

Organisations most likely to be the first ones to identify a presumed victim

- Reception centres for asylum seekers
- Finnish Police/Border Guard
- Finnish Immigration Service
- Lawyers/legal aid personnel
- Shelters (for abused women)
- NGOs
- Municipal social workers
- Child welfare
- Victim - number of individuals seek assistance from the National Assistance System by themselves or with the help of a support person

**[ MEANING OF A PRESUMED VICTIM OF TRAFFICKING IN HUMAN BEINGS ]**

A victim of trafficking may be assisted by the National Assistance System for Victims of Human Trafficking (NAS), if:

- They might be a victim of human trafficking, AND
- They are in need of assistance because of it.

Victims can be assisted even where the crime has taken place outside Finland, or many years ago. As long as the victim of trafficking is still in need of assistance. All victims of trafficking can be assisted regardless of gender, nationality, age etc.

**• The National Assistance System for Victims of Human Trafficking (NAS)**

(located in the Joutseno Reception Centre with offices in Helsinki and Oulu): a 24/7 information hotline (+358) 2954 63 177 for potential trafficking victims, authorities, third-sector organisations, the media and citizens, e-mail: ihmiskauppa.auttamisjärjestelma@migri.fi or can fill in the online contact form, <http://www.ihmiskauppa.fi/en>

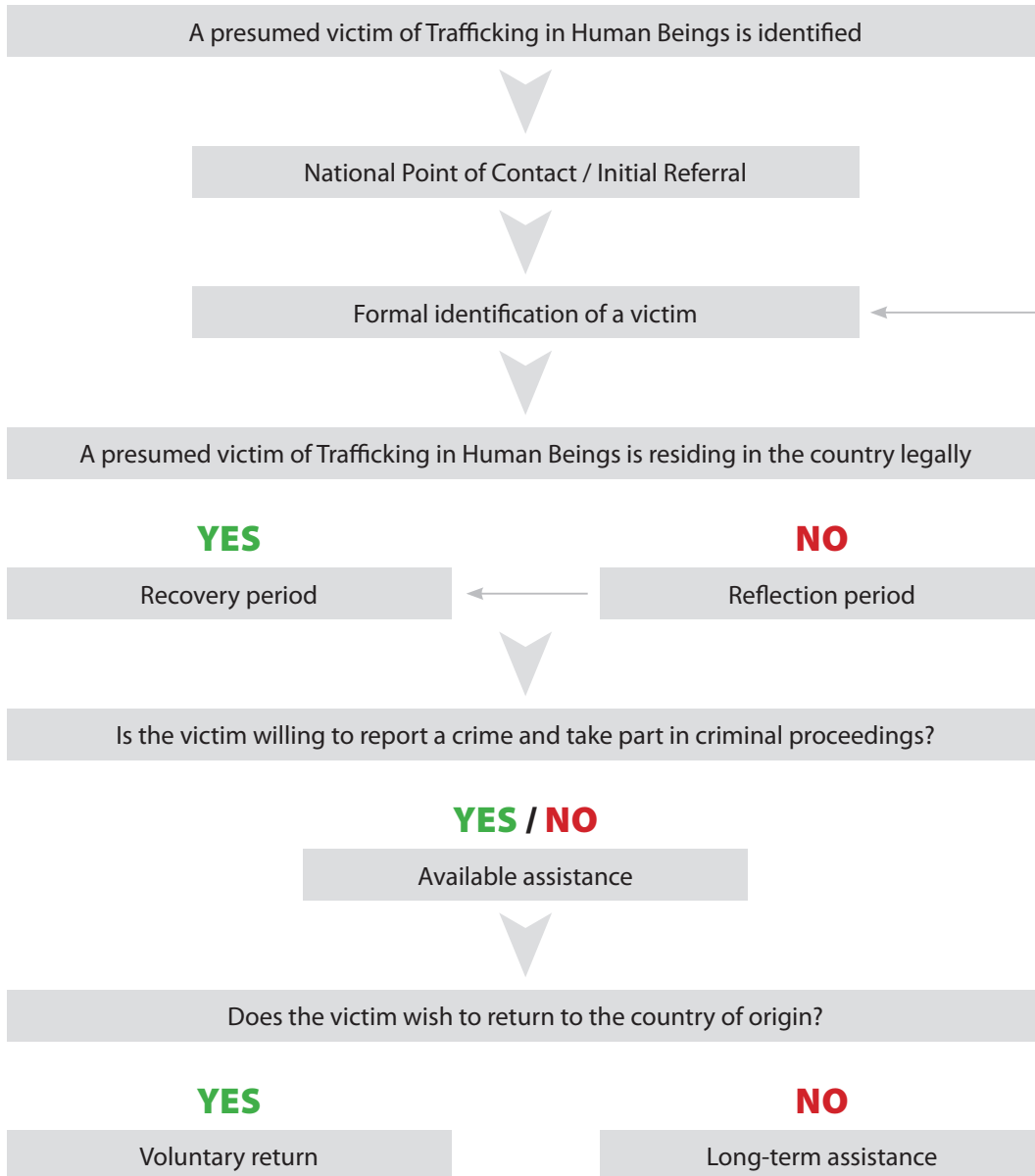
With the victim's consent, he/she may be referred to the National Assistance System for Victims of Human Trafficking (NAS). The NAS may be consulted even if the victim does not give their consent, but in this case the victim's personal details may not be disclosed to the NAS.

If the victim becomes a client of the NAS, the NAS provides comprehensive care to the victim as well as, in cooperation with the police, ensures the victim's security.

The threshold of acceptance into the NAS is low. A potential victim may be accepted into assistance even before his/her case is known of by the police and even when there is no certainty of whether the person is a victim of trafficking or not.

The NAS does not inform the police about its customers and the customer does not have to report the crime to the police against their will in order to receive assistance. However, not reporting the crime may affect the duration of assistance to the victim.

The police will be informed only in cases where the security of the victims, assisting staff or another person is threatened.



The following actors may formally identify a person as a victim of human trafficking<sup>1</sup> :

1. The police / border guard or a prosecutor formally identifies a victim by initiating investigations into (aggravated) human trafficking, where the victim is the claimant.
2. The Finnish Immigration Agency (FIS) formally identifies a victim by granting him/her a residence permit<sup>2</sup> as an especially vulnerable victim of human trafficking. There is no requirement for the victim to cooperate with law enforcement to receive this type of residence permit.

3. The National Assistance System for Victims of Human Trafficking may identify a person, if:
  - the pre-trial investigation authority or the prosecutor has decided not to institute a pre-trial investigation into human trafficking in Finland, but where there are reasonable grounds to believe that the person admitted to the NAS has become a victim of human trafficking abroad;

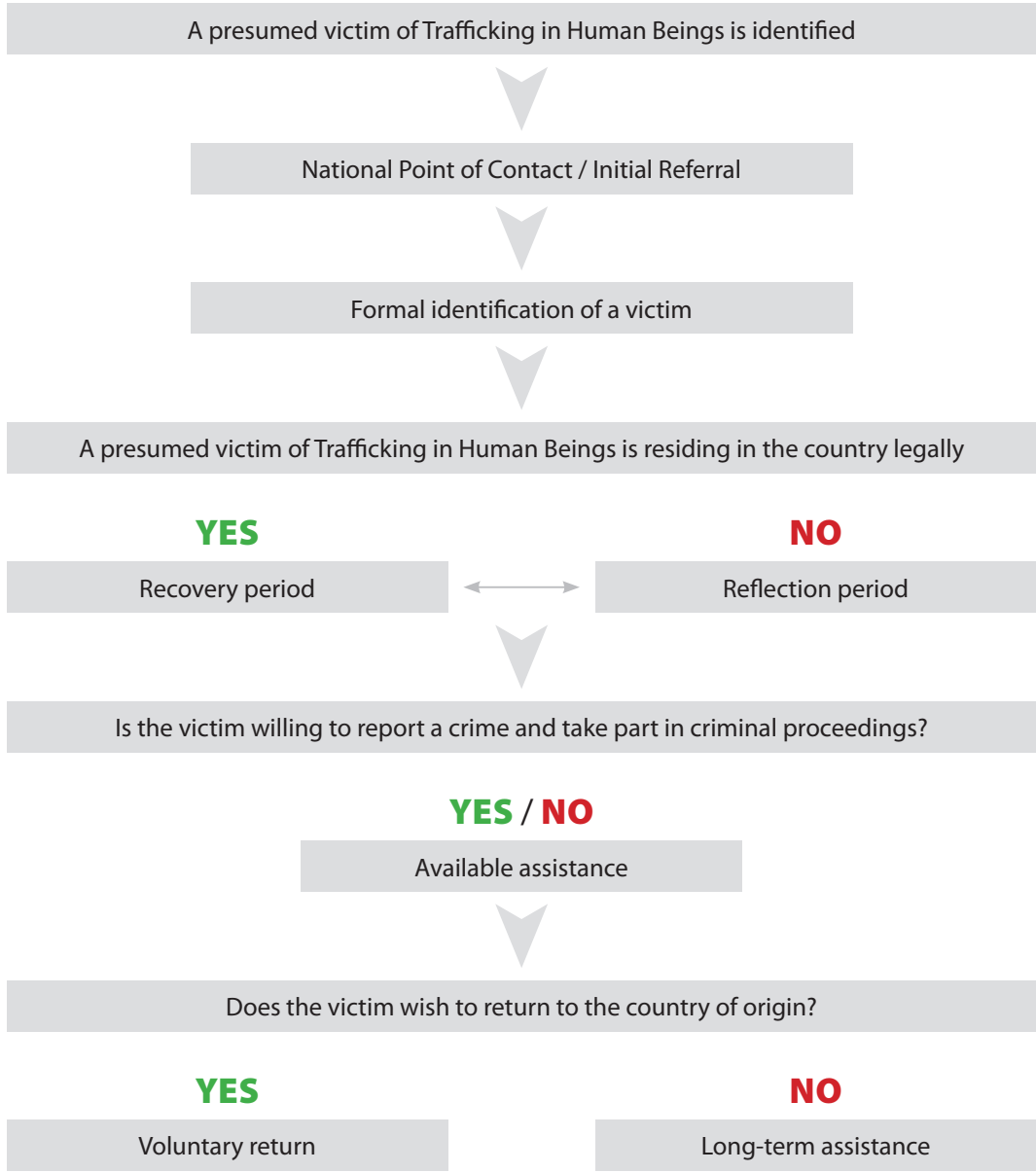
or if

- the decision to interrupt or terminate pre-trial investigation indicates that the person shall be deemed to have been subjected to the offence of trafficking in human beings, but the matter cannot be referred to the prosecutor for handling as it is not possible to bring charges against anyone.

The majority of victims brought in for identification are identified as victims of human trafficking, which entitles them to continued assistance through the NAS.

<sup>1</sup> According to the Law on reception of persons seeking international protection and on identifying and assisting victims of human trafficking (Reception Act) 38 §

<sup>2</sup> The Aliens Act, section 52a, subsection 2.



In connection with the decision-making on entry into the NAS, a victim of human trafficking who is a Finnish citizen or a foreign national residing legally in Finland (in any of the ways referred to in section 40 of the Aliens Act ) may be granted a recovery period of 30 days. The recovery period may be extended to a maximum of 60 days, if so required by the individual conditions of the victim of human trafficking. The recovery period shall be disrupted if the victim is removed from the NAS. Once the recovery period ends, the director of the Joutseno Reception Centre is obligated to inform the police, notwithstanding the secrecy provisions, of the victim of human trafficking and of the decision to admit the victim into the system of assistance, and provide the police with necessary information referred to in section.

As the NAS does not inform the police about its customers, there has been little need to utilize the recovery period.

In connection with the decision-making on entry into the NAS, a victim of human trafficking who is in Finland illegally (including unregistered EU citizens) may be granted a reflection period for up to six months. During the reflection period the victim's stay in Finland is legal and they can receive assistance from the NAS. The victim is told about their possibilities for applying a residence permit and about assisted voluntary return to the country of origin. The NAS informs the police about the reflection period and the name of the victim but does not provide any further information to the police about the victim. After the reflection period the victim may continue to receive assistance from the NAS, but measures must be taken to either legalize the victim's residence or, where that is not possible, assist the victim to return to the country of origin.

A reflection period can be granted by the NAS, the police and the Border Guard.

Is the victim willing to report a crime and take part in criminal proceedings?

**YES / NO**

Available assistance

Under the Reception Act, victims of human trafficking have a special status as beneficiaries of services. Victims are entitled to receive unconditional assistance which does not depend on victim's agreement to cooperate with law enforcement authorities in investigations or criminal proceedings.

The responsibility for assisting victims of human trafficking is assumed by:

1. NAS.
2. Municipality if a victim of human trafficking has a municipality residence. However, in order to receive services under the special status of a victim of human trafficking, the victim must be a customer of the NAS - also in cases where the victim has a home municipality. The NAS makes all decisions on entry and removal of a victim from the NAS.
3. If the victim does not consent to being referred to the NAS, they may receive some assistance from NGOs. However, comprehensive state funded assistance based on law and the victim's rights is not available outside the NAS.

**ORGANISING ASSISTANCE MEASURES FOR VICTIMS OF HUMAN TRAFFICKING**

Municipalities	National Assistance System (Joutseno Reception center)	Reception centre	NGOs
Municipal residents Examples: <ul style="list-style-type: none"> <li>• Finnish citizens</li> <li>• Registered EU citizens</li> <li>• Persons with a continuous residence permit</li> </ul>	Non-municipal residents Examples: <ul style="list-style-type: none"> <li>• Third-country nationals</li> <li>• Undocumented migrants</li> <li>• Unregistered EU citizens</li> </ul>	<b>Rehabilitation services up to 180 days:</b> <ul style="list-style-type: none"> <li>• Development of individual rehabilitation plan</li> <li>• Safe accommodation</li> </ul>	<ul style="list-style-type: none"> <li>• Third country nationals who do not consent to being referred to the National Assistance System</li> <li>• EU citizens</li> </ul>
<b>Asylum seekers</b>			

## 1. Services provided by the National Assistance System

Services to the victim of human trafficking are provided according to an assistance plan. The services may include:

- counselling and guidance;
- safe accommodation;
- reception allowance or social assistance;
- social services;
- health care services;
- interpretation and translation services;
- legal aid referred to in the Criminal Procedure Act (689/1997) and Legal Aid Act (272/2002) as well as legal advice;
- tracing a parent or some other person responsible for the actual custody of an unaccompanied minor who is a victim;
- support for a safe return.

Even though assistance can be provided also to those victims who do not want to cooperate with the police, there is quite a strong link between assistance and criminal proceedings. The NAS does not automatically inform the police about its customers and the customer does not have to report the crime to the police against their will in order to receive assistance. However, not reporting the crime may affect the duration of assistance to the victim, as assistance ends if the victim is not formally identified. Formal identification is strongly linked to the criminal process. An alternative process of identification is reserved to especially vulnerable victims, who may be identified by the FIS.

The NAS informs the police only in cases where the security of the victims, assisting staff or another person is threatened.

The current application of the legislation demonstrates that the system of assistance is best suited to help victims whose criminal case is making progress and whose case may result in a verdict for human trafficking, and those who have become victims of human trafficking outside Finland.

**A potential victim of trafficking may receive assistance (as a client of the National Assistance System) even prior to being formally identified. Being formally identified merely means, that they can continue receiving assistance as before.**

### Removal from the NAS

The Assistance system removes a customer from the system, if the person leaves the country for good or is removed/deported, or if the person wants to be removed from the system or has gone missing. The Assistance system also removes a customer from the system's services if it is deemed that he/she is no longer in need of the special services offered by the Assistance system. Before the removal, the Assistance system should, in co-operation with the bodies assisting the victim, ensure that the customer no longer needs the services liable for the Centres for Economic Development, Transport and the Environment ( ELY) compensation to support their recovery<sup>3</sup>.

Assistance by the NAS also ends, if the police / border guard, prosecutor or a court comes to the conclusion that the crime against the victim is not that of (aggravated) human trafficking as according to the Criminal Code<sup>4</sup>.

## 2. Services provided by a home municipality

Victims of human trafficking who are Finnish citizens or victims who have a municipality of residence are principally assisted by their home municipalities. A social worker in the victim's registered home municipality is liable for developing the individual assistance plan and providing necessary services. The plan should be developed in cooperation with the National Assistance System<sup>5</sup>. It is implemented by the home municipality.

<sup>3</sup> <https://www.syrjinta.fi/documents/14490/0/The+report+of+the+Non-Discrimination+Ombudsman+to+the+Parliament/9b16017c-b442-4805-8927-9f60f1d5c681>

<sup>4</sup> Criminal Code, Chapter 25. Sections 3 and 3a.

<sup>5</sup> Although persons with a home municipality are entitled to social and health care services in that municipality, only customers of the NAS are entitled to the special services (provided by the municipalities and compensated for by the ELY) reserved for victims of human trafficking in the law (Reception Act). Also, the NAS can only cooperate with municipalities in cases concerning its customers

However, victims of human trafficking who are customers of the social welfare services need an extensive amount of assistance and support in dealing with the public authorities, seeking healthcare services, acquiring an apartment, furnishing their home, taking care of their finances, applying for work, and sorting out the affairs of their children.

The municipal social welfare and healthcare services are not always able to adequately meet the victims' everyday practical needs for assistance<sup>6</sup>.

A report reveals that municipal social workers mainly view victims of human trafficking as no different from their other clients. Victims of human trafficking thus receive the same services as any other municipal resident<sup>7</sup>. Their special needs often are not taken into the account and are not addressed.

### 3. Services provided by NGOs

NGOs have a relatively minor role in assisting victims of human trafficking as assistance is provided by authorities.

NGOs provide services for victims who do not want for various reasons to seek help from the NAS. As NGOs have limited resources and often services are project based, services might vary in certain periods of time.

NGOs are assisting victims in official proceedings and performing customer-oriented social work.

Main NGOs providing assistance to victims of human trafficking:

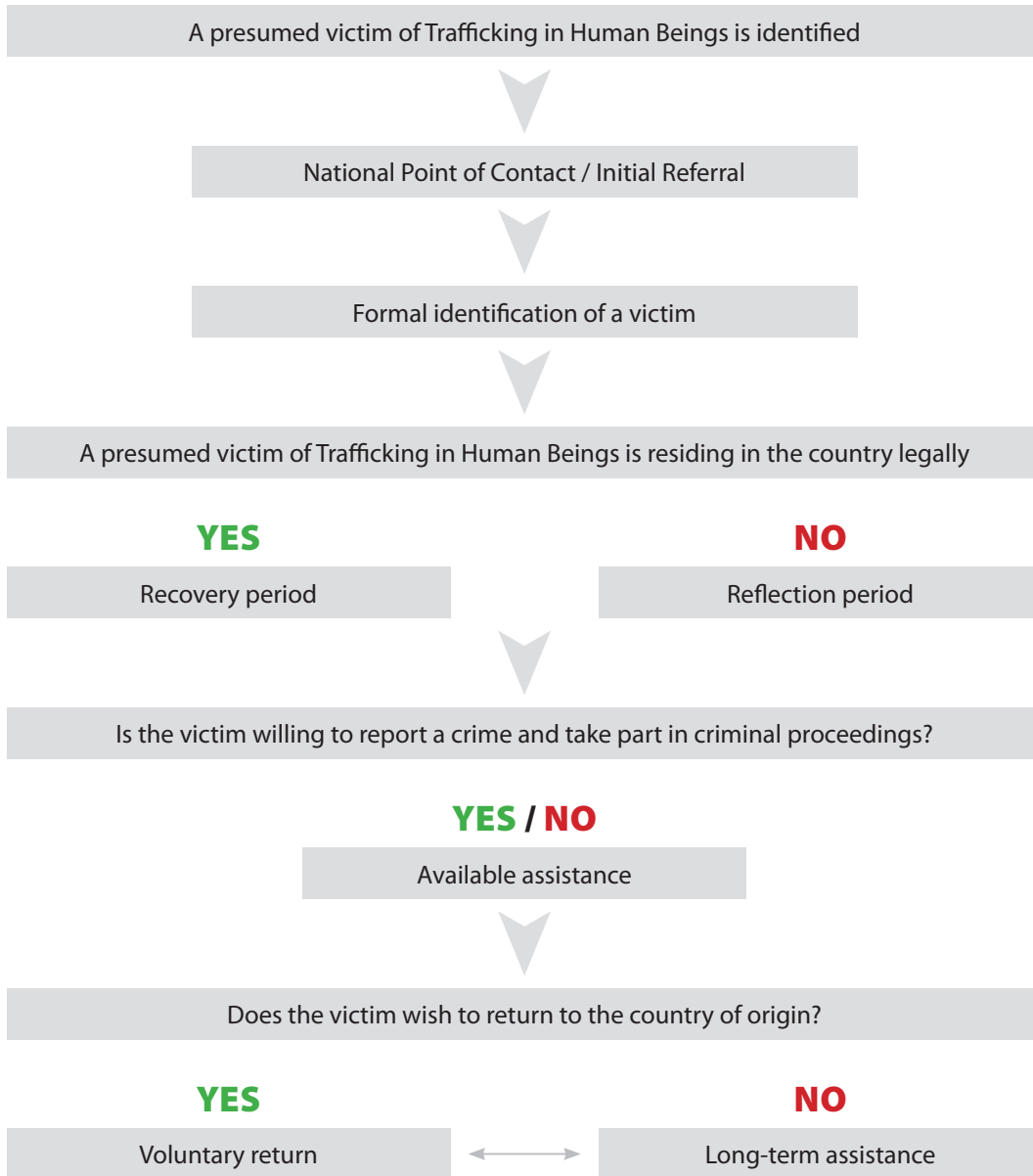
#### Main NGOs providing assistance to victims of human trafficking:

Type of assistance	Institution/organization	Contact details
Practical advice and support to victims of crime, advocacy work to improve the social status of crime victims	Victim support Finland (RIKU)	<p><b>Customer service available during business hours</b> Monday - Friday at regional service points (Check your municipality's nearest service point from the regional contact details )</p> <p><b>Helpline 116 006</b> Mon - Tues (1 pm – 9 pm) and Wed - Fri (5 pm – 9 pm)</p> <p><b>Legal advice 0800 161 177</b> Mon - Thurs (5 pm – 7 pm)</p> <p>Calls to national service numbers are free of charge. Website: <a href="https://www.riku.fi/en/home/">https://www.riku.fi/en/home/</a></p>
Social and health services for current and former people in prostitution in Helsinki, Tampere and Turku	Pro-tukipiste	<p><b>Contact:</b></p> <p><b>Helsinki:</b> Urho Kekkosen katu 4-6 B, 5th floor 00100 HELSINKI Phone: +358 (0)9 2512 730</p> <p><b>Tampere:</b> Aleksis Kiven katu 10 E, 3rd floor 33210 TAMPERE Phone: +358 (0)45 265 0480</p> <p><b>Turku:</b> Yliopistonkatu 24 B 28, 2nd floor 20100 TURKU Phone: +358 (0)40 635 0412 Website: <a href="https://pro-tukipiste.fi">https://pro-tukipiste.fi</a></p>

<sup>6</sup> <https://www.syrjinta.fi/documents/14490/0/The+report+of+the+Non-Discrimination+Ombudsman+to+the+Parliament/9b16017c-b442-4805-8927-9f60f1d5c681>

<sup>7</sup> <https://tietokayttoon.fi/documents/1927382/2158283/An+unknown+future.pdf/de58c765-d4f7-4ddf-b23c-345ec1c65686/An+unknown+future.pdf.pdf>

<p>Legal assistance to victims in all of the processes related to their situation involving the Finnish authorities.</p>	<p><b>The Finnish Refugee Advice Center</b></p>	<p>Kaisaniemenkatu 4 A, 6th Floor 00100 Helsinki Open weekdays from 10 a.m. to 3 p.m. Phone: +358 9 2313 9300 Fax: +358 9 2313 9310 Email: pan@pakolaisneuvonta.fi</p>
<p>Specialised services for migrant women and their children who have been subjected to violence.</p>	<p><b>Monika – Multicultural Women’s Association</b></p>	<p>Hermannin Rantatie 12 A 00580 Helsinki Finland Open Mon-Fri 9-17 Phone: +358 9 72 79 9999 Fax: +358 9 72 79 9997 E-mail: info@monikanaiset.fi National Helpline Mon-Fri 9-16 0800 05058 Shelter Mona phone 24h Phone: +358 45 639 6274</p>



A voluntary return in Finland is carried out by the International Organization for Migration (IOM). For victims of human trafficking without a registered home municipality in Finland the National Assistance System funds the voluntary return, for asylum seekers, the Finnish Immigration Service funds the return, and for those with a registered home municipality, the municipality funds the return. The victim will be granted assistance for voluntary return only if she/he needs it and cannot pay for the return herself/himself.

The assistance provided by IOM Finland includes travel arrangements and expenses from the person's current location to the final destination, and possible reintegration assistance such as cash or in-kind assistance. IOM may make travel arrangements and provide assistance at the airport during the return trip.

Contact information:  
For inquiries regarding the AVRR programme or process, please contact [fiavrrcases@iom.int](mailto:fiavrrcases@iom.int).  
Visiting hours are Tuesday to Thursday at 14:00 – 15:00.  
Telephone helpline (+358-9-684 11 588) is available Monday to Friday between 10:00 – 12:30.  
More detailed information available at <https://avrr.iom.fi/>

Persons who are granted a continuous residence permit in Finland are able to access integration programmes, which include language and cultural studies, professional training, basic education, help with mapping out professional skills, help with applying for work, and social services. These are public services provided by municipal and state actors under the Ministry of Economic Affairs and Employment, Ministry of Social Affairs and Health and the Ministry of Education and Culture. When the person is a customer of the NAS, the NAS works in cooperation with the above-mentioned actors when required.

Detailed information about the long term assistance to victims of human trafficking in Finland is available in a Road map for integration of victims of human trafficking among migrants in Finland, Germany, and Sweden.