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Sliding scales in labour exploitation

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This report examines severe labour exploitation in the grey area between social dumping and human trafficking in the Norwegian labour market. The study analyses the scope and trends in development, characteristics of workers who are exploited and actors who exploit them, how exploitation is identified and addressed, what forms of assistance are available, and which sanctioning mechanisms are used in practice. The aim has been to contribute to a better understanding of a field characterised by unclear boundaries, extensive underreporting, and significant institutional challenges related to identification and follow-up.

The analytical point of departure of the report is that the concept of “the grey area” can be understood in two ways: first, as a gap between regulatory frameworks and enforcement mechanisms, where existing legislation does not adequately capture severe forms of exploitation; and second, as a field characterised by disagreement over where the boundaries between social dumping and human trafficking should be drawn. An overarching conclusion is that this formal legal gap is gradually being narrowed, not least through the criminalisation of wage theft in 2022 and a recent proposal for new regulation targeting severe exploitation of foreign workers. At the same time, the analysis points to ongoing challenges related to implementation, practical boundary setting, and the application of legislation in individual cases. A key finding of the report is that strengthened sanctioning measures alone are not sufficient. Effective enforcement also hinges on exploited workers having access to rights and assistance. The report shows that sanctions, assistance, and detection are closely interconnected in practice, and that lack of access to housing, income, and legal support limits both the agency of those affected and the authorities’ ability to follow up serious cases. While the new legal provisions can be understood as narrowing the grey area on the sanctioning side, there is a risk that the grey area will persist in practice if these measures are not accompanied by corresponding measures in the assistance system and -rights, both in terms of protection and in terms of the effectiveness of sanctions.

Scope and development trends

A key methodological premise of the study is that it is not possible to quantify a single “true scope” of severe exploitation in the grey area between social dumping and human trafficking. The cases are difficult to delineate clearly, and variations in detection may reflect differences in priorities, resource allocation, registration practices, and institutional perspectives, as much as actual changes in the phenomenon itself. The study therefore applies an indirect approach based on a set of indicators that together provide insight into risk, development trends, and identified cases.

We analyse indicators at three levels: employment relationships assumed to involve an elevated risk of exploitation; individual infringements that may be part of severe exploitation, such as wage theft; and identified cases where severe exploitation appears likely. Representativeness and generalisability decrease the closer one moves towards the core phenomenon. Taken together, the approach does not provide an estimate of actual prevalence, but rather a form of “pulse check” of the field.

Register-based analyses show that a substantial share of the Norwegian labour market is located in segments where the risk of exploitation can be considered as elevated

compared with other employment relationships. In August 2025, between 170,000 and 237,000 employment relationships are estimated to fall within this risk profile, depending on the definition applied, and approximately half of these are held by workers in more exposed situations. The report shows that the number of such employment relationships has increased over time. At the same time, developments are not linear, but shaped by economic cycles, regulatory changes, and migration flows.

At the intermediate level, measurable phenomena that may form part of severe exploitation are identified, particularly wage theft. Since wage theft was criminalised in 2022, between 154 and 174 cases have been reported to police, and wage theft also constitutes a substantial share of the caseload handled by non-governmental organisations providing legal assistance. At the innermost level are identified cases where severe exploitation appears likely. Actors in non-governmental organisations with close contact with labour migrants estimate that they are in contact with several hundred such cases annually. These figures are uncertain, partly because there are no clear registration categories and partly because cases often change character over time.

The material further indicates that many wage theft cases develop into more complex exploitation cases, where factors such as dependence on employer-provided housing, control, poor working conditions, and limited room for manoeuvre contribute to pushing cases towards a more severe form of exploitation. The grey area therefore does not denote a single type of case, but rather a field characterised by complex case constellations, gradual legal transitions, and disagreement over severity and classification.

Workers in the grey area

A key finding is that workers who are severely exploited in the grey area do not constitute a homogeneous group. The material includes people in highly marginalised life situations as well as workers with work experience, education, and relatively well-considered migration plans. Several informants also point to changes in the groups affected, with cases today appearing more complex than in the past.

Although vulnerability remains an important element in many cases, the central finding is that exploitation does not primarily affect particular “types” of individuals. Rather, it arises in situations where workers hold weak resource positions and are placed in dependency relationships that limit their room for manoeuvre. Many workers are dependent on employers or intermediaries for work, housing, transport, information, registration, and documentation.

Barriers to exiting exploitative employment relationships are often multifaceted. Economic pressures, hopes of recovering unpaid wages, debt, fear of losing work and housing, as well as social ties or obligations towards employers or intermediaries, contribute to many remaining in exploitative situations longer than they otherwise would. In several cases, coercion in the criminal law sense is not necessarily present, but strong forms of dependency nonetheless constrain the ability to protest or leave.

Many individuals do not identify themselves as victims. This is particularly the case among men in sectors where poor conditions are normalised and where the threshold for defining one’s own situation as exploitation is high. This further contributes to low

visibility and makes detection more difficult. At the same time, the material shows that understandings of vulnerability vary among actors, and that vulnerability is often interpreted narrowly, particularly in cases involving men.

Actors who exploit and forms of exploitation

Those who exploit workers range from sole proprietors and small enterprises to more organised actors operating within long subcontracting and supply chains. Some appear deliberately criminal and strategically adaptive, while others operate in chaotic or semi-legal businesses where lawful and unlawful activities overlap. In practice, the dividing line between “responsible” and “unscrupulous” actors can be fuzzy.

Exploitation does not necessarily take the form of overt coercion but instead operates through control over key living conditions such as housing, transport, working hours, documents, bank accounts, information, and social ties. These forms of control are less visible yet can still create strong dependencies and severely limit workers’ room for manoeuvre. Several informants also express concern about identity theft as part of the exploitation landscape, with potentially very serious and long-lasting consequences for those affected.

With regard to recruitment, the study finds few indications that the most severe exploitation cases differ clearly from other forms of labour migration at the point of recruitment. Recruitment commonly takes place through social networks, family, acquaintances, intermediaries, and informal contacts, in much the same way as migration trajectories that do not result in exploitation.

Rather, the material suggests that exploitation often emerges and intensifies over time as workers become increasingly economically, socially, or practically dependent on employers or intermediaries. This indicates that measures aimed at strengthening workers’ room for manoeuvre after arrival in Norway may be more effective than measures primarily targeting recruitment in countries of origin.

Detection and identification

Identification of severe exploitation largely occurs through interaction between workers, civil society actors, and public authorities. Workers’ own approaches are important, but are often constrained by economic dependency, language barriers, uncertainty, and fear of consequences. Non-governmental organisations and trade unions frequently function as first points of contact and play a central role in clarifying and referring cases.

Low-threshold services offering legal assistance and language competence are particularly important for identifying severe exploitation. Outcomes depend to a large extent on the availability of documentation and resources.

Assistance and follow-up

The assistance landscape in this field appears fragmented, geographically uneven, and largely reliant on non-governmental actors in civil society. While high levels of expertise exist in parts of the “frontline”, this expertise is often concentrated among a limited number of individuals and project-based initiatives with low predictability. As a result,

the system is highly dependent on committed individuals and therefore vulnerable. Access to assistance largely depends on whether a worker encounters someone with sufficient knowledge, time, and networks to follow the case through.

The needs in exploitation cases are largely similar across cases: safe housing, financial support, legal assistance, healthcare, and long-term follow-up. These needs often arise simultaneously and reinforce one another. Assistance therefore functions not only as humanitarian support but also as a prerequisite for rights mobilisation, reporting, and further follow-up. Lack of assistance can prevent individuals from exiting exploitative situations and limit the authorities' ability to detect and pursue serious cases.

Sanctions and barriers for using them

The sanctioning framework has been strengthened in recent years through new criminal provisions, increased penalties, and expanded enforcement tools. At the same time, the study shows that the main challenges lie less in insufficient regulation and more in limited identification, documentation, and use of existing mechanisms. Stronger sanctions have limited impact if they are rarely applied in practice or if legal processes take too long to produce results.

Cases involving severe exploitation are often difficult to document, and workers frequently lack written evidence. Fear, mistrust, and uncertainty related to work, housing, and residence status make it difficult to remain engaged in lengthy legal processes. The core challenge in the grey area is therefore not necessarily the absence of sanctioning mechanisms, but that available tools too often fail to function effectively or operate too slowly.

Prevention

Finally, the report addresses prevention, which must be understood holistically and across levels. The overall analysis shows that prevention of severe labour exploitation cannot be limited to isolated measures but must be approached as a coherent chain encompassing regulation, control, early identification, assistance, and long-term follow-up. Measures aimed at reducing the risk of exploitation, such as improved information, clearer responsibility in subcontracting chains, and visible enforcement, have limited effect if exploitation is not identified early and followed up. At the same time, the report shows that assistance to individuals who are already affected, such as housing, financial support, and legal and social follow-up, is not merely post hoc support but a central preventive measure that can reduce the risk of continued or repeated exploitation. Prevention therefore concerns both limiting the scope for exploitative actors and ensuring that exploited workers have real alternatives to remaining in or returning to exploitative situations. The report demonstrates that weak links between sanctions and assistance undermine both protection of those affected and the effectiveness of enforcement. Effective prevention in this field therefore requires that measures on the control and sanctioning side are accompanied by accessible rights and coherent assistance frameworks.

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