

# Trafficking in Children to Denmark

December 2003



**Save the Children**

Denmark

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# Summary

Very little is known about trafficking in children to Denmark. This is primarily owing to the fact that trafficking is a clandestine endeavour – particularly when children are involved – and minors are often equipped with false papers indicating they are more than 18 years of age. The victims rarely come to the attention of the authorities; it is therefore impossible to completely document the extent of the problem. Save the Children Denmark has therefore conducted a study in which we have attempted to cast light on the trafficking in children to Denmark. This study focuses on:

- 1 – the actual situation regarding the trafficking in children to Denmark, and
- 2 – the rights and help available to children trafficked to Denmark.

re: 1) Save the Children has uncovered two primary areas in which trade with children to Denmark is taking place. The first area includes the group of children trafficked to Denmark for the purpose of commercial sexual exploitation. Interviews conducted with organisations and individuals in Denmark and abroad led to the discovery of three incidents of foreign children subject to sexual exploitation in Denmark. In the course of the study, a further case was dealt with in the Swedish courts involving an under-aged Polish girl who was abused in Sweden and Denmark.

Save the Children Denmark wanted to interview the aforementioned victims of trafficking; however, via contact with adults with close relations to three of the victims we were informed that the children were not prepared to participate in such an interview. They do not wish to relive their traumatic experiences via conversations with Save the Children Denmark.

The other area Save the Children Denmark was able to identify was a group of children trafficked to Denmark for the purpose of criminal exploitation, where the proceeds from shoplifting, pick-pocketing etc. is often entirely or partially delivered to e.g. a ringleader residing in Denmark. Since the spring of 2003, the Danish police and the Social 24-hours Services of Copenhagen (*den Sociale Døgnvagt*) have thus observed a disconcerting development. According to the Social 24-hours Services, there have been at least 20 such cases in the period from spring to December 2003. Furthermore, it is important to keep in mind that a combination of these two areas, prostitution and crime, can also occur; the children in these milieus lead vulnerable existences on the edge of society where the distance from petty crime to prostitution is not great.

re: 2) Save the Children Denmark additionally discovered that the help and protection available to trafficked children is unclear. *The Danish government's Action Plan to combat Trafficking in Women* is insufficient, inasmuch as it makes no mention of children and their particular needs and rights; moreover, it narrowly deals with the struggle against sexual exploitation.

On that background, Save the Children Denmark recommends the composition of a general plan of action for children. Such a plan of action must include initiatives capable of bringing Denmark in compliance with the Convention on the Rights of the Child and its supplementary protocol concerning trafficking in children, child prostitution and child pornography, as well as the Palermo Protocol (a protocol regarding the prevention of trafficking in humans, particularly women and children). Denmark has recently ratified the two protocols. Furthermore, Denmark is committed to a number of declarations concerning the protection of children from sexual exploitation in connection with the first World Congress against Commercial Sexual Exploitation of Children in Stockholm in 1996 and the second congress in Yokohama in 2001. Save the Children Denmark recommends that the Danish Government's plan of action is expanded with the following:

- In terms of the *identification* of the victims, the plan of action must ensure that guidelines are developed so that a possible trafficking aspect is always included in the authorities' investigation and registration of criminal activities and/or prostitution or other forms of sexual exploitation involving foreign children. The relevant authorities are to be trained in these guidelines.
- In terms of the victims' *stay* in Denmark, there must be a period of reflection in Denmark that accounts for the length of time necessary to develop the trust of the trafficked child and to assist the child in making plans for the future. Save the Children Denmark therefore recommends a six-month period of reflection – instead of the 15 days presently recommended by the Danish Government.
- In terms of repatriation, rehabilitation and re-integration, guidelines must be drafted to ensure the comprehensive investigation of the personal relations of a trafficked child and the conditions in their home country prior to repatriation. Should the state in question be unable to guarantee the safety of the child or if the family or other primary caregiver is incapable of ensuring the child against e.g. being trafficked again, repatriation ought not be effectuated. The authorities ought to work in co-operation with independent organisations when conducting such assessments.

Save the Children Denmark further recommends that the Danish Government establish an agency with a mandate to cast further light on the situation surrounding the exploitation of children in

Denmark, including trafficked children. It is important that the risk areas for exploitation are further identified and information is provided to target groups working in relation to the identified risk zones. We also recommend that such an agency is made responsible to conduct a survey of police reports and registered sexual crimes against children and cases where suspicion of trafficking could exist.

# 1. Introduction

In the spring of 2003, Save the Children Denmark decided to investigate whether trade in children for the purpose of exploitation, *trafficking*, is a problem in Denmark. Children are arguably more vulnerable than adult victims. In addition to the abuse and offence they are exposed to, it is more difficult for children to comprehend the complexity of the situation they find themselves in: how can they escape? Who can they trust? What kind of help is available? This vulnerability is exacerbated in cases of external trafficking, i.e. across national borders, as this generally involves a language barrier and lack of familiarity with the foreign country. In addition to being victims of a crime, trafficked children have also been deprived of care, childhood, family, education and health, i.e. fundamental violations of the rights of the child.

The demand for greater knowledge forwarded by Save the Children Denmark is largely based on the fact that trafficking in children for the purpose of exploitation takes place in other Northern European countries. When children are trafficked to our region, it is necessary to take the problem seriously and confront ourselves with the question of whether foreign children are already in Denmark because they were sold to exploitation in Denmark or whether it is possible that something of this nature can occur in Denmark.

# 2. Trafficking - a global phenomenon

We know that trafficking is a global phenomenon. According to a recent assessment issued by the American Government, approximately 800,000-900,000 persons are trafficked annually for the purpose of exploitation, an assessment that does *not* include trafficking in people within state borders<sup>1</sup>. At a UN meeting in 2002 concerning children, an estimate was forwarded that 1.2 million children around the world have been the victims of internal or external trafficking, an assessment that UNICEF UK and others have referred to since<sup>2</sup>.

Naturally, it is dangerous to exclusively base one's knowledge of the magnitude of the problem on assessments and estimates. Different estimates are often based on dissimilar definitions of trafficking; it is therefore difficult to know which forms of trafficking the estimates encompass. Furthermore, it is often impossible to discern the assumptions that various estimates build upon.

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<sup>1</sup> U.S. Department of State: *Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons*, 2003.

<sup>2</sup> <http://www.unicef.org/specialsession/activities/child-trafficking.htm> and e.g. *European Parliament*, European Parliament Resolution on Trafficking in Children and Child Soldiers, *P5\_TA-PROV (2003)0334*, 2003.

### *Trafficking in Western Europe*

Children are also trafficked to Western Europe. Save the Children has published a report entitled *Separated Children in Europe: Policies and practices in European Union member states: a comparative analysis*, resulting from the work of the "Separated Children in Europe Programme". On the basis of 13 national reports from EU countries, the report concludes that there is clear consensus that the trafficking in children is a real and growing problem in the 13 countries<sup>3</sup>. In terms of the extent of the problem in Northern Europe, International Organization for Migration, IOM, similarly concluded in 2001 that despite the lack of comprehensive exposure and precise relevant data, there has been an increase in the number of children trafficked for the purpose of sexual exploitation<sup>4</sup>.

Some of the Northern European countries have official statistics encompassing the registered victims for trafficking, e.g. the Netherlands and Germany; however, as trafficking is an illegal, it is important to keep in mind that registered cases of trafficking per definition merely represent the tip of the iceberg.

In 2000, Dutch organisations working to support trafficking victims exposed to sexual abuse registered 608 victims, of which 129 were minors<sup>5</sup>. German police reported 987 cases in 2001 involving victims of sexual exploitation, of which 30 were minors. In 2002, 38 minors were reportedly exposed to sexual exploitation in Germany<sup>6</sup>. In 2003, Save the Children Denmark participated in a workshop<sup>7</sup> in Germany involving professionals working with unaccompanied asylum-seeking children in the asylum system in Germany. A number of the participants in this workshop had been in direct contact with trafficked children in incidents in which their traffickers had exploited the asylum system to get children into the country and provide them with a place to stay. Particular groups of children were identified in workshop discussions, namely Nigerian girls who are exploited in the sex industry and Romanian boys who are trafficked to commit theft.

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<sup>3</sup> The 13 countries the report builds on are Austria, Belgium, Denmark, England, Finland, Germany, Greece, Ireland, Italy, the Netherlands, Portugal, Spain and Sweden. Smith, Terry: *Separated Children in Europe: Policies and practices in European Union member states: a comparative analysis*, Save the Children, 2003.

<sup>4</sup> International Organization for Migration: *Trafficking in unaccompanied minors for sexual exploitation in the European Union*, 2001. In addition to Belgium, Germany and the Netherlands, Italy is also included in this study.

<sup>5</sup> Bureau NRM, *Trafficking in Human Beings*, The Hague, 2002, p. 57.

<sup>6</sup> Bureau NRM, *Trafficking in Human Beings*, The Hague, 2002, p. 9.

<sup>7</sup> The workshop was part of a conference held by Bundesfachverband-umf.

UNICEF UK issued a report in 2003 stating that at least 250 children have been trafficked to England over the past five years, a figure that is primarily based on reports from social services and other organisations with contact to children exposed to trafficking. On the basis of various factors, UNICEF UK concludes that the actual figure is doubtlessly much higher: "The 250 figure is only the tip of the iceberg. There are likely hundreds, if not thousands, of children in the UK who have been brought here for exploitation."<sup>8</sup>

In Sweden there have been isolated incidents that have motivated the Swedish public, politicians and NGOs to take trafficking very seriously. The cases that have come to the attention of the public have set focus on the fact that the trafficking in children can and indeed does occur in Sweden. One of the most publicised cases was a particularly tragic event involving a girl trafficked to Sweden from one of the Baltic Republics who was held captive and exploited over a long period of time, ultimately committing suicide. Her story surfaced in the Swedish media in connection with the investigation of her suicide. Her experiences have since been made into a film, *Lilja4ever*, by Lukas Moodyson. On 15 October 2003, sentence was passed in another trafficking case involving a 16-year-old girl sold for street and escort prostitution in Sweden.

In 2003, the Swedish Migration Board, *Migrationsverket*, published a study concerning the question of whether the asylum system is being exploited by traffickers as a channel for trafficking children into Sweden. Many of the unaccompanied asylum-seeking children disappear prior to the completion of their applications. In addition to being vulnerable while in Sweden due to the absence of a family network, there is reason to fear that these children could be in the hands of traffickers who have merely exploited the asylum system to get the children into the country. While the report documents that the migration board has knowledge about where the majority of the disappeared children arriving in Sweden in 2002 are located now it also concludes that in 11 of the 103 cases in which children have disappeared, there is reason to believe trafficking was involved<sup>9</sup>.

#### *Trafficking in the Baltic Region*

While conducting this study, Save the Children Denmark has focused particularly on trafficking in the Baltic Region. The reason for doing so has been that a significant proportion of the women trafficked in the north of Western Europe has their origins in Eastern Europe, e.g. almost 82% of the registered victims of trafficking in Germany in 2000 were from Central and Eastern Europe. Many of

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<sup>8</sup> UNICEF UK, *End Child Exploitation – Stop the traffic!* 2003. p. 17.

<sup>9</sup> <http://www.migrationsverket.se/swedish/verket/skrivelser/barnrapport.pdf>

the victims are from Lithuania and Latvia; 69% of the victims in 2001 were from these countries<sup>10</sup>. The basis for this investigation included consultation with NGOs in the Baltic countries; in Estonia, Latvia and Lithuania, NGOs working with victims of trafficking all named Denmark as one of the destination countries for girls and women from the Baltic countries, as well as girls and women from countries where traffickers use the Baltic countries as transit countries. Eastern European women constitute the largest single group of foreign women working in prostitution in Denmark<sup>11</sup>. There is reason to assume that trafficked children in Denmark stem from the same countries as the adult women working in prostitution.

### 3. Purpose of the investigation

The objective of the task at hand has been to attain a grasp of

- 1 – the concrete situation regarding the trafficking in children in Denmark, and
- 2 – the rights and opportunities available to trafficked children in Denmark.

We have therefore sought to provide answers to the following questions:

- Is it possible to prove that children are trafficked to Denmark; if so, which forms of exploitation of foreign children take place?
- What characterises the children at risk of being trafficked?
- What are the countries of origin and age groups?
- Who are their traffickers and how are they recruited?

Furthermore, our investigation has taken the concrete Danish legislation and other relevant initiatives into account and assessed which holes exist in the legislation and practices for ensuring the rights of the children who are trafficked to Denmark. Our recommendations are based on these assessments.

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<sup>10</sup> Bazylevas and Zekonis, Prevention and Control of Trafficking in Human Beings in Lithuania, 2003, p. 19.

<sup>11</sup> Helth, 2003, Moustgaard and Brun, Kroppe over grænser (*Bodies over Borders*), 2001, p. 31, Pro-Centret, Annual Report 2002.

## 4. Definition of ‘trafficking in children’

As indicated above, clarity concerning the definition of trafficking is crucial. The investigation at hand has built upon the definition from the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (The Palermo Protocol), supplementing the United

Nations Convention against Transnational Organised Crime . We make use of this definition on the grounds that it is recognised by many countries, as they have signed the protocol, and it has gradually become the sole definition to win broad support. Denmark deposited the Protocol with the Secretary-General of the United Nations 30 September 2003, and it came into force in Denmark three months later.

According to Article 3, subparagraph (a), “Trafficking in persons” refers to *“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, or abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, **for the purpose of exploitation**. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”* (our emphasis).

According to Article 3, subparagraph (b), “The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.”

According to Article 3, subparagraphs (c) and (d), “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article; “Child” shall mean any person under eighteen years of age.”<sup>12</sup>

The Palermo definition is useful for many reasons:

- It encompasses many forms of exploitation, as opposed to exclusively focusing on sexual exploitation, which is often the case; the result of which being that studies and political and

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<sup>12</sup> In the Ministry of Justice, Bill no. LI 18.

practical initiatives for the prevention of trafficking and protection of and care for victims only encompass those who have been sexually exploited.

- The victim's consent is irrelevant in all instances in which any of the aforementioned means have been drawn upon to convince the victim.
- The definition is categorical regarding the exploitation of children: under no circumstances can it be assumed that any person under 18 years of age has consented to his/her own trafficking or exploitation.

One-sided focus on the Palermo Definition and the protocol has certain weaknesses, however:

- The "mother convention" to the Palermo Protocol is the UN Convention Against Transnational Crime. Defining trafficking in persons within the framework of *transnational* crime raises the risk of excluding all instances of internal trafficking in persons involving the very same forms of exploitation as in the trafficking in persons over borders; and which additionally often represents the step preceding trafficking over borders. Save the Children Denmark therefore wishes to emphasise that trafficking in persons can also take place within national borders.
- In relation to the prevention of organised crime, the Protocol is written in an obligatory tone, e.g. "states must ensure," while a somewhat weaker terminology is used in relation the protection of victims and their rights. The danger, naturally, is that emphasis on the prevention of crime in national legislation can result in immediate expulsions, which can possibly lead to victims going underground or returning home without support. If the worst comes to the worst, this kind of a one-sided approach could actually inadvertently lead to re-trafficking.

However, governments are also obligated by international human rights instruments, the UN Convention on the Rights of the Child (CRC) as well as the supplementary protocol regarding trading in children, child prostitution and child pornography, which Denmark ratified in July 2003.

According to the CRC, children are to be defined as all persons under 18 years of age.

Trafficking in children violates a number of children's rights over a long range of areas; these violations can be divided in four main categories:

1. the right to life (CRC art. 6 (1))
2. the right to survival and development (CRC art. 6 (2))
3. the right to protection (from discrimination and punishment (CRC art. 2 (2)) from physical and mental violence (CRC art. 19.1) and from exploitation (CRC art. 34, 35, 36)
4. the right to participate (CRC art.12).

States are obligated to ensure that the rights of children are respected, and that all decisions are made in accordance with the 'best interests' of the child.

## 5. Method

In an attempt at casting light on an area as covert as the trafficking in children, Save the Children Denmark has obtained information for this study from a broad range of different actors.

A first step towards casting light on the situation regarding the trafficking in children in the Baltic region has been to visit a number of the countries of origin and/or transit countries, including Russia, Estonia, Latvia and Lithuania. In this regard, Save the Children has primarily been in contact with local NGOs working with abused children and children and families with social problems. The purpose of this contact has been to attain a sense of the capacities of these organisations and opportunities for development and co-operation, as well as to get a better sense of the relevant problems in the countries in question. Enquiry was also made as to whether the organisations visited had specific knowledge of children having been trafficked to Denmark.

The relevant authorities and organisations in Denmark have been contacted. Save the Children has met with Copenhagen police, who possess specific knowledge regarding trafficking and the prostitution milieus in the city. Furthermore, enquiry has also been made to the so-called NEC Group in the Danish police force, which works with the monitoring of organised crime, including the smuggling of people, as to their knowledge of trafficking in children for criminal and sexual exploitation.

Save the Children Denmark has also been in contact with a range of relevant ministries to make enquiries concerning the legal position of trafficked children in Denmark (the Ministry of Social Affairs, the Department of Gender Equality and the Ministry of Justice), as well as the Danish Immigration Service.

In its capacity as assessor in connection with police interrogations of children, the Social 24-hours Services of Copenhagen has been contacted to get an assessment of the situation in Copenhagen, i.e. whether they knew of cases in which minors have been exploited for crime.

We have also consulted with the Danish Center for Research on Social Vulnerability (*Videns- og Formidlingscenter for Socialt Udsatte - Tema: Prostitution*); in addition to acquiring increased general insight regarding the area, we have gained access to relevant documents.

We have also been in touch with local Copenhagen agencies performing outreach work in the street prostitution milieu, including the YWCA Social Work (Reden – the Nest) and Stop Trafficking and Tjekpunkt to receive word of their observations.

Furthermore, the Save the Children Denmark's international NGO network and a number of local centres working with women and children in prostitution in Eastern and Central Europe were contacted regarding their possible awareness of trafficking in children to Denmark.

A number of Eastern European embassies<sup>13</sup> in Denmark have been contacted for the purpose of further hearing whether they have experience with minor citizens from their countries who have been exposed to commercial sexual exploitation or other forms of exploitation in Denmark.

Meetings were also held with the Danish Red Cross, asylum department, and the Danish Red Cross Centre Gribskov for unaccompanied asylum-seeking children to hear whether Danish Red Cross has experience with abuse of the asylum system in connection with traffickers getting minors into Denmark.

Save the Children has also conducted a covert investigation via telephone of escort bureaus to probe whether they had minors in their employ. Questions were posed in the form of enquiries from a prospective customer. The questions were very deliberately formulated in such a manner so as not to sound like encouragement to obtain a minor, merely whether the bureau actually would offer a minor. This telephone investigation was initiated on the background of tips from persons with knowledge of the prostitution milieu that the sale of minors for commercial sexual exploitation

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<sup>13</sup> Save the Children Denmark has visited the embassies of the following countries: Slovakia, the Czech Republic, Estonia, Lithuania, and Latvia.

could well occur within the escort sector. Indeed, this branch is characterised by the fact that there is an intermediary/chauffer between the customer and the prostitute, providing ample opportunity to regulate both the prostitute and the person he/she comes in contact with. Save the Children Denmark is aware that a simple round of telephone calls to escort bureaus enquiring whether they employ minors is hardly evidence, as the intermediary could easily lie that an adult prostitute was younger (to maintain customer interest) and they are hardly interested in divulging such information over the telephone. However, Save the Children believes that such an investigation, together with the other material in the report, can nevertheless contribute to sketch a picture of how obvious the possible supply of minors exists. Two Save the Children employees – in addition to the individual making the actual telephone call – observed all such conversations.

Save the Children Denmark has employed an external consultant with extensive experience resulting from years of work as a social worker in the prostitution milieu in Copenhagen, including confidential contacts that can be useful when attempting to acquire insight regarding a clandestine environment. The consultant has made enquiry with her contacts in the milieu concerning their possible awareness of concrete cases and opportunities to get in contact with the victims of commercial sexual exploitation. Furthermore, general enquiry has been made to police forces in the Nordic countries concerning the commercial sexual exploitation of children; specific enquiry was made to most of them concerning cases with connection to Denmark.

To cast light on the commercial sexual exploitation of children, an objective was formulated to conduct three documentary interviews with victims of trafficking.

The interviews were to focus on the following areas:

- sites of recruiting and methods used
- travel in and out of Denmark
- the extent and nature of commercial exploitation in Denmark
- the present life-situation of the person and their need for support

## 6. The results of the investigation

Our investigation has uncovered four concrete cases of children being trafficked to Denmark for the purpose of commercial sexual exploitation. Furthermore, we have discovered a group of at least 20 children trafficked for the purpose of economic crime, i.e. theft. Unfortunately, we have not

been able to conduct interviews with any of the trafficked children (for further details, see below); this report therefore builds on the other information sources named in the method section above.

#### *Areas in which exploitation occurs*

The Palermo Definition makes clear that the trafficking concept encompasses a broad range of forms of exploitation of people, e.g. exploitation for prostitution or other forms of sexual exploitation, forced labour, slavery or removal of organs.

In the investigation of trafficking in foreign children to Denmark, Save the Children Denmark has identified two main areas in which children are apparently being trafficked to Denmark. The first group is trafficked to Denmark for the purpose of commercial sexual exploitation, the other for the purpose of exploitation to commit acts of crime in which the yields from shoplifting, pick-pocketing etc. often entirely or partially are delivered to e.g. a ringleader residing in Denmark. It is important to keep in mind that combinations of these two areas can also occur, as children in these milieus live a vulnerable existence on the edge of society where the distance from petty crime to e.g. prostitution is marginal.

It is also possible that foreign children are trafficked to Denmark for other forms of abuse; however, no forms of exploitation other than these two have been mentioned in the interviews we have conducted, as referred to above, nor have we discovered cases in which foreign children have been exploited for e.g. factory or agricultural labour.

#### *Possible channels for trafficking children to Denmark*

Save the Children's interviews with NGOs in the Baltic countries (Estonia, Latvia and Lithuania) indicate that some of the methods employed by traffickers to lure girls to Western Europe to exploit them include promises of jobs that typically appeal to the very young, e.g. au pair jobs, bartending or summer jobs in agriculture.

Another area that similarly can serve as a gateway to Denmark is personal ads and marriage bureaus. There is also reason to fear that e.g. paedophiles can take advantage of marriage to a foreign mother to gain access to her child/children. This very problem is pointed out in a recent report from the National Organization of Shelters for Battered Women and Children (LOKK). They express concern that despite the limited material serving as the basis for the report, a relatively

significant number of cases involving suspicion of sexual abuse of children within marriages has been discovered.<sup>14</sup>

Experience in the Baltic countries indicates that young girls are often aware of the actual 'job market' in the Western European countries, but they are often not aware that they will have their passports taken from them, the terrible conditions they will be forced to work under, or the debt that they will quickly incur to their traffickers.

### *Sexual exploitation*

No actual statistics of registered trafficking victims exist in Denmark, or of trafficking victims of sexual exploitation. The number of foreign women being trafficked to Denmark for prostitution is estimated at approximately 2000 annually<sup>15</sup>. The number of foreign women in prostitution in Denmark has increased dramatically in recent years and is also considerably larger than is the case in Norway and Sweden<sup>16</sup>.

There is disagreement as to the extent to which foreign children suffer commercial sexual exploitation.

Representatives from the Danish National Police force do not feel that the problem is particularly widespread, as they have no specific knowledge of trafficking in minors as a problem in Denmark. The Danish police began focusing on the trafficking problematique in 2001. The National Investigative Support Centre (the NEC) was established to collect information regarding criminal trafficking networks and observations of the milieus surrounding the prostitution of foreign women in Denmark; an IT-agency and regional investigative agencies are similarly associated to the NEC. The ambition has been to identify patterns and connections between various forms of crime and to generally improve the monitoring of the trafficking problematique. Thus far, the increased monitoring of criminal networks has led to the first significant sets of criminal charges in Denmark against trafficking ringleaders. This increased monitoring has yet to lead to concrete data in relation to children being trafficked to Denmark. In a recent nationwide survey of massage clinics and brothels, police did not reportedly encounter children in these environments.

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<sup>14</sup> Når drømme og håb forvandles til mareridt (*When dreams and hope become a nightmare*), LOKK, 2003, p. 22.

<sup>15</sup> Helth 2003, Moustgaard and Brun 2001, p. 31, PRO-Centret 2002.

The number of foreign prostitutes corresponds to approximately 30% of all persons involved in prostitution in Denmark.

The Danish Immigration Service has conducted two extractions from the aliens registry including women expelled from Denmark on account of illegal work (Danish Aliens Act section 25 (a), subsection (2), no. 1). The first extraction was of women born between 1968 and 1988 originating from selected Central and Eastern European countries (the Czech Republic, Estonia, Latvia, Lithuania, Poland, Romania, Russia, Slovakia and Ukraine). The extraction indicated that in the period 01.01.2001–25.10.2003, 155 women were expelled. The extraction also indicated that the largest groups of expelled women come from Poland, Latvia, Lithuania, Romania and the Czech Republic. It must also be emphasised that expulsion on the grounds of illegal work does not necessarily involve prostitution, e.g. occasionally Eastern European girls who come to Denmark as au pairs subsequently remain in the country and work without the necessary permission to do so. However, according to information from The Danish Immigration Service, the vast majority of cases in these calculations involve prostitution.

**Number of women expelled administratively on account of illegal work (decision code 28-056).  
Women from selected Eastern European countries born in the period 1968-1988.  
Distribution in terms of nationality and year of ruling.  
Calculated per.: 25OCT2003. Date of running: 31OCT2003**

		2001	2002	2003	Total
Country	Nationality code				
Estonia	19	5	1	3	9
Latvia	19	28	.	13	41
Lithuania	19	9	4	2	15
Poland	21	23	21	9	53
Romania	26	.	11	2	13
Russia	20	4	.	1	5
Slovakia	23	1	.	3	4
Czech Republic	23	4	7	2	13
Ukraine	20	2	.	.	2
<b>Total</b>		76	44	35	155

The other extraction indicates the size of the proportion of the total of 155 expelled women under 18 years of age at the time of the decision. In this regard, the extraction shows a total of four expulsions of minors, all in 2001. The expelled minors were from Lithuania, Poland and the Czech Republic.

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<sup>16</sup> Moustgaard and Brun 2001, p. 31.

**Number of women expelled administratively on account of illegal work (decision code 28-056).  
 Women from selected Eastern European countries born in the period 1968-1988.  
 Divided in terms of birth year and distributed in terms of nationality and age at the time of ruling.  
 Calculated per: 25OCT2003. Extraction date: 31OCT2003**

		Year=2001		
		Under 18 years at the time of ruling	18 years or older at the time of ruling	Total
Country	Nationality code			
Estonia	19	.	5	5
Latvia	19	.	28	28
Lithuania	19	1	8	9
Poland	21	2	21	23
Russia	20	.	4	4
Slovakia	23	.	1	1
Czech Republic	23	1	3	4
Ukraine	20	.	2	2
<b>Total</b>		4	72	76

The experiences of Danish NGOs performing outreach work amongst prostitutes, local police and Save the Children Denmark all point in the direction that minors are indeed trafficked to Denmark.

These NGOs observe very young foreign girls working in the street prostitution milieu (chiefly from the Eastern European countries), estimated to be under 18 years of age.

YWCA Social Work /Stop Trafficking perform outreach work in the street and indoor prostitution milieu in Copenhagen. They have registered their observations of prostitutes over a period in 2001-2002 in which they have been on the streets approximately once weekly. According to the Project Leader at that time, Hanne Helth, in the course of a period lasting approximately one year, the outreach team registered five persons who they were certain were under 18 years of age. Otherwise the persons presumed to be minors are often made-up and/or dressed in such a manner making it difficult to assess their precise age.

Tjekpunkt is another organisation performing outreach work in the same area, though they focus on marginalised Danish youth. Tjekpunkt has also observed a number of young Eastern European girls in the milieu. According to Director Jeannie Hegstrup, Tjekpunkt registered the women the organisation contacted through their outreach work in Vesterbro in August 2003. In one month,

Tjekpunkt personnel encountered six girls they estimated to be under 20 years of age (it is possible, however, that some of these girls were counted more than once).

Social workers find it very difficult to establish contact with the very young foreign women. Their foreign pimps/mafia do not allow them out of their sight and they force the girls to work very hard. Furthermore, there is considerable demand for the young girls; new 'customers' quickly pick them up.

There has been at least one instance in which the police discovered minors while conducting raids involving indoor prostitution. The incident was reported in the media: two teenaged girls were found in a brothel in Vejle in 2000, both girls from a children's home in Latvia (Henrik Brun and Ulrikke Moustgaard 2000 and Ulrikke Moustgaard 2003) (Neither of these two instances are included in our 'cases').

The local police in Copenhagen also observe girls who appear to be minors in the street prostitution milieu. According to local police, they always stop any prostitutes who appear to be minors when they have the resources to monitor the environment; however, they are generally equipped with tourist visas and money, as well as official identification papers indicating they are 18 years or older.

It is widely assumed amongst NGOs and local police working directly with prostitutes that there are more children trafficked to Denmark than those the authorities/NGOs happen to stumble across. This assumption builds on the fact that the very young girls mentioned are kept under close wraps by their foreign pimps, as convictions for the trafficking in minors carry stiff sentences. Furthermore, the minors are equipped with false documentation, and the traffickers are presumably not inclined to offer the children on the street; the risk is too great. The majority of the criminal aspects of prostitution, as well as the organisation and the actual sale of services, proceed indoors (e.g. escort services and strip bars) and are co-ordinated with the help of the Internet and cell phones, which both hamper police investigations; it is estimated that street prostitution represents a mere 10% of all prostitution.

Telephone calls from Save the Children Denmark to 18 escort bureaus failed to produce information or evidence indicating they had any girls under 18 years. Some bureaus offered girls as young as 19, but several escort bureaus drew attention to the fact that it is illegal to purchase

sexual services from persons under 18. One bureau would say neither here nor there as to whether they had girls under 18, instead encouraging the caller to come by to see for himself.<sup>17</sup>

Contacts made by Save the Children Denmark in the course of this investigation have led to secondary knowledge of at least four children who have been sexually exploited for commercial purposes in Denmark. In this context, secondary knowledge refers to information from sources that have been in direct, personal contact with the children, but Save the Children Denmark itself has not been in direct contact with the children. This is owing to the fact that Save the Children does not have access to the actual names of the children, and has therefore been dependent on intermediaries and that the children have declined requests for interviews. The refusals to participate in interviews are the result of much reflection (see below); we must also therefore be certain that our report does not include information capable of revealing their identities.

The specific instances of victims of trafficking include

- a 16-year-old Eastern European girl trafficked from Italy to Denmark to work at a strip bar. Her contact in Denmark had a false passport made with a different nationality and indicated she was over 18 years of age, enabling her to work in Denmark 'legally'. It is suspected that she has been involved in prostitution as well as stripping.
- a 16-year-old boy sold for commercial sexual exploitation while staying in Denmark. Neither the duration of the exploitation nor the exact period have been reported.
- Swedish media reports from court proceedings 15 October 2003, involving a 16-year-old girl who suffered commercial sexual exploitation in Copenhagen
- Similarly we have knowledge of a underage girl, from Eastern Europe who thought she was to be an au pair in Denmark. Upon arrival to Denmark it became apparent that her contact had entirely different plans, and she was exploited sexually over a period of time in Denmark.

#### *Exploitation of children for theft*

The police and social services have observed a disconcerting development in 2003. An increasing number of boys, minors, primarily from Romania, have been trafficked to Denmark for the purpose

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<sup>17</sup> While it is naturally reassuring that it is not entirely simple to come in contact with a minor via a simple enquiry, this can also merely be regarded as proof of the clandestine nature of this phenomenon and thereby

of exploitation for criminal purposes. Some of the boys have come alone, others together with family or an adult claiming to be a relative. These criminal activities primarily involve shoplifting and pickpocketing, the spoils being delivered to a ringleader. According to the Social 24-hours Services of Copenhagen, there have been at least 20 such cases in the last six months of 2003. The boys do not co-operate with questioning, but certain conditions would appear to be characteristic for a number of these children: several of them have had little parental contact in their home country and many would appear to belong to the Roma minority. A person offering work in Western Europe approaches the boys in their home country; some have been in several countries prior to arrival in Denmark.

Observations made by the authorities have convinced the Danish police that this trafficking is organised. When the police question these boys upon encountering/arresting them in connection with their criminal activities, they consistently claim to live on the street, at the train station or similar places; however, the boys are usually relatively well-dressed, and clean when arrested, indicating that they have an address where they are able to attend to personal hygiene, wash clothing, etc., i.e. a sign of organised conditions. In one specific case, a Romanian boy claimed to be 12 years old when in fact testing concluded his age to be 17 years. His passport had been issued in Romania 14 days prior to his arrest in Copenhagen, indicating that his passport was issued specifically to send the boy to Denmark for the purpose of exploitation to commit acts of crime. He has since been expelled from Denmark.

As mentioned, shoplifting and pickpocketing seem to comprise the most significant activities for the group of Romanian minors; however, there is some measure of doubt as to whether these boys are also exploited for prostitution. Without having any concrete evidence, one source amongst the police suspects that sexual exploitation occurs. Others regard this to be unlikely for the fact that prostitution would provide so much money that the ringleaders would not expose the boys unnecessarily in connection with theft.<sup>18</sup>

In any case, these minors already find themselves in an exposed, vulnerable situation; they are far from home and involved in a criminal environment. The risk of further victimisation, in this case exploitation of a sexual nature, is thus very real.

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also how difficult it is to be able to be of assistance to the victims of trafficking.

<sup>18</sup> This section is based on interviews with relevant police authorities and the Social 24-hours Services of Copenhagen, who are the neutral observers when the police arrest and question minors.

### *Characterisation of children at risk of being trafficked*

#### *a) Who is at risk?*

Factors common to most of the children trafficked to Denmark and other countries is an upbringing in relative poverty – often born of structural unemployment – and a family structure in total or partial disintegration, typically on account of alcohol or drug abuse by one or both parents. In some of the cases, the mother in the family is already involved in prostitution. There would appear to be traffickers who actually scout these rootless children, particularly in rural areas and smaller towns where social problems are often worst.

Children in children's homes are also at risk, as they are in an extremely vulnerable social situation, just as the previous group. Interviews conducted in Estonia, Latvia and Lithuania included mention that children have been sexually abused in such homes and in certain instances then trafficked to a larger town or out of the country. Street children, some of whom are already involved in prostitution, are similarly at risk.

Ethnicity also plays a role when defining the risk groups for trafficking. In Estonia, Latvia and Lithuania, persons with Russian background have particular problems finding their footing in the labour market on account of legislation pertaining to language and citizenship. This legislation serves as a barrier in relation to the legal sources of income for this group; their children are then at greater risk of being trafficked. In Denmark it would appear as though a relatively large proportion of the children have Roma background.

#### *b) Countries of origin*

The cases of trafficking in children to Denmark known to Save the Children (or instances in which trafficking is presumed to have taken place) involve children from Latvia, Lithuania, Poland, Romania and the Czech Republic.

#### *c) Age group*

On account of false papers and other documents, it can be extremely difficult to determine the identity and age of a child. In some instances it can be advantageous for the child or for those who have trafficked the child to pass them off as younger, e.g. to avoid prison sentencing. In other instances, it can be practical to deceitfully set the age of a youth over 18, e.g. when dealing with prostitution or work at strip bars. The "cases" in this report involve children between 15 and 17

years of age, but naturally it cannot be ruled out that children under the age of 15 years could well be involved in some of the other cases Save the Children Denmark has attained information about.

*d) Who are the traffickers?*

The criminal networks involved in the trade in children can represent large international networks as well as smaller, family-related groups. In some cases, victims are trafficked within a country, often to a larger city and first thereafter to another country. The recruiter can have any one of a number of relations to the victim: they can be friends, acquaintances or schoolmates who are paid for exploiting confidences to find "candidates" for trafficking, e.g. promises of a well-paid job abroad.

*e) The relationship to their traffickers*

Save the Children Denmark has unsuccessfully attempted to come in contact with and interview the victims in the aforementioned examples. In addition to being difficult to merely come in direct contact with the victims (- as NGO, as it is important that their counsellors, the professionals helping the child, protect the identity of the child), we have received explanations from individual victims as to why they do not wish to participate.

First, the victims of sexual exploitation have experienced traumatic experiences they understandably wish to avoid re-experiencing in conversation. The children attempt to put the traumatic experiences behind them, as they are now e.g. going to school. Many victims are also scared of reprisals from the criminal networks behind the trafficking in the event they were to stand forth with their stories. Finally, international studies and social workers working with adult women victimised by trafficking recount certain instances in which a relationship of dependency emerges between the victim and the person/persons who have trafficked them. Victims with impoverished backgrounds, poor family networks, social disintegration and no opportunities for the future can have a more ambivalent relationship to their traffickers. On the one hand, the traffickers have abused and exploited them; on the other, the victims possibly regard the traffickers as responsible for giving them an 'opportunity' for a new start on the future in a new country.

## 7. Danish legislation and trafficking

Danish legislation dealing with trafficking is based on the penal code. Until June 2002, Danish justice did not directly deal with trafficking in people; however, the penal code contains provisions that criminalize various acts promoting or exploiting 'sexual immorality' or acts involving gross bodily

violation. Sentencing of traffickers is thus based on sections about imprisonment and kidnapping, procuring or grievous bodily harm, or legislation concerning smuggling.

Act on the reform of the penal code, section 262 (a). A new section regarding trafficking in persons was added to the penal code 31 May 2002. The new provisions are formulated on the basis of the Palermo Protocol, the EU Council Framework decision on combating trafficking in human beings and the supplementary protocol to the UN Convention on the Rights of the Child regarding the sale of children, child prostitution and child pornography. The section significantly increases the frame of sentencing, from four years for procuring or internment/kidnapping to eight years for trafficking; one of the consequences of this increase is that the police are better able to employ more efficient tools to crack communications, e.g. phone tapping and the opening of post in cases against traffickers.

The new section also specifies that it is a criminal offence to recruit, transport, transfer, house or receive persons under 18 years for the purpose of exploitation (sexual immorality, forced labour, slavery or slave-like conditions or the removal of organs). According to the new Danish legislation, in matters involving minors, whether or not traffickers have employed unseemly methods/means of compulsion, i.e. illegal force, imprisonment, threats, deceit, etc. is inconsequential for sentencing.

Similarly, it is a criminal offence for the person with authority over the violated child to receive payment or other benefits.

Finally, according to Danish legislation it is a criminal offence to purchase sexual services from persons under 18 years. Section 223 (a) in the penal code states that "anyone having intercourse with a person under 18 years as a customer in exchange for payment or promises of payment is to be punished with a fine or imprisonment of up to two years."

There have yet to be any convictions involving section 262 (a) of the penal code. This is owing to the fact that the new legislation can only be used in relation to acts committed following the legislation coming into force. For the same reason, the increased sentencing and means to intervene referred to above will first come into use some time following the legislation coming into force.

Thus far it has also posed a problem that the victims of trafficking have declined to testify in cases against the ringleaders; however, there is reason to hope that the definition and clarification of

aspects of trafficking in legislation, increased means of intervention regarding communications and the new Danish Action Plan regarding trafficking cf. below will all contribute to convictions of the ringleaders guilty in trafficking.

#### *Action Plans*

In December 2002 the Danish Government published "The Danish Government's Action Plan to Combat Trafficking in Women."

The Government Action Plan includes DKK 30 million financing over a three-year period and a two-tiered strategy consisting of initiatives and activities for:

- 1) prevention of trafficking.
- 2) support for the victims of trafficking.

Support to the victims of trafficking includes development of a model for improved repatriation of women who find themselves in Denmark after being victimised by trafficking, including

- Establishment of co-operative agreements in connection with the repatriation of victims between relevant parties
- Development of international networks between relevant NGOs
- Development of embassy networks
- Drop-in centres for victims of trafficking where the victims' situations are clarified and their repatriation is prepared.

The deadline for departure, and therein duration of the stay at the drop-in centre, is normally up to 15 days, corresponding to the deadline in Aliens Act (Udlændingeloven) section 33 (2). According to the Action Plan, the departure deadline can be extended in exceptional circumstance section 262 (a) in the penal code, and in cases in which other personal circumstances justify doing so."

In summer 2003, "The Government's Plan of Action against Sexual Exploitation of Children" was published. Reflection concerning trafficking in children is very general in this plan. It is stated that the Government will continue its work to reinforce measures for the prevention of the sexual abuse of children and plans to ratify the supplementary protocols for the prevention of trafficking and child prostitution etc.

### *Opportunities to assist trafficked children in Denmark*

The Danish Government's Action Plan for the prevention of trafficking in women has not yet been fully implemented; assessment of the effects of the Action Plan is therefore premature. The particular vulnerability, conditions and rights of trafficked children are not mentioned in the Danish Action Plan. There is therefore an absence of initiatives/activities in the plan corresponding to the particular needs of these children. The Action Plan also focuses exclusively on the victims of trafficking who have suffered sexual exploitation in Denmark, and therefore does not encompass all forms of trafficking in persons<sup>19</sup>.

Consequently, present Danish practice regarding the identification, housing, protection and safe repatriation, rehabilitation and reintegration of a trafficked child are arbitrary.

When Danish authorities become aware of a foreign child in Denmark being exploited in prostitution or other forms of commercial sexual exploitation, or a child apparently involved in some form of organised crime, there is no certainty that possible trafficking aspects are investigated nor that the child is actually *identified* as a victim. According to local police from Station City, the local police in Copenhagen will likely contact the Social 24-hours Services of Copenhagen and The Danish Immigration Service should they come in contact with a trafficked child, and the case of the child will subsequently be dealt with according to the Action Plan or as an aliens case according to the Danish Aliens Act. Depending on the police district, the lack of an investigation of the trafficking aspect can mean that certain children risk being repatriated without any investigation beyond the possible criminal aspects.

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<sup>19</sup> An Action Plan has also been developed in Norway; however, the approach to the problem in the Norwegian plan is far more comprehensive. Most importantly, the particular needs and rights of children have been included in the plan. Amongst the most important measures is the initiative to ensure safe housing for trafficking victims; in this connection, particular consideration will be granted to the needs of children. Similarly, routines will be developed and implemented, providing coordinated follow-up, repatriation and rehabilitation of the children. This is to be achieved via network co-operation between voluntary organisations and authorities in both the country of origin and the receiving country. In opposition to Denmark, Norway has also drafted a number of regulations prohibiting Norwegian military personnel from purchasing sexual services while on missions abroad. This is an important signal to send about zero-tolerance regarding the sexual abuse of children and youth. As a further preventative measure, the Norwegian military is planning to arrange courses to instruct military personnel being sent abroad regarding the prevention of the trafficking of women and children.

It is further emphasised in the plan that Norwegian public authorities require more knowledge and guidance when encountering or working with cases involving trafficked children. Moreover, the Action Plan points out a need for better clarification of the responsibilities and obligations between the social authorities working with children and the rest of the social system regarding trafficked children.

The failure to consistently investigate aspects of trafficking owes more than anything else to insufficient information regarding the nature of trafficking, including its organisation and signs of abuse and exploitation. The Action Plan includes no mention of standardised procedures in the event of suspected trafficking of minors. As no specific position has been assumed regarding the particular rights of children, the police have not received any instruction in terms of the rights of the trafficked child to be regarded as a victim instead of as a criminal.

The Action Plan makes no mention of a safe and secure place for a trafficked child to stay while in Denmark. It is questionable whether it is optimal for a child to stay in the same environment as adult victims of trafficking. At the same time, the child must also be protected from traffickers, i.e. the traffickers must not know where the child is staying. At present, it is not difficult for possible traffickers to find children who request asylum, if they are placed in Danish asylum centres. Nor is there any clarity as to how long children under reasonable suspicion of being trafficked are to be allowed to remain in Denmark. The Action Plan states that an adult woman has a right to a so-called 'reflection period' of fifteen days.

While in Denmark, it is also uncertain whether a trafficked child is to have access to the same welfare benefits as e.g. unaccompanied minors applying for asylum or Danish children who have suffered abuse. In as much as there is no guarantee that a trafficked child will be identified as such nor a standard procedure for the placement of the child, then there can be no guarantee that the counsellors and professionals helping the child have experience with working with children or are educated to understand the particular issues facing a trafficked child. It is also uncertain whether the children are explained the alternative opportunities for their future and the help available to escape from the exploitative environment.

At the present time there are no standard procedures for general assessments regarding whether the child's country of origin is capable of guaranteeing security for the child upon *repatriation*. The children trafficked to Denmark typically belong to a group of children who have grown up in regions with minimal social services. Another group is comprised of marginalised street children who do not have a family network capable of providing the care a child has a right to. If these groups of children are merely returned to the place they come from, there is great likelihood that they will merely be sent back to the traffickers that exploit the children or to families that have

neglected them or perhaps even abused them. At the moment there are no bodies to ensure that the children are not returned into the hands of those who have exploited them.

## 8. Save the Children's recommendations

Save the Children Denmark recommends the development of a Danish Action Plan to combat Trafficking in Women *and Children* in which Denmark's obligations towards abused children are made clear. Similarly, Save the Children Denmark recommends that such an Action Plan focus on all forms of exploitation, as opposed to *focusing narrowly on sexual exploitation*.

The articles in the UN Convention on the Rights of the Child, including Articles 34, 35 and 36, obligate Denmark to protect children from all forms of exploitation and trafficking. Article 39 obligates Denmark to provide the most appropriate treatment for children who have suffered neglect, abuse or exploitation, enabling them to be re-integrated into society. Furthermore, since the Second World Congress in Yokohama, the Danish state has obligated itself to work towards the strengthening of measures against commercial sexual exploitation and trafficking in children on the basis of the recommendations of the First World Congress in Stockholm.

It is absolutely crucial that the Danish Government resolves the sense of arbitrariness characterising the *identification, housing, protection and secure repatriation, rehabilitation and reintegration* of trafficked children; i.e. these practices must be in compliance with the international conventions and protocols that the Danish State has obligated itself to observe. The assistance offered to the child must always be in keeping with the principle of the best interests of the child (CRC, Art. 3(1)), such that the Danish Action Plan considers all possible means of ensuring the best interests of the trafficked child (Supplementary Protocol to CRC, Art. 8(1)), including consideration granted to the opinion of the child in keeping with his/her age and maturity (CRC art. 12).<sup>20</sup>

### *Identification*

In terms of the identification of a foreign child and possible exploitation and trafficking, it is necessary that the Action Plan takes initiative to the development of guidelines for how all connections to trafficking are to be investigated. It ought therefore be stated in the Action Plan that local police, border police, judges, social workers and others with the opportunity to meet a foreign

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<sup>20</sup> See e.g. Separated Children in Europe Programme, Statement of Good Practice, Third Edition, 2003.

child who is caught in criminal circumstances and/or sexual exploitation are instructed in lines of enquiry for discovering and recognising possible aspects of trafficking. Save the Children thus proposes the drafting of a type of checklist that can contribute to the clarification of possible aspects of trafficking.

### *Stay*

In terms of housing in Denmark, one can question the extent to which fifteen days is sufficient for the Danish State to ensure the repatriation of a trafficking victim that includes adequate opportunity for rehabilitation. When dealing with a child, the Action Plan ought to take into account the many aspects of the situation for the trafficked child must be uncovered in the course of the reflection period. A child that has been exposed to abuse requires time to develop trust and confidence. Save the Children Denmark recommends a reflection period of six months duration before a trafficked child can possibly be repatriated. During the stay in Denmark, the child must be protected from possible traffickers and kept in an environment that can promote his/her rehabilitation.

Steps must be taken during the reflection period to ensure

- the clarification of the social history of the child (cf. e.g. UNHCR Guidelines, section 5.9);
- the informed decision of the child as to whether or not to testify against their traffickers, including the possible consequences;
- the child's opportunity to make an informed decision regarding his/her future. This decision ought to be made on the basis of knowledge concerning the assistance they could receive to escape the exploitative environment both in the short-term in Denmark and in relation to their possible repatriation;
- that the relevant authorities consider all risks for the safety of the child, which are to weigh into considerations pertaining to the possible repatriation of the child (cf. below).

### *Repatriation, rehabilitation and reintegration*

The Action Plan must emphasise that a child may only be repatriated if a general assessment concludes that it is in the child's best interests, cf. CRC article 3. The Action Plan must therefore establish guidelines for such a general assessment. This assessment must establish first, whether the state the child comes from is capable of guaranteeing the safety of the child. Repatriation in instances where there is a risk for continued exploitation or re-trafficking is not acceptable and would be in conflict with articles 34, 35, 36 and 39 in the Convention on the Rights of the Child.

Before a trafficked child can return, procedures must be followed – as dictated by the Action Plan – to provide an adequate accounting of the family situation of the child, including whether the family is capable of providing the necessary care. Should this not be the case, the child ought not be repatriated unless an appropriate setting can be found in the home country. The Action Plan must emphasise the obligations of the Danish State to ensure that the child can receive psychological counselling, education and other necessary assistance from professionals in their home country in the short term, and that a responsible body and assistance are guaranteed in the long term (cf. CRC art. 39). While performing this assessment work, the authorities must cooperate with independent organisations that possess the necessary expertise in relation to children, as well as good contacts to foreign social organisations.

#### *Other concrete proposals*

While the number of cases of trafficking dealt with in this investigation is limited, it nevertheless demonstrates that there is ample reason to take the problem seriously in Denmark. Trafficking in children takes place and evidence indicates that it occurs to a greater extent than indicated by this investigation.

In addition to the proposed reforms to the Action Plan, Save the Children Denmark recommends that Danish Government efforts towards the prevention of trafficking includes initiatives to further investigate related issues.

Save the Children Denmark's investigation demonstrates that a comprehensive investigation of issues related to trafficking in children cannot be adequately conducted by an NGO. Only the police and the social authorities have the necessary resources to ensure that suspicions of trafficking are investigated, just as the police are alone in their ability to discover e.g. what transpires in the escort business. Furthermore, only public authorities are able to get access to police reports and convictions and thoroughly investigate them.

We recommend that the Danish Government follows up on *The Danish government's Action Plan to combat Trafficking in Women* (2002) and on *The Government's Plan of Action against Sexual Exploitation of Children* (2003) by establishing a body with the authority to continue to elucidate the situation surrounding the exploitation of children in Denmark, including trafficked children. It is important that the risk areas for the exploitation of children are further identified and that information to target groups working within the identified risk zones is ensured. We also

recommend that such a body be commissioned to conduct a survey of police reports and registered sexual offences against children and cases in which there could be a suspicion of trafficking. This is to be similar to the work conducted by the Swedish committee, the Committee on Gaining Knowledge of Sexual Exploitation of Children in Sweden.

When initiatives are taken to investigate children in prostitution, focus is generally on girls; however, on the background of the increasing number of foreign boys who are trafficked to Denmark, Save the Children Denmark recommends that resources be earmarked for an investigation of possible abuse of underage boys in prostitution.

Save the Children Denmark also recommends that focus be directed upon the exploitation of Danish girls in so-called grey-area prostitution. In the course of this investigation, Save the Children has become aware of the exploitation of children that can take place in closed, organised criminal milieus. These minors are not likely directly made to work on the streets or in massage clinics; rather, the suspicion is they are exploited via rough environments in which they are offered alcohol and drugs, possibly resulting in a debt that is to be paid back via sexual services.

#### *Save the Children Denmark's own initiatives*

Save the Children Denmark will expand our activities concerning the prevention of sexual abuse so that focus is also set on the trafficking in children. Save the Children Denmark's hotline for the reporting of child pornography will provide opportunity for the use of knowledge or suspicion of children suffering abuse in prostitution or other forms of sexual exploitation in Denmark.

In co-operation with other European Save the Children organisations, Save the Children Denmark is planning workshops and the training of professionals in six European countries in spring 2004. This training will focus on the particular rights of children and possible initiatives to improve the conditions of trafficked children in every link of the chain of trafficking.

Moreover, Save the Children Denmark has initiated an investigation similar to that undertaken by the Swedish Migration Board, aiming to clarify whether children who disappear from the Danish asylum system continue to other countries, which might well have been their destination country from the outset. This investigation should be able to provide answers as to whether there is a further remaining group about which there is no existing knowledge – let alone a satisfactory explanation – concerning their disappearance.

Save the Children Denmark will also attempt to initiate projects in the Eastern European countries focusing on the prevention of trafficking via measures directed towards the most vulnerable families with children that experience indicates are at greatest risk of being trafficked.

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