



FINNISH
GOVERNMENT

Unconditional assistance of trafficking victims: Finnish lessons learned and a way forward

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**Action Against
Trafficking in
Human Beings**



Assistance for trafficking victims: combination of general and specialized assistance

- Besides general social welfare and healthcare services, victims of trafficking are also entitled to **specialized assistance and protection** if the range of health care and social services provided by the municipality are not sufficient to meet the needs of a victim.
- The services can, for example, be bought from the private sector or civil society. The municipality may charge the costs from the State. Ultimately it is **the State that is responsible for the victim assistance**.
- Specialized assistance is coordinated by the National Assistance System for Victims of Human Trafficking (www.ihmiskauppa.fi). It is a **state-run and a state-funded public authority**, which assists victims, provides advice, information and training to other authorities, collects statistics etc. The number of clients has increased year after year.
- In principle, the threshold to be admitted to the System is low but in practice there are conditions, which relate to the initiation, continuation and termination of the investigation and criminal proceedings.

Study on victim assistance (2018)

- A study on the application of the law on specialized service provision was published in 2018. The study was conducted by the independent National Rapporteur together with HEUNI institute.

<https://heuni.fi/documents/47074104/0/TEAS+26-2018+An+unknown+future.pdf/5a6ec389-fa88-9110-aeaa-1f6d7d7f044a/TEAS+26-2018+An+unknown+future.pdf?t=1608188655710>

- The study concluded that there are people in Finland who, in spite of their need for assistance, **do not get sufficient help**.
- Especially victims of human trafficking who have been **sexually abused in Finland** do not seek specialized assistance. Whether they get services at all remained unclear.
- A central reason for not seeking assistance from the Assistance System is **the strong link between the provision of specialized assistance and the process of bringing perpetrators to justice**.

Study of victim assistance (2018)

- The data indicated that the **victim's right to specialized assistance comes to an end** if the criminal investigation process related to human trafficking is terminated, or no charges are brought for human trafficking or there is no verdict for human trafficking.
- This was considered problematic from the perspective of **detecting human trafficking and protecting victim's rights**.
- The study reminded that rather than expressing a direct opinion on whether or not the offence is specifically a human trafficking offence, the criminal investigation authorities usually issue their **opinion on whether evidence of an offence is available**.
 - In practice, this lack of evidence may be because the defendant cannot be heard, there are no witnesses in the case or the witnesses cannot be identified, there is little documentary evidence to be presented due to documents having been destroyed or forged, or the events have taken place so long ago that their course is practically impossible to prove. Other evidence to support the case may also be missing.

Parliamentary discussion and Government Programme

- **Report of the National Rapporteur to the Parliament** in 2018 included the conclusions of the study together with legislative recommendations.
- Report was **discussed by the Parliamentary Committees** and experts were heard.
- On the basis of the discussions, the Parliament required the Government to investigate how the link between victim assistance and criminal proceedings could be weakened.
- The multi-party Government Programme in 2019 contains various anti-trafficking measures, incl. **the matter of victim assistance and its connection with criminal proceedings**.
- The working group was established and the proposal for legislative amendments are foreseen in 2022.
- National Action Plan contains a variety of measures to strengthen victim identification and assistance also in general social welfare and healthcare services.

https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/163326/OM_2021_24_ML.pdf?sequence=1&isAllowed=y

Conclusions

1. Decisions based on research and evidence.
2. Independent national rapporteur reporting to the Parliament.
3. Strong political will against human trafficking as a key.
4. Understanding that identification and detection of human trafficking is good also for the society at large.
5. Include the issue of the right to reside in the country into the discussions as well.

Thank you!

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