



Finland and TRM-EU

The Perspective of the National Assistance System for Victims of Trafficking

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HUMAN TRAFFICKING

Human trafficking and its attendant abuse is considered one of the greatest challenges facing human rights today. Human trafficking is a serious offence and a violation of free individuals' dignity and



HUMAN TRAFFICKING AS A CRIME IN FINLAND

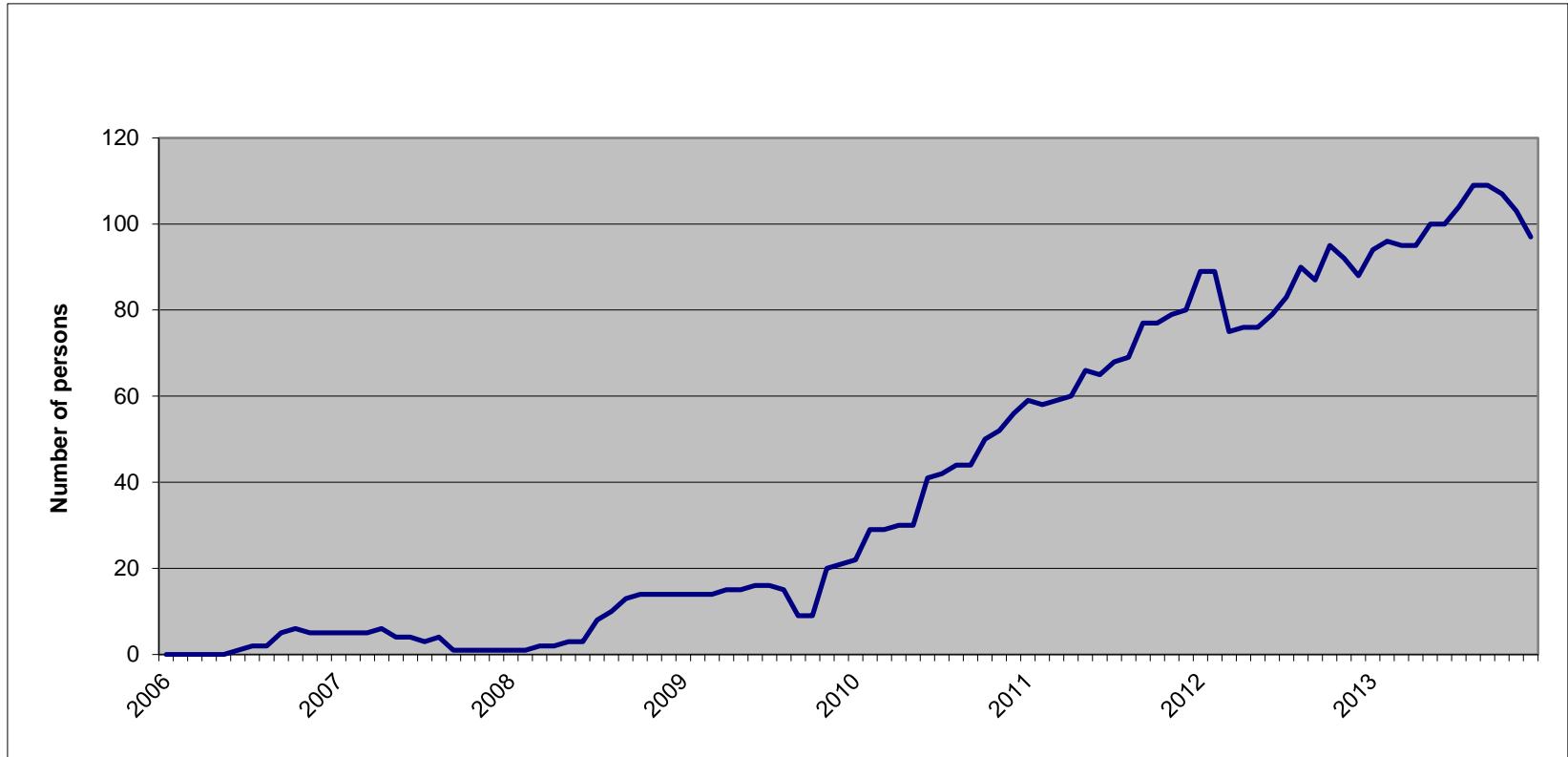
Under Finnish law, human trafficking involves:



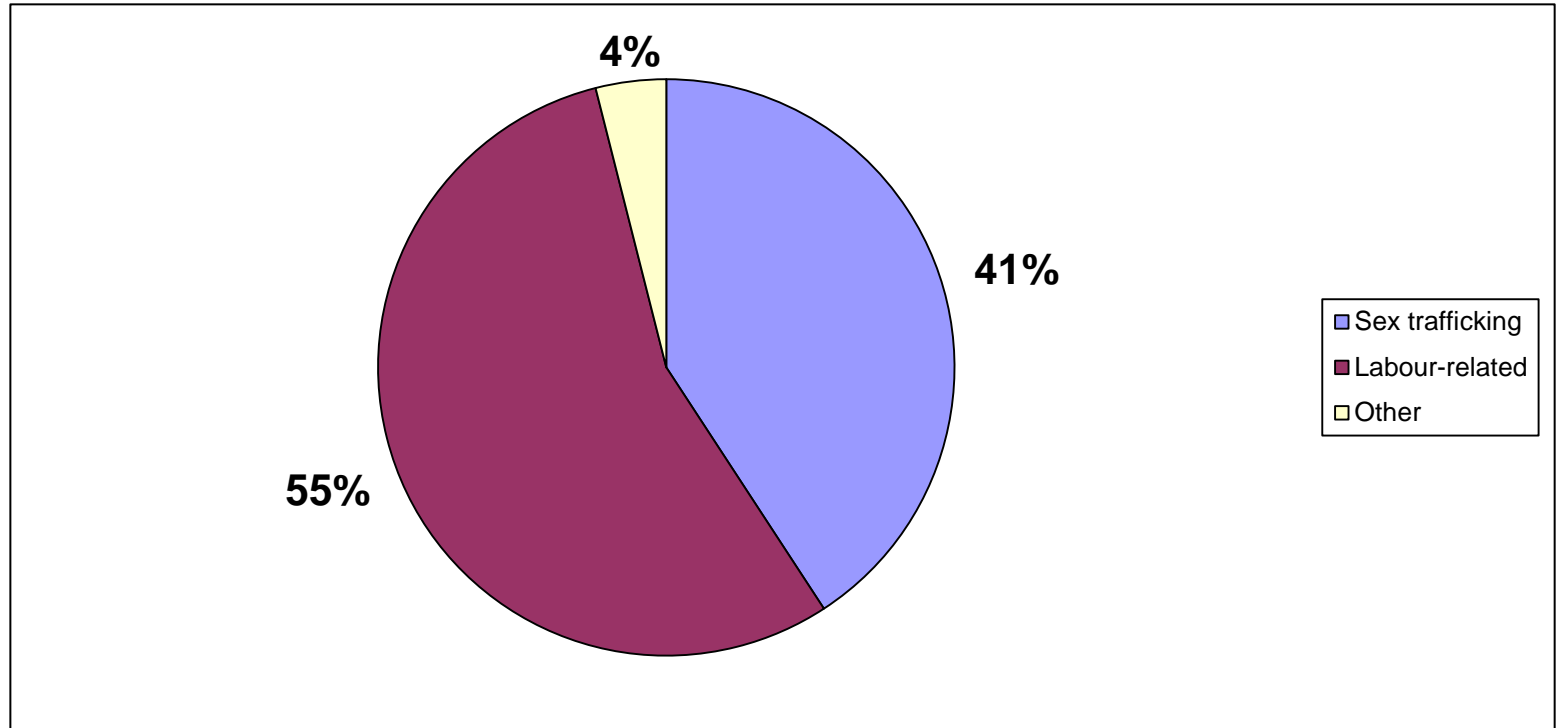
THB in Finland

- Finland is not a central location for THB activities
 - transit and destination country
- Estimated: Finland is the destination for several hundred victims annually
 - Assistance System: average 60 new victims annually
- Mostly forced labour, but also sex trade
 - Sex trade – most victimized abroad
 - Forced labour: greenhouses, restaurant industry, building sites, ethnic shops
 - Under-aged victims are few

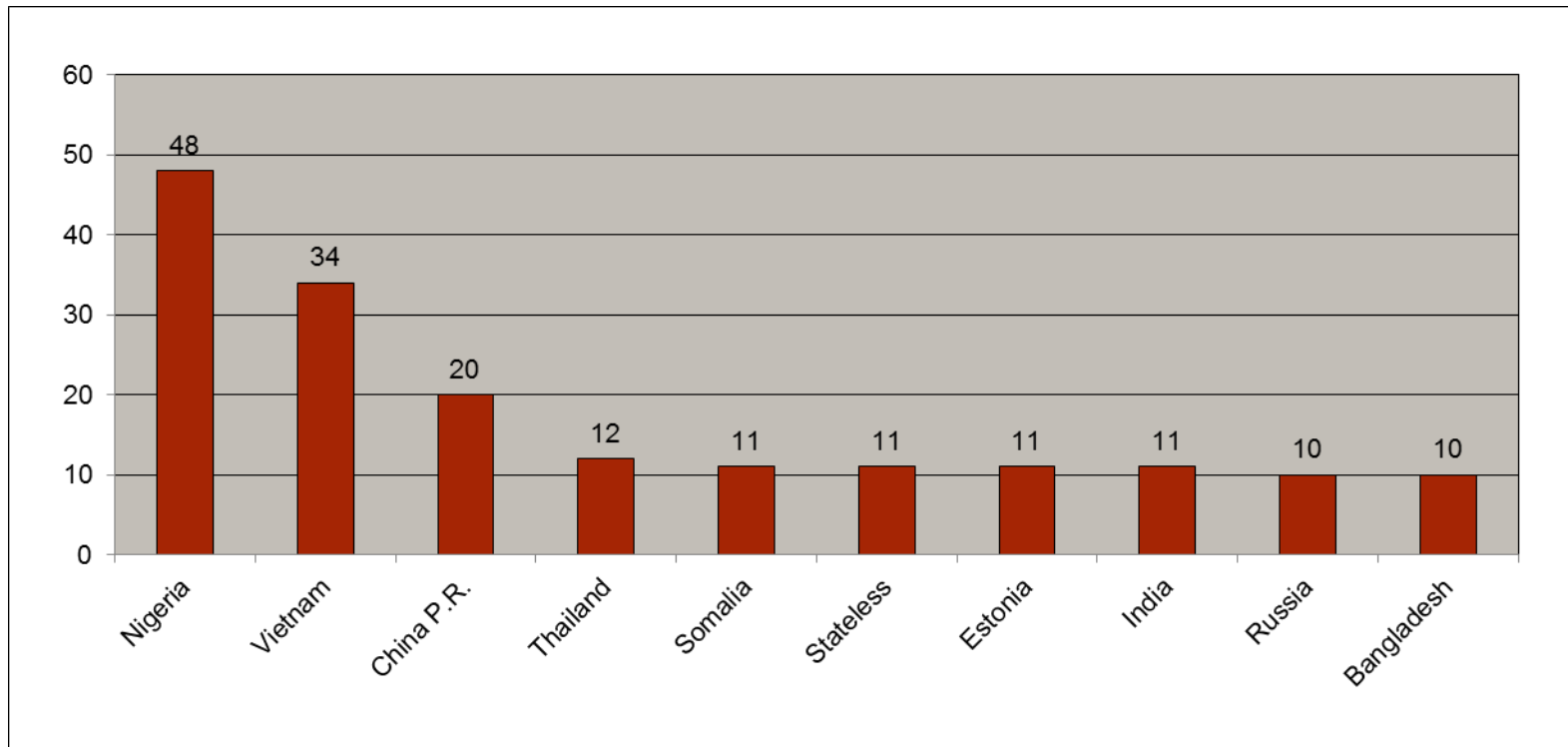
Number of victims in the Assistance System



Form of exploitation (customers)



Top 10 countries of origin in the Assistance system since 2006





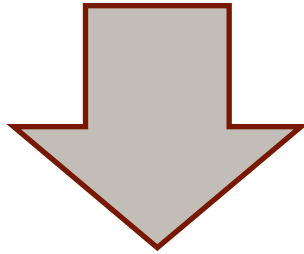
National Assistance System

- Joutseno Reception Centre is responsible for providing assistance for all victims of trafficking in Finland
- A single entry point to services ("one stop shop")
- Government Agency (Ministry of Interior), est. 2006.
- Regulated by the Finnish Act on the Reception of Persons Seeking International Protection (746/2011)

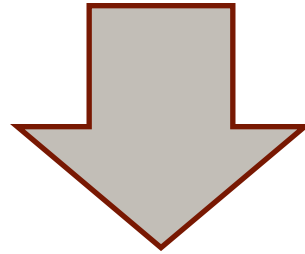
A possible victim of trafficking



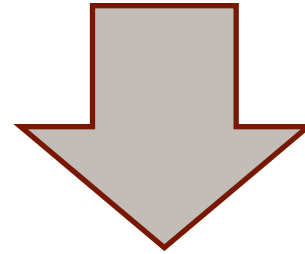
**National assistance
system**



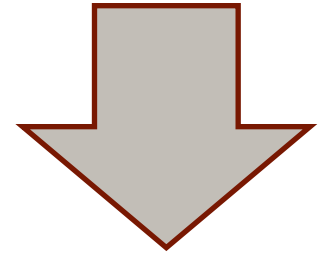
Councils



**Children's
Services**



**Service
providers/
NGOs**



**Asylum seeker
reception
centres**

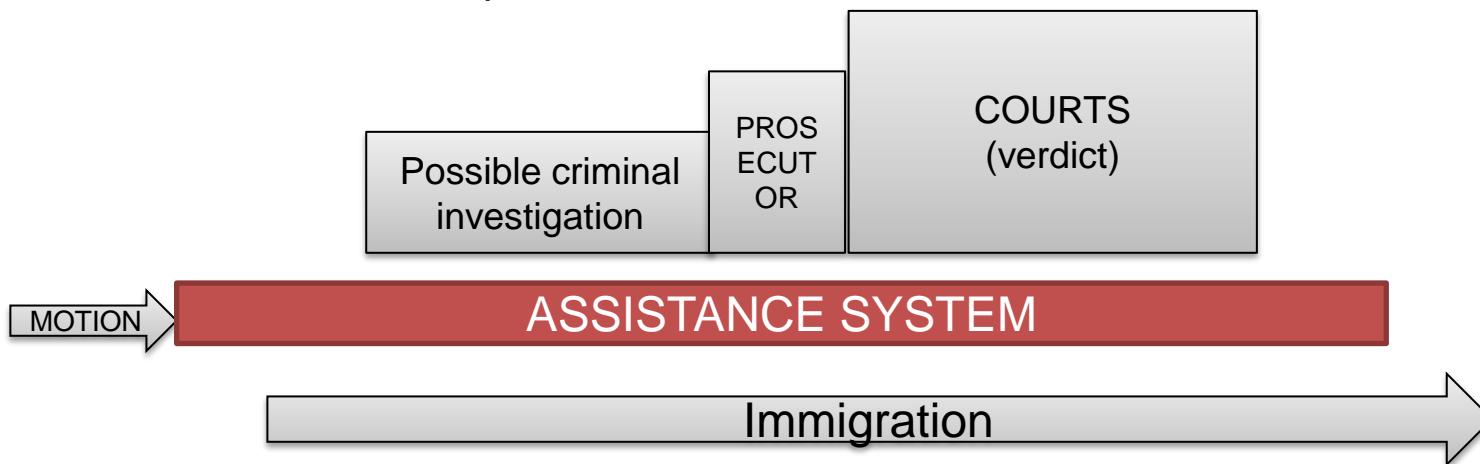


National Assistance System

- Currently 4 full-time employees, Director and Deputy Director also involved.
 - Senior inspector, inspector
 - Social worker, social guide
- Maintains a 24/7 info line (+358 2954 63177) and www.humantrafficking.fi –website.
- Victims housed around Finland, not just in Joutseno.
- Services sourced from public and 3rd sector

Low threshold of acceptance into the Assistance System

- Acceptance is not dependent upon whether or not there is a criminal investigation ongoing, or upon the nationality / residence status of the applicant.
 - Please, note: the Assistance System does not investigate/prosecute crimes or issue residence permits.





Filing for Assistance

- Motion for acceptance into the system can be filed by:
 - an official
 - the individual victim (via their friend, helper etc.)
 - a private or public service provider
- Voluntary for the victim.
- Must have victim's consent for filing motion!
- In urgent cases, motion for acceptance can be filed orally and decisions can be made orally.
- In the case of minors, the Child Welfare Act will be consulted.



Defining the client

- A victim of human trafficking is a person who has been issued:
 - a reflection period (under section 52b of the Aliens Act), or
 - a residence permit (52a of the Aliens Act); or
- who may otherwise, due to circumstances, be assessed a victim of trafficking or in need of special assistance during investigation of a trafficking crime
- assistance is available to victims of any form of trafficking, regardless of residence/immigration status and is tailored to the needs of the client



Assistance to victims of human trafficking:

- legal and other advice
- crisis therapy
- social and health care services
- interpretation services and other support services
- accommodation or housing
- Possible security needs
- social assistance and other necessary care
- support for a safe return.



Assistance to victims of human trafficking

- Special needs considered
- Equality! Nationality, gender etc.
- Age, vulnerability, physical and mental state of the victim, safety needs
- Assisting customers financially in e.g. gaining an ID

But:

- No integration plan unless customer has/is issued a residence permit!



Good Practices – TRM connection

- **Strict data protection laws**
 - e.g. customer's written consent required, when information is requested from or given to a third party.
 - Assistance System has no duty to inform police about customers (with a couple exceptions)
- **Example 1. African woman, asylum seeker, tells she has been victimized in Italy. No criminal investigation. Need to confirm story.**
 - **PROBLEM:** woman has applied for asylum against Italy, too
=> we cannot contact Italian authorities.



TRM – Defining the victim

- Anyone can file a motion for a person to be accepted into the Assistance System. The System's decisions are not dependent upon there being a criminal investigation ongoing.
- Some decisions are made based solely on the person's story
 - our customers are not automatically formally identified victims of THB
- presumed /potential / formally identified – does not exist in legislation (though drafting is underway)
- No law on WHO formally identifies a victim (relevant formal authority?)
- No law on when and on what grounds to remove a person from the Assistance System



TRM – Defining the victim

- Are Assistance System's customers acceptable as victims of THB in all EU countries?
- Will they be able to get assistance after a Dublin-return?
 - example 2. Potential victim flees into another EU country. Potential victim of THB in Finland, but no criminal investigation opened. The other EU country does not recognize as a victim / has no system for assistance for such cases.



TRM – Defining the victim

- Example 3. Customer of the Assistance System has an expired residence permit in another EU country. Dublin return.
- How to ensure reception in the other EU country, if
 - No active criminal investigation (or investigation is transferred to the other EU country)
 - Not formally identified as victim of THB
- Points of contact required!!



TRM and Children

- Contact with previous country's social services to get information on child's health etc.- Very useful!
- Establishing jurisdiction (finding family, identity, etc. though not usually done by Assistance System)
 - Trust issues – are contacts in the other country reliable?
- Voluntary assisted return (no experiences of this as of yet)
- Best interest of the child – who determines it and how?
- => INFORMATION NEEDED from police etc.



TRM - Adults

- Confirming identity (not usually done by Assistance System)
- Gaining information about person's background, including risk assessment, evidence gathering (police / border guard)
- School reports, certificates etc. (IAP, integration)
- ID

- Assisted voluntary return
 - Information about available services required
 - Risk assessment
 - Integration, ensuring continuance of services important
 - Finland: No IOM returns to EU countries, but Assistance System can facilitate returns



Criminal and civil proceedings

- Assistance System can receive and accommodate (if needed) a person coming to Finland for court proceedings as claimant or witness (human trafficking). Protection available.
- Investigation, evidence gathering, compensation –not in the jurisdiction of the Assistance System.
- Example 4. East-European woman provided assisted voluntary return by Assistance System. Woman still provides witness testimony in court via videolink.



Contact Details

- National INFO-line 02954 63170
 - Joutseno Reception Center (24h)
- Personnel:
 - Director Jari Kähkönen (jari.kahkonen@intermin.fi)
 - Senior Inspector Katri Lyijynen (katri.lyijynen@intermin.fi)
 - Inspector Terhi Naumanen (terhi.naumanen@intermin.fi)
 - Adviser Inkeri Mellanen (heli.mellanen@intermin.fi)
 - Social Worker Nina Ruokoniemi (nina.ruokoniemi@intermin.fi)
 - Social Adviser Sanna Kahari (sanna.kahari@intermin.fi)
- www.humantrafficking.fi