

Revised National Plan of Action against Trafficking in Human Beings

Migration 

PUBLICATIONS OF THE MINISTRY OF THE INTERIOR 29/2008

Authors (name, chairman and secretary of the body) Steering Group for the Plan of Action against Trafficking in Human Beings Chair, Ms Mervi Virtanen, Director Secretary, Mr Tero Mikkola, Senior Planning Officer		Type of publication Government Resolution	
		Commissioned by Ministry of Labour	
		Body appointed on 17 February 2006 TM030:00/2005	
Name of publication Revised National Plan of Action against Trafficking in Human Beings			
Parts Summary, Introduction, Plan of Action, 6 annexes			
Abstract <p>The Finnish Government adopted on 25 August 2005 a first National Plan of Action against Trafficking in Human Beings. In the Plan of Action, it was required that the steering group to be appointed to monitor the implementation of the Plan of Action should assess the success of the measures taken and draw up a revised Plan of Action. The steering group submitted its proposal for the revision of the Plan of Action on 5 December 2007. The Government adopted a resolution on the Revised National Plan of Action against Trafficking in Human Beings on 25 June 2008.</p> <p>The Revised National Plan of Action takes special account of the identification of victims, which has proved to be a challenging task. The aim is to keep the identification threshold low to make sure that the assistance will reach all victims. Authorities' ability to identify victims will be improved by systematically developing their expertise and by providing customer service workers in various areas with training and instructions.</p> <p>In addition to the actions of authorities, the outreach work carried out by the third sector, and the initial guidance and orientation are of major importance when locating and identifying victims of human trafficking within Finland. Organisations involved in outreach and advisory work to identify victims of human trafficking will be funded by the central government. Authorities will intensify their cooperation with NGOs and labour market organisations on combating human trafficking.</p> <p>Furthermore, the networks and measures related to assisting victims of human trafficking will be further extended, if necessary. When combating human trafficking offences, the most important aim is to harmonise the interpretation of the Penal Code and designations of offences as the number of offences is on the increase, which adds to the workload in pre-trial investigation and the work of prosecutors and courts. In addition to crime prevention, authorities should make sure that the work on exploring victim protection will proceed. Furthermore, support systems will be created for victims.</p> <p>In the combat against trafficking in human beings, greater account will be taken of curbing demand. Increased information will be provided in good cooperation among various actors and the media to promote public awareness, including information directed to victims. Account will also be taken of sufficient guidance offered to employees entering Finland, of monitoring compliance with the terms of employment and of labour protection measures. It is also important to combat grey economy and involve labour market organisations in combating exploitation of labour and trafficking in human beings.</p> <p>When the Revised National Plan of Action against Trafficking in Human beings was adopted, the Ombudsman for Minorities was appointed the national rapporteur for trafficking in human beings. Resources will also be allocated to academic research round the phenomenon of trafficking in human beings and to study and research work carried out by authorities in different sectors.</p> <p>In 2009, the legislation on and systems for combating trafficking in human beings and their compatibility will be evaluated in full by independent external evaluators. The steering group appointed to monitor the implementation of the Revised National Plan of Action will, on the basis of the evaluation and in cooperation with the national rapporteur, draw up recommendations for further development of legislation on and measures for combating trafficking in human beings.</p>			
Keywords Trafficking in human beings, human rights, organised crime, victims of crime			
Other information Electronic publication ISBN 978-952-491-[xxx]-[x] (PDF), address www.intermin.fi/julkaisut			
Name of series and number of publication Ministry of the Interior's Publications		ISSN 1236-2840	ISBN 978-952-491-372-0
Number of pages 44	Language English	Price 20,00 € + VAT	Confidentiality rating Public
Distributed by Ministry of the Interior		Published by Ministry of the Interior	

Summary

This Revised National Plan of Action against Trafficking in Human Beings contains a comprehensive description of future action to be taken against human trafficking in Finland. It represents an update and further specification of the measures described in the first National Plan of Action against Trafficking in Human Beings adopted by the Government on 25 August 2005, based on experiences from the implementation of those measures.

Like its predecessor, the Revised Plan is built on a human rights-based and victim-oriented approach and aims to take the child and gender aspect more closely into account in the implementation of measures. The importance of cooperation and a cross-discipline approach in action against human trafficking is further stressed.

The Revised Plan pays particular attention to the identification of victims, which has proven to be a challenging task. The aim is to keep the threshold of identification low so that everyone who has fallen victim to a human-trafficking offence can be provided with assistance. Identification capabilities will be improved through systematic competence improvement and training and instructions aimed at customer service personnel in various sectors. Possible victims of human trafficking must also be identified among transit passengers and persons to be removed from the country.

Action by the authorities along with outreach work undertaken by the third sector and early counselling are of crucial importance in reaching and identifying victims of human trafficking within the borders of Finland. The funding for organisations undertaking outreach work and counselling will be covered by government grants in the future, as specified in the Government Programme. Cooperation between the authorities, NGOs and labour market organisations in combating human trafficking will be enhanced.

Reflection periods and residence permits will be increasingly granted to victims of human trafficking when possible. Reflection periods should be long enough, considering the situation, to enable the victim to recover. How well the legislation performs with regard to residence permits will be looked into in connection with the report specified in the Government Programme concerning residence permits for victims of crimes.

The system for victim assistance has proven its value for those victims who are reached and who are entered into the system. Assistance networks and measures will continue to be augmented as required. No experiences have yet been acquired of return after exiting the system for victim assistance, but preparation must be made for such cases by anticipating the national and international cooperation structures and action that will be needed.

The prevention of human-trafficking offences rests on the consolidation of the interpretation of the Penal Code and determination of the type of offence on the part of pre-trial investigators, prosecutors and courts as the number of cases increases. In addition to crime prevention, investigation into witness protection must also be pursued, and witness support systems must be developed.

Curbing demand must be taken more widely into account in action against human trafficking. Publicity aimed at increasing public awareness and targeted at victims must be undertaken in sufficient breadth and in cooperation between various actors and the media. Also important in this action are international treaties, international cooperation and visa policy. Moreover, added resources are needed for providing sufficient guidance for workers arriving in Finland, for monitoring their working conditions and occupational safety and health measures, for combating the grey economy, and for the participation of labour market organisations in preventing the exploitation of workers and human trafficking.

The lack of a national rapporteur has been a significant obstacle to the independent evaluation of action against human trafficking and the conducting of international relations. The Ombudsman for Minorities will be appointed the national rapporteur on action against human trafficking, acting as an independent authority. The necessary resources and other prerequisites must be allocated for this purpose.

Action against human trafficking in various administrative sectors will be taken within the limits of the appropriations of the central government budget. Generally, this action is pursued in the normal activities of the authorities and is not allocated separate appropriations. Authorities may also set up separate projects for the purpose.

Each key ministry and authority allocates resources to publicity about human trafficking in their respective administrative sectors. Sufficient resources will be allocated to enhanced training regarding human trafficking in training civil servants and the personnel of other actors, and also in vocational basic and continuing education. Resources will be further allocated to research on human trafficking and related issues at academic institutions by the authorities and in various professions.

The funding for organisations undertaking outreach work and counselling aimed at identifying victims of human trafficking will be covered from government grants in the future, as specified in the Government Programme. Finland's Slot Machine Association will also continue to support projects arranged by organisations to combat human trafficking wholly or in part. The potential for providing resources for other measures undertaken by organisations, such as training support persons or the support provided for victims by labour market organisations, will be looked into, as will the impact of the cost of victim assistance on local authorities.

The level of need for appropriations and other resources will be looked into in each ministry and administrative sector separately. In implementing measures, cooperation projects that pool resources from various ministries and administrative sectors must be favoured, particularly in the areas of training, publicity and research.

Monitoring of the implementation of the Plan of Action will continue to be undertaken by a cross-discipline steering group. The group will be chaired and action against human trafficking coordinated by the Ministry of the Interior. In other respects, each key ministry is responsible for the monitoring and implementation of measures in their respective administrative sectors.

An outside, independent evaluation of systems combating human trafficking and how they work together will be commissioned in 2009. The steering group will be required to use the results of this evaluation together with the national rapporteur to draw up recommendations on action to develop legislation further and measures against human trafficking.

Contents

1 Introduction	1
2 Revised measures combating trafficking in human beings, and responsible authorities	3
2.1 Identification of the victims of trafficking in human beings, and outreach work	3
2.1.1 Improving victim identification	3
2.1.2 Improving outreach work and counselling	5
2.1.3 Refusal of entry, removal from the country and the Dublin	6
2.2 Residence permit and reflection period	6
2.2.1 Granting a reflection period	7
2.2.2 Granting a residence permit	7
2.3 System for victim assistance	7
2.3.1 How the system for victim assistance works	7
2.3.2 Legal aid and legal counselling	9
2.3.3 Training, entry into working life and integration	9
2.3.4 Special services for children	10
2.3.5 Organizing return	11
2.4 Bringing traffickers to justice	12
2.4.1 Combating human-trafficking offences	12
2.4.2 Cooperation among authorities	13
2.4.3 Witness protection and witness support	14
2.5 Preventing trafficking in human beings	15
2.5.1 Implementing international treaties	15
2.5.2 Visa policy as part of the regulation of immigration	15
2.5.3 Labour protection, and measures against the grey economy	16
2.5.4 Neighbouring-area cooperation	18
2.5.5 Development cooperation	18
2.5.6 Civilian crisis management and peacekeeping missions	19
2.6 Increasing information and awareness	20
2.6.1 Training	20

2.6.2 Communications	21
2.6.3 Research.....	22
2.6.4 Teacher training, international education and the information society	22
2.6.5 National rapporteur.....	23
3 Costs	24
4 Implementation and monitoring of the Revised Plan of Action.....	26

Appendixes

Appendix 1: IDENTIFICATION INDICATORS	27
Appendix 2: IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS.....	30
Appendix 3: WHEN YOU SUSPECT A PERSON OF BEING A VICTIM OF TRAFFICKING IN HUMAN BEINGS	36
Appendix 4: PROCEDURE / VICTIM OF TRAFFICKING IN HUMAN BEINGS	38
Appendix 5: PROCEDURE / IDENTIFYING AND ASSISTING A VICTIM OF TRAFFICKING IN HUMAN BEINGS	41
Appendix 6: SYSTEM OF VICTIM ASSISTANCE.....	44

1 Introduction

There is now more than two years' worth of experience of the implementation of the first National Plan of Action against Trafficking in Human Beings adopted by the Government on 25 August 2005.¹ The steering group appointed to monitor this implementation has evaluated how well the measures proposed in the Plan of Action have succeeded and has prepared a proposal for a Revised Plan of Action, based on information and experience gained from the implementation to date.² The steering group submitted its proposal to Astrid Thors, the Minister of Migration and European Affairs, on 5 December 2007.

The steering group evaluation demonstrated that measures against human trafficking had become established in Finland during the initial phase and that cross-discipline cooperation between administrative sectors, NGOs, labour market organisations, local authorities and other actors had begun in various contexts. With the implementation of the Plan of Action, Finland is now among the leading countries in Europe in the combating of human trafficking, even though there is a huge variation in the implementation of measures between countries and the number of victims actually reached in Finland is small. Identifying victims of human trafficking, whether in transit or within the country, has proved to be the most substantial challenge in implementing the Plan of Action.

This Revised Plan of Action based on the proposal of the steering group specifies new and improved measures to combat human trafficking, based on experiences gained in the initial phase of implementation. The Revised Plan of Action, like its predecessor, is built on a human rights and victim-based approach. The status of victims and the protection of the rights of victims are set as the cross-cutting objectives. Also, it is intended that the implementation and consequences of all measures should be viewed taking children and the gender aspect into account whenever necessary.

¹ Ihmiskaupan vastainen toimintasuunnitelma.

Ulkoasiainministeriön julkaisu 18/2005. Edita Prima 2005.

National Plan of Action against Trafficking in Human Beings.

Publications of the Ministry for Foreign Affairs 5/2006. Edita Prima 2006.

Online: National Plan of Action against Trafficking in Human Beings.

[www.intermin.fi/Migration/Duties/Coordinating action to combat human trafficking](http://www.intermin.fi/Migration/Duties/Coordinating%20action%20to%20combat%20human%20trafficking)

² Näkymättömät uhrin. Ohjausryhmän ehdotus ihmiskaupan vastaisen toimintasuunnitelman tarkentamiseksi.

Työhallinnon julkaisu 383. Valopaino Oy 2007.

Online (in Finnish):

http://tyonhaku.fi/mol/fi/99_pdf/fi/06_tyoministerio/06_julkaisut/07_julkaisu/thj383.pdf

Again like its predecessor, the Revised Plan of Action is based on a comprehensive and multi-dimensional approach, underlining the importance of cooperation among different professionals. Further measures, particularly in the areas of education and awareness-building, which are emerging as important focus areas, will be mainstreamed in various administrative sectors, in various professional sectors and in society as a whole. It is vital for the success of these further measures that increasingly open and closer cooperation between the authorities, NGOs, labour market organisations, local authorities, churches and other religious communities be pursued, especially in identifying victims and helping them receive assistance. Preventive measures and measures affecting demand have also been highlighted more than before.

The principal aim in the Revised Plan of Action is to lower the threshold of the victim identification in all situations where potential victims are encountered. Identifying victims and helping them receive assistance is both a human rights issue and a requirement for the success of all measures aimed against human trafficking. Strengthening outreach work and providing sufficiently comprehensive training for professionals who encounter potential victims are of crucial importance for lowering the threshold of victim identification.

For the closer evaluation of systems combating human trafficking and how they work together, the Government requires that the new steering group to be appointed undertakes to organize an external, independent evaluation of these systems and, on the basis of that evaluation and in cooperation with the national rapporteur to be appointed, prepares a proposal for the further development of legislation and measures combating human trafficking.

2 Revised measures combating trafficking in human beings, and responsible authorities

2.1 Identification of the victims of trafficking in human beings, and outreach work

Responsibility and implementation: All authorities in their respective administrative sectors, NGOs and labour market organisations, churches and other religious communities.

Identifying the victims of human trafficking and helping them receive assistance has not worked as well as was originally envisioned. Identification has proved more of a challenge than anticipated, particularly in transit. Early warnings on human-trafficking offences are not received, and scarcely any such offences come to the attention of the police. Difficulties in drawing the line between human-trafficking offences proper and related offences (aggravated pandering, aggravated facilitation of illegal entry and usury type of discrimination at work) have led to the number of victims identified being lower than originally envisioned. The number of related offences recorded is many times higher than the number of human-trafficking offences. There are still problems in the harmonization of first-stage identification, permit procedures, criminal investigations, legal processes and victim assistance for reasons of legislation or shortcomings in the implementation of measures. The potential of legislation for preventing human trafficking has not been exploited effectively.

It is, therefore, important to undertake a comprehensive evaluation of the combating of human trafficking, particularly from the viewpoint of victim identification. There is, as yet, not enough experience of how the systems work for an evaluation of their functioning overall. An external and independent evaluation of the systems for combating human trafficking and how these systems work together must be conducted in 2009. The evaluation must focus particularly on victim identification and victim assistance from the viewpoint of the victim's status and of the effectiveness of the measures employed. The evaluation must further cover the interrelation of the various pieces of legislation that regulate these measures.

2.1.1 Improving victim identification

Experiences show clearly that some victims of human trafficking still remain unidentified. The potential for identification could be improved and the threshold lowered through systematic enhancing of competence and through training and

instructions reaching down to practical work with customers. Training and instructions can help professionals in various fields to become better at identifying human trafficking and its victims in the course of their everyday duties.

Not all professionals in all fields have been trained adequately for such identification. In order for the identification training to be efficient and effective, it must be not only comprehensive but constantly updated, and it must involve cooperation and exchanging information. Securing the continuity of training and evaluating its effectiveness, together with other training involving human trafficking, is also important for future efforts. The principal measures for improving victim identification are:

- Competence in the identification of victims of human trafficking will be improved through a variety of means, such as training, centralized information gathering, evaluative monitoring (case studies and system evaluation), benchmarking, and national and international exchange of information.
- An inter-authority cooperation group will be appointed under the Ministry of the Interior to focus on identification training and instructions. The group will coordinate the issuing and availability of sufficient instructions on identification and initiative — including written guidelines — to the authorities and to other parties at all levels. However, these shared instructions will not replace the internal instructions of each administrative sector. Particular attention will be paid to improving and maintaining the competence of personnel involved in practical customer work to identify victims and to take action.
- Indicator lists supporting victim identification are essential identification and training tools. The cooperation group to be appointed will therefore revise the indicator list included in the National Plan of Action (Appendix 1) to improve it and to encourage professionals in various fields to contact the authorities and organisations that support victims of human trafficking. The revised indicator list will be distributed through training to all sectors involved in victim identification, as widely as possible.
- It is difficult to identify cases of human trafficking in transit, because the ulterior motive is usually not apparent. However, a case of human trafficking in transit may be identified if it is apparent that the victim's insecurity or dependent situation is going to be exploited and the victim thereby subjected to abuse, even if the victim appears to be compliant. The Border Guard is responsible for taking the possibility of human trafficking into account in border crossing situations. Inserting between the pages of a passport a leaflet enabling potential victims of human trafficking to realize their position is one method of intervention suitable for border crossing situations. International cooperation and exchange of information is being increased to facilitate identification of cases in transit. Cooperation with anticipated target countries is of particular importance.

2.1.2 Improving outreach work and counselling

Outreach work is one of the most important tools in reaching and identifying the victims of human trafficking. Strengthening outreach work and improving the competence of professionals involved in it particularly in the area of human trafficking requires investment from the authorities involved, from project funding, and from vocational and other training.

- Outreach work methods will be included in basic vocational education and continuing education in the social and health care sectors and in youth work, with particular focus on supporting the entry of students and professionals with immigrant backgrounds to undertake and provide training in outreach work. The importance of outreach work and the participation of immigrants in teaching and early education will also be noted. Networking between professionals undertaking outreach work with authorities, organisations, churches and other religious communities will be facilitated.
- The Internet is a significant forum for soliciting for underage victims and for the cross-border sex industry. Competence in this field will be increased by developing outreach methods in the virtual world and by applying these to the identification of potential victims of human trafficking.
- Human trafficking will be taken into account in outreach work undertaken by churches/parishes and other religious communities, and their workers will be trained in victim identification.
- Potential victims will be given information and counselling regarding their rights and position in connection with outreach work, before the victims are even entered into the system for victim assistance. The information will be presented in such a way as to allow victims to take an informed decision as to whether they wish to enter the system and possibly cooperate with the authorities and what this would require of them. Suspicions of human trafficking voiced by organisations may be received anonymously if necessary for discussion by cross-discipline evaluation groups at reception centres in order to establish whether assistance is required.
- A model for collecting information and building statistics will be created to collect information on potential victims of whom the authorities, for whatever reason, are not aware. Actors other than the authorities will develop this model amongst themselves.
- The funding of organisations undertaking outreach work and counselling aiming at the identification of victims of human trafficking will be covered by government grants as noted in the Government Programme.
- It will be ensured that the third sector will receive resources for counselling and interpreting services and for maintaining helplines in this context, so that a victim's rights may be recognized even if the victim is identified by someone other than the authorities. Projects undertaken with support from Finland's Slot

Machine Association to support victims of human trafficking are to be recommended and complement the system funded out of the central government budget for combating human trafficking.

- The status of organisations and individuals undertaking outreach work in the combating of human trafficking will be defined more specifically, and their obligations to disclose information and their rights to receive information will be clarified in matters which are essential for the successful pursuit of identification and support measures in practice.
- The safety of the workers of organisations involved in practical support measures will be ensured through security assessments conducted by the police and a requirement of immediate notification in case of security risks.

2.1.3 Refusal of entry, removal from the country and the Dublin procedure

Persons subjected to refusal of entry, removal from the country and the Dublin procedure may include victims of human trafficking who may not have yet experienced actual abuse. Particular care must be taken to ensure that such persons — particularly underage ones — receive information and protection.

- Involuntary refusal of entry will not be implemented in cases where there is reason to suspect human trafficking; instead, suspected victims will be entered into the system for victim assistance.
- Attention will be paid to identifying victims of human trafficking — particularly underage ones — in the Dublin procedure, and in case of suspected victims, refusal of entry will as a rule not be implemented unless another Member State has arranged assistance and this system is known to be feasible for the case in question.
- The national rapporteur to be appointed will submit a report on the refusal of entry of prostitutes and other persons and the effect of refusal of entry on the status of these persons with regard to suspicions of human trafficking and other matters.

2.2 Residence permit and reflection period

Responsibility: Ministry of the Interior, Finnish Immigration Service, police, Border Guard.

So far, there have been very few cases where reflection periods and residence permits have been granted to victims of human trafficking. These are essential tools in the combating of human trafficking, and their use should be enhanced where feasible.

2.2.1 Granting a reflection period

So far, there has only been one case of a reflection period being granted, because all other victims reached have had a residence permit or other legal basis for residence in the country. However, it is important to acquire experience in the use of the reflection period, because a reflection period may prove crucial for ensuring the cooperation of and providing assistance for certain victims. The reflection period is also used for finding out whether the case will proceed to pre-trial investigation and consideration of charges as a human-trafficking offence.

- The reflection period must be applied in all situations where possible and where there is the least suspicion of human trafficking.
- The reflection period granted should be as long as possible in view of the situation, and care should also be taken that the victim can make use of the reflection period for recovery.

2.2.2 Granting a residence permit

Cases where a residence permit has been granted to victims are also extremely rare, because most victims reached have had a residence permit or other legal basis for residence in the country. It is thus premature to assess how well the legislation functions in this regard. No particular problems have emerged in the granting of residence permits as such. The Ministry of the Interior will look into the need for future legislative amendments from the perspective of granting residence permits to victims of crimes and of victim assistance.

- Victims of human trafficking who remain in the country should be granted a residence permit as soon as possible. In the case of particularly vulnerable victims, there is an urgent need for a permanent residence permit, which is a requirement for a victim to be able to commit to an integration plan.
- Possibilities for granting permanent residence permits to victims of offences against humanity and against fundamental rights, as specified in the Government Programme, will be looked into to make it easier for such victims to seek help from the authorities.

2.3 System for victim assistance

2.3.1 How the system for victim assistance works

Responsibility: Ministry of the Interior, Ministry of Social Affairs and Health.

The service system for assistance to victims of human trafficking has already been established in essence, and experiences have been gained such as to enable an assessment of a variety of types of action and measure concerning both adults and minors, even though the number of cases has been small. Despite the small number of victims identified, victim assistance and support measures run smoothly once a victim has been identified and entered into the system. The development of services and support measures mainly requires bringing special services into focus.

- The safety of both the victim and of all actors involved must be taken into account in all assistance measures.
- Interpreting and translation services are needed from the very first, before a potential victim is even entered into the system, while the suspicion of human trafficking is being investigated. The availability of these crucially important services at this point in the process must be ensured.
- The possibility of lodging an appeal in connection with decision-making — even in the case of removal from the system of victim assistance — will be looked into.
- Various kinds of accommodation, such as shelters, supported housing and child protection units, must be provided for victims all around Finland. A reception centre must have the capacity for moving a victim quickly from one accommodation or one type of accommodation to another if the victim's security situation changes.
- Professionals who speak the native languages and are acquainted with the cultures of victims will be involved in providing assistance where possible.
- Also, support workers must be well trained in their duties, and careful consideration must be given to the kind of support workers that would be helpful for empowering the victims. The duration of the support and the costs of providing support workers after the victims exit the system must be taken into account.
- The reception centres will ensure that the expertise acquired in assisting victims will be preserved as situations change and regardless of personnel turnover.
- The Ministry of the Interior will examine whether the system of victim assistance should be extended to cover victims of offences related to human trafficking, in connection with examining whether the residence permit system should be extended to them.
- Opportunities for victims living in a particular municipality to access not only basic municipal services but also special support services provided for and paid for within the system of victim assistance must be ensured.
- The availability of support by experts in the system of victim assistance must be ensured for those municipalities where victims are living.

2.3.2 Legal aid and legal counselling

Responsibility: Ministry of Justice, Ministry of the Interior.

Victims of human trafficking are entitled to legal counselling and legal aid, and there have been no problems in obtaining these. The availability of such aid and counselling must continue to be ensured from as early a stage as possible in the process, for instance in accordance with the requirement for authorities to provide advice in section 8 of the Administrative Procedure Act (434/2003).

- The authorities must ensure that a person suspected of being or confirmed as a victim of human trafficking be provided with the relevant legal aid and counselling and be guided to other parties that provide aid and counselling as necessary.
- The availability of legal counselling for victims even before they contact the authorities must be improved.
- Counselling must be provided in a language that potential victims can understand and must be presented in such a way that they can make informed decisions concerning themselves.

2.3.3 Training, entry into working life and integration

Responsibility: Ministry of the Interior, Ministry of Education, Ministry of Social Affairs and Health, Ministry of Employment and the Economy, Ministry of Finance.

Under current legislation, a victim of human trafficking is in most cases initially granted a temporary residence permit. Persons granted a temporary residence permit are usually not designated a home municipality, and they are excluded from certain services such as integration measures, residence-based social security and public labour market services. Access to training is also uncertain. It is in the interests of victims that these rights be gained as soon as it becomes evident that their stay in the country will be of a longer duration and requiring integration.

- Models for providing training and vocational education to build skills or to support either integration or return individually for victims of human trafficking while they are still in the system for victim assistance must be created.
- The potential for granting a home municipality and residence-based social security to victims of human trafficking who remain in Finland, even in cases where they have been granted a temporary residence permit, will be monitored.
- The potential of victims of human trafficking remaining in Finland and people close to them to participate in pre-school education, basic education and vocational education will be monitored, and access to such education will be ensured, in all cases where the victim remains in Finland.

- Access to measures supporting integration and empowerment is vital for many persons who are in the country temporarily; thus, access by victims with a temporary residence permit to labour market services must be ensured.
- The status of the victim will be taken into account in drawing up his/her personal integration plan.

2.3.4 Special services for children

Responsibility: Ministry of the Interior, Ministry of Social Affairs and Health, Ministry of Education.

The personnel at the reception centre managing child victims have sufficient competence and networks in matters related to children and child protection to be able to provide assistance for under-age victims of human trafficking. The workers and their partners respect the rights of children and act in the children's best interests.

The major risks and needs in providing assistance for children concern the security of the children, particularly in cases where criminals are seen to be seeking to regain control of the underage victims, for instance to continue their journey towards exploitation and victimization. Another reason why this calls for special attention is that children often act in such a way and rely on the promises of criminals in such a way as to compromise their own safety.

- Immediate action must be started to locate the family and guardians of the children. It must also be established whether the parents or guardians of the children were party to the child becoming a victim in the first place.
- A victim who is apparently underage will be considered a child until his/her age is confirmed, erring on the side of caution in unclear cases. It must be ensured that children have the right to express their opinion in matters concerning them, and these opinions must be taken into account with regard to the age and developmental level of the children. Children must not be housed in detention facilities, not even temporarily, and underage victims must not be detained in cases where human trafficking is suspected.
- Children and adolescents should be ensured access to pre-school, basic education or post-comprehensive education and provided with sufficient support for beginning and completing the studies.
- In granting a reflection period, consideration must be given to the feasibility for underage victims; the reflection period must be sufficiently long in cases where its use is considered feasible.
- Residence permits for underage victims must be processed with urgency in order to ensure a safe environment for their growth and development.
- It may be unreasonable to expect a child to cooperate. An assessment by a child protection expert or child psychiatrist must be obtained regarding cooperation

before asking an underage victim to cooperate with the authorities under special circumstances. Cooperation must not be requested if the assessment shows that this would not be in the child's best interests.

- The child's age and developmental level must be taken into account in seeking cooperation, and also the dependence of children without a parent or guardian on minders in the criminal organisation. The participation of the child's representative and the social authorities at all the stages of the cooperation process must be ensured to safeguard the interests of the child.
- With children, particular attention must be paid to the threat and risk of disappearance of the victims, for instance by taking an underage victim into care and placing him/her in a child protection facility. This will enable the use of exclusion measures as specified in the Child Welfare Act if necessary.
- The right to aftercare of victims placed in a child protection facility through the system of victim assistance must be ensured, and its costs covered. Aftercare should also be extended to other victims who do not have a parent or guardian.
- Representatives of minors must be trained in matters concerning human trafficking. Child protection training must be provided comprehensively for the various parties in the system for victim assistance and for the professionals involved in identifying child victims. New forms of sexual abuse of children, particularly those involving information and communication technology (ICT), must be taken into account in the training of professionals.

2.3.5 Organizing return

Responsibility and implementation: Ministry of the Interior, Ministry for Foreign Affairs, Finnish Immigration Service, police, NGOs and labour market organisations, churches and other religious communities.

There are so far no experiences of organizing returns for victims of human trafficking after they have exited the system for victim assistance. However, it is important to prepare for such eventualities by anticipating the cooperation structures and operations required. The possibility of return should be held up alongside remaining in the country and integration particularly because international experiences show that the majority of victims of human trafficking are willing to return to their home country. Organizing return, with its various dimensions, requires long-term national and international cooperation and development. Not only security but also reintegration and preventing the victims from becoming victims again must be considered.

- Procedures and practices to support safe return will be developed through international cooperation and through cooperation between the authorities and organisations.
- The reception centres will improve their expertise and role in supporting safe return, for instance through victim empowerment, development of functional and occupational faculties, and other return coaching.

- The Finnish Immigration Service will improve its expertise and role in the following areas: examining return circumstances and the preconditions for safe return; in particular, finding children's families or guardians; and cooperation between authorities.
- The scope for the authorities, NGOs, labour market organisations, churches and other religious communities to contribute to return will be looked into more widely, and these parties will be linked to the cooperation procedure supporting return where possible.
- The authorities will jointly look into the scope for international official cooperation and for the participation by other international and foreign organisations (including NGOs and churches) in return and monitoring arrangements in the most likely return areas.
- International information and experiences on return, re-integration and monitoring measures will be gathered. The Ministry for Foreign Affairs will look into the scope for using Finland's missions abroad for implementing returns.
- The potential and possibilities for rapid return of victims will be looked into, and preparations will be made for rapid implementation of returns if the victim so wishes and if the eventual criminal investigation so allows.
- In case of return of an underage victim, the Finnish Immigration Service will ensure that the conditions for return have been examined and that monitoring has been reliably provided for. The conditions are examined and monitoring arranged whether the underage victim returns to his/her family or guardians or to a child protection facility in his/her home country.
- Information acquired in the locating of family members or guardians and cooperation with international organisations may be used for the above purpose.

2.4 Bringing traffickers to justice

Combating human trafficking and the related cooperation between authorities are efficient and victim-oriented. It is important for these efforts that, in addition to assisting victims, any and all suspected offences are brought to the attention of the pre-trial investigation authorities. The number of human-trafficking offences, and thereby the number of victims, can only be reduced by bringing the traffickers to justice. Witness protection and witness support need to be looked into and developed.

2.4.1 Combating human-trafficking offences

Responsibility: Ministry of the Interior, police, Border Guard.

Efficient combating of human-trafficking offences is one requirement for preventing human trafficking. There must be criminal investigation resources available for this purpose.

- The IHKA project of the National Bureau of Investigation focusing on human trafficking will be continued.
- Feasible means for enhancing the prevention, monitoring and uncovering of human trafficking and related phenomena will be looked into under the leadership of the National Bureau of Investigation. The Border Guard and police will pay special attention to the uncovering of human-trafficking offences and to victim identification.
- Notification of human-trafficking offences that come to the attention of the authorities and other parties is sent to the police and, if necessary, to the Border Guard and the occupational safety and health authorities.
- International cooperation between crime prevention authorities and the use of existing cooperation forums will be continued.
- The impact of traumatic events on the victim, his/her behaviour and his/her mental capacity for cooperating with the authorities will be taken into account in the criminal investigation process.
- Interviews with underage victims will be conducted in a child-friendly environment (atmosphere, sufficient breaks, etc.) and by persons specially trained for the task. Legal counsel and the child's representative may be present at the interview.
- The gender aspect will be taken into account in interviewing adult victims too, and in the choice of interviewer.

2.4.2 Cooperation among authorities

Responsibility: Ministry of the Interior, police, Border Guard, Customs, and other authorities in their administrative sectors.

Action against human trafficking cannot be successful without smoothly running cooperation and trust among authorities. Cooperation is often also important for initiating official action in combating human trafficking.

- Human trafficking and its prevention will be given special focus in PTR activities (joint criminal intelligence and investigation activities of the police, Customs and Border Guard) and in international cooperation. International cooperation and participation by the authorities will be continued.
- Cooperation among authorities will be continued as specified in the ministry-specific plan of action against human trafficking issued by the Ministry of the Interior: preventing human-trafficking offences requires close cooperation

among various authorities (police, Customs, Border Guard and the Finnish Immigration Service), for which sufficient resources must be provided.

- National cooperation among authorities will be enhanced, and participation in the multi-discipline victim assessment group and in cooperation with the occupational safety and health authorities, the labour market organisations and third-sector actors will be highlighted.

2.4.3 Witness protection and witness support

Responsibility and implementation: Ministry of Justice, Ministry of the Interior, NGOs, labour market organisations.

Witness protection may be necessary to protect a witness to a human-trafficking offence. The alien status of witnesses and the needs for developing witness protection, and related legislative amendments, must be looked at more widely. Even in cases where actual witness protection is not needed, the witness may need support in some other form. Such support is currently provided by NGOs on project funding. Labour market organisations also make their own contribution to supporting employees who are such witnesses.

- Support will be given to the proposals of the witness protection working group regarding a risk analysis to be drawn up in cooperation by the authorities and the setting up of a national support group versed in witness protection issues (the National Bureau of Investigation has appointed a working group to look into this).
- The need to amend legislation with regard to the alien status of witnesses will be looked into, taking international requirements into account.
- The National Bureau of Investigation has conducted a survey on the needs for developing witness protection. These needs will be further monitored, and the necessary amendments to legislation and official practices will be implemented.
- The needs and means for protecting the victim and his/her family members will be looked into even when they are not being heard in the criminal investigation process.
- Threat assessments are made and necessary protective measures are undertaken on a case-by-case basis once the National Bureau of Investigation has been notified.
- It seems evident that a separate witness protection system for witnesses and plaintiffs in human-trafficking offences is not needed. However, the needs for witness protection in such cases must be taken into account when the Ministry of Justice and the Ministry of the Interior jointly consider the development of witness protection legislation related to the combating of serious crime and when the Council of Europe Convention on Action against Trafficking in Human Beings is being implemented nationally.

2.5 Preventing trafficking in human beings

2.5.1 Implementing international treaties

Responsibility: Ministry for Foreign Affairs, Ministry of the Interior.

International treaties and their implementation form the foundation for preventing human trafficking. Finland's accession to the major international treaties against human trafficking will be ensured, taking account of current national legislation and its needs.

- The legislative amendments required for implementing the Optional Protocol to the UN Convention of the Rights of the Child, and the timetable for its implementation, will be looked into.
- The requirements for ratifying the Council of Europe Convention on Action against Trafficking in Human Beings will be looked into. In particular, there are certain points related to property protection that require further clarification. Measures to implement the Convention nationally will be completed.
- Ratifying the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, or of ILO Conventions nos. 97 and 143, is not necessary from the perspective of Finnish legislation.

2.5.2 Visa policy as part of the regulation of immigration

Responsibility: Ministry for Foreign Affairs.

The visa policy of the European Union and the actions of the Finnish authorities in implementing it are an important component in the prevention of human trafficking as the Schengen system develops.

- In the Hague Programme, the European Council underlines the need for further development of the common visa policy as part of a multi-layered system aimed at facilitating legitimate travel and tackling illegal immigration through further harmonization of national legislation and handling practices at local consular missions.
- On 19 February 2004, the Justice and Home Affairs Council of the European Union adopted conclusions on the development of the Visa Information System (VIS). Its main objective is to support the strengthening of the Union's stability and security. The introduction of the VIS has been delayed for a number of reasons, one of them being that it took longer than anticipated to debate in the European Parliament and the European Council. The system will be phased in from 29 May 2009.

- In Finland, the preparation of the common visa policy of the European Union is the responsibility of the Ministry for Foreign Affairs in cooperation with the Ministry of the Interior. The Passport and Visa Unit of the Ministry for Foreign Affairs aims at preventing human trafficking through constant cooperation with the diplomatic and consular missions issuing visas abroad, other national authorities responsible for immigration questions (such as the Border Guard, the police and the Finnish Immigration Service) and Schengen partners. The Passport and Visa Unit keeps its own staff and visa officers working at diplomatic and consular missions abroad constantly informed of issues related to the identification of human trafficking and its prevention, in connection with personnel training.
- The diplomatic and consular missions handling visa applications shall use their discretionary powers concerning the issue of visas, under the Aliens Act and the Schengen acquis, particularly where the reason for the intended entry into the country remains unclear or where there are reasonable grounds to believe that the person in question is attempting to evade the provisions of law concerning entry into the country. For this purpose, the visa officers may obtain information from other authorities both in Finland and other countries. Diplomatic and consular missions also liaise with organisations involved in preventing human trafficking in their respective areas (e.g. IOM) and with the local authorities in order to gain a comprehensive picture of the human-trafficking situation in that area. Contacts with local organisations are created for instance when diplomatic and consular missions participate in development cooperation projects aimed at preventing human trafficking. The fact that, under the Common Consular Instructions, parental authorization may be required where necessary for the issue of a visa for a minor helps the prevention of trafficking in children. Finland may give more detailed provisions by law or instructions concerning the requirement of consent and the way in which it has to be obtained.
- The Ministry for Foreign Affairs, as the central authority, advises diplomatic and consular missions to strengthen their cooperation with the representations of other Schengen countries, with a view to preventing their country of duty from becoming a country of origin or transit for illegal immigration into the Schengen territory.
- The Passport and Visa Unit of the Ministry for Foreign Affairs will maintain the prevention of human trafficking on the agenda in connection with the further development of the Schengen acquis.

2.5.3 Labour protection, and measures against the grey economy

Responsibility and implementation: Ministry of Social Affairs and Health, Ministry of Employment and the Economy, Ministry of the Interior, police, labour market organisations.

Sufficient guidance for workers arriving in Finland, monitoring of working conditions and labour protection measures, combating the grey economy and participation by labour market organisations in preventing labour exploitation and human trafficking are closely linked with other action taken to prevent human trafficking. In addition to preventing financial crime and monitoring working conditions, the victim's viewpoint, the consequences of the illegal status of a person and providing guidance and assistance for workers must be taken into account. It must be possible to identify human-trafficking offences and their victims occurring in the grey economy and in work-related discrimination. Particular attention must be paid to household work and the service industries.

- The purpose of the surveillance of foreign labour is to ensure that everyone in Finland has legal and equal employment conditions. Labour protection monitoring is aimed in particular at the construction, cleaning, transport, metal, and hotel and restaurant industries. Monitoring measures are primarily targeted at the employer and only if necessary at the employee. Removal and other sanctions against the employee are only effected if there is justification for doing so.
- Persons coming to Finland to work must be sufficiently informed of their rights and responsibilities and also of the authorities and other bodies that they can contact in various matters. The labour protection authorities, the Ministry of Employment and the Economy and the Ministry of the Interior will prepare, together with the labour market organisations, an information package for workers about Finnish legislation and the rights of an employee and distribute it to persons wishing to work in Finland through Finnish diplomatic and consular missions abroad and over the Internet.
- Persons coming to Finland for household work or au pair work will be provided information on their rights and on Finnish legislation at Finnish diplomatic and consular missions in their home countries. The authorities will focus on how to monitor these sectors and how to find efficient ways of uncovering human trafficking and identifying victims.
- Authorities and organisations will focus on how to find new ways of uncovering human trafficking and identifying victims in sectors that are difficult to monitor, such as self-employed persons and personal service providers. The potential for customer-initiated monitoring actions will be looked into to enhance these activities in all sectors.
- Joint measures by the labour market organisations will be supported to provide accommodation and/or replacement employment for victims of work discrimination and possibly of human trafficking. Employers who employ victims of work discrimination and human trafficking and witnesses will also be supported.

- Monitoring the enforcement of the Act on the Contractor's Obligations and Liability when Work is Contracted Out by the Occupational Safety and Health Inspectorates will be continued.
- Prevention of human-trafficking offences related to the combating of the grey economy and the prevention of financial crime will be enhanced by implementing the projects listed in the project list of the fourth Financial Crime Programme (Government Resolution on the decreasing of the grey economy and financial crime in 2006-2009).

2.5.4 Neighbouring-area cooperation

Responsibility: Ministry for Foreign Affairs, Ministry of the Interior

In accordance with Finland's neighbouring area cooperation strategy adopted by the Government on 22 April 2004, the core values of Finland's international operations — respect for democracy, human rights and the rule of law — will be honoured in neighbouring area cooperation. The focus may be specifically on the prevention of human trafficking and the protection of victims.

- In the cooperation between Finland and Russia in different sectors, human trafficking and its prevention must be taken into account. In this respect, particular attention must be paid to gender and child-sensitive issues.
- International organisations such as the IOM will continue to be supported in projects related to the prevention of human trafficking and the protection of victims. Funds for neighbouring-area cooperation may also be used to support actions by other actors in this context.

2.5.5 Development cooperation

Responsibility: Ministry for Foreign Affairs

Human trafficking will be taken into account in human rights and development policy, and organisations will be supported in their efforts to combat international human trafficking. Cooperation in the areas of origin is of vital importance for the prevention of human trafficking.

- The Ministry for Foreign Affairs will clarify the meaning of a human-rights-based approach to development policy. International NGOs will still be supported in their projects for the prevention of human trafficking and the protection of victims. The funds for local cooperation will continue to be used for the implementation of projects of local NGOs for the prevention of human trafficking, and the organisations will be encouraged to develop new projects.

Support will be provided in particular for projects taking gender or child-sensitive issues into account.

- In development cooperation, attention will be paid to measures aimed at eliminating poverty and social problems in source countries and thereby deterring human trafficking.

2.5.6 Civilian crisis management and peacekeeping missions

Responsibility: Ministry for Foreign Affairs, Ministry of the Interior, Ministry of Defence

When involved in civilian crisis management and peacekeeping, it is important to be familiar with the phenomenon of human trafficking and how it relates to the field. Both military and civilian personnel must be given information on and trained to notice human trafficking at all organisational levels.

- Human trafficking will be taken into account in civilian crisis management training (e.g. the Rule of Law training module: court cases, the Balkans, etc.).
- The Ministry for Foreign Affairs will be responsible for the management of funds for civilian crisis management, and the Ministry of the Interior will coordinate the national civilian crisis management capacities. The aim is to develop an efficient system of recruitment and training. Preparatory training for civilian crisis management operations is already being organized for most experts and observers sent by Finland, and the aim is to cover all of them. The protection of human rights will play an important role in all such training. Human rights aspects will also be taken into account in military crisis management and related training, and objectives relating to the protection of human rights will be supported. Particularly in ‘CIMIC’ duties, combining both civilian and military aspects of crisis management, the awareness of human trafficking as a phenomenon and its various dimensions is important. The Ministry of Defence and the Defence Staff will be the relevant partners. Assigning women to such missions as a means for preventing human trafficking will be given particular consideration.
- It is important that the prevention of human trafficking be made part of the training of civilian and military personnel. Awareness of human trafficking by those participating in civilian and military crisis management operations, and their preparedness to identify, protect and assist victims, will be increased. Information materials concerning human trafficking will be prepared for the training of crisis management personnel and national authorities (including the police, the Border Guard, the social welfare authorities, etc.). The importance of language, multiculturalism and cultural sensitivity will be taken into account in the training.

2.6 Increasing information and awareness

2.6.1 Training

Responsibility: Each authority within its own administrative sector.

Training is one of the most important requirements in combating human trafficking and also in enhancing prevention and awareness. It is important to focus on multiculturalism, cross-discipline cooperation and the human rights aspect and the victim's viewpoint in the content of such training. So far, the training provided has not been comprehensive enough, and it does not extend to all sectors and all organisational levels. There is a continuing need for training as new forms of human-trafficking offences are emerging and the nature of preventive work is shifting, as personnel change and as cooperation networks are maintained and developed.

- Training regarding human trafficking will be continued and enhanced in various administrative sectors. A training coordination and planning group will be appointed subordinate to the steering group against human trafficking, with training officers from the principal organisations invited to attend. A manual on human trafficking will be prepared in cooperation. Training content should focus particularly on victim identification and assistance and needs to address issues of alien status.
- Training regarding the identification of victims of human trafficking will be developed, and training will be provided to a greater extent for those who do not yet have access to it in the legal system, the social and health care services, the labour market organisations and the labour protection authorities, and also to personnel representatives at workplaces. Principal responsibility for identification training rests with the Ministry of Justice and the Ministry of the Interior, and various authorities provide training in their respective administrative sectors. The authorities also ensure that sector-specific focus and special issues are covered in the training organized in their respective administrative sectors.
- In-depth training regarding human trafficking and victim identification will be provided for prosecutors, courts, the police and the Border Guard. Training for prosecutors and judges should be based on international case law. In-depth training for key experts in various fields must be provided on a continuous and long-term basis.
- In several other sectors, such as social and health care services, training will be mainstreamed into other training so that as many actors as possible will be informed and trained in matters related to human trafficking and victim identification.
- The training needs of the principal authorities and organisations will also be addressed with a view to making them sufficiently aware of international

legislation on and action against human trafficking and able to apply their knowledge in their everyday work.

- Everyone involved in the system for victim assistance and other reception centres will be trained in the content and principles of the system.
- The Ministry for Foreign Affairs is committed to developing training programmes to increase the awareness of human trafficking of consular and visa officers at diplomatic and consular missions in principal source countries and transit countries. The aim is, on the one hand, to prevent human trafficking (identification of victims) and, on the other, to promote the safe return of victims and thereby prevent revictimization.
- Training for the crime prevention authorities concerning human trafficking as a phenomenon will be increased, focusing on victim-oriented case evaluation and victim identification.
- Training will be provided for all authorities at all organisational levels, particularly for employees interfacing with customers.
- Customer encounter training will include training in how to discuss suspicions of human trafficking with a customer, how to inform a customer of his/her options and rights, and how to advise a customer and guide him/her to further action.
- Cooperation between the authorities and organisations in providing training to boost dialogue and to enhance networking elements that open up new viewpoints and encourage new kinds of action will be favoured.
- Human trafficking will be taken into account in other kinds of training, such as vocational basic education and continuing education.
- The impact of training will be evaluated in connection with the comprehensive evaluation of the systems for combating human trafficking in 2009.

2.6.2 Communications

Responsibility and implementation: Each authority within its own administrative sector, labour market organisations, NGOs.

Three dimensions will be taken into account in communications: external publicity, communications between authorities and other bodies involved in combating human trafficking, and communications to victims. The last-mentioned must be tailored to each target group, taking different forms of abuse and victimization into account and allowing for language and cultural issues. Communications play an important role in the prevention of human trafficking, for instance by increasing awareness of abuse and decreasing the level of demand that fuels human trafficking. This is a key factor in increasing public awareness of the phenomenon.

- Communications will be undertaken in cooperation among authorities and with shared responsibility, with the aim of reaching victims, providing them with

assistance and creating better connections between the victims and the authorities.

- The various responsible authorities will target preventive publicity at potential victims in source and transit countries through diplomatic and consular missions along their potential travel routes. Attempts will be made to reach victims who are already in Finland through cooperation between the authorities and organisations.
- NGOs, labour market organisations and religious communities involved in combating human trafficking will continue to be invited to participate in communications.
- The authorities and other parties, together with the media, will ensure that human trafficking and action taken to combat it is sufficiently visible in the media, due to the increase in the awareness of the general public of this phenomenon and the amount of information available. Communications will pay particular attention to awareness of the role of demand in fuelling human trafficking.
- In individual cases, the principal responsibility for publicity rests with the investigating officer. With regard to victim assistance, media relations are handled by the director of the responsible reception centre.

2.6.3 Research

Responsibility: Each authority within its administrative sector, Ministry of Education

Research on human trafficking as a phenomenon supports the planning of combative and preventive action. Sufficient research resources must be provided in both academic research and for various authorities and professions. Various ministries will cooperate in drawing up a research plan concerning human trafficking and will see to its implementation together with other parties. This implementation must focus in particular on examining the best practices, methods and strategies especially for preventing abuse of women and children that leads to human trafficking.

- Research on human trafficking will be supported at various ministries and as cooperative efforts between various parties, with the focus on international connections, victim identification, the dimensions and needs of assistance, and the rights and alien status of victims.
- It is important to safeguard the status and funding of academic research on this subject.

2.6.4 Teacher training, international education and the information society

Responsibility: Ministry of Education, Ministry for Foreign Affairs

Elements concerning the human-trafficking phenomenon and action to prevent it must be included in teacher training, international education and training regarding development and membership of the information society and other measures, particularly with the non-discrimination and gender viewpoints in mind.

- Steps will be taken to support teacher competence in international education. Teachers must be provided with tools for developing their jobs and their workplace communities in multicultural teaching and student guidance. Educational institutions will be developed on the basis of multicultural values.
- Multiculturalism studies and international education will be included in basic teacher training.

2.6.5 National rapporteur

Responsibility: Ministry of the Interior

The Ombudsman for Minorities will be appointed the national rapporteur for trafficking in human beings. This is a task well suited for the Ombudsman for Minorities, which is an independent authority with access to information on human trafficking and a sufficiently robust status for functioning as an international liaison and an authority issuing national recommendations and instructions. A specific provision on the independence of the Ombudsman was added to section 1(1) of the Act on the Ombudsman for Minorities and the Discrimination Board (660/2001). The appointment and status of the national rapporteur will be discussed in more detail in section 4 of this Revised Plan of Action.

- The Ministry of the Interior will provide the resources required for the work of the rapporteur and for enacting the relevant legislative amendments.

3 Costs

Action against human trafficking in the various administrative sectors will be implemented within the appropriations specified in the State Budget. Generally, this action is included in the other activities of the authorities and is not allocated a separate appropriation. In some cases, as with the system for victim assistance, spending is monitored separately. The authorities may also set up separate projects for combating human trafficking, such as the IHKA project of the National Bureau of Investigation. Moreover, the authorities may allocate appropriations to other parties, such as NGOs, for action against human trafficking, within the constraints of legislation and the State Budget.

Central government compensates local authorities, based on principles adopted by the Government, for costs incurred in providing reception services for victims of human trafficking. Central government may also compensate a local authority for the costs of special services required because of victimization for a person resident in the municipality. It should also be taken into account that EU citizens may have no right to residence-based social security, depending on their status. Costs incurred by local authorities in such cases must be examined in connection with examining the granting of residence permits to victims of crimes against humanity and against fundamental rights.

NGOs, labour market organisations, churches and other religious communities participate in this work using their own resources. Finland's Slot Machine Association may provide funding for projects which focus on human trafficking totally or in part. Funding for organisations involved in out-reach work and counselling for victims of human trafficking will in the future be covered by government grants as specified in the Government Programme.

The national rapporteur to be appointed will need resources for organizing the monitoring and reporting of human trafficking. Organized as a function of the Ombudsman for Minorities, these activities will require resourcing of about EUR 100,000 per year to cover the costs of more than one person-year of labour and other costs such as publicity and training.

Other major points to address in the future regarding the costs of action against human trafficking are (in no particular order of priority):

- Each key ministry (Ministry of the Interior, Ministry for Foreign Affairs, Ministry of Employment and the Economy, Ministry of Justice, Ministry of Education and Ministry of Social Affairs and Health) and authority will allocate resources to publicity within their administrative sectors.

- Sufficient resources will be allocated to enhancing training regarding human trafficking and training material development in the training of those employed by the authorities and other bodies, and in vocational basic and continuing education. Resources are particularly needed for training regarding victim identification and outreach work methods.
- Crime prevention requires resources for action against human trafficking. Future funding for the IHKA project of the National Bureau of Investigation must also be secured.
- Resources are needed for the surveillance of foreign citizens within Finland with a view to the prevention of human trafficking.
- The Ministry of Employment and the Economy will look into the potential for providing re-sources for support for the victims of human trafficking in cooperation by the labour market organisations.
- In the administrative sector of the Ministry of Social Affairs and Health, the scope for supporting training provided by organisations for cultural interpreters and support persons for crime victims and witnesses, and the activities of networks maintaining these functions, will be looked into.
- Procedures for compensating local authorities for costs incurred in the reception services provided for victims of human trafficking and special services required because of victimization will be normalized.
- Resources will be allocated to academic research and studies and research conducted by various authorities and professions regarding human trafficking and related topics.

The needs for appropriations and other resources, including the conducting of an independent evaluation, will be looked into separately in each ministry and administrative sector. Joint projects linking resources from different ministries and administrative sectors must be favoured in implementation, particularly in the areas of training, publicity and research.

4 Implementation and monitoring of the Revised Plan of Action

As before, implementation will be managed by a broad-based steering group chaired by the Ministry of the Interior, which is responsible for coordinating the implementation of the Revised Plan of Action. Beyond that, each key ministry is responsible for implementation within its administrative sector. Outside monitoring, which must be independent, and the gathering of information on the phenomenon of human trafficking from the central government and from other parties, are the responsibility of the Ombudsman for Minorities, who is to be appointed the national rapporteur on trafficking in human beings.

The Ministry of the Interior must ensure that the necessary legislative amendments are enacted in connection with appointing the national rapporteur and that other prerequisites are provided so that the Ombudsman for Minorities will have sufficient resources for carrying out the duties of rapporteur and access to the necessary information. It must also be ensured that the rapporteur remains an independent party with regard to action against human trafficking, specifically independent of functions within the administrative sector of the Ministry of the Interior such as border control, crime prevention, migration administration and reception activities.

The rapporteur will be required to report regularly to the Government and may also issue advice, recommendations, proposals for action and statements. The rapporteur's brief also includes collecting and analysing information, extending to phenomena related to human trafficking. The rapporteur may also help delimit such phenomena. Monitoring for the purpose of noticing problem spots and addressing them is part of the rapporteur's job. The rapporteur should also monitor the implementation of international commitments and international legislation in Finland. The rapporteur will also be the national liaison for the monitoring mechanism of the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA).

In order to evaluate in more detail how the systems against human trafficking function and how they work together, the Government requires, in the way mentioned earlier, that the new steering group to be appointed will organize an outside, independent evaluation of these during 2009. The steering group must further use the results of this evaluation to draw up, together with the national rapporteur, recommendations for action to further develop legislation and measures against human trafficking.

Appendix 1: IDENTIFICATION INDICATORS

The Plan of Action against Trafficking in Human Beings included a list of factors that can be looked on as a reference for human trafficking and used as an aid in identifying potential cases of human trafficking and potential victims. The list is given here partly in revised form for further development.

It should be noted that the factors given in the list are not in and of themselves indicators of human trafficking, and even the presence of several of them at once does not automatically mean that human trafficking is involved. The purpose of these factors is mainly to function as indicators that may trigger an identification procedure or further investigation. These factors should be available in an easily portable format (e.g. on a card) for those authorities who in practice are responsible for victim identification.

General points immediately on entering the country:

- The person crosses the Finnish border illegally or is illegally present in the country.
- Illegal entry may have been arranged for the person.
- The person's travel documents are forged.
- The person does not have his/her own passport or other required travel documents.
- Another person has organized the person's travel and other required documents and assisted him/her in obtaining a visa.
- Someone constantly helps other persons in obtaining visas.
- The same person often appears as an inviting party on the visa applications of different persons.

Particular personal points:

- The person seems fearful and is obviously reluctant to discuss his/her situation or what has happened to him/her.
- The person does not speak Finnish, Swedish or English but has nevertheless spent or is intending to spend long periods of time in Finland.
- The person or his/her organizer is shown to have connections with known procurers or other criminals.
- The person is indicated to have relationships with other victims of human trafficking.
- The person has underworld insignia on his/her body, possibly indicating a criminal connection.
- The person does not know the address of his/her place of employment.
- The person does not know the name of his/her employer.
- The person has had to pay an unreasonable fee for getting a job in Finland.

- The person is a child travelling with someone else than his/her parent(s) or family member(s).
- The person is a child with multiple travel bookings.
- The person has been given false information about the circumstances of the work or activity to be performed in Finland or about the compensation to be paid for it.
- The person's working conditions are poor, and there are serious shortcomings in occupational safety.
- The person cannot in practice influence the length of his/her working day or his/her working conditions. The person is required to work long days under all circumstances. Recommendations issued by trade unions in the sector are clearly being violated.
- The person's living conditions are poor. The person's accommodation is at the workplace.
- The person is obliged to constantly change his/her place of work.
- The person's pay is not compatible with what is agreed for the sector in question, or the person is paid under the counter, or the person's pay is paid directly to the person's home country.
- The person is working independently in Finland but does not have access to his/her earnings.
- The person is in a conspicuously subordinate or dependent relationship with his/her employer / procurer (this may be due to family relations, employment, rent or debt).
- The person works under the usury of another person (coercion).
- The person's freedom of movement is restricted (e.g. locked into the workplace or accommodation).
- The person is not allowed to move about alone outside his/her regular place of stay. For instance, when the victim has to go to hospital, his/her handler accompanies him/her, posing as an interpreter, etc.
- The person is nervous in the presence of his/her 'interpreter'.
- The person owes considerable sums of money to another person (a kind of debtors' prison). The person is obliged to pay substantial fees afterwards for his/her travel, for instance, to the person organizing the travel.
- The person has to hand over a considerable portion of the payment received from customers to his/her employer or procurer.
- The person has been subjected to or threatened with violence, has been sexually abused or has signs of violence or abuse on his/her body.
- The financial position of the person's immediate or extended family is so poor that in practice they are dependent on the money earned by the person in Finland.
- The person's immediate or extended family is being threatened or intimidated in the person's home country.

- The person has entered the country as a posted employee through a manpower company.
- Tax or accounting offences emerge when a company is being investigated. The company probably uses grey-market labour.

Finding out whether the person in question is in fact a victim of human trafficking may be facilitated by posing questions related to the person's job, working conditions and family members. Information relevant for victim identification can be elicited by using questions such as the following:

- Can the person leave his/her job if he/she so wishes?
- Has the person been abused physically, mentally or sexually?
- Does the person possess a passport or other identification document?
- How much is the person paid?
- How much does the person have to pay for his/her accommodation?
- Does the person live at home or at the workplace?
- How did the person arrive in the country and at his/her present location?
- Have the person's family members been threatened?
- Does the person think that something unpleasant could happen to him/her, his/her family members or other people close to him/her if he/she leaves his/her job?

Appendix 2: IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS

(NATIONAL BUREAU OF INVESTIGATION / Crime information service / Project on trafficking in human beings)

BASIC PERSONAL DATA

1. Name
2. Date of birth
3. Marital status
4. Nationality
5. Citizenship
6. Language
7. Immediate or extended family members in Finland
8. Address in Finland
9. What documents did the person possess when encountered? None → Suspected victimization
 - If the person has documents: record identification details and validity
 - If the documents are at the person's home or accommodation or elsewhere, they must be retrieved Not found → Suspected victimization
 - If the person does not have access to the documents No feasible reason → Suspected victimization
 - Does the person know where the documents are? No → Suspected victimization
 - Where did the person get the documents? How did he/she enter the country? Using what transport? Unclear → Suspected victimization
10. Does the person possess incorrect or forged (travel) documents? Genuineness and validity of document, verified how? Forgery → Suspected victimization
11. Does the person in general possess his/her own documents? No feasible reason why not → Suspected victimization

REQUIREMENTS FOR ENTRY AND RESIDENCE

12. Residence of the person in Finland
 - When did the person enter Finland and the Schengen region?
 - Does the person intend to leave and when? Date, place of departure, type of transport and tickets
 - The person is illegally resident and/or employed in Finland or has entered the country illegally → Suspected victimization
 - Visa-free / visa / residence permit / work permit?
13. Did the person enter Finland with the assistance of someone else?
 - Did the person arrive on his/her own from elsewhere in the EU? Under visa freedom? No feasible reason → Suspected victimization

- Did someone else organize the person's travel and entry permit? If there is reason to believe that someone else assisted the person in coming to Finland and there is no feasible reason → Suspected victimization
- 14. Is the person's immediate or extended family in the person's home country being threatened? If there are indications of this → Suspected victimization
- 15. Can the person describe how the permit process (for a residence permit or visa) was conducted? No → Suspected victimization
 - Progress of the residence permit process
- 16. Is the person afraid of being refused entry or being deported?
 - Is the person's only apparent chance of remaining in Finland legally to remain employed with or otherwise dependent on an employer in what can become a domineering relationship? Yes, NB subjective assessment → Suspected victimization
 - Has the person been intimidated e.g. with threatened deportation for the purposes of control (employer or other person)? Yes → Suspected victimization

FINANCIAL SITUATION

17. Control of property
- The person's employer / supervisor / accommodation owner... interferes in the person's use of money → Suspected victimization
 - Has the person been able to spend his/her earnings as he/she pleases? No → Suspected victimization
 - Does the person have sole and independent control of his/her income? No → Suspected victimization
 - Does the person receive the entire pay promised to him/her when the job was first discussed?
 - Does the person receive the pay specified in the employment agreement?
 - Does the person have to pay something out of his/her pay to his/her employer or a third party before receiving the money?
 - If the person has a bank account, who has access to it? Whose account is the person's pay paid into?
 - If there are irregularities, or if the pay is clearly below Finnish standards → Suspected victimization
 - Property possessed/carried by the person?
 - How much money, in which currency?
 - Has the person's property increased or decreased after departure from the home country?
 - Dependency. Is the person's financial situation in the home country so poor that his/her immediate or extended family is dependent on his/her income? Yes → Suspected victimization
 - Does the person send money home himself/herself? How?
 - Does the employer send money home? Does the person know how? If someone else sends the money home on behalf of the person, or there are other irregularities → Suspected victimization

18. Debt

- Does the person owe anyone anything?
 - Is the person indebted to a relatively high degree to his/her employer or a third party?
 - Is the person, along with other persons, in a loan relationship where the debt is constantly increasing?
 - Are the costs of working unreasonable? Yes → Suspected victimization
- Does the person accrue debt because of things he/she does or does not do? (e.g. time off sick) Yes → Suspected victimization
- Does the person work for clearly less than the market rate (especially in sexual work)? Yes → Suspected victimization
- Is the person required to earn a specified minimum amount per day (especially in sexual work)? Yes → Suspected victimization
 - Sanctions if the person fails to meet requirements
 - Sanctions if the person does not want to work

CIRCUMSTANCES, RELATIONSHIP TO WORK AND RELATIONSHIP TO PRESENT EMPLOYER

19. Personal freedom and limitations

- Has the person's freedom of movement been restricted, does the person possess 'normal' clothes? Restricted → Suspected victimization
- May the person leave the workplace alone, e.g. to visit an authority, without being accompanied by the employer or representative of same? No → Suspected victimization
- May the person take breaks? No → Suspected victimization
- Does the person have access to health care? No → Suspected victimization
- Is the person aware of health care? No → Suspected victimization
- Is the person allowed (paid) absence from work due to illness? No → Suspected victimization
- Does the person work under the orders of another person (coercion)? Yes → Suspected victimization
- Is the person obliged to work long days in all circumstances? Yes → Suspected victimization
- Are there indications in the person's circumstances or behaviour that show he/she is in the present situation unwillingly? Yes → Suspected victimization
- Threats of violence, sexual abuse, visible signs of abuse? Yes → Suspected victimization
- Are the person's immediate or extended family members being blackmailed or threatened in the home country? Yes → Suspected victimization

20. Employment and recruitment

- Did the person know what the work would be like when he/she applied for the job or began the job? Knowing in advance what the work entails does not in itself eliminate victimization. The person may have been well aware of entering sexual employment,

but the circumstances may have changed, e.g. compulsory minimum daily earning, not being paid, etc.

- Did the person apply for the job or was it suggested? By whom, where and how?
- Does the person know whether a ‘transfer fee’ has been paid to his/her previous employer for him/her or for someone else doing the same work, either in Finland or elsewhere? Yes → Suspected victimization
- Has the person come to Finland from another country (where he/she has worked for the same employer or supervisor without receiving pay) with the promise of things being better in Finland? Yes → Suspected victimization

21. Work

- What is the person’s job description at the time of the interview?
- Who is the person’s immediate supervisor?
- Is the job like what was promised at the application stage? No → Suspected victimization
- Is the person allowed to take breaks? No → Suspected victimization
- Indications that the person is not allowed to leave the workplace alone if he/she so wishes → Suspected victimization
- Does the person have access to health care? No → Suspected victimization
- Is the person aware of health care? No → Suspected victimization
- Is the person allowed (paid) absence from work due to illness? No → Suspected victimization
- Does the person work under the orders of another person (coercion)? Yes → Suspected victimization

22. Accommodation, place to spend the night — check where it is and what it is like. NB documentation, own observations.

- How much does the person pay for the accommodation?
- To whom?
- Who owns the accommodation?
- Who lives there?
- Who has access to the accommodation? Does the person have his/her own keys?
- What are the terms of the accommodation? (written agreement??)
- NB Find out whether the landlord pays tax on the rent received.

OBSERVATIONS OF THE PERSON

23. Physical basic state of health, visual assessment of physical health, disabilities and illnesses.

- Has the person been to see a doctor? Has he/she been able to do so? Where? Why?
- Has the person received physical injuries at the workplace, or did he/she have previous ones?
- If there are any suspicions as to the physical wellbeing of the person → Suspected victimization

24. Mental state

- Obvious symptoms of mental disturbance? Withdrawn? Apathetic? Indifferent, absent-minded, uncommunicative? Fearful of the authorities, of the employer or of other employees? Intoxicated? Unaware of time and place? Etc. → Suspected victimization
- Situation – mental wellbeing?
 1. Is the person's appearance at odds with his/her circumstances?
 2. Could apparent conflicts/paradoxes be explained by mental stress or psychosis? → NB. Expert statement in assessing mental state!!
- What was the person thinking when he/she left the employer's accommodation, workplace, usual place where he/she was staying, and what does the person think of his/her situation now?
- Can the person be interviewed, e.g. visiting a doctor, physician's statement
- Has the person had access to legal counselling before/during/after seeing the authorities?

FURTHER QUESTIONS ABOUT WORK

25. Job at the time of the interview
26. Occupation
27. Sector
28. Employer
29. Supervisor and contact details
30. Pay – how agreed?
31. Method of payment
 - cash
 - bank
32. Tax card
 - has been requested
 - has submitted
 - has not submitted
33. Pay receivables, if any
34. Country where the person pays taxes

QUICK CHECKLIST:

Freedom

- Can the person move about freely?
- Does the person possess his/her own documents?

Contacts

- Can the person have contact with other people outside work?
- Does the person have, for instance, a phone of his/her own?
- Which people may or must the person be in contact with?

Travel

- How did the person arrive in Finland and at his/her present location?
- Did the person organize his/her travel himself/herself?

Recruitment

- Who persuaded the person to take this job and leave his/her home country?
- How did the person originally learn of the job?

Job

- Is the person legally employed in Finland?
- What does the person do for a living?
- What is the person's real job description and working conditions?

Pay

- Has the person received appropriate pay for the work?

Debt

- Does the person owe someone something?
- Whom does the person owe and why?
- How will the person repay his/her debt?
- Is the debt being reduced while the person is working?

Abuse

- Is the person paid for the work?
- Is the person being physically abused?

Intimidation

- Does the person experience intimidation and coercion?

Appendix 3: WHEN YOU SUSPECT A PERSON OF BEING A VICTIM OF TRAFFICKING IN HUMAN BEINGS

(NATIONAL BUREAU OF INVESTIGATION / Crime information service / Project on trafficking in human beings)

1. CHILD

- Every person under the age of 18 must be treated as a child.
- Placement and support measures coordinated by the Oulu reception centre.
- Child protection measures.
- A child cannot be expected to cooperate with the authorities like an adult.
- The first interview with a child must be conducted with professional expertise.

2. SUSPECTED VICTIM

- The person must be primarily treated as a victim, not as a suspect in a crime, even if his/her own actions constitute a breach of the Aliens Act, for instance. Instead of considering the application of law, attention should be paid to the fact that victims need time and support to recover from their traumatic experiences.

3. PLACEMENT OF A SUSPECTED VICTIM

- A person's agreement must be requested before he/she is entered in the system for victim assistance.
- Note the placement location / current place of residence / apprehension of perpetrator
 - If the person has a home municipality and a personal identity number, the social services of his/her home municipality can decide independently on whether to place the person in a shelter, in cooperation with the Joutseno reception centre.
 - If the person does not have a home municipality, the police should contact the director of the Joutseno reception centre directly (or the director of the Oulu reception centre in case of a child).
 - The police may initially decide on placement if, for instance, there is an urgent need for protection.

4. SECURITY

- The police submit a security assessment to the director of the Joutseno reception centre, who decides on placement (or the director of the Oulu reception centre in case of a child).
- The need for protection and any specific threats must be taken into account.

5. FURTHER ACTION

- Crisis therapy: Contact the Joutseno reception centre (or the director of the Oulu reception centre in case of a child).
- Health care measures: In an acute case, health care must be provided immediately. In other cases, the Joutseno reception centre (or the Oulu reception centre in case of a child) manages this as appropriate, possibly in cooperation with the social services at the placement location.
- In a criminal investigation process, the initial examination must be conducted carefully, because during the reflection period the person should be subjected to as few measures as possible → also, injuries disappear

6. LEGAL AID AND COUNSELLING

- The Joutseno reception centre manages this together with the Refugee Advice Centre (or the director of the Oulu reception centre in case of a child).

7. RESIDENCE IN FINLAND

- Issues related to the residence of suspected victims are resolved by the Finnish Immigration Service → Possible permit process for victim of human trafficking. Permit consideration is possible on a case-by-case basis even if the person does not fulfil the criteria of a victim of human trafficking.
- Support services related to the social welfare, health care, mental support, livelihood, housing, training, employment, health services and administrative services provided for the (suspected) victim will be decided by a cross-discipline assessment group.

When a person is proposed for entry into the system for victim assistance, the director of the reception centre must be given an oral or written report on the matter. Notify the National Bureau of Investigation.

Contact information:

National Bureau of Investigation, crime information service	
Detective Chief Inspector Jouko Ikonen	09 8388 6691, 040 5705012
National Bureau of Investigation communications centre (24/7)	09 8388 6910
Ministry of the Interior / Joutseno reception centre	
Director Maiju Kouki	010 6043961
Ministry of the Interior / Oulu reception centre	
Director Katja Kolehmainen	010 6044191

Appendix 4: PROCEDURE / VICTIM OF TRAFFICKING IN HUMAN BEINGS (Pro-tukipiste)

SUMMER 2007

Always tell the customer what the role of Pro-tukipiste is and what your role as a worker is in the process.

If a victim is referred to Pro-tukipiste, or a suspected victim is identified as a victim at Pro-tukipiste, do this:

REFERRED:

◇ If the victim is referred by the authorities (police, social services, hospital, etc.), instruct the authority in question to contact the director of the Joutseno reception centre or the director of the Oulu reception centre directly. Give them the contact information and the basic information on the system for victim assistance if necessary. The director will take the decision regarding whether to enter the victim into the system for victim assistance.

- Joutseno: adults, families and groups
- Oulu: unaccompanied minors

If the referring person seems unsure and confused, ensure that he/she is capable of acting in the matter and ask him/her to call again to report how the matter has proceeded and whether a reception centre has been contacted. If not, take the initiative and call Joutseno or Oulu to get the process started.

◇ If the victim is referred by a private individual, provide the basic information on the system for victim assistance and offer to 'mediate' if that is OK with the potential victim. Ask the referring person whether he/she would call Joutseno or Oulu himself/herself. If the victim calls himself/herself or shows up at the office, the process continues as if the victim had been identified at Pro-tukipiste. If the victim himself/herself is reluctant to contact Pro-tukipiste, support the referring person and motivate him/her to seek assistance in his/her role either at Pro-tukipiste or from the director of a reception centre.

IDENTIFIED AT PRO-TUKIPISTE

◇ Victim status may emerge in a narrative through any kind of action. Also, a potential victim may seek out Pro-tukipiste specifically because of being a victim of human trafficking.

◇ If the customer himself/herself brings up the matter of human trafficking, give him/her basic information on the system for victim assistance and **ask his/her permission** to contact Joutseno or Oulu. If possible, call the director of the relevant reception centre while the customer is still in your office so that the customer can hear the phone call and the director can request any further information if necessary. If there is no common language available, ask the director of the reception centre if an interpreter can be made available for further consultations.

If the customer is insecure and fearful and does not want you to contact the reception centre, give him/her the basic information anyway and let him/her think about it, using our normal confidence-building procedure. Offer our basic services as support while the customer is considering. Consider whether there are other anonymous services available free of charge that the customer might benefit from.

◇ If the customer's narrative leads you to suspect that he/she may be a victim of human trafficking, tell the customer of your interpretation of the narrative. Tell him/her which points in the narrative aroused your suspicion and what help might be available to the customer. Also tell him/her that even though you suspect human trafficking on the basis of his narrative, you are not obliged to inform the authorities; the customer himself/herself must decide what to do next. However, impress on him/her that on the basis of what you have heard, he/she could have access to the system for victim assistance if he/she so desires. Also inform the customer of the terms and conditions of the system (regarding residence and the requirement to cooperate, for instance) and ensure that the customer understands them. Ask the customer if he/she wishes to meet a lawyer from the Refugee Advice Centre. Tell the customer that you can ask the director of the reception centre about entry into the system without giving any identifiable particulars about the customer.

If the customer does not dare to or does not want to seek assistance or does not see himself/herself as a victim of human trafficking, go to confidence-building as in the previous section. Stress to the customer that if he/she later feels that the system might be of help after all, he/she can always come back. All our basic services remain available to the customer.

Involve your immediate supervisor in the background at an early stage.

◇ If Pro-tukipiste is to take any kind of role in the system for victim assistance, this will be agreed by the executive director or one of the unit directors.

◇ A lawyer can be requested from the Refugee Advice Centre if necessary, the service forming part of the IKU project. Using an interpreter is subject to a fee and must be passed by the director of the reception centre. Interpreter services are not available for those customers who cannot or do not want to allow us to contact Joutseno or Oulu.

◇ Record the contact and the referral for statistical purposes.

REFERRED

- referred by whom (or what)
- if known, the citizenship, age and gender of the victim and the circumstances in which the authorities have learned of him/her
- did the victim want to see a lawyer
- was the victim entered in the system for victim assistance
- was the case closed at Pro-tukipiste; if not, how did it continue

IDENTIFIED AT PRO-TUKIPISTE

- who brought it up, the customer or the worker
- criteria and description of circumstances
- data on victim
- did the victim want to see a lawyer
- was the victim entered in the system for victim assistance
- was the case closed at Pro-tukipiste; if not, how did it continue

ALSO RECORD ANYTHING SPECIAL THAT IS RELEVANT FOR THE IDENTIFICATION PROCESS (e.g. how you understood one another, atmosphere, trust/mistrust, etc.)

Appendix 5: PROCEDURE / IDENTIFYING AND ASSISTING A VICTIM OF TRAFFICKING IN HUMAN BEINGS

(Monika-naiset liitto ry)



MONIKA-NAISET LIITTO RY

Are you an immigrant woman? Do you know your rights in Finland?

Have you been assaulted or threatened in your home or elsewhere?

Are you afraid that your husband or somebody close to you might be violent towards you?

Do you know about your work contract or pay? Does the pay seem too small?

Have you been stopped from meeting your friends or relatives, or prevented from being on touch with them?

Do you have to ask permission to handle errands outside of your home, e.g. to go to the shop, to the post office, to attend a class, to visit doctor or to go elsewhere?

Do you recognise these characteristics in your life?

This is violence. Violence is a threat against your fundamental human rights, and according to Finnish legislation, violence is a crime.

You have the right to a life without violence.

You have the right to obtain help.

You can call us anonymously.

Our helpline is:

(09) 6922304 (24 h)

Monika-Naiset liitto ry, Multicultural Women's Association, Voimavarakeskus Monika
PROCEDURE / IDENTIFYING AND ASSISTING VICTIMS OF TRAFFICKING IN HUMAN BEINGS

Identifying and assisting victims require special expertise and cultural sensitivity.

Victims are often traumatized and frightened. They may be suspicious, hostile or unwilling to say anything about themselves. They may be incapable of relating their story coherently or in detail. They are often ignorant of their rights and of legislation.

Establishing a cooperative relationship also depends on language and cultural differences and the victims' fear of being deported. Identifying and assisting victims so that their rights are safeguarded are the responsibility of the professionals of Voimavarakeskus Monika. All cases must be recorded.

When a victim has been referred to Voimavarakeskus Monika by the authorities or by another party, or when a victim makes contact himself/herself,

- talk to the customer in his/her own language to find out whether he/she is actually a victim of human trafficking, looking for indicators such as:

- general points about entering the country (facilitating illegal entry of the person and/or the person has crossed the border or is in the country illegally, forged travel documents, no passport or other travel documents on the person, or another person has organized the person's travel, visa and required documents);
- points about the person (fearful, reluctant to talk about himself/herself, poor command of Finnish even if he/she has been in Finland for a long time, links to procurers, other criminals or other victims of human trafficking, underworld insignia on the body, does not know the name and/or address of his/her employer, has had to pay a large sum of money to be able to come to Finland to work, a child not travelling with his/her parents or relatives, or several travel reservations made, false information given about the job or pay, poor working conditions, the person cannot influence the length of the working day or working conditions, changing accommodation of poor quality, or living at the workplace, pay is under the counter or paid directly to the person's home country, no access to own earnings, subject to employer's orders, limited right of movement / not allowed to move about alone;

- tell the customer the basic facts about the system for victim assistance and the possibility of getting help;

- invite another worker to join the discussion;

- if a Monika worker suspects human trafficking (e.g. on the basis of what the customer says), the worker must ask questions to establish whether this is actually the case (and contact the reception centre as necessary):

- Can the person leave his/her job if he/she wants to?
- Has the person been physically, mentally or sexually abused?
- Does the person possess a passport or other identification document?
- How much is the person paid?
- How much does the person have to pay for accommodation?
- Does the person live at home or at the workplace?
- How did the person arrive in Finland and at the current location?
- Have the person's family members been threatened?
- Does the person think that something unpleasant might happen to himself/herself or his/her family members or other people close to them if the person quits his/her job?

- contact the authorities or the system for victim assistance with the customer's permission and consult regarding further action

- Joutseno reception centre: adults, families and groups
- Oulu reception centre: unaccompanied minors

- talk to the Joutseno or Oulu reception centre with the customer's permission:

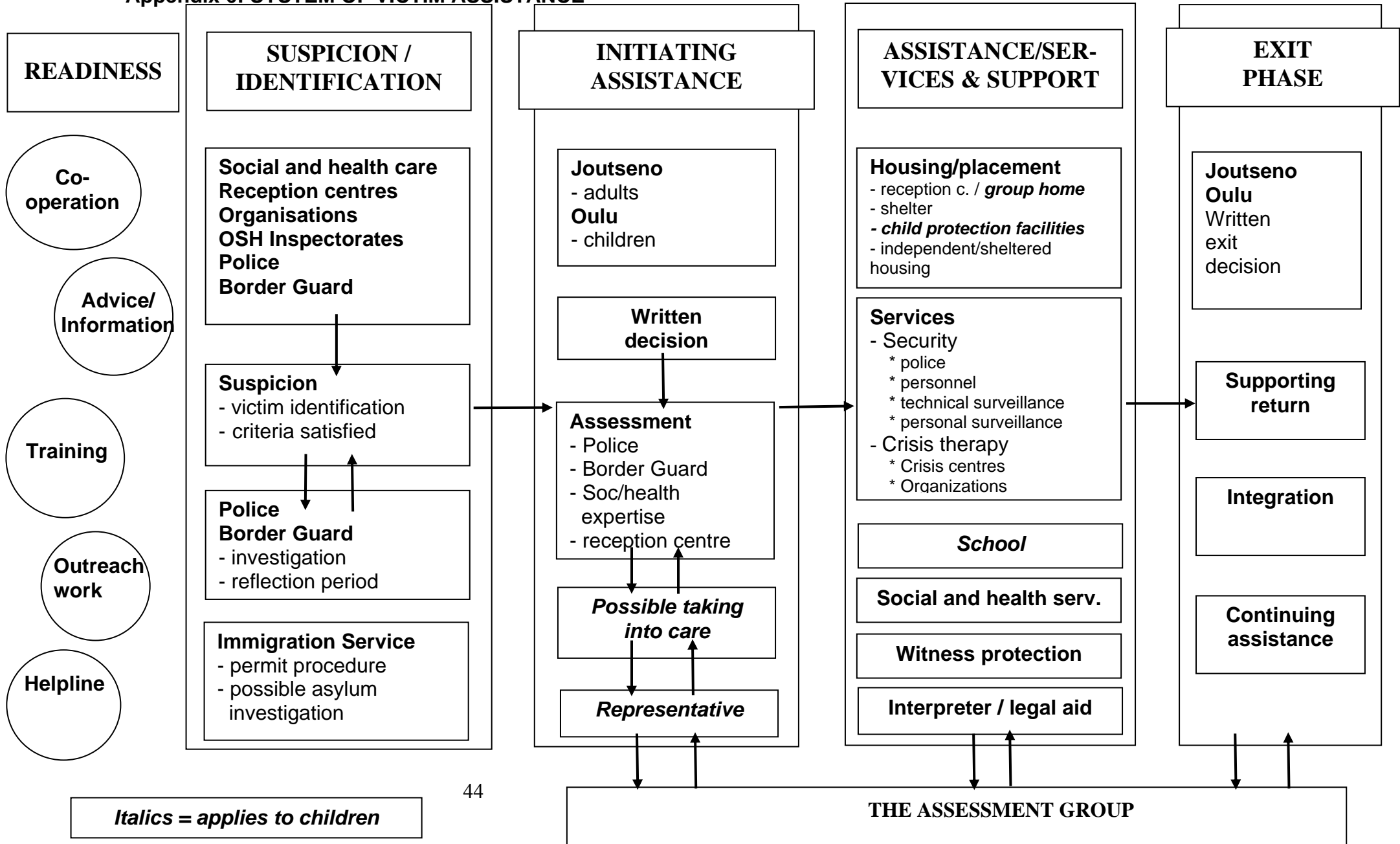
- Monika worker supporting the customer to initiate the process — the worker calls the reception centre for the customer (with the customer's permission)
- the worker must report the case thoroughly to the reception centre so that the best possible help can be provided for the customer
- the worker must draw up a written report on the case

- If the victim does not want the reception centre to be contacted, think of some other party that could help in the situation. The role of the support person is particularly important in helping the victim when the customer relationship has become established, and once trust has increased, the customer may be more willing to receive help from outside Monika or the Mona-koti shelter.

- Ensuring the safety and wellbeing of the victim in accordance with the system for victim assistance created in 2005-2007, safeguarding his/her human rights and ensuring that he/she is in a position to receive

- safe accommodation and housing: the safety of the victim is guaranteed at the Mona-koti shelter due to the 24-hour staff presence
- interpreter services
- health care
- mental support such as therapy and conversation
- legal aid and counselling
- maintenance allowance
- social support
- administrative support

Appendix 6: SYSTEM OF VICTIM ASSISTANCE



Italics = applies to children