

# Trafficking in Human Beings, Challenges in the Identification Process: The Stavanger Case

Damiano Maria Toffano

European Master in Migration and Intercultural Relations (EMMIR) 2012-2014

First examiner : Ph.D Claudia Morsut

Second examiner : Ph.D Synnøve Kristine Nepstad Bendixsen



# Contents

<b>1</b>	<b>Acronyms and Abbreviations</b>	<b>4</b>
<b>I</b>	<b>Introduction</b>	<b>6</b>
<b>2</b>	<b>Structure and Method</b>	<b>9</b>
2.1	Structure . . . . .	9
2.2	Methods . . . . .	10
2.3	Sociological equivalents for the actors involved in trafficking in human beings . . . . .	12
2.4	Research Questions . . . . .	14
<b>II</b>	<b>Trafficking in Human Beings (THB): International definition and diffusion in the European area</b>	<b>15</b>
<b>3</b>	<b>European policy cooperation and identification's reflections</b>	<b>20</b>
<b>4</b>	<b>Norwegian context: sexual markets' trend and policy vision</b>	<b>31</b>
<b>III</b>	<b>The National Referral Mechanisms (NRM) and the Norwegian National Coordination Mechanism (NCM)</b>	<b>37</b>
<b>5</b>	<b>The Identification in the Norwegian administrative procedures</b>	<b>44</b>
5.1	The Directorate of Immigration (UDI) . . . . .	47
5.1.1	Sender - The Victim . . . . .	50
5.1.2	Channel, Code and Message - Administrative Procedures	52
5.1.3	The Receiver - UDI . . . . .	53
5.2	The Police . . . . .	55
5.3	The Court . . . . .	56

6	Production and correct use of an identification scheme: the EC/ILO 2009 attempt	57
<b>IV</b>	<b>Identification system in Stavanger</b>	<b>61</b>
7	Empirical research on the identification scheme in Stavanger	61
8	The interviews guidelines for experts: questions and meanings	62
9	The Stavanger case	64
10	The role of indicators in Stavanger	68
10.1	Western factors for non-Western victims . . . . .	69
10.2	The money factor . . . . .	71
11	Identification paradoxes	73
<b>V</b>	<b>Conclusions</b>	<b>75</b>
12	Outlooks and next challenges	76
13	Bibliography	79

# 1 Acronyms and Abbreviations

AWF - Analysis Work Files

EC - European Communities

ECC - European Economic Community

ECHR - European Convention of Human Rights

EMN - European Migration Network

EU - European Union

EUROJUST - The European Union's Judicial Cooperation Unit

EUROPOL - European Police Office

FRONTEX - European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union

GRETA - Group of Experts on Action against Trafficking in Human Beings

HTSP - Human trafficking Sexual Purpose

IACB - Inter-Agency Coordination Body

ILO - International Labour Organization

JIT - Joint Investigative Teams

KOM - Coordinating Unit for Victims of Trafficking

NC - National Coordinator

NCM - National Cooperation Mechanism

NP - National Plan

NRM - National Referral Mechanism

NTNU - Norwegian University of Science and Technology

ODIHR - Office for Democratic Institutions and Human Rights

OSCE - The Organization for Security and Cooperation in Europe

SOCA - Serious Organized Crime Agency

STIs - Sexual Transmitted Infections

TAMPEP - European Network for HIV/STI Prevention and Health Promotion among Migrant Sex Workers

TREVI - Terrorism, Radicalism, Extremism, and International Violence

TRM - Transnational Referral Mechanism

THB - Trafficking in Human Beings

UDI - Directorate of Immigration

UNAIDS - Joint United Nations Programme on HIV/AIDS

UNESCO - United Nations Educational, Scientific and Cultural Organization

UNODC - United Nations Office on Drugs and Crime

UKHTC - United Kingdom Human Trafficking Centre

# Acknowledgements

I would like to express my sincere gratitude to those who inspired and shaped my ideas during the realization of this thesis. Your suggestions, critics and observations were decisive for improving and developing my skills in and outside the academic context.

In particular, I would like to thank my supervisor, Claudia Morsut, for having safeguarded the personal representation of my concepts avoiding rigid formula and standardizations. Her suggestions and guidance were precious points of reference during the drafting of the thesis.

Moreover, I am deeply grateful to the experts for sharing their time and extensive knowledge on the issue of Human Trafficking. I perceived their faith, self-motivation, skills and competences in managing both information and, emotions. Working with them was a unique opportunity for me.

In particular, I would like to thank Anja Nordås, T. G. A., A. H. and B. N. for their generous attention during my internship at “Albertine, for women in prostitution”. Their interaction and inclusiveness taught me a way for approaching vulnerable groups through listening and participation.

In addition, I would like to thank Barbara Sidoti (Arc Network) for her continuous support and faith in a young student. Her direct communication and ability to synthesize information were guiding lights when dealing with technical issues.

Finally, I would like to extend my heartfelt thanks to Narve Toppe (Rogaland Police District) and Verna Rege Nilssen (Advokat) for their kindness and positive inputs. Their support proved their personal devotion to an issue that is described in the Norwegian National Plan as across-the-board in society.

From my part, I hope this work can improve comprehension and public’s awareness against Human Trafficking.

## Part I

# Introduction

Migration is a very diversified topic, where both positive and negative sides merge together providing aspects of complexity and a state of uncertainty that have repercussions on related arguments such as the case concerning Trafficking in Human Beings (THB).

The huge amount of actors involved within the trafficking networks, the complex cases it generates and the particular characteristics of this crime, including its transnational nature, provide a sense of confusion to those people who decide to improve their knowledge for professional reasons or for a sense of moral duty.

In order to facilitate this approach, I decided to research on the mechanism that lies behind the entire process of THB, starting from the protection to the rehabilitation of the victims. This is the identification process.

The reason why I chose this particular phase of the process is related to the THB characteristics that define, in accordance to the International Labour Organization (ILO)<sup>1</sup>, trafficking in human beings as one of the most difficult and “hidden” phenomena to measure.

Indeed, in despite of the huge efforts put in place by the States, the daily work NGOs perform at the local level, and finally, the high cohesion in terms of international cooperation, this crime is still able to survive and bloom, thanks to some lacks in the legal system and the deep complicity of uninterested people, who try to avoid any risk embracing everything the market can offer them.

This case is particularly highlighted by the sexual exploitation of victims (HTSP), which includes the most flourished typology of THB market within the European area. Indeed, “approximately 120.000 women and children are trafficked into the European Union every year, whereas a range from 700.000 to

---

<sup>1</sup>International Labour Organization (ILO) “ILO Global Estimate of Forced Labour : Results and methodology” ILO Publication, Geneva, 2012.

an astounding 4.000.000 women and children seems to be trafficked annually”<sup>2</sup>.

Furthermore, this situation is worsened by the slavery as a product of such ill market, in which the degraded role of the person remembers very well the marxist inversion of the “rei-fication”<sup>3</sup>, as referred by the official ONU Supplementary Convention on Slavery Abolition in 1956: “Slavery means [...] the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, and "slave" means a person in such condition or status”<sup>4</sup>. At this point, it can be understood how the relevance of the issue is both related to its quantity (the dimension of the phenomenon) as well as its quality, since the impact on people have explosive effects on the economical situation, health sector and democratic institutions of the country in which the exploitation is performed. In addition, this phenomenon should be contextualized in the greater market of Globalization that, paraphrasing Bauman’s words, is polarizing instead of distributing<sup>5</sup> resources and goods in those places where the economy is able to support and attract the demand. The city of Stavanger, with its international dynamics, demonstrated to have all the qualities for being taken as a “model” city in order to research on trafficking for sexual purpose (HTSP) and moreover, a place with a unique sensibility in terms of vulnerable people.

---

<sup>2</sup>Demir J. S. “Trafficking of women for sexual exploitation: a gender-based well-founded fear?An examination of refugee status determination for trafficked prostituted women from CEE/CIS countries to Western Europe” University of Pavia ESAS-CS in partial completion of the requirements of a Master in International Cooperation and Development, Pavia, January 2003.

<sup>3</sup>A specific section 2.3 is devoted to this particular point.

<sup>4</sup>Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 226 U.N.T.S. 3, entered into force April 30, 1957

<sup>5</sup>Waldejer B. “Local Implication of a Globalized Prostitution Market” Master Thesis UiS, Stavanger, Fall 2012.