



Koordineringsenheden for Ofre for Menneskehandel

For information
and assistance, call:

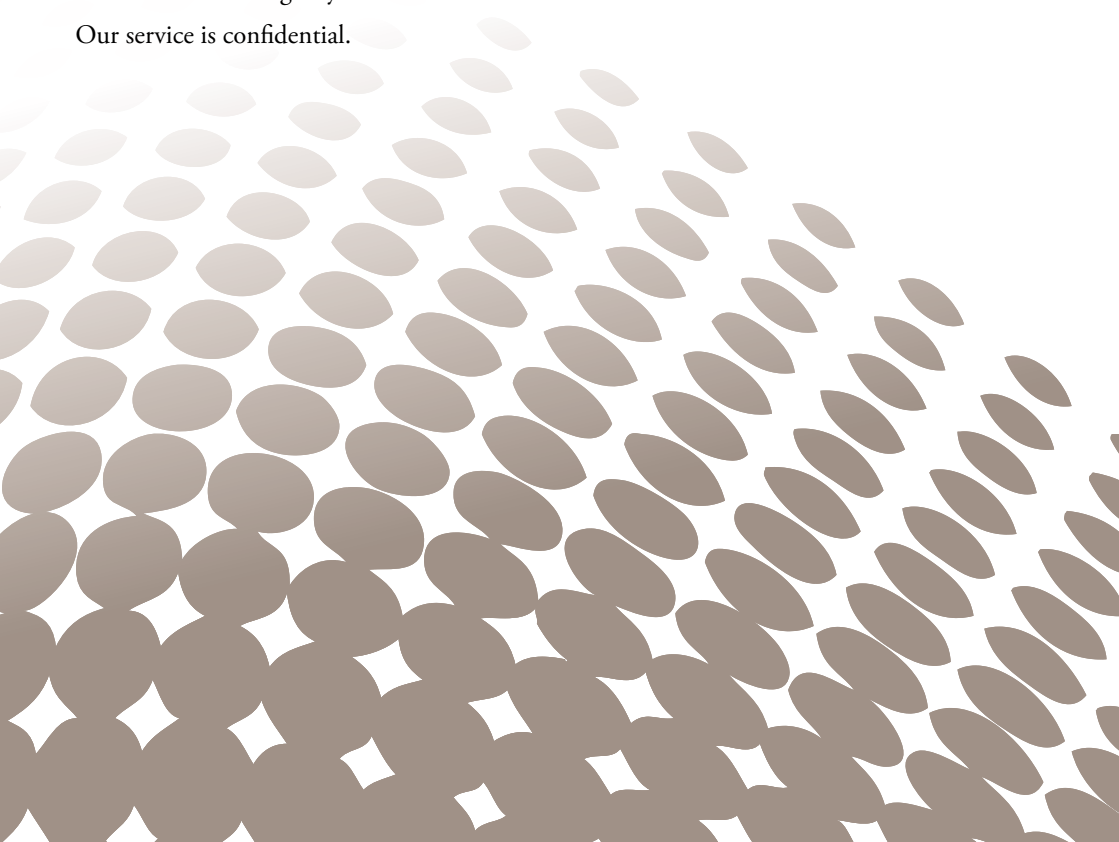
47 45 15 00

(Monday to Friday 8-16)

KOM.pod@politiet.no

You do not need to give your name.

Our service is confidential.





Koordineringsenheten for Ofre for Menneskehandel

You Have Been Granted a Reflection Period





You may ask your lawyer or anyone else you trust to explain the contents of this brochure.

What is the reflection period?

You have been granted a reflection period. This is a six-months work or residence permit. The reflection period has been given you because you have been identified as a possible victim of human trafficking so as to facilitate your receiving the necessary assistance and protection.

The permit does **not** allow extension, permanent residence or family reunification.

The permit is only valid in Norway, and cannot be used to travel or gain residence in any other country. Leaving Norway during the reflection period will be regarded as a violation of the conditions attached to the permit. If you need to leave the country, you must apply for permission to return to Norway, before you leave. If you leave without such permission, you may encounter problems when coming back to Norway.

If you are under 18 years old

If you are under 18 years old, you have by and large the same rights as all other children and young people in Norway. The municipal Child Protection Service is responsible for all children resident in the municipality. It has responsibility for following up underage persons who have been identified as possible victims of human trafficking, in collaboration with other government agencies and services. Together with the police, the Child Protection Service shall take steps to protect you as well as possible.

If you are in Norway without your parents, you may have a guardian or curator appointed who will help you look after your interests. This guardian will be

appointed by the Guardianship Board (*Overformyndertiet*). You are also entitled to a lawyer.

You are entitled to basic schooling if it is probable that you will stay in Norway more than three months. The duty to attend school begins after your stay in Norway has lasted three months. If you have completed primary and lower secondary school or the equivalent, you may apply for the right to three years' upper secondary schooling. You have the right to necessary medical assistance.

Otherwise you have the same rights and duties as adults who have been granted a reflection period.

During a reflection period you have some rights

Everyone who has been granted a reflection period in Norway is entitled to assistance and protection from Norwegian authorities. Exactly what this assistance and protection consists of will depend on what you as an individual require, and what services are available in the municipality where you are staying.

Lawyer

You are entitled to free legal aid – that is to say, a free lawyer for at least three hours in order to consider making a police complaint, and other important legal matters.

If you make a police complaint about human trafficking, you are entitled to a free lawyer in all your contact with the police and prosecution – from when you make the complaint until the end of the criminal proceedings.

Safe house

You are entitled to a place to live that is adapted as well as possible to your needs. This place to live may be offered you in the form of a place at a crisis centre (shelter), or at an institution or flat owned by the municipality where you live. If you are in acute distress and cannot live in a crisis centre, it may be that the welfare services (NAV) may for a limited period offer you a room in a guest-house, hotel or hospice until more suitable and permanent accommodation becomes available.

Living expenses

A reflection period gives you legal residence in Norway and you therefore have rights under the social security legislation.

Particular conditions must be met before you are entitled to monetary benefits under the social security legislation, and this applies also to those who have been granted a reflection period. Monetary benefits (welfare) under the social security legislation shall ensure that everyone has sufficient funds to live on. These welfare payments are meant to be a subsidiary benefit, which means that you must first exhaust all other possibilities, for example work, national insurance benefits, inheritance or savings. When you have exhausted all other possibilities, but these are still insufficient, you are entitled to financial support for your living expenses.

Financial support under the social security legislation is discretionary, and the law does not lay down precisely how much money you should receive. All applicants are entitled to an individual evaluation of their need for help.



Necessary medical assistance

Everyone resident in Norway is entitled to immediate medical assistance when the need is urgent. If you have an acute need for medical assistance, go to your nearest emergency room (*legevakt*).

A reflection period entitles you to participation in the family doctor patient list system (*fastlege*). Getting a refund of part of your expenses for the family doctor demands that you have voluntary or compulsory membership of the National Insurance system. You can apply for voluntary membership in the National Insurance. A family doctor can refer you to a psychologist or other specialist health services if this is what you require.

As regards dentistry, the main rule in Norway is that patients over 20 years old must themselves pay for the treatment they need. You can apply to the welfare services (NAV) for a grant towards necessary medical and dental treatment if you cannot pay for this yourself.

Underage persons (under 18 years of age) are entitled to enjoy the highest achievable health standard and right to treatment for sickness and rehabilitation needs.

Work and employment facilitation measures

A reflection period gives anyone over 18 years of age a six-months work permit. That is, you have the right to work in Norway and can thus sign an employment contract with an employer.

If you begin work, you have a duty to apply for a tax card and pay tax on your wages to the Norwegian state. If you are also receiving financial support from social services (NAV), you must inform them how much you are earning.

Some municipalities offer a course in Norwegian to people who have been granted a reflection period. Anyone living in a crisis centre run by the ROSA project can get their expenses for Norwegian courses reimbursed if their municipality does not provide them free of charge.

You can also apply to NAV for employment facilitation measures. You have no automatic right to such measures, but NAV may grant you this after an individual assessment. Employment facilitation measures can for example consist of job-hunting courses or other vocational training courses, for example in auxiliary nursing, cleaning and manicure.

During the reflection period it is expected that you

A reflection period is granted so that you can receive the necessary assistance and protection. If we are to help you as well as possible, the authorities need you to make some choices and apply for various services.

Give your address to the authorities

You are obliged to give your address to the authorities. It is of particular importance that the Immigration authorities have your correct address. If for security reasons you need a secret address, you can apply for this to the police. Your lawyer can tell you how this is done.

If you move during a reflection period, you are expected to tell those assisting you. Under the Immigration Act, a foreign national who changes address while the statutory consideration of his or her case is in progress, must inform the police. This must be done by personal appearance at the police station in the previous or the new residence district, no later than one week after the move.

Report for obligatory TBC examination

You must undergo an examination for tuberculosis; this is laid down by law. Contact the municipal health service if you do not know where to go for this examination.

Break off all contact with the milieu that is alleged to have exploited you

A reflection period is an arrangement for persons who are thought to need protection from ringleaders and other criminals who may have exploited you in human trafficking. You are expected to attempt to break all ties to this milieu in the course of the reflection period. You can ask for advice from your lawyer, the police or people you trust about how to break contact without putting yourself or your family in unnecessary danger.

Consider filing a police complaint against those who have exploited you

Norwegian authorities have committed themselves to fight human trafficking. This means among other things that the police shall do whatever they can to uncover persons engaged in human trafficking, arrest them, investigate the case and prosecute them before the courts.

In order to evaluate whether anyone has committed such offences and prove it, the police are dependent on your collaboration.

It is desirable that you file a police complaint against those who have exploited you, and that you tell them what you know. The police are obliged to look after your safety. This means that the police will consider whether your testimony will place yourself or those close to you in serious danger, and if so will take the necessary security measures.

If you choose to complain to and cooperate with the police, you have rights as witness or victim in a criminal case:

- You are entitled to legal counsel in all stages of the criminal case (from before you file the complaint until the criminal case is decided by the prosecution authorities or finally considered in court)
- You and your lawyer are entitled to access to all documents in the criminal case
- You and your lawyer are entitled to a contact person in the police who will keep you continuously informed about how the case is proceeding
- You are entitled to protection from the police if they consider that you have a need for this. Protection may range from advice on safeguarding yourself to being assigned a violence alarm, police surveillance, secret address or other measures.

It is expected that you use the reflection period to decide whether you will collaborate with the police. You can file the complaint whenever it suits you, within the six months of the reflection period, but it is recommended that you do not wait until the very end of the period before doing so.

Consider returning to your home country

It is expected that in the course of the reflection period you will decide whether you wish to return to your home country. You are also expected to receive information about what we can offer you if you go home. You have been identified as a possible victim of human trafficking, and are therefore entitled to assistance from the International Organization for Migration (IOM) for return and re-establishment in your home country. The IOM can give you detailed information about what services they can offer you.

Consider whether you meet the conditions to apply for further residence in Norway

In order to be granted a temporary work or residence permit after the expiration of the reflection period, you must have filed a police complaint against the traffickers. This complaint must have led to the police investigating the case or the prosecution authorities initiating criminal proceedings against the traffickers. It is also required that the police regard your presence in Norway as necessary for the investigation or the criminal case. You must also have broken off all contact with the milieu engaged in the human trafficking. These requirements are enshrined in the instruction AI 2006-010 from the Ministry of Labour and Social Inclusion.

If you decide to apply for such temporary permit, you should begin the work of satisfying the conditions as quickly as possible. When a reflection period expires,

you no longer have legal residence in Norway, and an application for further permits will be refused unless the criteria are met. Illegal residence and work in Norway is a criminal offence and can lead to deportation.

Tell us whether you move or leave

The reflection period and the rights that accompany it are an offer, which you can choose to turn down or terminate at any time.

You are obliged to notify the police if you move. If you disappear, you may be reported missing because someone fears that you have fallen victim to some criminal act. In addition to notifying the police, we would recommend that you also tell:

- Your lawyer
- Officials or staff who follow you up where you live.

