



PERMANENT MISSION OF NORWAY

VN 179/2025

The Permanent Mission of Norway to the United Nations Office at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to acknowledge receipt of the communication from Ms. Federica Donati, Officer-in-Charge, Special Procedures Branch, conveying the urgent appeal UA NOR 2/2025 from the Special Rapporteur on trafficking in persons, especially women and children.

The document (11 pages) was brought to the attention of the relevant authorities in Norway.

Kindly find attached the Government of Norway's initial response to the urgent appeal. The remaining questions in the communication will be answered within the 60-day deadline.

The Permanent Mission avails itself of this opportunity to renew to the Office of the High Commissioner the assurances of its highest consideration.



Geneva, 17 October 2025

the Secretariat of the United Nations office of the High Commissioner for Human Rights,
Ms. Federica Donati, Officer-in-Charge, Special Procedures Branch

Geneva



ROYAL NORWEGIAN
MINISTRY OF JUSTICE AND PUBLIC SECURITY

Special Procedures Branch OHCHR

Your ref. UA NOR 2/2025

Our ref.
25/5662 - JAA

Date
05.10.2025

Urgent Appeal from Special Procedures

Reference is made to the communication dated 23 September 2025 from the Special Rapporteur on trafficking in persons, especially women and children.

The communication has been forwarded to the Ministry of Justice and Public Security, as the responsible ministry for coordinating the Government's measures against trafficking in human beings.

We will provide the requested observations and comments within 60 days. We will in that regard provide details about the criminal cases against ██████████, and the courts considerations as to whether he could be considered a victim of trafficking, and if the non-punishment principle could be applied.

Concerning the recommendation to take steps to avoid the possible deportation of ██████████, we can comment the following:

Identification of victims of trafficking in Norway

In Norway, no single government agency has a sole responsibility for the identification of victims of trafficking. In principle, all agencies, organisations or individuals who find themselves with grounds for concern that a person may be subject to human trafficking (including social workers, police, teachers, medical staff, labour inspectors, child welfare officials, staff of asylum reception centres, NGOs, etc.) have a *duty* to identify

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the person concerned as a possible victim and to refer him/her to the relevant authorities and assistance programmes.

Every person identified as a possible victim of trafficking must be treated as a victim of trafficking, with all the corresponding rights and duties, until the contrary is proven. In other words, formal identification is not required for a person to be entitled to assistance and protection as a victim of trafficking.

Only the courts, the police, the Directorate of Immigration and the child welfare authorities can grant a person the status of a victim in the context of a police investigation, a criminal case against a trafficker or a procedure for issuing a temporary residence permit. However, none of the previously mentioned agencies has a specific mandate to conduct formal identification of victims of trafficking.

In fact, identification takes place through the performance of their ordinary duties, i.e., investigation and prosecution of offences by the police and the prosecution authorities, processing of applications for residence, work permits or asylum by the Immigration Directorate, and consideration of children's care by the Child Protection Service. There is no requirement that the police, the immigration authorities and the Child Protection Service come to the same conclusion as regards whether a person is a victim of trafficking, as these services work on the basis of different legal foundations, their evaluations have different objects, and they have different criteria for proof and preponderance of evidence in their verification work.

ROSAs role

The Ministry of Justice provides funding for the organisation ROSA, with a mandate to assist possible victims. It follows that ROSAs assessment of whether or not a person is a victim is not binding for the police or prosecution service, or the courts, in relation to a criminal case. Likewise, the asylum authorities must undertake an independent assessment when deciding a claim.

Question 2 in the communication

Please provide any information if any consideration was given during the asylum proceedings to evidence of trafficking in persons for forced criminality, and the fear of reprisals if ██████████ was returned to his country of origin.

When processing ██████████ asylum application, due consideration was given both to his claim that he had been a victim of human trafficking, and that he risked reprisals if returned to his country of origin. The asylum interview ran for two working days, during which he was given time to substantiate his claims. After careful consideration, the Norwegian Directorate of Immigration concluded from the evidence that ██████████ was not a victim of human trafficking, and rejected his asylum application in March 2024. With the aid of the lawyer provided to him, ██████████ appealed the decision, and he was given the opportunity to further substantiate his claims. After

independently having concluded that [REDACTED] had not been trafficked, the Immigration Appeals Board dismissed his appeal in July this year. Having exhausted his appeal rights, [REDACTED] brought his case to court. After having heard his petition, Oslo District Court decided on 12. September not to grant a preliminary injunction. A date has not yet been set for the main hearing.

Conclusion

The communication from the Special Rapporteur, as well as information the Ministry has obtained from other sources, has not contained any information that was not known to the relevant asylum authorities or the courts when [REDACTED] claims were handled.

The Ministry must therefore conclude that there are no grounds for taking measures in connection with his possible deportation.

Yours sincerely

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Deputy Director General

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Specialist Director

The document is approved electronically, as such no handwritten signatures are required.

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