEPS

National Coordinator of THB, Ministry of Justice, **ESTONIA**

Anu Leps gave an overview of the Estonian anti-trafficking coordination system. The Estonian government decided in 2006 that the Ministry of Justice would be responsible for coordinating national and governmental level action against human trafficking. The **National Coordinator is responsible** for national and international cooperation and **is participating** in workgroups in the European Union (EU), the Council of Europe (COE) and



the Council of the Baltic Sea States (CBSS). Estonia has **adopted a national strategy for combating human trafficking**.

<http://www.kriminaalpoliitika.ee/et/strategy-preventing-violence-2015-2020>

The Ministry of Justice of Estonia is primarily **responsible for**:

- legal issues;
- the coordination and implementation of the national strategy, annual reporting to the government and the organisation of national round table meetings.

The **other ministries** in Estonia are **responsible for**:

- the identification of victims and the provision of assistance to victims, labour market regulations and supervision and social services (Ministry of Social Affairs);
- legal issues and practical solutions regarding consular services (Ministry of Foreign Affairs); and
- dealing with legal issues related to aliens, and immigration and police matters (Ministry of the Interior).

The **Social Insurance Board** coordinates social assistance for victims and enters into contracts with their main NGO partners.

- **SOS Children's Village** offers services for child THB victims and unaccompanied minors.
- **NGO Lifeline** helps women engaged in prostitution and manages a shelter for adult THB victims.
- **NGO Living for Tomorrow** gives assistance to victims via a hotline that was established as early as 2004.

The **tasks of the National Coordinator** as described in the 2011/36/EU THB directive are to:

- evaluate trends;
- compile reports;
- respond to requests;
- arrange prevention activities and training;
- collect and analyse information and statistics, incl. criminal statistics; and
- follow all reported THB cases, one by one, from the start of the investigation through to conviction.

As such, the National Coordinator in Estonia works with THB issues **from the fundamental level up to high-level politics**.

A **round table of anti-trafficking experts** meets two or three times per year to exchange information and knowledge. It is important to bring all partners involved together to achieve success in anti-trafficking actions. In Estonia, state and local authorities, experts from the social, judicial, educational and health care sectors and researchers are brought together to share knowledge and information, since multi-sector involvement and cooperation is the basis of achieving good results.

Anu Leps ended her presentation by presenting a map of the initial plan of the Estonian Referral System, which shows that the system is complicated and that Estonia is



continuously working to improve it. The aim is for victims to obtain the assistance and rehabilitation they need as soon as possible to be able to move ahead with their lives, and for traffickers to be convicted.

LĀSMA STABIŅA

National Anti-trafficking Coordinator, Ministry of the Interior, **LATVIA**

Lāsma Stabiņa began her presentation by saying that the different countries have developed national anti-trafficking mechanisms based on their own needs and that there is no need to develop one standard model to fit the needs of all countries. All national models are unique and reflect the needs of the country in question.

In 2010 an **Inter-institutional Working Group** was established by a decree of the Prime Minister of Latvia as a national institutional platform for exchange of knowledge on human trafficking. The **main tasks** of the group are to:

- **implement** Latvia's anti-trafficking policy;
- **coordinate** the activities of governmental agencies, municipal institutions and NGOs;
- **ensure** the efficient exchange of information and the coordination of activities to prevent and combat human trafficking; and
- **provide** support and social services for victims of THB.

The group has developed a national anti-trafficking policy document covering a period of seven years.

The Working Group is a public-private partnership led by the Vice-State Secretary of the Ministry of the Interior. It meets four times per year, with the ministry preparing the meetings and outlining the agenda. The group's members, who come from 25 different Latvian institutions, represent different areas: institutions developing and institutions implementing anti-trafficking actions. The group both evaluates results and plans policies for anti-trafficking actions.

In June 2014 the *Ministry of the Interior* **approved the mandate and tasks** of a **National Anti-Trafficking Coordinator**, renewing them in July 2016. Stabiņa stated that this is not a government mandate.

The **mandate** of the National Anti-trafficking Coordinator is to:

- **implement** the tasks that the State Secretary of the Ministry of the Interior has listed;
- **represent** government policies for anti-trafficking actions.

The **main tasks** of the National Anti-trafficking Coordinator are to:

- **encourage**, assist and support the inter-institutional planning of anti-trafficking actions;
- **cooperate** with public institutions, municipalities and NGOs; and
- **communicate** with civil society.



Lāsma Stabiņa ended her presentation by saying that the tasks of the Latvian National Coordinator are a mixture of the tasks of Nordic and Baltic national coordinators and rapporteurs presented earlier during the seminar.

VELI-PEKKA RAUTAVA

Anti-trafficking Coordinator, Chief Senior Adviser, Police Department, Ministry of the Interior, **FINLAND**

The Finnish government adopted its first Anti-trafficking Action Plan in 2005, which was based on the first national anti-trafficking legislation in the Criminal Code of 2004. The Ministry of Foreign Affairs took the lead in anti-trafficking and the Ministry of Labour was responsible for and managed assistance support for THB victims in Finland.

In 2013 the Ministry of the Interior evaluated anti-trafficking coordination at the state level and **recommended establishing a national inter-ministerial anti-trafficking structure and a national coordination body** to carry out the inter-ministerial coordination of anti-trafficking actions. The idea and model were taken from Norway.

In 2015 a governmental structure for combating human trafficking was established and an Anti-trafficking Coordination Secretariat as an inter-ministerial body and network were created. **In October 2016 the Governmental Anti-trafficking Action Plan was adopted**, which includes nine measures and 24 concrete actions. 280,000 euros was allocated for the plan's activities: development of outreach work, assistance for victims and development of a national referral system.

The **National Anti-trafficking Coordination Structure** comprises:

- the Ministerial Working Group of Internal Security and Administration of Justice and the meeting of Permanent Secretaries, forming **the steering group** for National Anti-trafficking Coordination in the Ministry of the Interior;
- **the Coordination Secretariat**– desk officers from five ministries (the Ministry of the Interior, the Ministry of Justice, the Ministry of Economic Affairs and Labour, the Ministry of Foreign Affairs and the Ministry of Social Affairs and Health); and
- **the network** – 27 actors from relevant authorities, such as the police, trade unions and representatives of NGOs.

The **main tasks** of the National Anti-trafficking Coordinator are:

- **cross-sector coordination** of authorities on anti-trafficking actions;
- **promotion of the rights of victims** – policies and practical solutions;
- **promotion of cooperation between authorities and civil society** (NGOs and social partners);
- **participation** in coordinating the government's anti-trafficking policies;
- **participation** in international cooperation, meetings and conferences; and
- **participation** in the NGO Anti-trafficking Platform. The Anti-trafficking Coordinator forms a link between authorities and NGOs.

http://intermin.fi/artikkeli/-/asset_publisher/ihmiskaupan-vastaisella-toimintaohjelmalla-tehostetaan-uhrien-tunnistamista-ja-auttamista (in Finnish)



<http://intermin.fi/poliisiasiat/ihmiskauppa/ihmiskaupan-vastainen-toiminta-ja-sen-koordinointi> (in Finnish)

JAN AUSTAD

Senior Adviser, National Coordinator, Ministry of Justice and Public Security, **NORWAY**

Jan Austad explained how the structure of combating human trafficking was built up several years ago, when human trafficking became a political issue in Norway. The Minister of Justice was given responsibility for it, as much because the Minister of Justice at the time had a special interest in combating human trafficking. There was also an obvious need for the police to focus on human trafficking.

All relevant ministers were brought together in an **inter-ministerial working group** with representatives from five or six ministries. These representatives were civil servants, while the deputy minister participated in meetings when decisions on policies and actions were taken. The group was a huge gathering of civil servants and experts with a complex structure.

A **coordinating unit** was established **within the police**. The **unit's tasks** are to **collect data, report on challenges** in the field and **arrange training**. A network of NGOs and experts gives recommendations to the unit on what actions should be taken (see the presentation of Knut Bråttvik).

The National Coordinator with the Ministry of Justice in Norway **manages** human trafficking project financing and makes decisions about what kind of projects should be supported. Today, projects that meet the needs of the actors combating human trafficking in Norway are supported. In 2016 the Salvation Army in Norway was given financial support to establish a shelter for men, who are victims of human trafficking.

Norway does not have a proper referral system; it is too informal, which GRETA has also pointed out in its latest report on Norway. An inter-ministerial group is now developing a **national referral system** for the country.

In December 2016 the Norwegian government adopted an **Action Plan against Human Trafficking** which includes strengthened and targeted efforts against human trafficking and whose aim is to coordinate information and training programmes and strengthen international cooperation.

https://www.regjeringen.no/contentassets/2b3b502659e348189abdo86306efod19/jd_regjeringens-handlingsplan-mot-menneskehandel.pdf (in Norwegian)

ANNA EKSTEDT

National Coordinator of Prostitution and Human Trafficking, Stockholm County Council, **SWEDEN**

Anna Ekstedt started her presentation by saying that in Sweden no ministry has the main responsibility for actions against human trafficking. The Ministry of Justice works with the



police and prosecutors, the Ministry of Health and Social Affairs works to provide assistance to victims and the Ministry of Labour is in charge of migration issues. In 2016 the Swedish government appointed an ambassador to combat human trafficking.

The first National Coordinator was appointed in 2009, with the National Coordinator's Office forming part of the Stockholm County Administrative Board. In 2013 its mandate was enlarged to combat all forms of human trafficking. The National Coordinator receives assignments directly from the Swedish government.

The **National Coordinator's mandate** is to:

- **increase cooperation** between authorities as social services, migration, tax and labour inspections; and
- **coordinate** national actions and projects.

The **National Coordinator's tasks** are as follows:

- **Leading** the *National Task Force against Trafficking in Human Beings* (NMT). The NMT works as an operational and strategic resource to develop and streamline cooperation in combating human trafficking and operational assistance in specific cases. It provides operational methodology support to municipalities, government agencies and NGOs in human trafficking cases. Cooperation focuses in particular on supporting the work of counties and regions. The *cooperating agencies and organisations* are:
 - the Police Authority;
 - the Swedish Prosecution Authority;
 - the Administrative Working Group of Counties (21 in total) (LAMP);
 - Regional Coordinators;
 - the Swedish Migration Agency;
 - Social Services in 290 municipalities;
 - the Swedish Platform Civil Society against Human Trafficking; and
 - the Council of the Baltic Sea States (CBSS).

The NMT takes a multidisciplinary and holistic approach to combating human trafficking in Sweden, provides direct support in operational cases, participates in training at the local, national and international levels and serves as a national reference group in developing methods and training materials. <http://www.nmtsverige.se/>

- **Coordinating** the *Voluntary Return Programme* – a programme for victims of human trafficking, regardless of the form of exploitation, and victims who have decided to return voluntarily to their country of origin, where they receive continued support. Sweden cooperates with the IOM in this programme.
- **Coordinating** the *National Support Programme (exit programme)*;
- **Coordinating** *campaigns* such as the Information Campaign against Demand for and Buying of Sexual Services;
- **Administering** a hotline;
- **Coordinating** the *National Referral Mechanism manual* <http://www.nmtsverige.se/sites/default/files/National-referral-machanism-trafficking.pdf>.



Anna Ekstedt ended by saying that **the main challenges in Sweden** in the fight against human trafficking are:

- **prosecuting perpetrators;**
- **identifying more victims** (officially);
- **increasing** cooperation at the local level; and
- **the need to develop** the use of reflection periods and temporary residence permits for victims.

<http://www.lansstyrelsen.se/Stockholm/Sv/manniska-och-samhalle/jamstalldhet/prostitutionochmanniskohandel/Pages/nationell-samordning.aspx>
(in Swedish)

HILDUR DUNGAL

National Coordinator, Ministry of the Interior, **ICELAND**

Iceland **adopted its first action plan against human trafficking in 2009**. At the time there was not much knowledge or awareness of human trafficking in the country. After the banking crisis there was no funding for actions and there was just a small group of experts working on anti-trafficking issues.

In 2013 the second action plan against human trafficking **was adopted**. Today Hildur Dungal is responsible for coordinating actions against human trafficking as part of her ordinary work at the Ministry of the Interior.

The Ministry of the Interior has appointed **a steering committee against human trafficking** with representatives from the Police, the City of Reykjavik, trade unions, the Icelandic Human Rights Centre and the Red Cross. Dungal said that the Red Cross was included in the group because it is represented all around the world and has experience of dealing with catastrophes and help systems.

The **mandate of the National Coordinator** is to:

- **collect information and knowledge** on human trafficking; and
- **identify the roles and responsibilities** of the different actors combating human trafficking.

Today there is **a better understanding of combating human trafficking**, but it is challenging to build up an anti-trafficking system in a country with few cases, and the work mostly involves solving human trafficking cases on a case by case basis.

The Ministry of the Interior and the Ministry of Welfare are responsible for implementing the Action Plan of THB. The **Ministry of the Interior is responsible for addressing crimes**. The **Ministry of Welfare is responsible for identifying, supporting and assisting victims**, and has a small team of professionals, police officers, social and health care workers and experts on THB. It is convened whenever cases are identified.

The **tasks of the National Coordinator** are to:

- **raise awareness** of THB so as to be able to identify victims;



- **build up a cooperation network** of professionals with knowledge and expertise on THB;
- **collect information and facts** on THB;
- **plan and draft** a new Action Plan;
- **propose changes** to the law and regulations;
- **build up** a National Referral System; and
- **arrange training** for different actors in all regions of Iceland.

Training has been arranged for hotel staff, high school students, border police and patrolling police on how to identify human trafficking cases and victims. Over 2000 people have received training, which has produced results as more cases are being identified. Today there is much more awareness of human trafficking in Iceland, also because there has been a lot of media coverage of the issue.

Iceland **has built up a chain of responsibility in procurement contracts**. Labour inspectors, tax officials, companies and businesses take responsibility for combatting human trafficking within their own organisations. The Metropolitan Police also **involve financial experts** in solving human trafficking cases, a practice inspired by the experience of Norway.

Hildur Dungal ended her presentation by saying that police investigations and prosecutions are good, but there are few court judgments. Iceland today is experiencing an economic boom with significant activity in the construction industry, where there is a risk of forced labour connected to human trafficking, while the high number of tourists has resulted in an increase in prostitution.

CAMILLA BUGGE

Assistant Manager, Danish Centre against Human Trafficking, **DENMARK**

In 2015 the Danish government launched the Fourth National Action Plan against Human Trafficking (THB) for 2015-2018, allocating a total budget of 88.6 million Danish kroner for anti-trafficking actions. The goal of the action plan is to maintain and further develop national efforts against human trafficking.

The Minister for Equal Opportunities and Nordic Cooperation is responsible for:

- the inter-ministerial group coordinating the government's efforts to combat human trafficking; and
- the implementation and execution of the Action Plan.

The Danish government has not appointed a National Rapporteur.

The Danish Centre against Human Trafficking (CMM) is *the focal point of the national Action Plan* and was established in 2007. The **centre is responsible** for:

- **the coordination and cooperation** of relevant actors;
- **collecting and disseminating** information and facts on THB; and
- **developing and strengthening cooperation** on actions against THB across sectors, institutions and organisations.



The centre contributes to the identification of victims:

- through outreach work;
- in cooperation with the Police; and
- in cooperation with the Danish Immigrant Service.

The CMM has the authority to grant victims of human trafficking the right to stay in Denmark and is responsible for ensuring that victims are given the support and assistance they are entitled to. *The Danish Immigration Service* assesses whether asylum seekers and persons without legal residence permits are victims of human trafficking.

The centre has developed a **National Referral System** to ensure **coordination and cooperation** between relevant actors in the field. The system has:

- one national reference group; and
- six regional reference groups.

The tasks of the national reference group are to:

- exchange information;
- coordinate procedures;
- discuss new trends; and
- propose new initiatives.

One representative of each regional group participates in national reference meetings to guarantee cooperation and information exchange between all regions of the country.

The regional reference groups cover all of Denmark. Their tasks are to:

- involve local actors;
- ensure regional readiness to combat THB;
- exchange information; and
- coordinate procedures.

Representatives of NGOs, the Police, municipalities and trade unions participate in regional reference groups. These groups meet two or three times per year to discuss procedures and exchange information at the local level.

The CMM and the **National Centre of Investigation** of the Danish National Police, i.e. the National Coordinator of the Police (Kit Andersen), jointly **monitor** activities and the impact of anti-trafficking actions in Denmark. The CMM cooperates with government and law enforcement institutions on the documentation and development of human trafficking in Denmark.

Four NGOs – the Danish Red Cross, Pro Vest, Hope Now and Nest International – are involved in the **implementation of the action plan** and play an important part in efforts to combat human trafficking in Denmark. The CMM, the NGOs and the Equal Opportunities Department of the Ministry of Foreign Affairs **have quarterly meetings** to share information. Each meeting is a forum in which to discuss the issues and challenges of human trafficking and to decide on new actions to take.

A **government interdisciplinary task force** has been established to strengthen efforts in fighting human trafficking and forced labour. The purpose of the task force is to exchange



knowledge in sectors vulnerable to human trafficking in forced labour and to establish procedures for a referral system and the identification of victims.

Camilla Bugge ended her presentation by saying that the work of the CMM has been frequently evaluated and that these evaluations are used to develop Denmark's national actions against human trafficking.

DISCUSSION

Could National Mechanisms on Combating Human Trafficking Have More Impact?

The challenge today is how we can involve municipalities in the actions and work against human trafficking. Local groups with such experts as investigators, prosecutors, and social workers, working daily on human trafficking issues, have been fruitful in countries where local groups and regional coordinators have been established. Today it is important to train people to identify human trafficking and victims of human trafficking in their own neighbourhoods and in the local environment.

The discussion also focused on sexual exploitation and women in prostitution, and it was pointed out that sex trafficking is totally different from forced labour like picking apples or cleaning offices and working in restaurants, so there must be a focus on the demand side and the prohibition of buying sexual services. It is a question of human trafficking. The national mechanisms must be able to combat all forms of human trafficking.

Human trafficking and the media were also discussed. It was pointed out that the media plays an important role in sharing information. It is important to be careful about what kind of information is presented in the media. Special care must be taken when the media writes about victims. The police must also be accurate about the facts they present to the media about human trafficking cases. This is a question of ethics and we must be precise about what kind of information we share in the mass media. An example was given where a human trafficking case about a minor girl was presented in a newspaper, the girl herself read the story and was traumatized and needed more help. Journalists usually want to speak with victims of human trafficking, but NGOs and experts do not usually allow them to speak directly to the victims. It is important that the police build up a good relationship with the media to get the right facts and data presented in the news. Journalists must also be invited to attend expert groups discussing actions against human trafficking.

It was suggested that an information campaign should be organised in cooperation with schools and that high school students could produce information materials themselves for teenagers on how to be aware of not becoming victims of human trafficking. The ministers in charge of human trafficking policies, national rapporteurs and coordinators are encouraged to discuss and share information on social media. It was noted that human traffickers also use social media to recruit people for use in human trafficking.

Up to 2009, many countries had developed good practices and actions to combat human trafficking, but after the economic crisis the political focus shifted and now a lot of work needs to be done in order to get the national mechanism to be able to carry out the mandates and tasks. It was said that more resources are needed to collect data and knowledge and to do research on human trafficking so as to be more effective in actions against human



trafficking. It was also pointed out that good cooperation between experts and organisations is one of the keys to ensure greater impact.

Seminar 11 November 2016

CHALLENGES TO COMBAT HUMAN TRAFFICKING

OPENING OF CONFERENCE

Dr Giedrė Purvaneckienė

Vice President of the Baltic Assembly, Member of Parliament, **LITHUANIA**

On behalf of the Baltic Assembly, Giedrė Purvaneckienė welcomed the participants to the Nordic-Baltic conference and started her speech by saying: "The Presidium of the Baltic Assembly has asked me to address the Nordic-Baltic Conference on Human Trafficking because of my long involvement in combating human trafficking. In Lithuania I was the first to raise the issue of human trafficking at the governmental level in 1994-95, when I worked as an adviser to the Lithuanian Prime Minister on women's issues. At that time no NGO in Lithuania was involved in combating human trafficking. I am today the chair of the group *Parliamentarians against Trafficking in Human Beings*. Last spring the Lithuanian Parliament approved an amendment to the Penal Code in which sham and forced marriages are to be named as cases of trafficking in human beings."

Trafficking in Human Beings (THB) is an injustice, which must be called by its true name: modern slavery. It is unthinkable that in the 21st century more than 20 million victims of human trafficking are deprived of their freedom and dignity, exploited, humbled and traded as commodities for profit. Women, girls, boys and men – all are victims. At least 510 trafficking flows have been detected. Victims of 152 different citizenships have been identified in 124 countries around the world. These statistics are shocking.

National parliaments must act as early responders in regard to trafficking in human beings. Failure to address this human rights violation leads to situations where victims – 49% of them women, 33% of them children and 18% of them men – are cruelly subjected to sexual exploitation, forced labour, armed combat, forced begging, sham marriages and organ removal.

Purvaneckienė said: "The Baltic Assembly, as a regional parliamentary organisation, has high political commitment to fight this modern slavery. Jointly with the Benelux Parliament and Nordic Council, we coordinate our cooperation to cope with this inhuman and brutal challenge. Today, we have parliamentarians from different countries here and we are open to hearing the opinions of experts. We would like to get your opinions on what measures have to be implemented to improve relevant national legislation, thus eradicating legal imperfections which hinder the fight against human trafficking. We would like to hear about joint cooperation initiatives and cooperation between law enforcement institutions."

Purvaneckienė ended her speech by saying that the fight against human trafficking is not easy: "But we have no right to fail to address these human rights abuses. Behind every trafficking case there is a girl or a boy, a woman or a man, with his or her hopes and dreams."



We invite each participant in this conference to be active in our common fight against trafficking in human beings. Human dignity must be our leading principle."

Christer Haglund

Director of the Nordic Council of Ministers' Office in **ESTONIA**

The Nordic Council of Ministers has, in cooperation with its partners, been combating human trafficking in the Nordic and Baltic countries since the early 2000s. In 2015 the Nordic Council of Ministers decided to launch **a new three-year programme designed to combat human trafficking** with the aim of implementing tangible initiatives in the Baltic Sea Region to prevent human trafficking, to prosecute traffickers and to protect and help victims. The programme consists of specific initiatives involving specialists and professionals – from the Nordic and Baltic countries, and North- West Russia – to work more closely together, build up anti-trafficking networks, create platforms for the exchange of experience and information and publish and implement guidelines designed to improve anti-trafficking work. The Nordic Council of Ministers is working on this programme with official agencies in Estonia, Latvia, Lithuania and the Nordic countries as well as the Council of Baltic Sea States (CBSS) and the International Organization for Migration (IOM).

This **conference is the first event within the *Network and Knowledge Exchange* project**, within which forums, expert seminars and visits will be arranged: *an Expert Forum on the Protection of Victims of Human Trafficking* will be arranged in Tallinn next year in May; *Human Trafficking with a Focus on the Media* is the theme of a study visit in March next year; experts will discuss the role of the media in Lithuania in autumn 2017; and a *Forum on Corporate Responsibility of Businesses* will discuss the *Prevention of Labour Exploitation* in 2018 in Latvia.

Globalisation also has an impact on human trafficking, because such trafficking crosses borders and regions. Traffickers use new forms of technology to evade the rule of law, to recruit victims and to maximise their profits. Two weeks ago at the *Nordic Human Trafficking conference* in Helsinki, Rudolf Christoffersen, a prosecutor from Norway working for Eurojust, talked about **new forms of human trafficking** such as the commercial online sexual exploitation of children. Experts in Eurojust are now trying to find out how to combat this kind of exploitation, where the buyer is in one country and the crime is committed in another country.

More than 70% of **migrants** travelling overland through North Africa to Europe have become victims of human trafficking, organ trafficking and exploitation along the way, according to the IOM. In 2014, the total number of unaccompanied minors seeking asylum in the EU28 countries was more than 23,000 according to Eurostat. Sweden received the largest group: more than 7000 children. Migrant children, especially those migrating alone without documentation, are vulnerable to trafficking, abuse and exploitation. Secretary General of the Nordic Council of Ministers Dagfinn Høybråten has said: "*We must ask ourselves whether we can do more together to fight human trafficking.*"

For several years the Nordic Council of Ministers has provided **a platform for the exchange of information on human trafficking**. Yesterday, Nordic and Baltic experts discussed the national mechanisms for anti-trafficking; today we have gathered to discuss the challenges



of the continuously changing forms of human trafficking and to share experiences, discuss and network in order to use our new knowledge and contacts in our everyday work. We will hear about Nordic and Baltic experiences in the fight against human trafficking. It is important to address all forms of exploitation.

Christer Haglund ended by saying: "*Compassion, tolerance and conviction about the equal value of all people is one of the core values of Nordic cooperation.*"

SESSION I

THE CHALLENGES OF INVESTIGATIONS AND LEGAL PROCEEDINGS

Moderator: Bengt Morten Wenstøb

Member of Parliament of Norway and member of the Nordic Council and Committee for Welfare in the Nordic Region

Identification of Human Trafficking Victims – Operation Hvepsebo

Anders Morville

Police Inspector, Task Force Burglary (TFI), Danish Police, DENMARK

Anders Morville presented *Operation Wasp Nest* – a case involving human trafficking and forced labour which was called the biggest human trafficking case in Denmark in the newspapers.

Morville started by saying that *Operation Wasp Nest* did not start as a normal case of human trafficking. The Danish police were following a case they thought was burglary. The police started tapping the phone of a Romanian man they thought was organising the thefts. After a while the police found that everything they touched on evolved: it was like putting your hands in a wasp nest. Investigation of the case was placed on the *Task Force Burglary* and a team of 30 police officers worked on it. Soon it became clear that the case was about trafficking in human beings, so a human trafficking expert joined the investigation team.

Operation Wasp Nest was **the first case of human trafficking for the purpose of forced criminality in Denmark**. The traffickers used recruiters in Romania to offer Romanian citizens to work in Denmark. The traffickers asked the recruiters to send single men, aged over 30, who did not speak English and were illiterate. In Denmark, a middleman took the men to the municipality office with their Romanian identification document (ID) and a false employment contract so as to receive a Danish ID, as they had work and wished to pay taxes. This was the start of a fraud process where the traffickers used the identities of illiterate victims for different types of crimes. The Danish IDs were used for a range of online fraud and new companies were created in the names of the victims. Some were also escorted to shops to buy cars, telephones and electronic devices. The victims were accommodated in houses with poor conditions in the Danish countryside. These houses were not those in which the victims had been registered. The victims did not know that crimes were being committed in their names, because they believed they were waiting for jobs.



The **investigation** included TAX fraud, VAT fraud, use of credit cards, maternity and unemployment benefits, social security payments, car leasing, identification and insurance fraud, sales of appliances and mobile phones and online shopping.

Operation Wasp Nest began in March 2014. On 25 February 2015 the Danish police, in coordination with the *Danish Centre against Human Trafficking (CMM)*, raided 62 locations and arrested 95 people. 20 of them were traffickers/perpetrators, who were later convicted of human trafficking. The police had chosen to divide the group of suspects into different cells and to follow three teams of victims to get a complete overview of the processes of recruitment, transportation to and housing in Denmark, registration with the municipality, tax authority, municipality services and banks and the victims' return to Romania.

The **case was unique** in Denmark because:

- it was the first case of human trafficking in Denmark for the purpose of forced criminality;
- it demonstrated new forms of crime and modus operandi; and
- it was the largest human trafficking crime in Denmark – over 300 people were exploited, more than 30 people were identified as victims of human trafficking and 22 people were charged with different crimes.

The criminals were sentenced **to 3-8 years**, and the Romanians were permanently expelled from Denmark. The judge was very careful and thorough in the written documentation of the judgements. Most of the victims were men. The case was also a challenge for the human trafficking victim support system in Denmark, because the victim assistance programmes are tailored to sexually exploited women victims.

Anders Morville ended his presentation by saying that **the case was a good example of national and international inter-agency cooperation in combating human trafficking**, prosecuting traffickers and protecting victims.

The Challenges of the Courts - When is the Criminal a Victim of Human Trafficking **Laima Garnelienė**

Judge, Court of Appeal, LITHUANIA

Laima Garnelienė started her presentation by saying that to be able to stop the development of illegal human trafficking it is important to **discuss social consequences and the status of victims** to find a **common understanding** as to who the trafficked persons are – are they **criminals or victims**. Garnelienė pointed out that the Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims clearly states that victims of human trafficking should be protected from prosecution or punishment for criminal activities. The aim of such protection is to safeguard the human rights of victims, to avoid further victimisation and to encourage the victims to act as witnesses in criminal proceedings against the perpetrators. The EU Member States must ensure that competent national authorities are entitled not to prosecute or impose penalties on victims of trafficking in human beings for their involvement in criminal activities, which they have been compelled to commit.



Lithuania is a country of origin, transit and destination of the sex trafficking of women and girls, and an origin and destination of men trafficked for forced labour. Around 40% of identified victims are women and girls trafficked for sexual exploitation within Lithuania, to Western Europe and to the Nordic countries. **Lithuanians become victims of human trafficking** because both men and women believe in “do-gooders” and accept job offers without checking the details of the work. The victims agree to shoplift and commit other crimes believing that they will only need to do it once and that they will receive the payment they have been promised.

Garnelienė said that today a lot of Lithuanian children and adults are forced into criminal acts – such as shoplifting, theft and selling drugs – in the Nordic countries and Western Europe and **asked what 'voluntarily' means**. She said that this is the **main question today for courts and judges** in all countries. She presented cases where Lithuanians are offered jobs abroad, but after arriving in the country they find out that there is no job and they are forced to perform criminal acts. In the first case, the men were told that if they wished to return home they would have to drive stolen cars to Lithuania. In the second case the men were forced to contribute to telephone fraud and send money they obtained from people they cheated to Lithuania. In this case seven men were found guilty and sentenced to prison for 5-11 years. In the third case a Lithuanian couple promised six people jobs abroad, took them to different countries (Denmark, Finland, Norway, Germany and the United Kingdom) and forced them to shoplift by threatening them. These six aggrieved people were considered victims of human trafficking in Lithuania, while in their countries of destination they were sentenced to prison for theft. Garnelienė presented statistics on human trafficking cases in Lithuania in 2016.

In Lithuania **it is a major challenge to get statements from victims** because they are often inconsistent and changeable. There is a need for a change in attitudes towards victim interrogation in Lithuanian courts, because human trafficking victims are vulnerable for many reasons, including a lack of money, social and mental health problems, limited social skills and a lack of self-confidence. Usually the physical and psychological problems victims of human trafficking experience during their exploitation get worse over time. It has therefore become necessary to specify a victim-centred model of the Penal Code. Garnelienė said that it is important to create mechanisms that ensure the protection and rights of victims of human trafficking during investigations and the court process to guarantee the physical and emotional safety of the victims. It is important to avoid the repeated victimisation caused by the inattentive and formal behaviour of the courts, such as procedures where victims may testify in the presence of the criminals. The courts should be encouraged to develop procedures for the hearing of victims in cooperation with NGOs.

On 1 March 2016 the **Lithuanian courts gained new tools** with changes to the Code of the Criminal Procedure. This enables the additional protection of the legal rights and interests of human trafficking victims to be ensured. This will avoid exculpatory judgements due to the unwillingness and inability of victims to testify because of their fear of the criminals. The victim has the right to have a person whom they trust or an NGO to accompany them throughout the judicial process.

Courts can arrange to hear human trafficking victims in another way, for example using a television, via which the victim can give their statement in another room, thus avoiding



secondary victimisation and situations where victims meet the traffickers face to face before the judicial procedure starts, after which the victim refuses to testify or changes the statement they gave during the police investigation. This happens quite often during court cases: the victim refuses to testify, and as a result the court loses one of its strongest pieces of evidence, i.e. the statement of the victim. In seven of the major Lithuanian courts there are now more than 60 volunteers who are able to assist victims. The education of NGOs has been arranged in cooperation with Norway.

On 11 October 2016, for the first time, the **Court of Appeal of Lithuania arranged a meeting of experts**, judges, prosecutors, police officers, NGOs, the media and attorneys on **combatting human trafficking**. The purpose of the meeting was to reach a uniform understanding of "victims of human trafficking". The meeting agreed to arrange the same training with the same trainers for all expert groups. The idea is that everyone will have the same understanding of the concept of victims of human trafficking.

Beggars as Victims of Human Trafficking

Thomas Ahlstrand

Vice-Chief Prosecutor, International Public Prosecution Office, Gothenburg, **SWEDEN**

Thomas Ahlstrand started presenting the background to the controversial phenomenon of **beggars** in the centre of Gothenburg and said that this was a **new trend in Sweden** with itinerant beggars and a result of the Schengen Agreement. In Sweden, according to a survey from 2014, there are estimated to be 4000 beggars, many of them are from Bulgaria and Romania, and most of them being Roma people. Begging in public places is not forbidden in Sweden. People in Sweden are quite generous, so the rewards for beggars are quite high.

Ahlstrand said that **nobody knew why or how the Roma people came to Sweden**. Other questions were whether they were forced to go there or whether it was a case of organised crime. Studies show different results. A Romanian-Swiss study from 2013 describes there being identified victims of human trafficking from Romania and that the beggars earn 60-70 euros per day, while a Norwegian study from 2015 says that there are no signs of human trafficking at all and that the earnings are 10-13 euros per day.

The **police in Gothenburg started an investigation to get some answers**. They followed the beggars: for example one handicapped woman was placed in the centre of Gothenburg from morning to evening, sitting all day without break and could not move away. The investigation found two main perpetrators – two Bulgarian brothers (referred to as masters), each with their own team of beggars, who were old, frail, handicapped, blind and unable to walk. The masters shared a small apartment with the beggars, with one room for the beggars to share and the other for the perpetrator, his wife and child. The beggars had terrible conditions and had to beg every day from nine in the morning to nine in the evening, with no possibility to go to the toilet, only one sandwich for lunch, no holidays and all of their income going to their master.

The **police collected evidence** regarding the income of the beggars. They counted how many people dropped coins into each beggar's cup, collected receipts of money sent to Bulgaria and for exchanging money and found a primitive bookkeeping. The police counted the approximate income as being 40 euros per day, in total 1200 euros per month – quite a high



income compared to the average salary in Bulgaria, which is 382 euros per month. The characteristics of the Swedish police investigation were very similar to the results of a Romanian study: the recruitment of people with job offers to clean cars or clean the streets; the degree of income; the traffickers keeping the income; and disabled and elderly people being victims and weak family members being exploited.

Ahlstrand described that these **Bulgarians lived by rules from the old world**, where they live in families, and were guided by laws and traditions, not in a society or as individuals. They were not equal individuals in a modern sense. They saw it as taking care of the family. Ahlstrand asked: "Was this a way of taking care of the old and sick?" In the old traditional way it is the duty of the head of the family to provide every member with housing, warmth and food, while it is the family members' duty to obey, work and hand over all of their income to the head of the family. The roles are master and servant. The victims do not see their positions as unacceptable, but are ashamed and afraid of punishment from their masters. They were told not to talk to the police and were afraid of imprisonment or deportation; the girls were also told they could be raped. All of the victims had only small personal assets and no knowledge or self-esteem; they were illiterate, and physically and mentally impaired.

Ahlstrand described **what happens when the old world meets the Swedish court system**, saying that it was a hard task for a prosecutor to present the old world to the modern court and explain why the victims changed their stories. Ahlstrand said: "I go there and present the old world to a modern court – an audience that cannot understand that this person cannot just get up and walk away. The court said to the victim: "Now that the police are taking care of you and you are free to go, you can tell your full story". The victims do not tell their story, because of their fear of how they will be punished afterwards by their master, and because they submit to his authority and do not question it." Ahlstrand continued, explaining that these victims are afraid of the host country, of the police and of men and women in high positions like prosecutors and social workers. They are also told that the police might beat them and not to say anything. Ahlstrand said **it is difficult to prove a crime** because there is no violence, no rape and no coercion. The perpetrators show no feelings of guilt: they do not feel they have done anything wrong and do not see themselves as criminals.

Ahlstrand concluded by presenting **the court ruling**. The outcome of the case was three years and six months' imprisonment for one of the perpetrators, and three years for the other. The difference in the imprisonments was due to the fact that one of the perpetrators was cruel to his victims; he beat them and treated them badly, which is why his imprisonment was longer.

Sham Marriages – A Good Offer Ending in Human Trafficking **Lāsma Stabiņa**

National Anti-trafficking Coordinator, Ministry of the Interior, Latvia

Lāsma Stabiņa gave an overview of the background of the phenomenon of sham marriages in Latvia and Europe, saying: "Today human traffickers and recruiters are becoming more creative, and they know how to abuse state procedures and systems, exploit vulnerable people and earn more money from it."



The biggest numbers of **sham marriages** have been identified in Ireland, where people were able to get married without having their documents or backgrounds checked. Latvian police had noticed that women from Latvia were getting married in Ireland, and in 2006 the Embassy of Latvia in Ireland identified an increased number of marriages between Latvian women and men from outside of the European Union (EU). In 2011 it was found that these sham marriages were often related to human trafficking and that organised criminal groups were involved in recruitment, arranging travel, accommodation and marriage ceremonies, which led to the exploitation of Latvian women, who contacted Irish NGOs and institutions and the Embassy of Latvia for help and assistance.

In 2013 Latvia decided that **sham marriages were a crime against state procedures and the Latvian state** and made amendments to its Criminal Law. Latvian women were offered a lot of money to get married – sums of up to 10,000 euros – and were also offered work, but when they arrived in Ireland they were forced to get married and were often threatened and brutally beaten.

Stabiņa described the **many terms that are used** for forced marriages, forced services and forced criminality. She outlined the differences between the different terms and referred to the European Commission Handbook from 2014. The following terms are also used for sham marriages: marriage of convenience; fictitious marriage; fake marriage; false marriage; and bogus marriage. Latvia uses the term sham marriage.

The Latvian Ministry of the Interior decided to **initiate an EU project** to examine **the connections between human trafficking and sham marriages** and the definitions of sham marriages and to initiate actions to prevent such marriages. Estonia, Ireland, Lithuania and Slovakia decided to join the project, and the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), was invited to be the leading institute in the project. The aim was to gain more information about sham marriages and to obtain tools for EU countries to use in dealing with the problem. The project has analysed links between human trafficking and sham marriages and defined a new concept – "exploitative sham marriages". These are marriages between EU citizens (mainly women) and citizens from countries outside of the EU (usually men) in order to gain EU citizenship. Most victims are women from the EU; no cases were found with a man from the EU as a victim. The study shows that the way sham and forced marriages work is the same: recruitment is usually done online, with false promises of jobs, tickets being sent by e-mail and the victims travelling by public transport, alone or in groups, before being met by middlemen, the groom or relatives.

The project showed that the **exploitation and control are the same** as in human trafficking for prostitution and labour exploitation and in violent close relationships. Threats, isolation, psychological and physical control and financial control are features, while IDs are used to take out bank loans in the women's names, thus gaining debt leverage over the women, who are restricted to move and usually kept in isolation. The women are dependent on the traffickers or the man they have married, because they cannot speak the language of the country, and are sometimes also forced into committing crimes.

Stabiņa presented a case of a **Latvian sham marriage** where five persons – four Latvian citizens and a man from Pakistan – were accused of recruiting women to enter into sham marriages. Seven Latvian women with mental disabilities were promised 2000 pounds to



marry men from Pakistan and were told that it would be easy to get a divorce and return to Latvia. The women were kept in the country of destination and were exploited in grave and serious ways. The case has been submitted for adjudication, and Stabiņa said that experts in Latvia hope it will become a model case for police, prosecutors and judges on human trafficking and sham marriages.

It is important to **train practitioners and experts** to identify victims of sham marriages. The project developed a new concept of detecting cases of sham marriages with links to violence in close partnerships and connections to human trafficking. The experts who participated in the training committed to presenting information about sham marriages to their colleagues, families and students. The training revealed that the methodologies and training itself should be improved.

The project also produced **information materials** in the form of a video game showing a young woman who is recruited abroad. The game gives the player the choice of following the recruiter or not, starting with the choice of travelling abroad, then handing over their passport, etc. and ending with the choices of helping the woman or not. The game is available on YouTube. It is designed to help young men and women see the dangers in and understand the facts behind sham marriages and human trafficking. The purpose is also to teach them to reflect on their choices and think about their consequences.

Human Trafficking and Forced Marriages in Prosecutions: Lithuanian Practice **Ruslanas Ušinskas**

Prosecutor, Klaipeda Region Prosecutor's Office, **LITHUANIA**

Ruslanas Ušinskas' presentation focused on **human trafficking legislation and cases in Lithuania**. Ušinskas gave an overview of Lithuanian legislation on human trafficking. Lithuania became a Member State of the European Union (EU) in 2004 and introduced the Council of Europe's definition of human trafficking into the Lithuanian Criminal Code. In 2003 the recommendations described how to apply the law, identifying victims, communication with victims and a description of how to share knowledge between authorities. The law was amended in 2003, 2005, 2011 and 2016 and it is now easier to prosecute new forms of human trafficking. Exploitation has increased over the years. Ušinskas presented the number of cases: 10 cases were identified in 2012, but this figure had increased to 25 identified cases in 2015, while in 2016 a total of 41 cases were under investigation (four of them linked to sham marriages). In 2013 and 2014 Lithuania identified 47 victims and in 2015 64 victims were identified.

Ušinskas gave examples of the **enforcement of the Lithuanian legislation**. The penalty for a person recruiting, transporting, selling or forcing a person into prostitution or pornographic films is 2-7 years according to paragraph 147 of the Criminal Code, while for selling organs the penalty is 4-12 years. The Lithuanian Criminal Code has a separate article about child trafficking: the penalty for the sexual exploitation of a child is up to 12 years, with the penalty for selling organs from children being 5-15 years.

The legislation is divided into three parts:

- criminal act;



- will; and
- exploitation.

Ušinskas said that it is enough to **obtain evidence** about one of the three groups. The criminal act is that the victim is recruited, transported, sold, transferred or treated violently, or that money is taken from the victim. Exploitation can be being forced into prostitution, labour or sham marriages, being forced to sell organs or other forms of exploitation. The formal consent of the victim has no significance, and if the victim is a child it is enough to define the criminal act, because children in themselves are vulnerable persons.

Ušinskas presented an overview of cases of **sham marriage** in Lithuania. The first example was a case from Klaipeda that began in March 2015, with a judgement being issued in 2016. A young poor woman was recruited and exploited for a sham marriage in the United Kingdom (UK). The trafficker took advantage of the vulnerability of the victim: her father had died and her mother was unemployed. The victim, who did not speak English, was promised 2000 pounds if she married a man from Sri Lanka, who wished to obtain a residence permit for the EU. The man in Sri Lanka sent her a flight ticket to the UK, and after arriving there she was left alone with the groom. In the UK, a couple who wish to enter into a marriage have to prove, in an interview with the migration authorities, that they really are a couple and that they want to get married because they love each other. If the couple complete the interview successfully they can enter into the marriage. In this case, false documents about cohabiting and finances had been produced and the trafficker was sentenced to three years' imprisonment.

In **another similar case** the victim was recruited for a job and was met by two young people in the UK who told her that she had to enter into a sham marriage to get the job. They promised her 2000 pounds for marrying a man from a country outside of the EU. The groom kept the young woman in the cellar. Fortunately she had her phone on her, so she called the NGO Caritas in Lithuania, which contacted the Embassy of Lithuania. The young woman was found and released by the local authorities.

In this same case, more than 14 young women from Lithuania had been recruited via social networks for sham marriages. Ušinskas talked about the **joint investigations of the British and Lithuanian police**, stressing that good international cooperation can produce results. The recruited women, who were from Klaipeda, were taken to the UK, where they were handed over to a third party. A joint Lithuanian-British investigation group was established in 2015 and started tapping the traffickers and recruiters. The group identified the methods used to recruit the young women. All of the victims told the same story: they had been promised legal work in a factory in the UK, but when they arrived they were told that there was no job in the factory and that their only choice was to enter into a sham marriage. The police investigation also revealed that the recruiter, a woman, had also been a victim of a sham marriage, afterwards herself becoming a recruiter in order to earn money. Some of the young women refused to enter into the sham marriages: one escaped, but another was forced to work as a prostitute for two months. She was seriously beaten and taken to hospital, where she was identified as a victim of human trafficking, and two men were detained. The judgement in the case was six years' imprisonment for three Lithuanian men and one Pakistani man and 10 years' imprisonment for one Lithuanian man.



In this case the police also discovered that **other methods were used to recruit** young women in Lithuania. A Lithuanian man offered his cousin for a sham marriage. The man was promised 1500 pounds for the sham marriage, but the cousin only received 500 pounds as the man kept the other 1000, he said to cover the living costs for her stay with his family in the UK. He also sold his own sister to enter into a sham marriage. The man abused the vulnerable situation of his cousin and sister. They could not speak English, did not know the law or their legal rights and lived on social benefits. A man usually pays a total of 6000 pounds for a sham marriage, the victim only getting 1000-2000 pounds and the traffickers pocketing the rest.

Ušinskas concluded by saying that sham marriages are one form of exploitation of people in human trafficking. He pointed out that the number of pre-trial investigations does not reflect the real number of sham marriage cases, saying: "*It is clear that we have to be better at exchanging information about investigations and criminals in order to strengthen prevention work and criminal investigations into human trafficking.*"

SESSION II

LEGISLATION AND HUMAN TRAFFICKING

Human Trafficking and Enforcement of Legislation

Märta Johansson

Associate Professor, Örebro University, **SWEDEN**

The Swedish government has expressed its concern about the low number of prosecutions and judgements. In Sweden there were a lot of police complaints regarding the suspicion of human trafficking between 2010-2015, 606 in total, of which 17 were prosecuted and seven resulted in judgements. Swedish human trafficking legislation has gone through a lot of changes since it was criminalised in 2002, being revised in 2004 and 2010. A government study (SOU 2016:70) was published in October 2016 which proposes additional changes to the legislation.

Märta Johansson began by **describing the three elements of human trafficking as defined in the Palermo Protocol.**

- 1. The act (what is done) 'Recruitment, transportation, transfer, harbouring, or receipt of persons';*
- 2. The means (how it is done) 'Threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person';*
- 3. The purpose (why it is done) 'For the purpose of exploitation... Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs' (There is no requirement for the purpose to have been achieved, so a person who is rescued before exploitation occurs is still a victim of trafficking).*

The **Swedish legislation from 2010 was modelled on the Palermo Protocol** and it is said that there has to be a direct purpose to sex exploitation, removal of organs, war services,



forced labour and other states of emergency. As an umbrella it is a very broad one, under which forced begging and forced criminality can be included. There must be unlawful means, there must be a purpose before the action and there must be causality between the means and action: after this the crime is completed.

One challenge in Sweden is proving that there is a **purpose to exploitation**. In almost all cases, if there is no additional technical evidence, it has been very hard to prove such a purpose. Johansson added that this means the Swedish courts are highly reliant on technical evidence. This has been a challenge in prosecution and is why it has failed to bring more cases to court in the country. Johansson also said that **if a prosecutor wishes to focus on the recruitment of a victim** and the recruiting takes place in another country, it has been a challenge to gather enough evidence of the recruitment process. The purpose of exploitation is generally accepted if it is easy to prove that the exploitation began as soon as the person arrived in Sweden or was harboured to Sweden for exploitation. Johansson referred to the case that Thomas Ahlstrand presented at the conference, wherein the court said that it was clear already in the recruitment phase that the suspects' purpose was to use the victims for begging as soon as they arrived in Sweden and that the suspects had no other income than that which the beggars earned each day.

Johansson described two **other challenges in Sweden**. One is **proving that a certain means has been used to take the action and complete the crime**. This means generally that when a specific means is used, this voids any consent given by the victim, and has no legal impact whatsoever on whether the trafficking happened or not. Consent, either to the trafficking action - recruitment, transport or harbouring, or consent for later exploitation, is not legal evidence that trafficking has happened. After the changes to the law in Sweden in 2010 it was seen that there were no convictions when only deception was used to recruit or harbour a person. The law is clear, said Johansson, asking: "Why have there been no convictions for deception in Sweden?" She said that this is connected to the completion of the crime and to the victim's consent.

The **Palermo Protocol is quite clear with regard to the victim's freedom**: as soon as a means is used to influence the victim to take action, and this is proven, the consent of the victim has no relevance. It is very clear that coercion and abduction influence the victim and that this counts as a high degree of severity. The protocol does not set any minimum level of severity when it is a case of deception and the abuse of a person's vulnerability. There is no need for any additional effect on the victim, for example that it continues after the action has been completed or that the recruitment succeeded because of the deception. The impact on the victim is the only thing that needs to be demonstrated and proven. Johansson pointed out that no exploitation is required.

Johansson described the **background to placing the Swedish human trafficking crimes** in the Criminal Code Chapter 4 on Liberty and Peace instead of in Chapter 6 on Sexual Crimes. In Sweden the discussion focused on where it should be placed, what kind of crime it was, how to justify the preparatory work and how to view the crime. Trafficking in human beings always involves abusing the vulnerability of a person and it was stated that the victim must be forced or deprived of their freedom and there must be a means of getting the victim to submit to the action which leads the victim into a situation of exploitation that he/she finds "difficult to get out of". Johansson said that this seems to be a problem and goes back to the



legislation from 2002, when the crime was established in Swedish legislation. At the time there were three elements, and the only form of human trafficking was sexual exploitation. The means were coercion, deception and other unlawful means, similar to abuse and vulnerability, and the crime had been committed as soon as a national border was crossed. It was relatively easy to demonstrate trafficking as soon as an international border had been crossed, but there was no focus on the exploitation itself.

In 2004 the legislation changed, as **forms other** than sexual exploitation, such as forced labour, **were included in the law**. The crime was enlarged and as the international connection was removed, making it possible to prosecute internal national human trafficking. The Swedish government and parliament were now concerned that anybody could be prosecuted for human trafficking, e.g. a taxi driver. The fear was that the definition of the crime had become too wide, adding the three traditional Palermo elements, including the element of control of the victim. Johansson said that prosecutors were required to show both the means of action and the control of the victim, but now control also had to be demonstrated during the exploitation itself. This turned out to be a problem, because this was also required in the human trafficking cases of children, i.e. those aged 16-17. There were no cases of human trafficking, because there was no proof that the victims were really controlled. In 2010 this was removed from the legislation, and the Swedish legislation was again back to the three Palermo Protocol elements: purpose, means and action.

In 2010 the **idea emerged of purpose** from the outset, unlawful means used, action taken, causality between means and action and the result of the means supposedly being a power relationship: with all of this, crimes could be considered to have been committed. The exploitation phase did not in theory need to have commenced, but the questions for the Swedish courts seemed to be where to find evidence of the power relationship, although this was clearly specified in the legislation. Johansson explained that the courts started, in practice, to look at the power relationship during the exploitation phase, instead of looking at it in the recruitment, transport, transfer and harbouring phases, and said that it shifted the committing of the crime to the exploitation phase, and that the exploitation had to have a certain effect on the victim such that the victim found it difficult to leave.

Johansson described the **shift from 2002** when the **focus was on the suspect** and what the suspect did in the initial act of recruiting, transporting and harbouring **to the focus on the victim in 2004**. The courts started to look at the victim's freedom being deprived and to require that the victims were controlled. The result was that Sweden saw no convictions for deception. The courts focussed on the victims in power relationships and required them to lose their freedom totally or have it seriously curtailed during exploitation.

Johansson **reflected on the use of evidence in the court**, saying that it was entirely understandable that evidence from the surveillance of exploitation was being used more and more in courts in most countries in order to prove a purpose to exploitation. Swedish judges have argued that it is not human trafficking if the exploitation of a person has not begun. Johansson pointed out that it is problematic if it has to be demonstrated that the victim is subjected to a power relationship. The **effects of the courts' practices** are that many victims are excluded. There has been no prosecution in cases where the victims have been able to walk away from the exploitation, or where the victims themselves go to the police, because then the court can say: "If you were able to leave, your freedom was not sufficiently



curtailed". Johansson said that if it is not possible to obtain surveillance evidence afterwards, this can also result in no prosecution. Evidence is expected of a victim's restricted freedom during exploitation, partly to show how the victim was subjected to a certain power relationship. This means higher costs for longer surveillance, not only to demonstrate the exploitation, but for the prosecutor to also show how the victim in that situation was subjected to a power relationship. This can result in fewer cases being investigated because of the higher investigation costs.

The fourth challenge in Sweden is a **lack of follow-up crimes** or lack of identification of alternative crimes if trafficking elements cannot be proven. In some cases the exploitation itself can be prosecuted, as gross procurement is able to be demonstrated, or that there was abuse, as in prostitution cases, showing either that the prostitution occurred or gross procurement and that there was abuse of the person. Other forms of exploitation could be used, such as fraud or usury, crimes against economic interests and labour environment crimes. Johansson said that there have been no cases of forced labour in Sweden to date.

A government study 2014-2016 recommended the following:

- replacing "direct intent" with "ordinary intent", which means that a person knew the risk but did nothing to mitigate it;
- abolishing the practice of the "power relationship" requirement expected as a result of the means. The power relationship should not be required at all; and
- creating two new follow-up crimes:
 1. "exploitation of another's distress/emergency situation", to focus on the exploitation itself, and
 2. "unlawful economic exploitation of another", to focus not only on the violation against a person, but also on economic interests. This has a lesser sentence and is more connected to fraud or usury, e.g. if it is required of a person to pay to sit and beg.

Does Legislation Meet the Needs of Human Trafficking Today?

Andres Anvelt

Member of Parliament, former Minister of Justice, ESTONIA

Andres Anvelt started by saying that human trafficking is quite a new issue in discussions in the Estonian parliament. It has existed in Estonia, but not much attention has been turned to human trafficking as a crime, and many people have considered it a secondary problem. Anvelt said: "When I was working in the criminal police, 364 people were being murdered every year in Estonia in 1994; now it is 40 people each year." At the start of the 21st century Estonia began looking at legislation, police investigations and prosecutions **on more hidden criminality, and human trafficking** was one of these crimes. Anvelt said that because there was no specific legislation on human trafficking, the parliament had to start drafting legislation from scratch.

The parliament wished to draft **a new law to cover different forms of human trafficking**, including economic exploitation, fraud, forced labour and forced shoplifting, in addition to the "traditional" human trafficking crime of sexual exploitation. Today the articles of the Estonian Criminal Code make it possible for police and prosecutors to identify and investigate



cases where persons are involved in one part of a criminal act. Anvelt gave an example: if a truck driver agrees to transport two young women from Estonia to another country and to hand their passports over to the person meeting them. In this case the driver becomes part of the human trafficking crime. Anvelt stressed that it is therefore **essential to raise awareness** so that ordinary people learn to identify human trafficking as a crime and also to identify the victims of human trafficking. He said: "We all know that **the Criminal Code and legislation is not enough** – there **must be other actions to support the fight against human trafficking**." These are laws of assistance and support for victims, who are often afraid to cooperate with the police and to give statements. The result is that there is no police investigation. Sometimes it can take time before a victim trusts the police. Anvelt said that it is especially important to help when the victims of human trafficking are juveniles.

The Estonian government has adopted a ***Strategy of Preventing Violence*** (2015-2020), which includes combating human trafficking, assistance and support for human trafficking victims and identifying human trafficking victims and crimes in the local area. **International Conventions and Protocols** are also important tools in the fight against human trafficking, such as the *Palermo Protocol*, the *Forced Labour Convention Protocol* and the *Lanzarote Convention on Sexual Violence against Children*. The *Istanbul Convention - Action against Violence against Women and Domestic Violence* is also linked to human trafficking, and will in the near future be passed to the Estonian parliament. Anvelt said that it is important that **Estonia has taken a few steps forward in signing these conventions and protocols**. There have also been discussions about making amendments to the legislation on human trafficking so that it is prohibited to buy sexual services from a victim of human trafficking. Anvelt ended by saying that it is important to give police and the prosecutor's office the opportunity to train some police officers and prosecutors to become specialists in human trafficking in order to better investigate and prosecute such crimes in Estonia.

Challenges Today – Parliaments and Their Responsibilities

Bengt Morten Wenstøb

Member of Parliament of Norway, member of the Nordic Council and Committee for Welfare in the Nordic Region, **NORWAY**

Bengt Morten Wenstøb said: "If you wish **to include politicians** in your actions against human trafficking you have to present ownership of the action of human trafficking," adding that this is one of the main points to remember if people or organisations wish to involve politicians in any activity.

Wenstøb started by **presenting the UN Convention on the Rights of the Child**, saying that Articles 3 and 12 are important because we often talk *about* children but not *to* children, and we do not include them in processes concerning them. In Article 3 it is stated that "*the best interests of the child shall be a primary consideration*" while Article 12 says "*the child who is capable of forming his or her own views has the right to express those views freely in all matters affecting the child*". Wenstøb stressed the importance of including children in processes concerning them and of informing children about the risks of human trafficking, saying that schools should focus more on human rights and discussions of the UN Human Declaration. Wenstøb also said that it is crucial to **include a gender perspective** in all issues dealing with human trafficking. At present this is seldom mentioned, and if discussed it is usually women researchers addressing the gender perspective of human trafficking.



Law, legislation, the economy and the budget are important issues in the daily work of parliamentarians at the national level, and Wenstøb said that if we look at the local level, it is important to cooperate with **schools and families**, especially on information about and the prevention of human trafficking. It is also important to collect and analyse facts, statistics and methods so as to obtain a good view of the situation of human trafficking in the Nordic and Baltic countries. Wenstøb said that a human trafficking review report of the region could be compiled and could be sent to all the Nordic and Baltic parliaments.

In the Norwegian parliament there is **relatively little discussion of human trafficking** at present; there is more discussion of labour crimes, crimes against children, family violence, prostitution and begging, and there is a need for more research on these issues. Wenstøb said it is important to present to politicians the real picture of human trafficking and to show them what it is like for the victims. He said that when he goes to parliament, he takes the train every day to Central Station in Oslo and that as he walks from the station to the parliament he sees drug-dealing and women selling sex on the main street of Oslo. No government in Norway, on the left or the right, has solved the problem of African prostitutes on the streets in central Oslo. Wenstøb asked: why? He said that people must have ownership, and politicians in particular must have political ownership, of questions and issues they want to change and work for.

Wenstøb said that one of the **basic causes of labour crimes** is that we can move freely across borders in Europe and the EU, but that it also involves salaries and social dumping. In Norway, the trade unions focus on these issues and on how to solve this complex problem. It is important to cooperate with the Nordic and Baltic countries to solve the problem jointly.

Wenstøb highlighted **crimes against children in connection with human trafficking**. Young people escaping from the Middle East are at great risk of getting into difficulties, as they are travelling alone and can be used and misused. There is no complete overview of migration in Europe connected to the sexual exploitation of children. In autumn 2015 Northern Europe faced a complex problem with all of the young men and women under 18 arriving in the Nordic countries, especially Sweden, but also Norway and Finland. Wenstøb said there is a need for a joint action plan with more focus on the rights of children.

More international cooperation between politicians on combating human trafficking and on changing attitudes is needed. Wenstøb stressed that attitudes cannot be changed via legislation – it has to be done via different channels in society, and here schools and families play an important role. Cooperation with the mass media is also important, and journalists, experts on human trafficking and politicians should build up a mutual understanding of how to communicate the issue of human trafficking. Today social media is available to everyone, and there are few regulations regarding how to use the media and what is acceptable within the framework of freedom of speech.

The cooperation and exchange of information about human trafficking between the **Nordic Council and the Baltic Assembly** and all of the countries in the region should focus on:

- cross-border training and education;
- communication between public authorities and the police, with politicians facilitating their cooperation; and



- the inclusion of social workers in anti-trafficking actions, since it is not enough to focus on police investigations and the flow of money.

Wenstøb concluded by saying that it is important to achieve **good cooperation between all of the parties involved in combatting human trafficking** – politicians, police, researchers, social workers and field workers – so as to build up a mutual understanding and have ownership of actions against human trafficking.

SESSION III OUR JOINT CHALLENGES IN NORTHERN EUROPE

Future Anti-Trafficking Actions and Coordination around the Baltic Sea

Thomas Stritzl

Member of the Bundestag, BSPC Rapporteur on Human Trafficking, Deputy Chairman of the BSPC delegation of the Bundestag, **GERMANY**

Thomas Stritzl presented a summary of a seminar on *National mechanisms combating human trafficking* and future actions against human trafficking.

Human trafficking is a form of modern slavery – a multi-billion dollar industry – and every year thousands of men, women and children fall as victims, into the hands of traffickers, whether it is a country of origin, transit or destination. No matter where you live, the chances are it is happening nearby. From girls forced into prostitution at a truck stop to men discovered in a restaurant kitchen, stripped of their passports and held against their will. All trafficking victims share one essential experience: the loss of personal freedom.

Despite the fact that most countries have introduced measures against human trafficking, such as national action plans and new legislation, there has unfortunately been no significant reduction. The rapid worldwide increase in human trafficking, where girls and boys are being sold as slave labour or forced into prostitution, is one of the worst crimes of the 21st century. The number of convictions against traffickers remains low. More and more forms of human trafficking can be seen: human trafficking for forced labour, begging, theft, identity theft, forced marriages, trafficking in children, and even removal of organs. The reality about human trafficking is disillusioning; we need tougher and smarter efforts to combat it.

Stritzl gave a **summary** of the presentations and discussions at the seminar *National mechanisms combating human trafficking in the Nordic countries and Baltic States*, saying that the presentations gave a clear picture of the reporting structures of human trafficking in the region. In some countries there is a "cross-sector" structure, such as in Latvia; a national rapporteur as an independent authority, such as in Finland; a national rapporteur within the police, such as in Sweden; and an anti-trafficking coordinator in a ministry. In Belgium, France and Luxemburg the reporting structure forms part of national human rights institutions. Germany is still discussing the structure for a rapporteur.

All national mechanisms:



- report regularly to the parliament, government or both; and
- develop recommendations.

For the quality of the reports it is crucial to:

- have the right to collect data;
- collect qualitative and quantitative data on human trafficking from the courts, police and NGOs; and
- have a mandate for the person responsible for reporting.

To strengthen the reporting system:

- the mandate should be based on a wide definition of all forms of exploitation in human trafficking;
- the mandate must include crime prevention and care;
- the reporting system should not only be compiled on the basis of external data; and
- the reporting should include the actions of the state, with the reporting preferably being less regulated.

Stritzl made the following **proposals for anti-trafficking actions and the prevention of human trafficking**:

- The **demand** for human trafficking must be stopped.
- All countries must **take responsibility** for potential victims and people at risk.
- **Awareness** must be raised about identifying human trafficking at the local level.
- **Strict measures** must be implemented in the police force and legislation to combat human trafficking.
- **Help and assistance** must be provided to all victims of human trafficking and the victims should be reintegrated into society as soon as possible.

Stritzl said that in addition, **international cooperation needs to be improved** and joint investigations need to be strengthened. Cooperation among national mechanisms should be supported and more coordinated measures are needed to achieve better results in the fight against human trafficking. Stritzl suggested that a **regional action plan** should be drafted and closer cooperation between the Nordic and Baltic countries on actions against human trafficking would be desirable.

Stritzl concluded his presentation by saying: *"There is still a long way to go, but only together can we fight one of the worst crimes of the 21st century. This two-day conference has been a very encouraging step in the right direction."*

Discussion

The discussion focused on joint challenges in combating human trafficking. It was pointed out that human trafficking crimes are not growing. Today people have **more knowledge** about human trafficking, and **awareness** has risen in our societies, but there is still a need to inform people about the risks of human trafficking. More people are on the move and this also increases the risk of people becoming victims of human trafficking.



There should be more focus on the **prevention** of human trafficking. **Attitudes** towards human trafficking should be changed, especially regarding prostitution and sexual exploitation. **Demand** should be reduced, and different steps should be taken, because legislation alone is not enough. It is important to provide diverse **information** which highlights the problems of human trafficking.

The education of prosecutors and judges regarding human trafficking is important to be able to get more cases to court. It is important to train the prosecutors and judges regarding the perpetrators, the victims - how vulnerable people become victims of human trafficking - and how to prosecute and judge such cases. Cross-border cooperation between experts is crucial to gaining a **mutual understanding of human trafficking** in these countries, especially about victims of human trafficking and the power relationship between the traffickers, recruiters and victims.

Human trafficking is not a question on the political agenda. There should be more discussion of the topic in parliaments; today there is a lot of discussion of migration, but not of human trafficking, and especially not of how migration and human trafficking are related. The proposal was that **reports to parliaments** should be made at the same time in all countries around the Baltic Sea. The parliaments and ministers could have joint discussions and compare and exchange knowledge on human trafficking.