

Nordic Baltic Network Conference

5th October 2007 – Vilnius, Lithuania

Strengthened cooperation against trafficking in women From national to regional strategies

Conference Report

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1. Conference programme

Strengthened cooperation against trafficking in women - from national to regional strategies

5 October 2007 - Vilnius, Lithuania

PROGRAMME

Venue: **Hotel Holiday Inn, Seimyniskiu 1, Vilnius**

Conference room: Columbus

- 09.30 - 09.45 Opening by Iluta Lace, **European Women's Lobby Vice president**
- 09.45-10.00 Welcome address by Mr. Stanislovas Liutkevicius, **Undersecretary of the Lithuanian Minister of Interior and National Coordinator on Trafficking in Human Beings**
- 10.00-10.30 Towards a regional programme for assistance to women victims of trafficking
Presentation of the Nordic Baltic pilot project, Malin Björk, EWL Project Director
- 10.30- 11.15 Actions at national level - achievements and obstacles
Presentations by key actors in the Nordic and Baltic countries on the plans, achievements, and the obstacles encountered in developing national level cooperation, and developing a comprehensive system for victim support.

11.15-11.45 Coffee break

- 11.45-13.00 Continuation: Actions at national level - achievements and obstacles
Questions and discussion

13.00-14.15 Sandwich lunch

- 14.15 - 16.30 Panel on anti-trafficking responses: Regional cooperation models and challenges in developing victim-centred approaches

Facilitator: Grainne Healy, **Chair of the EWL Observatory on violence against women**

- Marta Requena, **Head of Gender Equality and Anti-Trafficking Division, Council of Europe**
- Anders Oljelund, **Swedish Ambassador against trafficking in human beings**
- Rada Boric, **Croatian Women's Network**
- Vera Gracheva, **Senior Advisor, OSCE Special Representative for Combating Trafficking in Human Beings**
- Sarah Stephen-Smith, **Counter-Trafficking Research & Development, The Poppy Project**

Discussion and questions

- 16.30 Closing of conference

2. Introduction

Welcome and opening of the conference

Ms Iluta Lace, Vice President of the European Women's Lobby

Iluta Lace welcomed everyone to this first conference within the Nordic Baltic Pilot Project. She presented the European Women's Lobby and its work for gender equality in the European Union. The European Women's Lobby (EWL) is the largest umbrella organisation of women's associations in the European Union (EU), with 4,000 member organisations in 27 European states. The EWL aims to promote women's rights and equality between women and men in the European Union.

Ms Lace presented the EWL work covering a range of policy areas. As part of the EWL work on violence against women, significant work has been done in relation to prostitution and trafficking over the last 9 years. She also informed the participants that the EWL, through its membership, has adopted a position regarding trafficking as inextricably linked to prostitution, and sees prostitution as violence against women and a violation of the human rights of women. The EWL sees male demand for sexual exploitation as a major reason for prostitution and a pull factor for trafficking in women for sexual exploitation.

Ms Lace further spoke about the lack of a common European legislation against violence against women, with a definition based on the Beijing Platform for Action. She also briefly presented the EWL Observatory on Violence Against Women created in 1997. This is a network of independent experts that oversees emerging trends in the area and monitors legislation and best practices to combat violence against women.

She concluded by talking about the need for special strategies for trafficking for sexual exploitation. Finally she underlined the importance of the Nordic Baltic Pilot Project, sending out a strong message about the necessity to increasingly support and assist women victims of trafficking for sexual exploitation.

Welcome address and introductory remarks

Mr Stanislovas Liutkevicius, Undersecretary of the Lithuanian Minister of Interior and National Coordinator on Trafficking in Human Beings

Mr Liutkevicius welcomed the conference in Vilnius, and the work carried out within the Nordic Baltic Pilot Project. He presented the problem of human trafficking in Lithuania. Underlining the importance of remembering the size of trafficking in human beings and referred to this as slavery. He recognised the increased risks for especially vulnerable persons, namely women and children. Mr Liutkevicius outlined some reasons for trafficking in human beings, such as social issues of poverty and unemployment. Mr Liutkevicius further underlined that long-lasting prevention and control is needed to combat trafficking in human beings. Cooperation should take place with agencies on the field on local; municipality; national and regional levels.

Preventive measures constitute a priority in Lithuanian policy on law and order. National action plans on trafficking in human beings have been in place in Lithuania since 2002.

Mr Liutkevicius further talked about the work at state level in Lithuania and NGO involvement in this work. Lithuania is active in international cooperation regarding trafficking in human beings, for example in the Council of Baltic Sea States, the Organization for Security and Cooperation in Europe, the Council of Europe, as well as within the Nordic Baltic Pilot Project. Mr Liutkevicius underlined the need for, and importance of our joint action to fight the international crime of trafficking in human beings.

Towards a regional programme for assistance to women victims of trafficking. Presentation of the Nordic Baltic Pilot Project.

Malin Björk, EWL Project Director

The Nordic Baltic Pilot Project aims to act as a starting point for long-term change in the Nordic Baltic region, and to develop victim-centred and durable models for support to women victims of trafficking for sexual exploitation in and between the Nordic and Baltic countries.

The project's uniqueness, and thus why it is needed, is its focus on victim assistance, its focus on the gendered aspects of trafficking and in particular trafficking for prostitution. Moreover, it is regional, involving eight neighbouring countries and is based on an inter-agency approach.

The Nordic Baltic regional network core group which is coordinated by the European Women's Lobby, consists of national teams with representatives from both government agencies and NGOs from all eight participating countries.

Malin Björk further introduced the key activities of the project.

The project has:

- developed a regional Nordic-Baltic inter-agency network
- strengthened national networking processes and national inter-agency teams
- developed and reinforced safe shelter and assistance programmes for women victims of trafficking
- undertaken outreach and dissemination activities.

Six key areas to strengthen assistance to VOTs have been developed: Identification; Residence status and reflection period; Shelter and specialised services; Referrals and safe returns; Victim protection and data protection and Compensation. (*See annex International standards*).

Finally, Ms Björk introduced the website of the project, www.nordicbaltic-assistwomen.net, which will be used as a tool for contact, follow-up on the project activities, and as a platform for sharing of resources and knowledge within and also beyond the Nordic Baltic region.

3. Actions at national level – achievements and obstacles

Representatives from the national teams of the Nordic Baltic network presented their activities within the Nordic Baltic Pilot Project and the situation in their respective country, their plans, achievements, and also the obstacles encountered in developing cooperation and a comprehensive system for victim support at the national level.

Estonia

Ms Kristiina Luht from the Ministry of Social Affairs in Estonia presented the situation and work that has taken and will take place in Estonia. Estonia started to work against trafficking in human beings in 2002, without any research, victim support or preventive activities concerning trafficking. Now cooperation on these issues is established in the Nordic Baltic region, and this cooperation has also helped to formulate common ideas on how prostitution should be seen; as violence against women, a social problem, and not as a form of work. The Nordic Baltic cooperation has been of assistance in the Estonian work on changing attitudes towards prostitution and trafficking. One of the achievements in Estonia is the national action plan against trafficking in human beings, which set out the goals, strategic objectives and measures for achieving the goals. Thus, the Estonian government has recognised the problem of trafficking.

Estonia is mainly a source country for trafficking in women, and secondly a transit country. No official victim statistics exist today since there is a lack of victim identification and of clarity on common understanding of who is a victim of trafficking. According to the International Organization for Migration, 100 women were trafficked from Estonia to the Nordic countries during the period 2001-2004, but the actual numbers are probably larger according to Ms Luht, with regard to how many women she knows seeking help in the Nordic countries alone.

As a direct outcome of the Nordic Baltic Pilot Project, and one of the biggest achievements so far, is the establishment of the Estonian Union of Women's Shelters. In 2007, three shelters, located in different Estonian towns, have been set up and are running. They function in a victim-centred way to support and assist women victims of trafficking (VOTs). They are specialised for VOTs and also provide rehabilitation services for women wanting to exit prostitution. The shelters provide safe accommodation and have professional staff. Training has taken place in cooperation with service providers in the Nordic Baltic region where bilateral contacts have been established. The Estonian representatives from the shelters conducted study visits to service providers in Norway and Sweden in order to learn from colleagues. The shelters have developed a description of the services they provide to VOTs including the telephone hotline. This hotline started in 2004 and is supported by the Ministry of Social Affairs at least until 2009.

Three victims of trafficking have received services from the shelters. One woman has been assisted to return to the labour market, and she then found her first legal employment. More women have left prostitution in the last years than earlier.

Regarding the future, the Council of Europe Convention on Action against Trafficking in Human Beings will be signed after the necessary preparations, and the creation of a national rapporteur on trafficking will be discussed.

Ms Luht encouraged the conference participants to assist Estonian victims of trafficking back to Estonia. The involved actors ought to cooperate and share information within the Nordic Baltic Pilot Project and beyond.

Issues and questions raised from the conference participants

- *Is there any difference in assisting persons in trafficking and in prostitution?*
- *What protection is there for women VOTs upon return to Estonia?*
- *Where do other VOTs originate from?*

Kristiina Luht answered that although prostitution and trafficking is not considered as the same thing, the specialised shelters help all sexually exploited women.

Concerning protection for VOTs who return to Estonia, Ms Luht explained that there today is a lack of experience of women VOTs returning to Estonia. One return of a VOT to Estonia has taken place from the United Kingdom. The return was facilitated by connections with the police and with shelters. It was conducted with the assistance of a contracted security company.

Regarding the origin of other VOTs, Ms Luht answered that they come from the local sex industry in Estonia.

Norway

Ms Birgitte Ellefsen, Senior Adviser of the Organised Crime Section at the National Police Directorate in Norway, presented the actions, achievements and obstacles in Norway.

Norway ratified the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2003; will ratify the Council of Europe Convention on Action against Trafficking in Human Beings in November 2007; will criminalise the purchase of sexual services in 2008 and has had three national actions plans to combat trafficking. The latest covers the period 12.12.2006 – 2009.

The situation in Norway has changed from wondering whether there are a few victims of trafficking for sexual exploitation to knowing that there are large numbers of persons trafficked for sexual exploitation, forced labour and organised begging to Norway. Approximately 150 persons have been identified as VOTs by authorities and NGOs during 2007 (until September), and this may very well be an under-estimation. Total numbers of verified VOTs in criminal cases are 87. Seven cases are under investigation, six are under process in court and final verdicts have been delivered in two cases. The women in the criminal cases of human trafficking where the cases are under process in court or where a final verdict has been delivered, originate from Estonia, Lithuania, Georgia, Albania, Rumania, Thailand, China, the Czech Republic, and there is also a case involving Thai boys under process in court.

In terms of challenges, Ms Ellefsen reported on the improvements still needed in cooperation and coordination in Norway, which leads to gaps in identification of VOTs; in the police work collecting evidence; in the authorities' work assisting and protecting VOTs; and also in assistance and protection for VOTs.

She also reported some of the achievements in Norway. The ROSA Project coordinates assistance and safe housing, there is an IOM Project on safe return for VOTs, and a Save the Children HVISK Project with a national hotline for children VOTs. In Norway, a Coordination Unit for Assistance and Protection for Victims of Human Trafficking has also been established. This is managed by the National Police Directorate, and consists of a Project group (police, prosecutors, immigration, social, health, labour and children welfare authorities) and a Reference group (ROSA, NGOs, trade unions, employers' agencies and welfare projects). The purpose is a national strategy for better cooperation and coordination.

Another challenge acknowledged by Ms Ellefsen is identification of the VOTs. Numbers of VOTs recognised by the authorities differ from numbers of VOTs identified by NGOs and especially from actual numbers of VOTs in Norway. The police are dependent on organisations in identifying the VOTs, and the actors must have knowledge and competence to recognise indicators of trafficking in human beings.

In order to ensure that as few VOTs as possible are overlooked, Norway has put in place a two-step process where *identification* is separated from *verification* of VOTs. Several actors can identify a VOT in Norway: identification can take place through the person her/himself, a lawyer, authorities, and NGOs. Such identification entitles the person to a six months reflection period, protection, assistance and a voluntary safe return. Agreement among the actors is not needed regarding identification, and *identification*, not *verification*, is enough to provide access to assistance.

Three authorities can *verify* the person as a VOT: the Police, the Immigration authorities and the child care authorities. Verification entitles the person to a prolonged or permanent work permit, full rights to social and health services, and right to victim compensation.

The National Coordinating Unit will produce lists of indicators which are gender-, age- and profession-specific guidelines for identification and a national system for identification, reporting and monitoring.

Additional challenges acknowledged by Ms Ellefsen include how to motivate VOTs to come forward and cooperate with the police; to motivate the VOTs to apply for safe return; to secure exit strategies for women in prostitution and sustainable rehabilitation; and also to go from shorter term solutions such as projects to more permanent structures at the national level, to combat trafficking in human beings.

Issues and questions raised by conference participants

- *The number of 150 VOTs, is this number estimated or secure?*
- *Who is to be seen as VOT? In Norway, NGOs are involved in the identification process, are they happy with this process?*
- *Are identified VOTs obliged to testify?*
- *Have any training on identification for police, authorities, and organisations taken place?*
- *Concerning the national coordinating unit, how broad is its mandate, and how broad is the unit?*

- Concerning the treatment of Nigerian women in Norway, are they generally considered as VOTs or as women in prostitution?

- Regarding motivation on return: How is this being done, what is the power of motivation, and is it successful? Is there established cooperation between the involved countries?

Birgitte Ellefsen clarified that the number of 150 VOTs refers to identified persons. The number 87 refers to verified cases. The police in Norway are in the process of getting statistics. Only 30 % of the identified VOTs want to be part of police cooperation, but VOTs have the right to 6 months reflection period and services even if they don't want to cooperate with the authorities.

Ms Ellefsen clarified the identification process in Norway, expressing that there is a constant battle on identification, since the involved actors don't always agree. A NGO can identify victims of trafficking. For example may ROSA identify VOTs. This gives the right to a 6 months reflection period and support services. Then they document why they see the person in question as a VOT. The application is then handled by the Immigration authorities. The Immigration authorities then check the information, and can or cannot *verify* the person as a VOT.

No one has been rejected a reflection period in Norway. Ms Ellefsen underlined that in Norway they have acknowledged that it is all right for the parties not to agree, and have found a way to build it into the process, giving NGOs an initial right to *identify* VOTs (which gives VOTs certain rights, among them a 6 months reflection period and access to services), while the *verification* procedure belongs to governmental authorities (and gives extended rights). Ms Ellefsen underlined the importance of discussing how to handle the disagreement. The police may not be able to confirm whether trafficking in human beings has taken place, or if it, for example, has been a case of human smuggling; then it is fine that care institutions treat these persons as VOTs. The reflection period after identification is 6 months and includes the right to work. She also emphasised that VOTs are not obliged to be in any contact with the police to have right to the 6 months reflection period after identification.

When it comes to training of relevant actors she confirms that Norway is in the process of training on identification. Training then takes place for everybody involved in the work, as part of the Norwegian national action plan.

Regarding the national coordinating unit, she expressed that this unit is on an operational, and not on a political level. In Norway, an inter-ministerial group on political level exist.

Answering the question about Nigerian VOTs in Norway, Ms Ellefsen stated that many Nigerian women are identified as VOTs in Norway. They receive assistance and support and an offer of safe return. So far, there have not been any criminal cases on trafficking from Nigeria. Nigerian VOTs usually come from Italy or Spain and have legal documents in these countries. Unni Kiil, ROSA women's shelter, confirmed that there are many Nigerian women in prostitution in Norway, and ROSA has assisted many Nigerian VOTs. The women are seen and treated as VOTs, because of the threat from traffickers that they live under. There are difficulties for the police to investigate these cases, since the traffickers are abroad.

Concerning return, Ms Ellefsen confirmed that there is no simple answer on how to motivate return. Norway is in the process of trying to figure out how to do this, and to identify the obstacles to return. Better cooperation between countries is needed, along with more information to the VOT and a better offer from the home country. It is a matter of having alternatives for the VOT, to provide exit strategies from prostitution, which is a long process. This matter was discussed in the Nordic Baltic network meeting on the 4th October, and this part of support to victims of trafficking constitutes a challenge for the future in the Nordic Baltic region.

Lithuania

Ms Dalia Puidokiene from the Klaipeda Social and Psychological Services Center presented the situation in Lithuania and their work within the Nordic Baltic Pilot Project.

Ms Puidokiene linked human trafficking to slavery for sexual abuse and recognised that the forms of sexual abuse of women are changing.

Lithuania has signed the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. However, in terms of challenges, the definition of a victim of trafficking is sensitive in Lithuania, and the negative attitude towards foreign women in prostitution becomes an obstacle in solving the problem of trafficking in women and hinders VOTs reintegration in society.

Achievements brought to the attention of the conference were for example the Program of Prevention and Control of Human Trafficking 2005-2008 adopted by the Lithuanian Government, which aims to create a long-term and multifaceted system of control and prevention measures towards trafficking. In terms of providing support to VOTs, Ms Puidokiene underlined the fact that a large part of the responsibility lies on service providing NGOs.

Ms Puidokiene further talked about the results of the Nordic Baltic Pilot Project in Lithuania. 10 women VOTs were helped during the last 8 months, and received diverse support services such as legal, social and psychological advice, material support and support to reintegrate into the labour market. The Nordic Baltic Pilot Project made it possible to promote and coordinate the best assistance and support systems for VOTs, and helped to establish a network of NGOs.

She also outlined some of the challenges in Lithuania, namely the lack of short term support, such as a reception centre. She further called for the need to ensure the safety of the staff of NGOs and the need to provide protection and safety from the pimps to women trying to escape prostitution, and calls for strengthening of the cooperation between governmental and nongovernmental institutions.

Issues and questions raised by conference participants

- *What support does the Lithuanian government give NGOs regarding policy as well as resources?*
- *What is the government policy on demand for sexual services?*
- *Who is defined as a VOT? How is the situation and system of assistance for minors in prostitution?*

Ms Puidokiene informed that 13 NGOs are financed by the Ministry of Social Affairs. 400 VOTs were assisted last year. A police from Lithuania informed of a counter-trafficking program, including resources for NGOs, who may apply for support from the Lithuanian government.

Regarding demand for sexual services, Ms Puidokiene explained that there are different points of view between NGOs and the police regarding how to handle this, but they are trying to reach common outcomes from these discussions. This is of importance for identification of VOTs. Ms Puidokiene confirmed that trafficking and prostitution may seem legal in Lithuania, since there are strip bars, call girls etc. Prostitution is however not legal. Many problems exist but there are things in the makings to solve this problem.

Concerning discrepancy between NGOs views and authorities views on who is identified as a VOT, Ms Puidokiene clarified that there is no definition of a victim of trafficking to be found in the legislation. In the eyes of the authorities, only someone who is recognised as a VOT in the criminal procedure and has experienced trafficking is seen as a VOT. Only 27 VOTs were recognised as such last year. VOTs under the age of 18 years are seen as minors, and there were 2 identified cases of child trafficking in Lithuania last year.

Iceland

Gudrun Jónsdóttir, Stigamot Counselling and Information Centre on Sexual Violence, presented the situation and achievements in Iceland.

Ms Jónsdóttir presented the situation concerning support and assistance to women victims of trafficking for sexual exploitation in Iceland, and then shared an action against a gathering of sex industry actors in Iceland.

Ms Jónsdóttir emphasized the importance of support and the access to updated information through the Nordic Baltic network, which keeps trafficking on the agenda in Iceland and functions as a reminder to the authorities and others of best practises regarding laws, services, financing and outreach work. She acknowledged the problems in Iceland, for example the lack of a plan of action against trafficking; the lack of specialised services; lack of resources to work on the project, lack of a reflection period to VOTs and the lack of guidelines and laws to work on identification of VOTs. In this context, she welcomed the support given by the Nordic Baltic network.

She presented the Geysir group, created in order to advance the work on trafficking and prostitution in Iceland, which has written its own ideal plan of action that they will present to heads of institutions and ministers in October 2007. The members of this group have met between 3 and 20 VOTs.

Ms Jónsdóttir underlined that in her understanding, there is no clear difference between pornography, prostitution and trafficking, instead this constitutes a continuum of exploitation of women. She then shared a story of an action against the “2007 Snowgathering” in Iceland. This event was placed in Iceland because of its so-called ‘infamous nightlife’, and the meeting aimed to produce pornographic movies during the gathering. Stigamot found out about this and reacted fiercely and widely through an open letter to the Icelandic government, authorities and the media, asking them to act against

this meeting. The authorities reacted and declared the participants of the “Snowgathering” as unwanted guests. Moreover, statements were made against the meeting by all political parties in the parliament, women’s organisations took action, and protests were sent to the hotel hosting the meeting. The owner of the hotel cancelled the booking of the meeting, which led to that the “2007 SnowGathering” was cancelled. Thus, awareness raising took place, and it was shown that Icelanders can fight the porn industry.

Ms Jónsdóttir concluded by saying that the Geysir group will do everything they can to ensure that support to every VOT in Iceland is established within the Nordic Baltic project period.

Sweden

Agneta Borg from the Prostitution unit in Stockholm, Sweden, presented the situation, achievements and challenges in Sweden today.

Ms Borg acknowledged the achievements of the Swedish law criminalising the purchases of sexual services. However, she also underlined that Sweden is lacking a national action plan to combat trafficking. Hopefully this plan will be ready in the end of 2007, and with that, economic resources will be distributed to service providers.

Three working groups have been established in different regions of Sweden. In some places local plans on how to give professional help to VOTs exist, but the drawback is that they are just that; local. There are big differences between the regions, both on how the situation is and on what is being done to combat trafficking.

Within the Nordic Baltic Pilot Project, training of shelters staff has taken place. As a result of the project, it has been possible to form a national network between shelters. This network has invited actors from authorities and other NGOs to create plans to work with support and assistance to VOTs. This work will commence when the national action plan to combat trafficking is adopted and resources are made available to the shelters.

The most pressing need according to Ms Borg is an action plan for identification, support and cooperation. Cooperation is central to know what to do upon meeting VOTs. There now exists prostitution units in the three larger cities of Sweden; Stockholm, Gothenburg and Malmö. In these cities, a possible VOT is considered and treated as a VOT until proven otherwise. The situation is the opposite in the Northern part in Sweden where the person would only be seen and treated as a VOT when proven so. More national cooperation is necessary for a common approach in combating trafficking in women for sexual exploitation and to ensure services and assistance to all VOTs.

Issues and questions raised by conference participants

- *Who decides on temporary residence permits to VOTs?*
- *Are there any numbers available regarding identified VOTs in Sweden?*
- *Concerning the criminalisation of the buyers of sexual services, what are, if any, the challenges of this law in practise?*

- *Who were the main players lobbying for the law criminalising purchasing of sexual services?*

Ms Borg clarified that prosecutors are the only persons who can apply for temporary residence permits for VOTs. The prosecutor should make such an application on day one. It is not possible for NGOs to formally identify VOTs.

She explained that there are no national statistics on VOTs available, but informs that there were 40 cases in Stockholm in 2006, and that number is the same until now in 2007.

Regarding the criminalisation of purchases of sexual services, Ms Borg stated that it is possible to state that street prostitution has diminished. If prostitution has increased indoors is hard to say. She expressed that the media wants to say that prostitution has moved to the internet, but internet prostitution has increased without regard to the law, that situation is the same in all countries. On challenges regarding social attitudes, and the law's ability to change this, it can be said that the majority of the population in Sweden was against the law before it was adopted, but now more than 80 % are in favour of it. Because of this law, the matter of exploitation in prostitution is always on the agenda in Sweden.

Ms Borg explained that women's organisations and women in the political parties lobbied for the adoption of the law. It was adopted in a time when there were many women in the Swedish parliament. The law that criminalises purchases of sexual services was prepared in a broader equality legislation plan, called "Kvinnofrid", and was thus part of a bigger equality project. It was a result of the government bill "Violence Against Women" and was developed together with legislation on gross violation of a woman's integrity and other actions against violence in women on the legislative level.

Denmark

Anne Katrine Tholstrup Bertelsen from the Danish Department of Gender Equality presented the achievements and obstacles in Denmark.

Social organisations have over the last couple of years been in contact with 900 possible VOTs. These women came mostly from Nigeria, Thailand, and countries in Eastern Europe.

Today Denmark has a new action plan to combat trafficking in human beings 2007 - 2010. Through the plan, a National Anti-trafficking Center has been established. This center will have a coordinating responsibility over the social efforts in Denmark and for ensuring that involved actors collaborate operationally. It will develop methods for outreach work and programs on safe return; manage a network of NGOs in countries of origin; establish local groups; operate a hotline; develop education and training of professionals and coordinate the gathering and transfer of knowledge among relevant actors on both local and national level.

Ms Tholstrup Bertelsen also presented the work and strategy of the Danish National Police for a strengthened effort against prostitution key players. This strategy includes education on trafficking as part of the basic education at the Danish Police Academy, continued training for police employees and employees of the prosecution authorities,

extensive guidelines for the police force, expanded collaboration with authorities and organisations, and preparations of local strategies and action plans.

When it comes to obstacles, Ms Tholstrup Bertelsen highlighted prepared returns and ensuring safe returns with the chance of a new life upon return. In Denmark, in order to get a 100 days reflection period, the VOT must cooperate on safe return. She recognised the added value of the Nordic Baltic network in tackling these obstacles. The Nordic Baltic network and other international networks and efforts provide good information, good practises and cooperation. The international problem of trafficking in human beings demands international cooperation.

Issues and questions raised by conference participants

- *Is prostitution legal in Denmark?*
- *How will the National Anti-Trafficking Center be financed? How much of the funding constitutes so-called "fresh money", how many employees will there be at the Center?*
- *Why don't VOTs accept an offer of return? How do you work to ensure safe return?*
- *You said that the Nordic Baltic Pilot Project added value to your work; could you explain the impact of this cooperation?*

Ms Tholstrup Bertelsen clarified that it is illegal to take advantage of women forced to sell sexual services in Denmark, and trafficking in human beings is also illegal. Audra Bolander, The Nest STOP trafficking, added to the answer saying that prostitution in Denmark is not legal, but it is not prohibited to work as a prostitute. It is common to "cover up" prostitution activities by calling it massage, private services etc.

Regarding the Anti-Trafficking Centre, Ms Tholstrup Bertelsen informed that it is state-funded with 70 million DKK over a 4 year period. This amount equals about 10 million Euros. The entire amount is fresh money. There will be 5-6 persons working at the Center, and some outreach work employees in cooperation with them.

She further acknowledged safe return as a huge challenge. The Danish law says that VOTs must return unless they are granted asylum or a permit to stay, and it is difficult to be granted asylum. There are many reasons why women don't want to return; such as safety, what to do upon return and so on. It is a problem that services given for 3 months are only granted upon cooperation on return. This matter is currently being discussed with NGOs, and there is also a discussion on how to best increase cooperation with the country of origin.

Concerning the value of cooperation, Ms Tholstrup Bertelsen explained that the Nordic Baltic Pilot Project has provided a chance for Danish stakeholders to meet and discuss trafficking for sexual exploitation. We have acquired good ideas and inspiration from other countries, which is of help when rethinking strategy is needed, and especially when the Danish action plan was created. Majken Lundberg, Danish Women's Council, added that the Nordic Baltic Pilot Project has made the Danish team look upon themselves, and see good practises such as Norway's reflection period of six months together with a work permit. The Project provides inspiration, an opportunity to look at other countries and take ideas home, as well as providing support to the other countries, especially the Baltic countries.

Latvia

Dace Maulina from the Ministry of Welfare presented recent developments regarding support and assistance to victims of trafficking and issues to address in Latvia.

Latvia is to a large extent a country of origin for trafficking in women, but will probably gradually change to a transit and destination country with women from the East. According to Ms Maulina, organised crime groups are not so involved in trafficking in human beings in Latvia. She has experienced that it is more common that foreigners are involved in these crimes from abroad. The recruiters of trafficked women then arrange the last part of the way on their own.

In 2006, 8 prosecutions took place under the Latvian criminal law, and this year there have been 3 cases of trafficking in human beings. Ms Maulina acknowledged an increase of VOTs in Latvia, due to effective work of law enforcement, which now has a special unit on trafficking in human beings.

Regarding positive changes over the last years, there have been amendments in laws on social services, so VOTs can get state-funded services for rehabilitation; the criminal law has been amended; ratification of international legal documents have taken place, and Latvia is now ready to ratify the Council of Europe Convention on Action against Trafficking in Human Beings. Awareness raising as well as training of professionals has also taken place.

The state-funded social rehabilitation programme for recognised VOTs has improved victim support and assistance, the criteria for definition as a VOT have advanced and service providers can make reports on these criteria. For example, a service provider may express that a person is a VOT, and ask for rehabilitation funds to be made available. This programme is available for third country citizens as well as for Latvian citizens. In 2007, this service has been given to 6 VOTs. It is important to cooperate in the Nordic Baltic region to ensure that all women VOTs receive assistance.

When it comes to returns, Ms Maulina shared the confusion that exists on this matter in Latvia. Should this be seen as foreign or internal affairs? Until recently, the International Organization for Migration handled the work on returns, but then the IOM support diminished. Ms Maulina underlined that it is central to develop trust between countries of destination and countries of origin in order to guarantee safe returns.

The next steps and priorities in Latvia will be to work with identification of VOTs, prevention of trafficking for sexual exploitation, information and outreach work in prostitution environments.

Ms Maulina recognised the good cooperation between governmental and nongovernmental structures, and how the Nordic Baltic Pilot Project provides good starting points through establishing the grounds for such cooperation, nationally and regionally.

Issues and questions raised by conference participants

- *Are there any statistics of women in prostitution in Latvia?*
- *What is the content of the mentioned rehabilitation programme?*
- *What was the so-called sex terrorism campaign in Riga and who organised it?*
- *Who defines VOT? Does the definition include internal trafficking?*
- *Do you have any suggestions of what kind of courses of action that are needed for women VOTs to return to Latvia?*

Ms Maulina informed that there are no numbers of women in prostitution available, due to lack of outreach work in prostitution environments.

Regarding the rehabilitation program, she explained that RCW Marta Centrs in Latvia has finances for these programmes. They provide help to victims of trafficking through a range of different services from legal and psychological counselling to sheltering, during a period of 6 months. VOTs can also live elsewhere than in the shelter, and receive support in criminal procedures etc.

Ms Maulina shared her knowledge about the so-called “sex trafficking terrorism campaign”, informing that it was started by a non-governmental organisation concerned about Riga becoming a city of sex tourism. The aim was to inform the public that Riga is not the best place to go for sex trafficking, with the use of posters etc. Iluta Lace, Director of RCW Marta Centrs, Latvia, criticised this campaign, stating that it put the blame on women for selling themselves. Marta Centrs reacted against this through the organisation of another campaign with postcards etc.

Ms Maulina clarified that trafficking is criminalised internally in Latvia; this is a matter for the police as well. Service providers are eligible to identify VOTs, including women trafficked internally in Latvia.

Regarding safe return, she underlined the necessity of cooperation between the host country and the country of return. The VOT should get in contact with a NGO in the country of return before the return takes place, in order to build trust between the VOT and persons/structures in the country of origin. It is an issue for everybody in the Nordic Baltic network how to motivate VOTs returning to their home countries.

Finland

Anna Piskonen from the Oulu Reception Centre presented the national developments against human trafficking in Finland.

Finland is a country of destination and transit for trafficking in human beings. The majority of cases identified by the police as cases of trafficking concern trafficking for forced labour. Regarding trafficking for sexual exploitation, the matter is not seen as trafficking in human beings if the person leaves her country of origin voluntarily, aware of what she will do in the country of destination. No research has been conducted on the situation. Since 2006, 8 adult and 3 child VOTs have been supported within the assistance scheme.

The Finnish action plan against trafficking in human beings is currently being revised and aims to support the empowerment of VOTs. It is based on 3 principles: victim-centred approach, human rights based approach and gender sensitivity. The human rights approach requires capacity building and resources to NGOs and cooperation between central actors.

It is now possible for VOTs to get a reflection period of 30 days to 6 months, and also a temporary residence permit. The latter is conditional upon cooperation with authorities. The Immigration Act from 2007 includes provisions on the assistance to VOTs.

There are two reception centres in Finland, which are responsible for coordination of the assistance to VOTs. The reception centre in Joutseno is responsible for adult VOTs and the reception centre in Oulu for child VOTs. Multidisciplinary teams have been established to provide directors of these centres with expertise concerning assistance to VOTs. Assistance includes, for example, accommodation, health care, legal aid, psychological counselling, financial and administrative support, education and support to enter the labour market.

Achievements recognised by Ms Piskonen were the amended Immigration Act with provisions on assistance to VOTs, and the improvements of the care systems due to this law: the development of a service system, development of cooperation and referral systems, development of materials for VOTs and assisting parties and organising of training and education on assistance, regionally and nationally.

Challenges recognised were the development of reintegration schemes to integrate VOTs into the society, safe returns, the set-up of a hotline for VOTs as well as identification of VOTs, in particular women victims of trafficking for sexual exploitation.

Issues and questions raised by conference participants

VOTs may get temporary residence permits upon cooperation with authorities: what cooperation and what kind of permit?

Ms Piskonen explained that the kind of needed cooperation is not determined in Finnish law. VOTs can be granted temporary residence permits for a period of 6 months to 1 year, this is renewable to 2 years, and includes a right to work. Permanent residence permits are also possible.

Conclusions

Malin Björk, European Women's Lobby, closed the session on actions, achievements and challenges at the national level in the Nordic Baltic region summarising that among the challenges highlighted there is identification of VOTs, with examples of good practises using a low threshold such as "VOT until proven otherwise", and the need to acknowledge the links between prostitution and trafficking. Cooperation is highlighted by the national teams as the most important tool for achievements in assistance and support within the Nordic Baltic Pilot Project. Especially assistance on safe return requires cooperation. But we also have to think about what it means to provide real choices to VOTs and develop long-term strategies for women to have the possibility to exit prostitution. Choices should also be provided in the host country, being the country where the exploitation has taken place.

4. Panel on anti-trafficking responses: Regional cooperation models and challenges in developing victim-centred approaches

Grainne Healy, Chair of the EWL Observatory on Violence Against Women, presented the speakers of this session. Moreover she spoke about the links between prostitution and trafficking, and the importance of a victim-centred approach to trafficking underlining that the existence of a legal framework is important for this work.

Council of Europe

Ms Marta Requena

Marta Requena is the Head of Gender Equality and Anti-Trafficking Division, Directorate-General of Human Rights and Legal Affairs, Council of Europe.

Ms Requena presented the Council of Europe Convention on Action against Trafficking in Human Beings (the Convention) and its measures to protect and promote the rights of victims of trafficking. The Council of Europe has conducted a Campaign to Combat Trafficking in Human Beings in 2006 and 2007 “Human being – not for sale”. The campaign aims to raise awareness and highlight prevention and measures to protect rights of VOTs.

In the Convention, which is awaiting its 10th ratification in order to enter into force, a VOT is defined as any person who is subject to trafficking as defined in the Convention. The main measures to promote and protect the rights of VOTs are the identification process, recovery and reflection period, residence permits, the type of assistance to the VOT and repatriation. The Convention is built on what Ms Requena refers to as the three Ps: Prevention, measures to Protect the rights of VOTs; and Prosecution of perpetrators.

The identification process shall, according to the Convention, be made by trained and qualified staff. The VOT should not be removed from the territory during this process and special provisions should be provided for child VOTs.

The reflection period shall last a minimum of 30 days, and the VOT should not be removed from the territory during this period.

Regarding residence permits, the main issue in the drafting process was whether such a permit should or should not be linked to the VOT:s cooperation with law enforcement authorities. The Convention retained both possibilities, and states can either grant such permit upon cooperation with the authorities, or where the granting of such a permit is necessary in the light of the situation of the victim.

When it comes to assistance, the Convention demands that VOTs must be assisted to recover physically, psychologically and socially. Such assistance includes, for example, secure accommodation, psychological and material assistance, emergency medical treatment, counselling, information and assistance throughout the legal proceedings.

Repatriation and return of VOTs is another area covered by the Convention. The state party, i.e. the state where the VOT is a national or has a right to permanent residence, is obliged to accept the return of the VOT, with due regard to the rights, safety and dignity of the VOT. Minors should not be returned if this is not in their best interests. Repatriation programmes ought to be set up in cooperation with NGOs.

The Swedish Ambassador against Trafficking in Human Beings

Mr Anders Oljelund

Anders Oljelund is the Swedish Ambassador against Trafficking in Human Beings at the unit for multilateral development cooperation at the Ministry of Foreign Affairs, Sweden.

Mr Oljelund started by underlining the unavoidable difference in perspective and working methods between a government, which he represented, and a non-governmental organisation. A government must have a broad approach in order to achieve results. When addressing trade in human beings it must try to address all root causes. It must also be willing to cooperate with those who may not share the “Swedish view.”

A NGO has of course its right to be more ideological in its approach. At the same time, Government and NGOs should both remember that the ultimate aim is the same and the resources scarce. Cooperation is therefore necessary and should not unduly hindered by ideology.

The measurement of our progress is how many victims we can save.

This is also how we should look at the Baltic Sea cooperation against trade in human beings, now to be extended to all the Baltic Sea Council members. It is a region where we have reason to be very satisfied with the remarkable economic and political progress since the end of the cold war. But as long as trafficking in human beings takes place we cannot really feel as proud as we should be.

International agreements to combat trafficking are in place and the necessary legislation also, but implementation is lacking and cooperation is needed. The fight against trafficking in our countries is still too much driven on an ad hoc basis, through temporary projects. Mr Oljelund expressed the hope that our governments would integrate the work against trade in human beings more firmly into their permanent structures.

Mr Oljelund also talked about the Swedish legislation against purchasing of sexual services. It had, not least, a normative purpose when it was passed almost ten years ago. The results of it are now going to be evaluated. It is very likely that the evaluation will find that it has helped to reduce prostitution and also trafficking for sexual purposes in Sweden.

When it comes to the matter of advocating the Swedish focus on demand, including the Swedish legislation, Mr Oljelund expressed that Sweden should use all opportunities to do so. However, this is problematic in the EU context, since there is no consensus between EU countries on the best way to address demand. But we bring it up in

individual EU countries, where the question of demand has become highly relevant and where there also is an increasing interest in the Swedish legislation.

When Swedes travel abroad as tourists it seems however that they leave Swedish values behind them. Sex tourism has not formally part of the mandate for the Swedish coordinator against trade but it certainly was an issue that we must focus on more. A change in behaviour also when travelling is needed. It is necessary that sex clients abroad fear the police as well, just as they do at home. Here we have a long way to go.

The Croatian Women's Network

Ms Rada Boric

Rada Boric is part of the Croatian Women's Network and the PETRA network combating trafficking in women and children for sexual exploitation, and is one of the cofounders of the Center for Women's Studies in Croatia.

Rada Boric spoke about the sex industry in the Balkan countries, and presented the work of the PETRA network to combat trafficking and assist VOTs. She expressed a wish to connect the Nordic Baltic Network with networks in the Balkans and other parts of South-East Europe.

The sex industry has moved from the West to the East, because it is cheaper in the East. The growth of the sex industry in former Yugoslavia is immense and Belgrade is now one of the capitals of sex industry, since the sex industry finds so-called "cheap labour" here. Ms Boric shared a story about how The Minister of Justice in Croatia attended an opening of a go-go club, since this club was seen as being good for tourism in the country. Trafficking is then, in practise, carried out legally. A continuing abuse of women takes place on the Balkans. Women were, and are still, brought to where the military is placed.

Ms Boric stressed the importance of not distinguishing prostitution from trafficking. She would like to see a common platform to identify VOTs. She also wants to see increased cooperation between persons in authorities, law enforcement agencies, and NGOs. We should all share developed work, and develop a common platform for action to combat trafficking in women for sexual exploitation.

Ms Boric further informed about the PETRA network. It is constituted by 11 groups, and works exclusively with prostitution and trafficking in women. They work to combat trafficking for sexual exploitation in Croatia and internationally. The network cooperates with other NGOs, international organisations and government institutions. They work to raise public awareness on the matter of trafficking in women for sexual exploitation, which includes prostitution, pornography, sex-tourism and mail order brides.

Support and cooperation is needed for us all according to Ms Boric, who also underlined that we must see that rights should not be given as a favour to women victims of trafficking, but as a right in itself.

The Organization for Security and Co-operation in Europe

Ms Vera Gracheva

Vera Gracheva is Senior Advisor at the Special Representative for combating Trafficking in Human Beings, The Organization for Security and Co-operation in Europe (OSCE), at the Department for assistance in combating trafficking in human beings.

OSCE is an intergovernmental organisation with 56 Participating States. Its political framework is worked out in consensus of the Participating States. Challenges in their work to combat trafficking in human beings, recognised by Ms Gracheva, are the vast gap in social development between states, the level of recognition of human rights and violations of women's rights. Their work regarding trafficking in human beings is based on the definition in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

OSCE has increasingly developed its work in the field of human rights, within their activities in the 'human dimension'. Here, trafficking in human beings has been addressed and work on this issue has continuously become more advanced. In 2003 OSCE adopted an action plan to combat trafficking in human beings after a large amount of negotiations. OSCE now assist Participating States in their implementation of this action plan. Challenges exist in the implementation, such as lack of awareness, lack of resources, lack of tolerance, huge migration problems, inadequate legislation, a weak relationship between NGOs and government actors, and a lack of trust.

Ms Gracheva recognised that trafficking in human beings constitutes an organised crime, a question of development, a social issue, a matter of economy and above all a human rights issue. The centrality is to assist the victims and gain their trust, this is necessary for further achievements. The vulnerability of victims of trafficking must be recognised. Over 40 % of the trafficking takes place for the purpose of sexual exploitation.

Positive developments exist, as national action plans, interagency networks, national rapporteurs and data collection. The factual cases increase, faster than the court cases. Ms Gracheva underlined that it is the number of VOTs that is important, not the number of convictions of traffickers. She finished by stressing that indifference is dangerous, and that our joint ambitions more than ever are needed to combat trafficking in human beings.

The POPPY Project

Ms Sarah Stephen-Smith

Ms Stephen-Smith works with counter-trafficking research and development within the POPPY Project, a project run by the association Eaves Housing.

Eaves Housing started its work with VOTs in 2001, when a woman VOT was referred to them, and a further 4 VOTs were assisted and accommodated between 2001 and 2003, when the POPPY Project was started through funding from the Home Office. The POPPY Project now has an outreach team with 4 members, working 24/7. They approach and identify possible VOTs in the sex industry, and work in partnership with the police, immigration service and sexual health outreach projects. The POPPY Project

is the only government-funded shelter for VOTs for sexual exploitation in the United Kingdom. They work with victim protection and assistance, with the aim to end the sex industry as a whole. The POPPY Project is based in London but works with VOTs from the entire UK. They have received 722 referrals in 4 years (mainly from Lithuania, Albania, Nigeria, Thailand and China) and have accommodated 166 women and 87 women on an outreach basis. The POPPY Project has more demands for assistance and shelter than they can provide for.

Cooperation and collaborative networks makes organisations as POPPY gain knowledge and experience, which then makes it possible to better respond to the needs of VOTs. Ms Stephen-Smith underlined that the nature of trafficking is such that no one can win this fight alone, we must pool our resources and form an alliance. She acknowledged that cooperation sometimes can be difficult, since all NGOs have their own agendas. The POPPY Project supports the abolitionist view in relation to prostitution, whereas some other organisations don't share this view.

The POPPY Project does not only provide assistance to VOTs, but also focuses on addressing and reducing the demand side of prostitution and trafficking, and encourages such focus. Most NGOs in the EU have concentrated on "the supply side", i.e. delivering services to persons seen as being at risk of being trafficked. Ms Stephen-Smith emphasised the urgent need for anti-trafficking NGOs to focus on the demand side as well, which is the men who pay to have sex with women abused through prostitution. Cooperation is of benefit regarding such prevention, in order to share information on prevention action, and to develop best-practise models on relevant issues.

Safe return is an area where sustainable mechanisms for rehabilitation and reintegration of VOTs to partner countries are needed. Here cooperation could provide for a sharing of knowledge and experience with NGOs in countries of return, while developing and implementing agreed measures for safe return. This would result in the development of high-level expertise and common ground between projects in different countries and increasing the capacity of partner NGOs.

Regarding **compensation**, 2 VOTs assisted by the POPPY Project have received criminal injuries compensation. The amounts were 15 000 respectively 22 000 £. Cooperation is needed in this area as well, for example through a transnational network including lawyers working on compensation issues, in order to facilitate and speed up the process of compensation to VOTs.

Ms Stephen-Smith also encouraged the development of a set of minimum standards for **shelter provision** for VOTs.

She underlined the need for us to explore and target the sex industry and the issues it raises with respect to prostitution. She gave some examples of issues: why can everyone agree that trafficking for sexual exploitation is a bad thing, but not prostitution and the sex industry as a whole? Why are sex industries increasingly populated by migrant and trafficked women? Why is there an astonishing lack of interest in seeking to understand this shift? Why do more and more men want to pay to have sex with women with less power and status in general than indigenous women and with women who are less likely to draw lines about which sexual acts they will or will not do and who don't speak their language?

She stressed that we must collaborate internationally on what it means to have been involved in prostitution, and the vulnerability that follows from this. Reintegration is a difficult matter and re-trafficking is quite common. While there still are young women desperate enough to believe in promises of a better life, while men and sometimes women are ready to exploit them, women will continue to come to new countries to fulfil the demand for sexual services and escape horrific situations in their country of origin. Ms Stephen-Smith concluded by calling for all actors to work together and share our knowledge to achieve the goal of eradication of trafficking in human beings.

Discussions and Questions

Monitoring of the Council of Europe Convention on Action against Trafficking in Human Beings

How is non-fulfilment of the obligations deriving from the Convention evaluated? Can NGOs report to GRETA, and thus submit so-called shadow reports?

Marta Requena from the Council of Europe explained that a non-ratifying state (for example a state that just signs an international legal document) is not legally bound by the document in question. Regarding the control of implementation on the national level, the ratifying parties are legally bound by the Convention, and must introduce the provisions of it into their national legislation. When the Convention enters into force it will have the status of law, and state compliance will be monitored through a group of 10 – 15 independent experts: the Group of Experts on Action against Trafficking in Human Beings (GRETA). Monitoring will take place through country visits (sometimes unannounced), then GRETA writes a report with an assessment of the state compliance with the Convention, and also make recommendations to the state on how to improve/fulfil their gaps. This constitutes a quasi-judicial human rights monitoring mechanism. Art. 38 of the Convention provide GRETA with the possibility to request information from civil society.

Compensation to victims of trafficking

Rada Boric asked the POPPY Project of good mechanisms for compensation to VOTs, and also stressed the importance of not talking about “women victims” but “women survivors” of trafficking.

Marta Requena from the Council of Europe responded in relation to the CoE Convention. VOTs have suffered a crime, and thus have a right to compensation in accordance with national legislation. The Convention encourages the establishment of national funds for VOTs, created with money confiscated from traffickers.

Sarah Stephen-Smith, the POPPY Project responded that POPPY has worked with lawyers and interpreters regarding compensation, and work to gather evidence. However, there exists no compensation fund for VOTs in the United Kingdom, but POPPY supports the establishment of such a fund. The POPPY Project is looking into civil remedies as well.

Birgitte Ellefsen, National Police Directorate in Norway responded in relation to the situation in Norway concerning compensation. The legal cases have so far lead to compensation to VOTs in Norway. This is not based on the minimum compensation, but cover at least

loss of income, and psychologists are present in court to value the personal damage to the VOT in question. 1 million NOK (approximately 120 000 Euro) has been given to one VOT.

Promotion of an equality culture avoiding gender stereotyping

Esohe Aghatise, Associazione Iroko Onlus, Italy expressed that trafficking and demand for sexual services relates to equality between women and men. She further talked about representation of models not supporting equality that affects young persons, and sees women as commodities. She asked the panel whether these issues are considered in their policy work, targeting young people in order to achieve a long term change.

The panel answered the question of gender stereotyping in all forms.

Vera Gracheva, OSCE: OSCE has a gender advisor, and works with gender mainstreaming in all their services. They will have a conference on prevention of trafficking in human beings in October, where the 1st session will be directed to the media as social partners and influential regarding trafficking.

Marta Requena, Council of Europe: The Council of Europe includes gender equality in all its work. The Convention provides, in its art. 6, measures to discourage the demand that fosters exploitation of persons that leads to trafficking. Such preventive measures also include raising the question of sex discrimination and gender equality in schools, in accordance with art. 6(d). Art. 6 also provides for awareness raising of the responsibility of the media in relation to the demand for trafficking. Art. 19 is a provision on criminalisation of the use of services of a victim of trafficking.

Rada Boric, the Croatian Women's Network: Gender mainstreaming constitute a problem for feminists, since you tend to loose focus with this broader system. She recognised the importance of targeting media and that the media should be educated in these matters, and not report on trafficking in women as sensationalism. She also underlined the importance of addressing governmental institutions, since suddenly some governments want to legalise prostitution.

Anders Oljelund, Swedish Ambassador against trafficking in human beings: Gender equality is part of the Swedish government policy in all its work. However, when we try to work for gender awareness, we sometimes reinforce differences between the sexes.

Madeleine Elgenyr from the Division for Gender Equality, Ministry of Integration and Equality, Sweden also answered the question, highlighting that Sweden focuses on preventive work and against gender stereotyping, this is especially in focus regarding the efforts to eradicate violence against women.

Sarah Stephen-Smith, the POPPY Project: The POPPY Project addresses gender equality in all its projects, especially in the school projects that exist in collaboration with other organisations. Helen Atkins from the POPPY Project added that POPPY wants an education coordinator in the schools, and thinks that gender equality should be mandatory in schools instead of being a subject of the teachers' discretion. They have received funding for a pilot project for young persons discussing violence against women, prostitution, trafficking and more. The objective is a media campaign led by the participants of this project.

5. Closing of the Conference

Grainne Healy and Malin Björk closed the conference and thanked the participants, speakers and facilitators for an inspiring and interesting conference.

To follow up on the Nordic Baltic Network activities and developments in the region:

www.nordicbaltic-assistwomen.net

Other links of use:

www.womenlobby.org

www.osce.org/activities/13029.html

www.coe.int/trafficking

www.eaves4women.co.uk/POPPY_Project/POPPY_Project.php

www.manskligarattigheter.gov.se/extra/pod/?id=29&module_instance=3&action=pod_show&navid=7&subnavid=29&subnavinstance=3

6. Participants list

Name	Organization / Institution
AGHATISE Esohe	Associazione Iroko Onlus, Italy
ARNADOTTIR Rachel	National Security unit - National Commissioner of the Icelandic Police
ATKINS Helen	POPPY Project, Eaves Housing for Women, United Kingdom
BAKKE Dorthe	Norwegian embassy, Vilnius
BANG Nielsen Marie	Danish National Police
BAZYLEVAS Igoris	Ministry of Interior, Lithuania
BEINAROVIČA Eva	The Resource Centre for Women "Marta", Latvia
BJÖRK Malin	European Women's Lobby
BOLANDER Audra	The Nest - STOP trafficking, Denmark
BORG, Agneta	Prostitution unit, City of Stockholm
BORIC Rada	Croatian Women's Network
BULIEN Johansen, Berit	Pro Sentret, Norway
CHRISTVALL Elisabeth	Women's shelter of Vallentuna, Sweden
DIRSIENE Nijole	Vilnius Pension for Women and Children, Lithuania
DOBELNIECE Inga	Ministry of Interior, Latvia
DUDARE Agnese	Ministry of Interior, Latvia
DZINA Nikola	The Resource Centre for Women "Marta", Latvia
ELGEMYR, Madeleine	Division for Gender Equality, Ministry of Integration and Equality, Sweden
ELLEFSEN Birgitte	National Police Directorate, Norway
ENGMAN Eva	Women's Shelter Iris, Sweden
GARCETTE Christine	L'Amicale du Nid France
GARGANO Oria	Be Free, Social Cooperative against Trafficking, Violence and Discrimination, Italy

GRACHEVA Vera	The Organization for Security and Co-operation in Europe - Vienna
GUDMUNDSDOTTIR Sigthrudur	The women's shelters, Iceland
HEALY Grainne	Chair of the EWL Observatory on violence against women, Ireland
HERRANEN Ilkka	Ministry of Interior, Border Guard Headquarters, Finland
HOXBRO Ragnhild	Women's Council Fredericia in Denmark
HUNT Jacqueline	Equality Now
IOCHEV Langmyr, Guri	IOM Oslo
JANEVICS Reinis	State police of Latvia
JÓNSDÓTTIR Guðrún	Stigamot (Counselling and Information Centre on Sexual Violence), Iceland
JONSSON Marie-Louise	Women's Shelter Karlskrona, Sweden
JUNEVICIENE Daiva	Ministry of Social Security and Labour, Lithuania
JUSKEVICIENE Jolita	Caritas Lithuania (Aid to the victims of trafficking and prostitution)
KARMAZE Gauda	"Vaiko namas" Public Institution Child House, Lithuania
KERKER Lisa	European Women's Lobby
KIIL Unni	Rosa women's shelter, Norway
KOLAREC Djurdica	Petra network – Centre for women War Victims, Croatia
KRISTJANSSON Kristjan Ingi	Metropolitan Police, Iceland
LACE Iluta	EWL Vice President, Director of RSW Marta, Latvia
LAGERSTEDT Anne Helena	YWCA of Finland & Nytkis Coalition of Finnish Women
LATINOVIC Tatjana	Women in Iceland
LÉGER Patricia	L'amicale du Nid, France
LEUNIS Marie-Anne	European Women's Lobby
LOHO Danika	Central Criminal Police, Estonia
LUHT Kristiina	Ministry of Social Affairs, Estonia
LUNDBERG Majken	Danish Women's Council

MASKEL Andersen, Ann	National anti-trafficking center, Denmark
MAULINA Dace	Ministry of Welfare, Latvia
MIKKELSEN Mildrid	Fokus (Forum for Women & Development), Norway
MISINIENE Kristina	Lithuanian Caritas (Aid to Victims of Trafficking and Prostitution)
MISJE Turid	The Pro Centre (Pro Senteret), Norway
MUROMCEVA Janina	Caritas Lithuania (Aid to victims of trafficking and prostitution)
NARFI Gunnarsson Gunnar	Ministry of Justice & Ecclesiastical Affairs, Iceland
NIELSEN Maya Brenna	ROSA, Norway
NIELSEN Vibeke N.	Pro-Vest, Denmark
ÓLAFSDÓTTIR Edda	Reykjavik Social Service, Iceland
OLAUSSON Mona	Women's Shelter Karlskrona, Sweden
OLJELUND Anders	Swedish Ambassador against trafficking in human beings
PECIURIENE Jurgita	Women's Issues Information Centre, Lithuania
PISKONEN Anna	Oulu Reception Centre, Finland
PLOUG Lina	The National Organisation for Women's Shelters and Young Women's Shelters in Sweden
POLYAKOVA Irina	Nadheim Women's Centre, Norway
PUIDOKIENE Dalia	Klaipeda social and psychological support centre, Lithuania
RAIG Ülle	Ministry of Justice, Estonia
REITELMANN Eha	Union of Women's Shelters, Estonia
REQUENA Marta	Head of Gender Equality and Anti-Trafficking Division, Council of Europe
RUUSUVUORI Leena	Nytkis Coalition of Finnish Women, Finland
RUUT Riina	Women's Shelter in Tartu, Estonia
SAARISTO Anni Elina	Ministry of Labour, Finland / Joutseno Reception Centre
SINKKONEN Niina	Nytkis Coalition of Finnish Women, Finland
SIPAVICIENE Audra	International Organisation for Migration, Latvia

SNABB Karin	Swedish Women's Lobby
SONEMALM Ann-Charlotte	Sveriges Kvinnojourers Riksförbund (The Swedish Association of Women's Shelters)
STASKOVSKAJA Julija	Ministry of Interior, Lithuania
STEINARSDÓTTIR Margrét	The Intercultural Centre, Iceland
STEPHEN-SMITH Sarah	Poppy Project – Eaves Housing for Women, United Kingdom
SVILĀNE Zanda	The Resource Centre for Women "Marta", Latvia
TARAKU Sylo	Norwegian Organisation for Asylum seekers
THOLSTRUP Bertelsen, Anne Katrine	Gender Equality Unit, Denmark
TUOMINEN Jenni	Monika Multicultural Women's Association, Finland
URBALA Ene-Eha	Ida-Viru Women's Shelter, Estonia
VÄINA Ülle	Estonian Board of Border Guard
WAUTERS Thyness Thea	The Norwegian Directorate for Immigration
YONKOVA Temenuzhka	Immigrant Council of Ireland

7. Annexes

Nordic Baltic Network – Regional guiding principles



Regional guiding principles

The Nordic Baltic pilot project aims to act as a starting point for long-term change in the region, developing victim-centred and durable models for support and reintegration of women victims of trafficking for sexual exploitation.

For this aim, national coordinating teams and a regional Nordic Baltic inter-agency Network have been set up. The regional network, which brings together the national coordinating teams from all 8 Nordic and Baltic countries, includes public agencies and NGOs from all Nordic and Baltic countries who work with, support and protect women victims of trafficking. The following principles were outlined at the first meeting of the Nordic Baltic Network (Riga, 18-20 June 2006).

1) Overarching principles

- Protecting the rights and safety of women victims of trafficking for sexual exploitation (VOT) is the first and foremost priority of all cooperative measures undertaken.
- The work will be developed building upon human rights standards and international commitments contained within the Council of Europe Convention on Action against Trafficking in Human Beings (2005) and UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (2000).
- All actors in the Nordic Baltic regional network will ensure that the dignity, integrity, privacy, and identity of women VOT are protected throughout the process of assistance and support. The network will work to empower VOT and respect their decisions.
- A gender perspective acknowledging the unequal power balance between women and men will inform all work.
- The network considers sex trafficking, and other forms of sexual exploitation, as forms of violence against women.

- The network agrees that the racism inherent in trafficking in women and sexual exploitation must be addressed.
- Demand reduction is essential to reduce trafficking in women for sexual exploitation, and the network will ensure that the responsibility of the sex buyers is addressed.
- The network will dedicate its efforts to assist and protect women VOT, and work with a reasonable belief approach in the identification process in line with the UN Protocol.
- The network is committed to work in a collaborative, multidisciplinary way, involving all relevant actors from government and civil society, and in particular women's organisations.
- The network will work to ensure that there is a sufficient legal basis for adequate victim assistance, support, protection and safe returns for women victims of trafficking for sexual exploitation in all Nordic and Baltic countries.
- Financing for assistance and support to women VOT must be ensured and be provided on a long-term (secure) basis.
- The Regional network will build upon, and is committed to support its members in the different national level efforts to improve and develop assistance and support activities for women VOT.
- The network will work to ensure that the activities of the Nordic Baltic network become core funded activity of all governments in the region also after the end of the pilot project period ends in 2008.

2) Assistance and support to women victims of trafficking for sexual exploitation

- The Nordic and Baltic countries have an obligation to ensure access to justice, and a full range of human rights/victim-centred services and support measures for women VOT (due diligence principle).
- The Network will support the development of the highest quality specialised services. Close collaboration between different actors (NGOs and government agencies) is essential, to achieve the best possible services and support to women VOT.
- All victims, regardless of status of any legal case or the willingness to act as a witness in criminal proceedings, must be entitled to assistance.
- Each VOT will have different needs and experiences. Support and protection must be tailored individually to these.
- It is important that women VOT receive sufficient support to integrate into the host country, when this is where they choose to remain.
- Services and support will be provided using a holistic approach, and ensuring a professional attitude to women victims: giving priority to the interest of the women; confidentiality for victims; and non-judgemental attitudes.

- Women VOT have the right to access to a full range of victim-centred services and support measures in all the Nordic and Baltic countries. Access to health services is essential and an absolute right.
- Specialised shelters need to be established, alongside flats with confidential addresses for women VOT.
- The network recognises that there are parallels between service provision for women victims of sexual violence and women victims of trafficking for sexual exploitation.
- An important part of service and support work to women VOT is to provide real possibilities for women to break out from prostitution. More financial resources are needed in order to do this work successfully.
- In order to develop appropriate responses and support measures, service providing NGOs must be increasingly resourced and their expertise acknowledged.
- Referral routes and identification skills in police, migration officers, customs, etc. must be developed.

3) Returns / Resettlement – What is “safe”?

- Returns of women victims of trafficking must all aim to be voluntary.
- The Network will work towards developing a formalised inter-regional referral system, including the possibility for settlement in a third country.
- All returns will be planned with a receiving service structure in the country of return, supported financially by the country where the victimisation has taken place, in a process that ensures the provision of all necessary assistance to the women VOT.
- The Network will work to ensure that a risk assessment and needs assessment are carried out in advance of any return.
- States will ensure finance for safe returns and assistance for all trafficked women.
- Financial assistance for women is an essential component of a return process, preventing re-trafficking and contributing to build sustainable futures for women VOT that return to their home countries.



International regulations Standards for implementation

These standards have been developed as part of the Nordic Baltic pilot project, which aims to reinforce and support victim assistance for women victims of trafficking for sexual exploitation in the region. The standards for implementation were outlined at the first regional Nordic Baltic inter-agency network meeting (Riga, 18-20 June 2006), which brought together national teams from all 8 Nordic and Baltic countries.

<http://www.nordicbaltic-assistwomen.net>

During the last decade several international regulations addressing trafficking in human beings, and in particular women and children, have been developed. Among the most important ones are the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (2000)* (UN Protocol) and the *Council of Europe Convention on Action against Trafficking in Human Beings (2005)* (CoE Convention). Both these international regulations contain important provisions outlining the right to protection and assistance for victims of trafficking, and are legally binding for the State parties that have signed up to them.

In addition, the European Union has developed some binding policies in the area of victim assistance and protection: the *EU Framework decision on the standing of victims in criminal proceedings (2001)*; and the *EU Directive on the residence permit issued to third-country nationals who are victims of trafficking in human beings {...} who cooperate with the competent authorities (2004)*.

In order to efficiently combat trafficking in human beings, it is necessary to differentiate between different forms of trafficking, without establishing a hierarchy. These different forms require targeted policies – both when it comes to prevention, prosecution, and protection.

The needs of protection and assistance vary considerably depending on what form of exploitation a victim of trafficking has been subjected to. Women trafficked for sexual exploitation in the sex industry have specific assistance needs, and the following standards for implementation focus on addressing these. The standards have been developed as part of the Nordic Baltic pilot project, which aims to reinforce and support victim assistance for women victims of trafficking for sexual exploitation in the region. The standards for implementation were outlined at the first regional Nordic Baltic inter-agency network meeting (Riga, 18-20 June 2006), which brought together national teams from all 8 Nordic and Baltic countries.

On the basis of the provisions laid down in the UN Protocol and the CoE Convention, six key areas of victim assistance and support have been identified. Concrete actions need to be developed in all these areas in order to ensure a human rights-centred system of support and assistance for women victims of trafficking for sexual exploitation. The key areas are:

- 1. Identification of women victims of trafficking**
- 2. Residence/legal status and reflection delay**
- 3. Shelter and specialised services**
- 4. Referrals and Safe returns**
- 5. Victim protection and data protection**
- 6. Compensation and Financial assistance**

1. Identification of women victims of trafficking

UN Protocol

Article 3

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

Council of Europe Convention on Action against Trafficking in Human Beings

Article 10 - Identification of the victims

1. Each Party shall provide its competent authorities with persons who are trained and qualified in preventing and combating trafficking in human beings, in identifying and helping victims, including children, and shall ensure that the different authorities collaborate with each other as well as with relevant support organisations, so that victims can be identified in a procedure duly taking into account the special situation of women and child victims and, in appropriate cases, issued with residence permits under the conditions provided for in Article 14 of the present Convention.

2. Each Party shall adopt such legislative or other measures as may be necessary to identify victims as appropriate in collaboration with other Parties and relevant support organisations. Each Party shall ensure that, if the competent authorities have reasonable grounds to believe that a person has been victim of trafficking in human beings, that person shall not be removed from its territory until the identification process as victim of an offence provided for in Article 18 of this Convention has been completed by the competent authorities and shall likewise ensure that that person receives the assistance provided for in Article 12, paragraphs 1 and 2.

Nordic Baltic standards

Key elements in a victim-centred approach

- **A successful identification process is key** in making sure that women victims of trafficking get the assistance and support they are entitled to, and to make sure that women victims are not charged with administrative or criminal offences, such as 'illegal residence', 'irregular earnings', or other criminal activities.

- **Institutionalised cooperation between key actors** (involving social services, NGOs, law enforcement agencies, etc) is needed in order to achieve a reliable identification process. Cooperation is an ongoing process, and regular meetings between the key actors are necessary.
- **Outreach work in prostitution environments** is important for identification of women VOT. The close links between the sex industry, the porn industry and brothels must also be recognised when working towards identifying women VOT.
- Women VOT will oftentimes have difficulties to disclose information or talk about their experiences of abuse and violations (and thus be correctly identified as victims of trafficking). Consequently, **the process of identification can take time**, as the story of a woman changes over time as she gets support, feels safer, and feels more trust.
- It is essential that **women's organisations**, with experience of working with women victims of sexual abuse and violence, **participate in the identification process**.
- It is important to **use a 'low threshold' in the process of identification**, and to put in place a process that in practice 'reverses the burden of proof'. Women in prostitution that are found irregularly residing in the host country should first and by assumption be treated as possible victims of trafficking and therefore exempted from criminal and administrative charges until proven otherwise. It is important to stress that the consent of a victim is irrelevant, and there is a need to change attitudes in relation to this among the actors that are central to the identification process.
- It is important to recognise that even if a woman came by her own initiative she can along the way become a victim of trafficking. What starts as **a migration process can become trafficking**.
- The identification process is **also about being able to offer alternatives** to women, including the possibility to stay in a host country.
- It is important that frontline staff (judges, municipality workers, medical staff, etc) have the necessary skills and continuously up-skilled. **The training must be ongoing**. A manual laying down the basics for identification of a woman victim of trafficking for sexual exploitation is a good tool.
- Any distinction between the 'unworthy' woman in prostitution and the worthy 'victim' woman in prostitution is unacceptable. All women (nationals or non-nationals) in prostitution must be entitled to assistance and support, and have access to protection.
- It is a moral obligation of host countries to take all necessary action in order to identify victims of trafficking and to assist women VOT, since it is in the host country that the exploitation has taken place.

2. Residence status and Reflection delay

CoE Convention

Article 13 – Recovery and reflection period

1. *Each Party shall provide in its internal law a recovery and reflection period of at least 30 days, when there are reasonable grounds to believe that the person concerned is a victim. During this period it shall not be possible to enforce any expulsion order against him or her. ...*
2. *During this period, the persons referred to in paragraph 1 of this Article shall be entitled to the measures contained in Article 12, paragraphs 1 and 2. {Assistance to victims}*

Article 14 – Residence permit

1. *Each Party shall issue a renewable residence permit to victims, in one or other of the two following situations or in both:*
 - a) *the competent authority considers that their stay is necessary owing to their personal situation;*
 - b) *the competent authority considers that their stay is necessary for the purpose of their co-operation with the competent authorities in investigation or criminal proceedings.*
5. *Having regard to the obligations of Parties to which Article 40 of this Convention refers, each Party shall ensure that granting of a permit according to this provision shall be without prejudice to the right to seek and enjoy asylum.*

EU Directive 2004/81/EC

On the residence permit issued to third-country nationals who are victims of trafficking in human beings {...} who cooperate with the competent authorities.

Nordic Baltic standards

Key elements in a victim-centred approach

- Given the control and abuse inherent in prostitution environments, procedures should be sought that will **prolong the reflection period** for women VOT. The reflection delay should be minimum 3 months, but more adequately 6 months.
- National **residency regimes**, and how they are implemented, have a very important impact on the lives of women VOT. The Nordic and Baltic countries must enhance the possibility for women victims of trafficking for sexual exploitation to be granted both short- and long- term residence permits based on their personal situation and on the basis of humanitarian reasons.
- Countries should make sure that **different processes work together** (the asylum process, reflection delay, temporary VOT residence permits) towards ensuring that the well being of the women victims and her rights are at the centre.

- **During the reflection delay** women VOTs shall have **access to a range of services**, including secure housing, clothing, health care and psychological support, professional advice, including legal advice, in a language that she understands and is comfortable with.
- The reflection period must include contents and activities for women VOT. During the reflection period (and when granted a temporary residence permit), women VOT shall be **entitled to access training and education**, as well as uphold a **legal work permit**.
- It is important to **provide predictable information** and make sure that women VOT know what will happen to them next. Information concerning the possibility to return and possibilities to remain in the host country must be part of the information provided early on in the process. The information needs to be repeated and provided continuously.
- **It is important to provide guarantees about the future for women VOT.** One could consider granting residence permit to all women victims of trafficking for sexual exploitation who want to stay. Residence permits and insurances about the future for women VOT is also often important for legal cases to be successfully carried through.

3. Shelter and specialised services

CoE Convention

Article 12 – Assistance to victims

1. *Each Party shall adopt such legislative or other measures as may be necessary to assist victims in their physical, psychological and social recovery. Such assistance shall include at least:*

- standards of living capable of ensuring their subsistence, through such measures as: appropriate and secure accommodation, psychological and material assistance;*
- access to emergency medical treatment;*
- translation and interpretation services, when appropriate;*
- counselling and information, in particular as regards their legal rights and the services available to them, in a language that they can understand;*
- assistance to enable their rights and interests to be presented and considered at appropriate stages of criminal proceedings against offenders;*
- access to education for children.*

2. *Each Party shall take due account of the victim's safety and protection needs.*

3. *In addition, each Party shall provide necessary medical or other assistance to victims lawfully resident within its territory who do not have adequate resources and need such help.*

4. *Each Party shall adopt the rules under which victims lawfully resident within its territory shall be authorised to have access to the labour market, to vocational training and education.*

5. *Each Party shall take measures, where appropriate and under the conditions provided for by its internal law, to co-operate with non-governmental organisations, other relevant organisations or other elements of civil society engaged in assistance to victims.*
6. *Each Party shall adopt such legislative or other measures as may be necessary to ensure that assistance to a victim is not made conditional on his or her willingness to act as a witness.*
7. *For the implementation of the provisions set out in this article, each Party shall ensure that services are provided on a consensual and informed basis, taking due account of the special needs of persons in a vulnerable position*

Nordic Baltic standards

Key elements in a victim-centred approach

- **All assistance must be centred on the woman victim and her needs.** An individual care plan should be developed for each assisted woman, including:
 - Safe housing
 - Food and clothing
 - Health services
 - Legal services
 - Social and psychological support
 - Money for activities
 - Training and education possibilities
 - Employment assistance
 - Support in dealing with authorities

- **All women should have right to assistance**, even if they do not report to the authorities or have a legal case pending. Moreover, access to services and assistance should not automatically be conditional on whether the victim has ceased all contact with the trafficker and/or pimp. Instead the individual situation of each woman victim must be taken into account.

- Women victims of trafficking for sexual exploitation will receive **individualised and specialised assistance** and services, which recognises the specificity of sexual abuse and violence in prostitution environments.

- In order to provide the necessary support, services must be developed on the basis of **awareness and respect for cultural differences**, and support must be provided in several languages (always in a language that the assisted woman understands).

- It is important to integrate the **support of other women that have been victims of sexual exploitation** into the process of victim assistance.

- Women victims of trafficking will be provided with **secure and protected housing**. However, they will be entitled to move freely if they wish. Victim-centred guidelines for shelters should be developed.

- Legal support should include liaising and **support with legal processes in the home country** if a return is being planned.

4. Referrals and Safe returns

CoE Convention

Article 16 – Repatriation and return of victims

2. When a Party returns a victim to another State, such return shall be with due regard for the rights, safety and dignity of that person and for the status of any legal proceedings related to the fact that the person is a victim, and shall preferably be voluntary.

5. Each Party shall adopt such legislative or other measures as may be necessary to establish repatriation programmes, involving relevant national or international institutions and non- governmental organisations. These programmes aim at avoiding re-victimisation. Each Party should make its best effort to favour the reintegration of victims into the society of the State of return, including reintegration into the education system and the labour market, in particular through the acquisition and improvement of their professional skills. With regard to children, these programmes should include enjoyment of the right to education and measures to secure adequate care or receipt by the family or appropriate care structures.

6. Each Party shall adopt such legislative or other measures as may be necessary to make available to victims, where appropriate in co-operation with any other Party concerned, contact information of structures that can assist them in the country where they are returned or repatriated, such as law enforcement offices, non-governmental organisations, legal professions able to provide counselling and social welfare agencies.

Nordic Baltic standards

Key elements in a victim-centred approach

- **Safe returns must be seen as a process.** This process includes: services and support in the host country; a due period of time enabling for the woman to recuperate; a risk-assessment and preparation/planning period before the return; and finally a range of services and support in the country of return.
- The return process must not be in contradiction to the best interest of the woman victim, and **returns must aim to be voluntary.** Victims shall never be charged for the costs of travel or documentation in relation to their return.
- Safe returns require **bi-lateral links between support and service providing structures**, and must include development of a safety plan for the woman returning. A structure/institution responsible for the return process needs to be identified in each country, and properly financed to coordinate the referrals and return process.

- A needs-assessment will be carried out in order to **plan and make available specialised services upon return**. The following support and services must be in place: housing, drop-in services and counselling, health care, financial assistance, and job training opportunities.
- Bi-lateral links must also be developed in order to coordinate a legal case, and ensure efficient **cross legal systems case work**.

5. Victim protection and data protection

CoE Convention

Article 11 – Protection of private life

1. Each Party shall protect the private life and identity of victims. Personal data regarding them shall be stored and used in conformity with the conditions provided for by the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No.108).

2. *Each Party shall adopt measures to ensure, in particular, that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known, through the media or by any other means, except, in exceptional circumstances, in order to facilitate the tracing of family members or otherwise secure the well-being and protection of the child.*

3. *Each Party shall consider adopting, in accordance with Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms as interpreted by the European Court of Human Rights, measures aimed at encouraging the media to protect the private life and identity of victims through self-regulation or through regulatory or co-regulatory measures.*

EU Framework decision on the standing of victims in criminal proceedings (2001)

Article 8 -Right to protection

1. *Each Member State shall ensure a suitable level of protection for victims and, where appropriate, their families or persons in a similar position, particularly as regards their safety and protection of their privacy, where the competent authorities consider that there is a serious risk of reprisals or firm evidence of serious intent to intrude upon their privacy.*

4. *Each Member State shall ensure that, where there is a need to protect victims — particularly those most vulnerable — from the effects of giving evidence in open court, victims may, by decision taken by the court, be entitled to testify in a manner which will enable this objective to be achieved, by any appropriate means compatible with its basic legal principles.*

Article 13 - Specialist services and victim support organisations

1. *Each Member State shall, in the context of proceedings, promote the involvement of victim support systems responsible for organising the initial reception of victims and for victim support and assistance thereafter, whether through the provision of specially trained personnel within its public services or through recognition and funding of victim support organisations.*

Nordic Baltic standards

Key elements in a victim-centred approach

- The **data and identity of all women victims of trafficking must be protected** throughout assistance, in case of legal proceedings, as well as in any return process.
- **Witness protection** should encompass physical protection, psychological protection (avoiding re-victimisation, not causing any further trauma and stress, special psychological support, etc), and also protection from unfair treatment. All victims engaged in a criminal proceeding should be entitled to their own witness legal adviser.
- **National witness protection schemes must be adapted** to ensure the safety and security of women VOT, taking into account the specific control mechanisms, violence, and criminality that pimps and sex industry actors are involved in. **Witness (and victim) support, not only protection, is needed.**
- In order to respect the well-being and safety of the victim, **procedural adaptations in court proceedings should be ensured** (exclusion of the defendant and of the public, use of third party testimonies, non-testimonial prosecutions, etc).
- Social workers and **support personnel should be entitled to keep confidentiality** if they believe that disclosing certain information, which they have acquired in confidence, could be detrimental or dangerous for the woman.

6. Compensation and Financial assistance

CoE Convention

Article 15 – Compensation and legal redress

3. *Each Party shall provide, in its internal law, for the right of victims to compensation from the perpetrators.*

4. *Each Party shall adopt such legislative or other measures as may be necessary to guarantee compensation for victims in accordance with the conditions under its internal law, for instance through the establishment of a fund for victim compensation or measures or programmes aimed at social assistance and social integration of victims, which could be funded by the assets resulting from the application of measures provided in Article 23 {seizure of criminal gains}.*

EU Framework decision on the standing of victims in criminal proceedings (2001)

Article 9 -Right to compensation in the course of criminal proceedings

1. *Each Member State shall ensure that victims of criminal acts are entitled to obtain a decision within reasonable time limits on compensation by the offender in the course of criminal proceedings, except where, in certain cases, national law provides for compensation to be awarded in another manner.*

2. *Each Member State shall take appropriate measures to encourage the offender to provide adequate compensation to victims.*

Nordic Baltic standards

Key elements in a victim-centred approach

- **National legislation and procedures should allow for women VOT to receive compensation.** Victims should have the right to be compensated for personal suffering due to physical and psychological stress (non-material damages), losses caused by material damages, and also compensation for withheld earnings.
- Victims must be **informed at the earliest possible moment** about their right to compensation.
- Compensation is an **important element of redress**, and a concrete confirmation that harm has been done. It can also contribute to increasing the opportunities to build sustainable futures for VOTs.
- There are different ways of ensuring financial compensation to victims, and **the mechanisms may vary** in different countries:
 - **Direct from the perpetrator** on an individual basis through a court procedure.

- State-run **crime victims' funds**, possibly financed by confiscated criminal assets, which all women victims of trafficking could apply to.
- For each successful trafficking case brought to court, there are many more women who do not get any redress. Financial assets confiscated through an individual court case should therefore not only serve to compensate the victim concerned in that specific case. A proportion should be fed into the crime victims' fund, and also be used to fund victim support services.

References

- ❑ *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, G.A. Res. 25, annex II, U.N. GAOR, 55th Sess., Supp. No. 49, at 60, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force Sept. 9, 2003.*
- ❑ *Council of Europe Convention on Action against Trafficking in Human Beings. Warsaw, 16.V.2005*
- ❑ *29/4/2004 Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities. [Official Journal L 261, 6.8.2004]*
- ❑ *Council Framework decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings (2001). [Official Journal L 82 of 22.03.2001]*