



**Final Report of the BSPC  
Rapporteurs on Trafficking  
in Human Beings**

**August 2013**



Baltic Sea Parliamentary Conference  
The BSPC Rapporteurs on Trafficking  
in Human Beings  
US 2013:414

© Nordic Council of Ministers 2013

**Layout:** Erling Lynder

**Photos:** Jan Widberg

**Copies:** 250

**Print:** Rosendahls-Schultz Grafisk

Printed on environmentally-friendly paper  
Printed in Denmark



Baltic Sea Parliamentary Conference  
[www.bspc.net](http://www.bspc.net)

Jan Widberg  
Head of BSPC Secretariat  
[jw@norden.org](mailto:jw@norden.org)

BSPC Secretariat  
c/o Nordic Council  
Ved Stranden 18  
DK-1061 Copenhagen K.  
Phone (+45) 33 96 04 00  
[www.norden.org](http://www.norden.org)

*The Baltic Sea Parliamentary Conference* (BSPC) was established in 1991 as a forum for political dialogue between parliamentarians from the Baltic Sea Region. BSPC gathers parliamentarians from 11 national parliaments, 11 regional parliaments and 5 parliamentary organizations around the Baltic Sea. The BSPC thus constitutes a unique parliamentary bridge between all the EU- and non-EU countries of the Baltic Sea Region.

BSPC aims at raising awareness and opinion on issues of current political interest and relevance for the Baltic Sea Region. It promotes and drives various initiatives and efforts to support a sustainable environmental, social and economic development of the Baltic Sea Region. It strives at enhancing the visibility of the Baltic Sea Region and its issues in a wider European context.

The Baltic Sea Parliamentary Conference is the annual general assembly in the Baltic Sea Region for broad political debate on Baltic Sea issues. The Conference resolutions are political tools which enables the BSPC to launch and sustain political initiatives, and to approach the governments and regional organizations on issues of common interest.

The BSPC has a number of working bodies at its disposal, which serve as resources for driving and implementing BSPC priorities and objectives. A Standing Committee is responsible for the follow-up of BSPC resolutions, for identifying and addressing issues within the BSPC field of responsibility, and for preparing the annual Conferences.

The BSPC Working Groups are political vehicles with the overall objective of elaborating joint political positions and recommendations on issues of common interest in the Baltic Sea Region. BSPC external interfaces include parliamentary, governmental, sub-regional and other organizations in the Baltic Sea Region and the Northern Dimension area, among them CBSS, HELCOM, the Baltic Sea Labour Forum (BSLF) the Northern Dimension Partnership in Public Health and Social Well-being (NDPHS), the Baltic Sea States Sub-regional Cooperation (BS SSC) and the Baltic Development Forum.

# Final Report of the BSPC Rapporteurs on Trafficking in Human Beings

*Johan Linander, MP and André Oktay Dahl, MP*

## Background

In 2010 the Baltic Sea Parliamentary Conference (BSPC) established a Working Group on Civil Security. The Working Group was to focus specifically on Trafficking in Human Beings (THB). The group presented its final report to the 20th BSPC in Helsinki in 2011.<sup>1</sup>

In order to follow up the work of the group and the recommendations concerning THB made by the BSPC, the BSPC appointed two rapporteurs: Mr Johan Linander, MP and Vice Chair of the Swedish Riksdag's Standing Committee on Justice and Mr André Oktay Dahl, MP and Vice Chair of the Norwegian Storting's Standing Committee on Justice. Mr Linander and Mr Dahl served as Co-Chairs in the Working Group on Civil Security.

## Mandate

The basic role of a BSPC rapporteur is to follow the development within a specific subject area (usually one in which the BSPC has established a working group), to provide briefings and updates on this development, to follow-up the implementation of BSPC recommendations within the subject area, to identify possible items for political attention, and, when necessary, to represent the BSPC in various activities within that area.

As a principle, rapporteurs are invited to present a report at the annual BSPC conference. In addition, rapporteurs may also choose to issue written reports. The BSPC Standing Committee, in its turn, may invite rapporteurs to provide status reports and updates; conversely, rapporteurs might wish to participate in Standing Committee meetings to discuss their activities and coordinate political positions.

## Activities of the THB Rapporteurs

- Letter to the ministers responsible for the fight against Trafficking in Human Beings (THB) in the Baltic Sea states.

<sup>1</sup> See <http://www.bspc.net/page/show/216>

- Meeting in Stockholm on 25 May 2012 with the Swedish National Coordinator for the Fight against THB, Detective Superintendent Kajsa Wahlberg of the Swedish Police. Meeting with the Council of the Baltic Sea States Task Force against Trafficking in Human Beings.
- Mr Linander participated in the Parliamentarians Against Human Trafficking seminar *Data Collection on Victims of THB* on 13–14 September 2012 in the *Assembleia da Republica*, Lisbon.
- Mr Linander participated on the CBSS seminar *Children Trafficked for Exploitation in Begging and in Criminality* in Vilnius on 29–30 November 2012.
- The rapporteurs met Corinne Dettmeijer-Vermeulen, Dutch National Rapporteur on Trafficking in Human Beings in The Hague on 10 December 2012.
- The rapporteurs participated in Parliamentarians Against Human Trafficking seminar *Regional Co-operation of the Police in Anti-Trafficking Work* in Stockholm on 13 March 2013.
- The rapporteurs met Eva Biaudet, the Finnish Ombudsman for Minorities and national rapporteur on THB in Helsinki on 6 May 2013.

The rapporteurs presented their mid-term report to the 21st Baltic Sea Parliamentary Conference in St Petersburg on 26–28 August 2012<sup>2</sup>

## 1. Summary

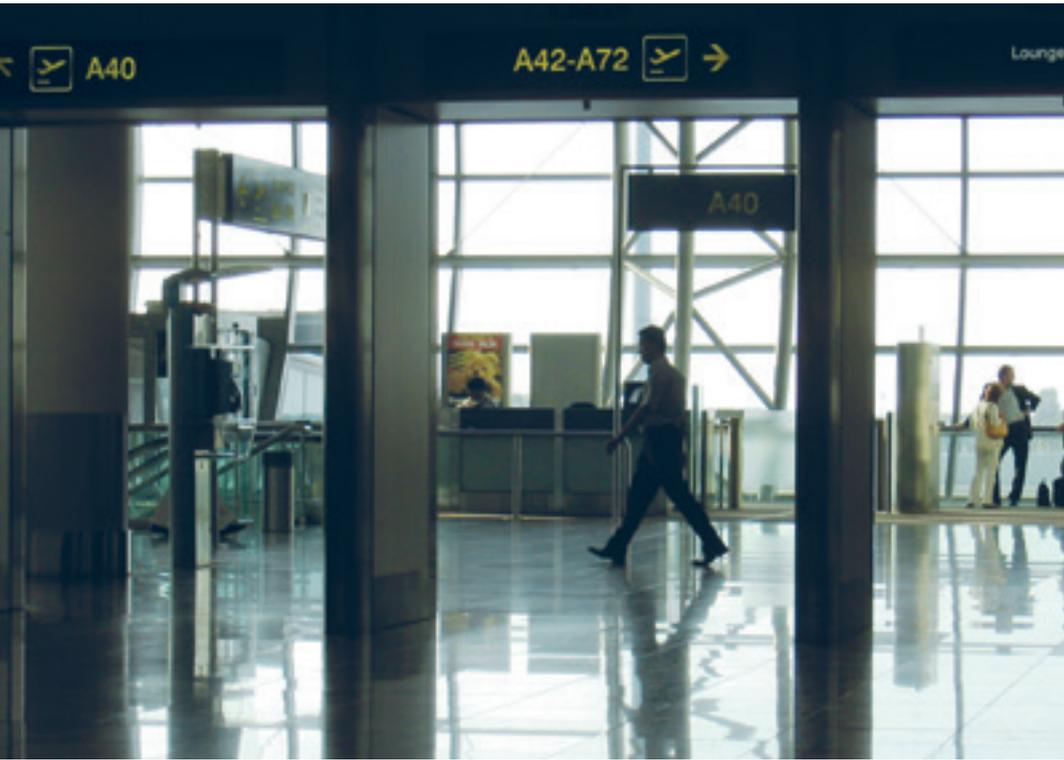
Despite the fact that most countries have introduced measures against THB, such as national action plans and new legislation against THB, trafficking – or human slavery – has not been reduced<sup>3</sup>.

The number of convictions against traffickers is still low. More and more forms of THB can be seen; THB for forced labour, THB for theft and other criminal activities (whereby the victims are forced to commit crimes), THB for begging, THB for identity theft, THB for forced marriage, THB for trade in children and even for trade in human organs.

Our main impression from our work is that the fight against THB is far from over. We need harder and smarter efforts to combat THB.

<sup>2</sup> See <http://www.bspc.net/file/show/607>

<sup>3</sup> See [http://europa.eu/rapid/press-release\\_IP-13-322\\_en.htm](http://europa.eu/rapid/press-release_IP-13-322_en.htm)



## ***2. Recommendations***

The BSPC Working Group on THB set out a number of recommendations in its final report<sup>4</sup>, the implementation of which would be a major contribution to the fight against THB. We strongly recommend every government to systematically follow up these recommendations.

In addition, we, as rapporteurs, would like to add 10 recommendations of our own. They are based on the information we have obtained and the dialogues we have pursued during the course of our work. We believe that these 10 recommendations should be implemented in all the states in the Baltic Sea Region, if not done so already.

### **Coordination of measures against THB**

1. All countries need an independent national rapporteur on THB
2. All countries need to have a national action plan against all forms of THB

<sup>4</sup> See <http://www.bspc.net/file/show/516>

Every country needs to improve the coordination of measures against THB. Often, there are several government bodies and branches that in different ways are involved in the fight against THB. Without close coordination, this could prove less effective, in some cases even counterproductive. It is possible for traffickers to exploit the lack of coordination to avoid detection.

Governments need to coordinate all their policies against THB so that every government body knows how it should work and how it is supposed to coordinate its work with other bodies and non-governmental organisations (NGOs). There must be clear lines of communication and a system for reporting THB cases. To achieve this, a national action plan against THB is a key element.

In order to ensure the long-term coordination of anti-THB measures, we recommend the appointment of independent national rapporteurs. By 'independent' we mean that national rapporteurs should not be placed within the police or be under direct government control.

If the national rapporteur is a part of the police force, it may cause victims of THB to be reluctant to give information. For obvious reasons, it would also be difficult for national rapporteurs to criticize the police.

Neither should national rapporteurs be subordinated to or under direct government control. National rapporteurs must be independent in order to be able to scrutinize the government's and other authorities' work against THB. National rapporteurs must report directly to parliament on a regular basis.

National rapporteurs and their offices must conduct their work with a high degree of transparency and should be organised either as an independent institution (the Dutch example) or as a part of an existing institution (the Finnish example). The mandate must not only include THB but also other forms of exploitation that could be related to THB.

The job of national rapporteurs is to collect statistics on THB and to analyse the data. Further, rapporteurs must provide information and knowledge about THB to authorities that are involved in the fight against THB, including the police, prosecutors and judges. Moreover, national rapporteurs have a responsibility to inform the public in general and increase the awareness of THB in society.

National rapporteurs must have the right to examine individual cases of THB and to receive information from the investigating authorities about cases of suspected THB currently under investigation.

National rapporteurs must establish a hotline or other form of communication that provides a expedient channel for the general public to report possible cases of THB. The possibility to contact an independent rapporteur rather than the police might contribute to lowering the threshold for reporting cases of THB. The actual criminal investigation of possible THB cases is the responsibility of the police.

National rapporteurs must be provided with sufficient resources and manpower to be able to carry out their responsibilities fully and effectively.

### **Measures to prevent THB**

3. Stop demand
4. Social responsibility for people at risk, potential victims

Each country needs legislation that prohibits every exploitation of known victims of THB. However, in some – perhaps most – cases people are not aware of the fact that they are exploiting victims of THB. Information to the general public to increase general awareness of the existence of THB is essential.

Every country has the responsibility to protect its citizens from exploitation. Even greater demands must be placed on all countries to fight discrimination against Roma and other vulnerable groups. The majority of those forced or lured into THB belong to very vulnerable groups in their countries of origin.

### **Fight the traffickers**

5. Effective fight against THB with national special units in the police force and in the prosecution service.
6. Legislation that is applicable to all forms of THB and that criminalises everyone involved in THB crime.

Knowledge and awareness of THB is essential for local crime prevention authorities. Every police officer must have sufficient training and awareness to be able to spot or suspect THB in e.g. the following situations: forced labour, children that steal under supervision of adults, organised begging, etc.



Later, when THB cases are being investigated, they often turn out to be so complicated that the local police cannot be expected to have the specialist knowledge or resources to be able to prioritise this type of case. For this reason, every country needs a national special unit or task force against THB, both in the police force and in the prosecution service. These special units must include a variety of specialists: economists and auditors to follow and confiscate the proceeds of crime, social workers to help children and other victims of THB, specialists on interviewing children, computer experts to disclose THB on the Internet. In other words, the investigative team must be multidisciplinary.

It is also of the outmost importance that every country has effective legislation that is applicable to all forms of THB and that criminalises everyone involved in THB crimes. The legislation first introduced by several countries against THB was directed at exploitation for sexual purposes only. However, it is just as important to have legislation that applies to all other forms of THB. Mandatory minimum sentences must be of such a magnitude as to act as a severe deterrent against all forms of THB.

The legislation must also be reviewed on a regular basis. Too often, it is obvious that even the legislation that has been put in place does not contribute to obtaining convictions against traffickers.

### **Help and assistance to all victims of THB**

7. Minimum 30 days unconditional period of reflection for all victims of THB.
8. Cooperation with the social services of the country of origin for repatriation

The crime victim support programme must be independent of the judicial process. Victims of THB must have the right to relevant support and protection even if they choose not to file a complaint, give evidence or participate in a trial against their traffickers. The crime victim perspective must be maintained regardless of the legal action.

Every victim of THB must have the right to a 30-day unconditional period of reflection, even if they have chosen not to file a complaint with the police. This period of reflection is not supposed to be simply a period of passive waiting, but must be filled with health care, treatment and support to enable the victims to carry on with their lives.

The country in which the victim is located has a responsibility for the situation the victim is returned to. Contact must be made with the victim's country of origin before repatriation.

In cases where it is believed that a threat to the victim in the country of origin may exist, for example if the victim has given evidence against the traffickers, some form of witness protection programme must be available in the country of origin. In the worst case, it must be possible for victims of THB to be provided with a new identity.

If the victim's security cannot be guaranteed, or if the victim refuses to return due to fear of being re-trafficked, a permanent residence permit must be offered.

### **Improved international cooperation**

9. Improve the option of joint investigations
10. Organised collaboration between the various countries' special THB task forces and the national rapporteurs.

Almost all THB is a transnational crime. Victims and traffickers often have one country of origin, while the exploitation takes

place in another country. This means that investigators must work internationally. In the European Union (EU) there is the option of establishing Joint Investigative Teams (JIT). This tool must also be made available to countries outside the EU.

International investigations of THB cases, not least those that require telephone tapping, often demand substantial resources and turn out to be expensive. As a result, countries that have a police force whose resources are under strain might not be able to participate in investigations. In order to ensure that a lack of resources does not hinder THB investigations, some sort of joint financing mechanism should be established.

To ensure seamless international cooperation in cross-border THB investigations, members of the special THB task forces must meet on a regular basis. One example of this could be for economists and auditors to get together to compare information in order to track the proceeds of THB.

National rapporteurs must have an international network and meet regularly to exchange information and experience.

Trafficking in human beings is a transnational crime and national borders must not provide a means for the slave traders to escape prosecution and punishment.

### *3. Concluding remarks*

Every parliament has the responsibility to make sure that these recommendations are considered and followed up. As legislators, we have the primary responsibility for the situation in our countries. No longer can people close their eyes to the unavoidable fact that slavery does exist in our countries. Human beings are not free, but are forced to sell sex, commit crimes, beg or be otherwise exploited.

As legislators we also have the responsibility to review the legislation. No victim of THB is helped by legislation that does not work in practice. As legislators we must also supervise and control the work of the government and its administration in the fight against THB. If it does not prove effective, we, the legislators, must act.

Trafficking in human beings is slavery in our time. We must not tolerate that this hideous crime continues to take place in our midst.



Baltic Sea Parliamentary Conference Secretariat  
[www.bspc.net](http://www.bspc.net)

c/o Nordic Council  
Ved Stranden 18  
DK-1061 Copenhagen K.  
Phone (+45) 33 96 04 00  
[www.norden.org](http://www.norden.org).

US 2013:414