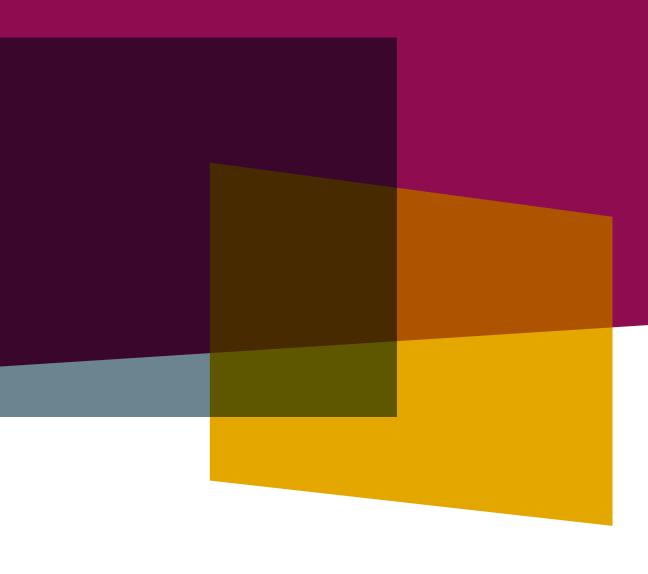
Action Plan to combat human trafficking 2011-2014



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Preface

The modern day slave trade

Globally, trafficking in human beings constitutes an ever increasing part of organised crime. Victims of trafficking are abused sexually, used for forced labour, and other forms of slave-like conditions.

In Denmark, we see women trafficked for sexual exploitation, but there have also been a few instances of girls under the age of 18 and men as victims of trafficking for sexual exploitation or forced labour. More needs to be done about this – human trafficking horrible crime and an unacceptable violation of the victims' human rights. As a society, we have a duty to combat all forms of exploitation of people in vulnerable situations.

Since the first action plan regarding trafficking in women from 2002, the government and the political parties behind the public pool of funds earmarked for disadvantaged groups have launched a number of initiatives focusing on supporting the victims, preventing human trafficking in Denmark and internationally as well as prosecuting the traffickers. We have come a long way, but there is still some way to go!

With this action plan, the government commits itself to continue the effort, to target and improve existing initiatives to the extent needed and to seek new ways of ensuring that the victims' individual needs continuously are taken into consideration.

We will build on and adjust existing efforts within the framework of the national cross-sectional co-operation established with the two previous action plans. The Danish Centre against Human Trafficking, the police, and other government bodies as well as the relevant NGOs will as the primary forces contribute to integrate, institutionalise, and improve efforts in the future.

For the government, the long-term goal of the efforts is to reduce the number of victims of trafficking in Denmark.

With this action plan, the short-term purpose of the government is to support victims identified in Denmark in the best way possible.

2011

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Introduction

There are no exact statistics about the extent of human trafficking globally, but it has been estimated that every year several hundred thousand people come to the EU or are transferred within the EU as a part of human trafficking¹.



The human trafficking happening today is often described as the modern day slave trade. Globally, there are all too many examples of how women, men, and children are exploited, threatened and subjected to violence from the traffickers.

Experience from cases involving human trafficking in Denmark show that many of the women who have been trafficked for sexual exploitation can go where they please and that some of the women knew in advance that they were going to be selling sex. But at the same time, they are dependent on the traffickers to whom they are indebted, who may have taken their passports, and who control their lives with violence and threats. These women should receive the necessary help to get free from this relationship with the traffickers and be able to create a new life for themselves free from exploitation and coercion.

However, victims of trafficking are not only women. International studies and reports show that men are also trafficked for various forms of forced labour or for sexual purposes, and children can also be victims of trafficking for e.g. sexual exploitation, pickpocketing, begging, or the like².

In Denmark, it is still mainly women in prostitution by far who are identified as the victims of trafficking.

The Danish Immigration Service³ has in the period 1st August 2007 to 30th September 2010 assessed that 95⁴ foreign nationals were victims of trafficking in Denmark. The people in question were ages 17 to 53. Three of the victims of trafficking were men and the rest were women. One person was trafficked for forced labour while the remaining was trafficked for sexual exploitation⁵.

In the same period, the Danish Centre against Human Trafficking has assessed that 34 women were trafficked⁶. All the women were trafficked for sexual exploitation and were ages 19 to 45 with an average age of 30.8.

Just as the victims' gender and age vary, so do their individual situation and legal position. Some victims are EU citizens while others come from other countries outside the EU. Some victims have residence permits in one EU country and are trafficked from one EU country to another while others come to Denmark as their first stop within the EU. This is relevant in regards to which authorities are responsible for them during their stay in Denmark. Furthermore, it illustrates how complex this area is and makes large demands of the effort and the authorities and organisations in charge.

The primary <u>target group</u> for the initiatives of the action plan is thus:

 All victims of trafficking who are in or come to Denmark as part of human trafficking no matter what kind of exploitation the victims are trafficked for.

However, the efforts will still primarily focus on women trafficked for sexual exploitation, as they constitute the largest registered group of victims in Denmark.

- Source: "Suggestion to the European Parliament and Council directive about prevention and combating of human trafficking and protection of the victims thereof and about repeal of framework decision 2002/629/RIA (29.3.2010)".
- 2. Source: UNODC 2006:"Trafficking in Persons. Global Patterns".
- 3. When dealing with asylum applicants and foreign nationals staying in Denmark illegally, the Danish Immigration Service will assess whether a foreign national is the victim of human trafficking. When foreign nationals are staying in Denmark legally or if dealing with a Danish citizen it is the Danish Centre against Human Trafficking that makes the assessment of whether human trafficking is involved. However, the Danish Centre against Human Trafficking is also, in most cases by far, involved in identification of possible victims, i.e. also in cases presented to the Danish Immigration Service for evaluation.

 As part of the basis for the evaluation of the Danish Immigration Service is information from the police and the Danish Centre against Human Trafficking respectively concerning the issue of being trafficked or not. In that connection, a social worker from the centre fills out a special identification form about this.
- 4. The figure deviates from previously published figures, cf. UUI, general section, appendix 21, which is due to the fact that it is based on a manual count and the subsequent uncertainty.
- 5. The information is based on a manual review of the cases and is therefore subject to uncertainty.
- 6. The 34 cases have not been presented to the Danish Immigration Service but were solely assessed by the Danish Centre against Human Trafficking.

In addition to efforts concerning victims in this country, the initiatives are secondly directed at:

- The traffickers.
- Potential customers who buy services from victims of trafficking.
- Possible victims in the countries of origin in which efforts focus on prevention of human trafficking.
- Relevant authorities and other organisations within this area

The action plan for combating trafficking in women from 2002, the supplement regarding children from 2005, and the action plan for combating trafficking in human beings from 2007 are the basis of the government's efforts in this area up until now.

This action plan has been put together by combining experience from the previous action plans with an external evaluation from 2010 of the action plan 2007-2010 as well as recommendations from Danish NGOs and other organisations and authorities within the field.

The evaluation concludes, among other things: "The evaluation of the second action plan in this area (...) shows that it has been possible to create an efficient, institutionalised system and to carry out a very large number of activities and efforts with which the involved

parties (authorities and social organisations) have expressed great satisfaction."⁷.

On this basis, a number of initiatives are launched with this action plan with the purpose of maintaining, adjusting and improving existing efforts regarding trafficking in women for sexual exploitation. At the same time, there will be further focus on building and developing efforts in other areas, especially in relation to trafficking in men, children, and women for other types of exploitation than sexual exploitation.

A total of DKK 85.6m in the period from 2011 to and including 2014 from the public pool of funds earmarked for disadvantaged groups (2010 and 2011) have been set aside for the national and social activities. In addition to this are the initiatives that contribute to preventing trafficking in the countries of origin, the efforts of the police as well as part of the efforts focused on children.

The action plan is organised with chapter 3 providing a description of new initiatives that are to be launched. In chapter 4 the existing efforts are outlined, and in chapter 5 the organisation of the work and the different roles of the organisations in the efforts are described. Finally, chapter 6 includes a brief description of the implementation of and follow-up on the action plan.

Who can receive support under the action plan?

The action plan covers everyone in Denmark who came to this country as part of human trafficking or still is subjected to the result of human trafficking.

The assistance offered through the action plan is targeted at women, men and children who have been identified as victims of trafficking, i.e. any person who either by the Danish Immigration Service (asylum applicants or foreign nationals with illegal residence in Denmark) or the Danish Centre against Human Trafficking (Danes and foreign nationals who are

in Denmark legally) have been given the status of victim of trafficking.

Denmark is primarily a destination and transit country for human trafficking. Experience has shown that victims of trafficking are primarily to be found among foreign nationals staying in this country legally or illegally. However, in the period 2007-2010 one single (Danish) victim of internal human trafficking in Denmark has been identified. All victims are in principle covered by the action plan regardless of basis for residence permit.

With the action plan the following results are to be achieved:

Victims of trafficking will be identified

- More victims identified through outreach work within the group of foreign women in prostitution.
- More and new organisations dealing with aspects of prostitution become involved in the efforts and are educated about what trafficking is.
- More citizens in Denmark know where to go to report any suspicion of victims of trafficking.
- The outreach work regarding children and young people is extended.
- Relevant organisations are involved in the efforts and are taught about trafficking for the purpose of forced labour.

2. Victims of trafficking will receive the optimum support

- All will be offered support in the form of e.g. hospitalisation, psychological/psychiatric therapy, dentistry, socio-educational support, legal assistance, educational activities or what they otherwise may need.
- All will be offered a stay in a protected housing facility away from the traffickers.
- A relatively larger part of the victims of trafficking accept the offer of a prepared return and reintegration.

3. Demand for services from victims of trafficking in Denmark will be reduced

- Fewer people buy services offered by the victims of trafficking.
- More children and young people are made aware of what human trafficking is.
- Information campaigns describing the negative consequences of purchasing services from victims of trafficking will be launched.

4. Human trafficking will be prevented internationally

- Combating human trafficking is part of Denmark's international relations, including co-ordination in the UN, the EU, the OSCE, the Council of Europe, the Council of the Baltic Sea States, and other relevant fora.
- Under the Neighbourhood Program (Naboskabsprogrammet) DKK 29.5m are earmarked for the period 2009-2011 as funding for the second phase of a program to combat human trafficking in Eastern Europe. The program is primarily focused on Belarus, Moldova, and Ukraine.
- Embassy staff at relevant embassies in Copenhagen have knowledge about trafficking and know where to go if they encounter their own citizens who are or could be victims of trafficking.

5. The traffickers will be identified and punished

 Focus on an efficient investigation and prosecution of criminal acts in relation to human trafficking is maintained.

With this action plan, the government introduces a number of new activities to combat human trafficking. These are to be considered an addition to the efforts that are already ongoing with the purpose of identifying and supporting the victims, preventing human trafficking nationally and internationally as well as prosecuting the traffickers.



Victims of trafficking will be identified

1

With the previous action plan, the focus was on extending social and healthcare outreach work in relation to foreign women within the group of women in prostitution nationwide. With the goal of ensuring a higher degree of identification of victims through outreach work the most successful efforts are strengthened.

Experience from other European countries indicates that trafficking for forced labour and trafficking in minors take place to an extent that we have no knowledge of in Denmark, at present. Outreach work in other areas than prostitution will be strengthened with regards to xamining whether the extent of human trafficking in Denmark for forced labour and in minors is more widespread than we are aware of, at the moment.

With the action plan the government will launch the following new activities:

Upgrading and anchoring the outreach work within the group of foreign women in prostitution

- Meeting places with healthcare support will be extended.
- The mobile healthcare units established on a trial basis will be maintained.
- New methods of communication targeted at potential victims of trafficking will be developed.
- Healthcare staff will be trained in the subject of trafficking.
- Various social and healthcare-related methods are tested, evaluated and implemented.

Extending the outreach work regarding minors

- Further focus will be put on revealing any occurrence of human trafficking in minors within other areas than prostitution.
- The outreach efforts in relation to minors will be extended and consequently outreach work on the streets during the summer will take place in select cities.
- Street-level workers on the street in major cities will be contacted and trained.
- The existing workgroup concerning potentially trafficked minors will be reorganised and streamlined.
- The existing guidance material in social matters will contain information about the special issues regarding trafficking in minors.

Extending the outreach work regarding forced labour

- There will be increased focus on discovering the prevalence of human trafficking for forced labour.
- New groups of organisations (especially the social partners) are identified and trained.
- The outreach work in relation with potential victims of forced labour is strengthened and systematised further.
- A work group about forced labour is formed where relevant authorities and other organisations participate. The Danish Centre against Human Trafficking is chairing the work group and the purpose of the group is to exchange knowledge about in which sectors trafficking for forced labour can occur and how possible victims can be identified.



Identification of victims of trafficking

Typically, victims of trafficking come into contact with the authorities in connection with police raids, SKAT control raids, outreach work (on the street, at massage parlours, in prisons, at special drop-in centres or through mobile healthcare units) or in the asylum system.

Identification often takes place in connection with police efforts. When the police suspect human trafficking the police contact the Danish Centre against Human Trafficking via a hotline and in connection with planned raids the Danish Centre against Human Trafficking is alerted beforehand in order for social workers to be present at the police station to provide counselling and support the detainees and contribute in connection with the identification.

Typically, unaccompanied minors will be identified by the Danish Red Cross Asylum Department and/or the Danish Centre against Human Trafficking in connection with

outreach work e.g. in the asylum system and at secure institutions.

If we are dealing with a foreign national without legal residence in Denmark the Danish Immigration Service makes the assessment whether the person in question has been a victim of human trafficking. The assessment is made based on information from the Danish Centre against Human Trafficking and the police and/or on the basis of information brought to light through the asylum case procedure if dealing with an asylum applicant. In reality, the Danish Immigration Service deems a foreign national to be "trafficked" when there is a sensible reason to assume that this is a case of human trafficking.

In cases concerning a person with legal residence in Denmark (including foreign nationals) the Danish Centre against Human Trafficking assesses whether the person in question has been the victim of human trafficking.

Assistance during the reflection period

For foreign nationals who are victims of trafficking and who have been ordered to leave Denmark, the Danish Immigration Service specifies a reflection period (extended time limit for departure) of initially 30 days. Foreign nationals who are victims of trafficking are offered a prepared return and reintegration. If special reasons are in favour thereof, or if the foreign national co-operates in connection with the prepared return and reintegration, the reflection period can be extended for up to 100 days.

A contact person is appointed for all victims of trafficking. Together with this person, an individual action plan for the reflection period is prepared which accommodates the person's individual needs as much as possible.

Depending on the needs of the individual, it is possible, in the reflection period, to be given protected housing, healthcare treatment, legal assistance, therapy and socioeducational assistance. It will also be possible to participate in various up-skilling seminars and in special cases support staff can be appointed.

Victims of trafficking will receive optimum support

2

No two victims share the same story or the same needs regarding support, but they do share a sense of power-lessness and a dependency on the traffickers which make it difficult to reach the victims and help them to escape their situation as victims of trafficking.

Experience from previous efforts indicates that it is necessary to adjust the social outreach work at an earlier stage, in order to get in touch with more victims within the group of women in prostitution. If foreign victims of trafficking are only identified after they have had an encounter with the police, e.g. in connection with police raids within the group of women in prostitution, the women often feel under tremendous pressure and the window of opportunity regarding identification is very small if dealing with a foreign national who is in Denmark illegally.

Any form of social work must simultaneously be adjusted so that there is even more focus on the individual needs of the victims. Also, the offer regarding prepared return and reintegration must be evaluated to examine whether there is room for further targeting of the victims' needs.

At the same time, it is also clear that the different legal positions of the victims – depending on where they come from and what the basis of their residence is – mean that the options available to the individual regarding support and residence in Denmark need to be clarified.

With the action plan the government will launch the following new activities:

Ensure that all victims are offered individual support and protected housing during their stay in Denmark

 Alternative housing possibilities will be made available for any male victims of trafficking⁸.

- Any support options offered to the various groups of victims, including victims (women, men, and minors) with legal and illegal residence in Denmark respectively, will be clarified.
- New advisory offers of support will be created for victims with a residence permit with the purpose of establishing a new life in Denmark.
- Guidance for the trafficked foreign nationals regarding their options, including e.g. seeking asylum if the person in question is in fear of persecution in their own country, or a residence permit based on another relevant foundation, regarding assistance in the reflection period and the implications of the prepared return and reintegration, will be strengthened further, and new means of communication will be attempted.
- The guidelines of the National Police in this area will be changed with regard to ensuring knowledge of the opportunity provided in the Danish Aliens Act to place women who are (as of yet) not given the status of victims of trafficking at a crisis centre⁹.

Target the prepared return and reintegration so that a higher number of the identified victims accept the offer

- An elaborating evaluation of the prepared return and reintegration will be carried out with regards to examining partly the reasons as to why relatively few accept the offer and partly the long-term effect as a result of the prepared return and reintegration.
- Depending on the result of the evaluation, the prepared return and reintegration will be adjusted possibly with regards to targeting the assistance further in accordance with the needs of the victims of trafficking so that more of them will accept the offer.
- Success stories about prepared return and reintegration will be collected and communicated to the victims. The information will be made accessible as early as during the outreach work.

^{8.} Like other foreign nationals, male victims of human trafficking already have the option of housing in an asylum centre or privately. The envisioned alternative housing will be for the identified victims who do not belong under the provision of the Danish Immigration service or who want another form of housing than at an asylum centre or privately.

^{9.} I.e. that housing at a crisis centre is possible whether or not the person in question has been determined to be a victim of human trafficking. The option of placing foreign nationals under the provision of the Danish Immigration Service at a crisis centre cover all foreign nationals regardless of whether human trafficking is involved or not.

The demand for services from victims of trafficking in Denmark will be reduced

3

The preventive efforts in Denmark take place at a national level as well as through international co-operation. Nationally, there has been focus on reducing the demand for purchase of sexual services by conducting a number of campaigns as well as information and educational work.

With the action plan the government will launch the following new activities:

Fewer will buy services offered by victims of trafficking

 Mapping the demand for prostitution in Denmark with a special focus on human trafficking.

- Experience from other countries regarding how to communicate in the most efficient way with the potential customers in order to reduce the demand for prostitution relating to victims of trafficking will be uncovered.
- Based on this, a communication strategy will be created for the communication in future campaigns on human trafficking.
- Educational and prevention campaigns directed at the general public on human trafficking will be launched.
- Educational and information efforts directed at young girls and boys regarding human trafficking will be launched.

Prepared return and reintegration

All victims of trafficking are offered a prepared return and reintegration with the aim of them being received in their home country and, if this alternative is possible, that they will receive support to re-establish themselves. The cooperation with the authorities regarding the return and reintegration does *not* entail that the victims are obligated to co-operate with the police and their investigation or to testify against the traffickers. If the offer of a prepared return and reintegration is rejected the police will handle the repatriation.

In case of a foreign national <u>without legal residence</u> in Denmark the Danish Immigration Service is responsible for the prepared return and reintegration. The Danish Immigration Service is under contract with International Organisation for Migration (IOM) to together with the victim of human trafficking and a contact person from the Danish Centre against Human Trafficking to plan the prepared return and reintegration, including reception, housing, activities and provision in the first three months in the home country after the return. In addition to this, the prepared return and reintegration can – depending

on the needs of the individual – to a lesser degree entail psychosocial support, vocational up-skilling seminar and assistance to starting a smaller business.

If the person in question is under the age of 18, the prepared return and reintegration must be planned together with the personal representative of the child. It is part of the prepared return and reintegration to examine who can support and help the child in connection with living in their own country. In addition, the prepared return and reintegration can entail financial support for schooling and purchase of teaching materials as well as support for buying medication or therapy if necessary. The return and reintegration is planned by the IOM and the personal representative may escort the child home.

In the case of a person <u>with legal residence</u> in Denmark a wish for return and reintegration or integration in Denmark is handled by the Danish Centre against Human Trafficking. If this person is under the age of 18 the district of residence is responsible together with the Danish Centre against Human Trafficking.

Human trafficking will be prevented internationally

4

Denmark has, on an ongoing basis, worked to ensure that trafficking is on the international agenda and has been the initiator of a number of mutual Nordic and European propositions concerning methods in these efforts.

Human trafficking occurs as part of a larger context of so-called "pull and push factors" which means that some people are lured to more developed countries and areas in the hopes of creating a better future for themselves. This complexity means that there is no simple way of preventing human trafficking. On the contrary, the mix of poverty in developing countries, the demand for the services of the victims, and the substantial financial gains for the criminal networks often impede the combating of human trafficking.

With the action plan the government will launch the following new activities:

Combating human trafficking is part of Denmark's international co-operation, including aid to developing countries

 The opportunity to support development projects that focus on helping repatriated trafficked women will be examined. In this context, there is an initiative to receive and support repatriated trafficked women especially in Nigeria through an allocation of funds of DKK 5m to the United Nations Population Fund (UNFPA).

- Based on positive experience from screening visa applications from the embassy in Bangkok ("Project Thailand") the National Police will disseminate this knowledge in connection with seminars and lectures, e.g. pre-posting seminars for Danish diplomats and consular staff.
- Further education in knowledge about human trafficking for embassy staff from the relevant embassies in Copenhagen will be carried out.
- The European Institute for Gender Equality (EIGE) in Vilnius is used to strengthen the international/European partnership in this area.
- The project funder under the Neighbourhood Program targeted at combating human trafficking was reviewed in 2011 with the conclusion that the program to a large extent had promoted the combating of trafficking especially regarding building national frameworks, assistance to victims and prevention. A continuation of the program – possibly with other activities – is presently under consideration.
- Under the Council of the Baltic Sea States Task Force for combating human trafficking Denmark will contribute to implementing a project with information to and education of the relevant participants in human trafficking for forced labour.



Prosecution of the traffickers

5

The police play a central role in relation to efforts in combating trafficking in human beings.

Since 2006, the National Police has defined the general guidelines for the police efforts against the people behind prostitution. The general purpose has been to ensure an efficient police effort against criminal offences in connection with prostitution, including human trafficking, and to ensure that the police in a targeted manner seek to uncover, investigate and prosecute the traffickers who in violation of existing legislation exploit others for prostitution.

The police investigation and other efforts have so far been based on the strategy of the National Police on a strengthened police effort against the people behind prostitution (prepared in connection with the multiannual agreement for the police and the prosecution 2007-2010).

In that connection, focus was on, e.g.:

- Local anchoring of efforts.
- Monitoring and analysis of information about human trafficking.
- Control activities targeted at prostitution circles.
- Mapping of prostitution circles.
- Gentle treatment of victims and witnesses.
- Education of the police.
- Extended co-operation with other national and international authorities and organisations.
- Preventative measures ("Project Thailand").

As a result of the police efforts, an increasing number of the traffickers in the period of the multiannual agreement have been charged and prosecuted for violations of the Danish Criminal Code Section 228 (procuring), Section 229 (acting as an intermediary) and Section 262a (human trafficking).

With the action plan the government will launch the following new activities:

- Further guidelines will be prepared for the prosecution regarding when charges can be withdrawn for victims of trafficking for violations that have to do with the persons in question being victims of trafficking, e.g. forgery of documents in connection with entry papers.
- In light of the coming report of the Committee on Criminal Law on chapter 24 of the Danish Criminal Code about crimes against sexual morality it is being considered whether there is reason to implement changes of the sections of the criminal code regarding procuring and other kinds of activities behind the scenes in relation to prostitution.
- In light of the directive of the European Parliament and the Council of 21st March 2011 regarding combating human trafficking, it is being considered whether there is reason to implement changes of the sections of the criminal code about human trafficking.
- There will be increased focus on education and training of judges, prosecutors, and defence lawyers.
- Information about police activities in combating human trafficking will be disseminated to all relevant actors within this area.

In some cases, the police have found it to be more appropriate (and proportional) to place foreign national prostitutes charged with illegal residence and working illegally in Denmark at a crisis centre in accordance with Section 34 of the Danish Aliens Act instead of remanding them in custody in accordance with Section 36 of the Danish Alien Act. To a certain extent, this has meant that the women have co-operated more extensively with the police, including providing the police with relevant information about the traffickers. On this basis, an initiative will be launched so that the guidelines of the National Police in this area will be changed with respect to ensuring awareness of the possibility awarded by the Aliens Act to place women who are (as of yet) not deemed to be trafficked at a crisis centre¹⁰.

^{10.} The possibility of placing foreign nationals under the provision of the Danish Immigration Service at a crisis centre covers all foreign nationals, regardless of whether human trafficking is involved or not.

Section 262a of the Criminal Code

Section 262a was added to the Criminal Code in 2002 coming into force on 8th June 2002. This section was worded based on and concerning simultaneous implementation of the UN protocol concerning combating human trafficking (the so-called Palermo protocol) from 2000 and the EU framework decision of 19th July 2002 regarding human trafficking. Thus, the section covers any type of human trafficking as defined in these two legal acts.

Section 262a of the Danish Criminal Code

Any person who recruits, transports, transfers, houses or subsequently receives a person using or following the use of

- 1) unlawful coercion pursuant to Section 260,
- 2) deprivation of liberty pursuant to Section 261,
- 3) threats pursuant to Section 266,
- 4) unlawful induction, corroboration or exploitation of a delusion or,

5) other unseemly conduct for the purpose of exploitation of the individual through sexual immorality, forced labour, slavery or slavery-like conditions or removal of organs shall be guilty of human trafficking and liable to imprisonment for any term not exceeding eight years.

(2):

The same penalty shall apply to any person who, for the purpose of exploitation of the individual through sexual immorality, forced labour, slavery or slavery-like conditions, or removal or organs,

- 1) recruits, transports, transfers, houses or subsequently receives a person under the age of 18 years, or
- 2) renders a payment or other favour to obtain consent to the exploitation from an individual who has guardianship over the victim, and any person who receives such payment or other favour.



The evaluation of the second national action plan for combating human trafficking shows with great clarity, that we have come a long way in the efforts to systematise and institutionalise the efforts in combating trafficking in human beings.



We have succeeded in creating a national, efficient system and carrying out a great number of activities and measures that ensure that all the identified victims will receive an offer of protection and prepared return and reintegration. At the same time, the number of cases under investigation is ever increasing as well as the traffickers who are prosecuted. This demonstrates that efforts within this area have produced matching results. This work needs to continue, and existing challenges have to be met.

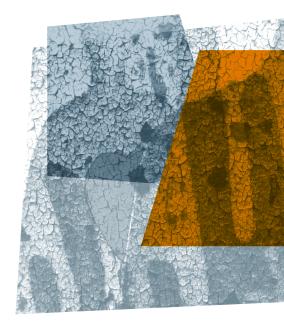
Human trafficking is a very complex phenomenon that requires efficient co-ordination of the many different involved authorities and social organisations. On this background, the Danish Centre against Human Trafficking was created in September 2007 as a part of the implementation of the action plan 2007-2010.

The Danish Centre against Human Trafficking has the overall responsibility for co-ordinating the co-operation between the many relevant organisations concerning the social possibilities for support under the action plan and to collect and disseminate knowledge about human trafficking.

In the evaluation of the second action plan it is made clear that: "CMM [the Danish Centre against Human Trafficking] has a big stake in the results achieved and in the assessment of the evaluation team it is difficult to imagine that especially the protective effort concerning the victims (the social support when they are in Denmark) would have resulted in the same results without the presence of CMM"¹¹. Therefore, with this action plan, it is crucial that the role of the Danish Centre against Human Trafficking is anchored.

In addition, experience shows that the holistic approach which has been the basis of the efforts has been successful which is why the efforts are still based on: Identification of victims, support of victims, prevention of human trafficking both nationally and internationally as well as prosecution of the traffickers.

The following describes which activities are to be continued.



Victims of trafficking will be identified

1

Social and healthcare outreach work in Denmark is handled by either the Danish authorities or the various social organisations. The social organisations' handling of such tasks is co-ordinated by the Danish Centre against Human Trafficking. The efforts include a number of activities.

With regards to outreach work within the group of foreign women in prostitution, some activities are maintained and developed as follows, e.g.:

 Clear guidelines for identification of potential victims of trafficking in order for victims quickly to receive support and help.

- National outreach work on the street, in massage parlours and within the group of women in prostitution, the asylum system, and prisons.
- A meeting place in the area of Vesterbro in Copenhagen and a drop-in centre in the city of Fredericia both with healthcare clinics staffed with social workers and healthcare professionals.
- Counselling of a social, healthcare, financial and legal nature.
- Mobile healthcare units to reach more vulnerable, at risk, foreign women in prostitution around the country.
- Hotline that both victims, citizens suspecting human trafficking, police and others can call.

Education and training of central organisations in human trafficking

Both the Danish Centre against Human Trafficking (CMM), the Danish Immigration Service (US), the National Police, the National Courts Administration and the Director of Public Prosecutors handle training and education of central organisations within this area. In the period 2007-2010 the following activities have taken place, e.g.:

- Education at the Danish Police College for all trainees in police basic training.
- Feature days and information meetings for the police districts nationwide.
- Seminar in the complexity of trafficking cases at the Danish court academy (Domstolsakademiet) as part of supplementary training for judges and other court officers.

- Education days targeted at social workers and organisations under contract with CMM.
- Education of the external partners of CMM: crisis centres, hospital and healthcare staff, secure institutions, defence lawyers, embassies and foreign delegations and organisations.
- Education of staff conducting asylum interviews at the Danish Immigration Service.
- Education handled by the Danish Immigration Service of social workers at crisis centres, staff from the Danish Red Cross, the police and CMM in case procedure, legal basis and the special offers that apply to victims of trafficking.

Regarding outreach work concerning children who potentially may be victims of trafficking, the following activities are maintained and further developed:

- Clear guidelines for identification of potential minor victims of trafficking in order for these victims to be offered support and help promptly.
- Outreach work in the asylum system and at secure institutions.
- Education of front line staff on the streets and relevant organisations (authorities as well as social organisations) that may come into contact with children who potentially are victims of trafficking.
- Continued focus on minors on the streets of Copenhagen.

Regarding victims of trafficking for forced labour the following measures have been launched:

- In connection with identification of people who have been trafficked for forced labour the Danish Centre against Human Trafficking uncovers relevant industries in which, based on international experience, human trafficking may occur. The Danish Centre against Human Trafficking has e.g. prepared a report about the au pair system and human trafficking.
- SKAT (the Danish tax authorities) continues the "Fairplay concept" about control raids against undeclared work and social fraud in selected industries and the project "Human Trafficking" within the group of women in prostitution and other select areas.



Victims of trafficking will receive optimum support

2

Identified victims of trafficking in Denmark will be offered a reflection period where they can stay at a crisis centre or in another relevant housing facility and their return and reintegration can be prepared should they wish so.

Regarding trafficked adult women and men the following measures are maintained and further developed, e.g.:

- Support in the reflection period and the prepared return and reintegration, including plans for reintegration for a period of up to three months after their return home.
- Stay at crisis centre, in the asylum system or at third location depending on individual needs.
- Healthcare, social and other forms of relevant support as needed.
- Educational activities, e.g. IT and English classes.

Regarding children who are victims of trafficking, the following measures are maintained and further developed, e.g.:

- Appointment of a professional, personal representative who is to support and guide the child.
- Preparation of individual action plans with focus on the interests of the individual child.
- A safe residence either at council level or in the asylum system.
- Healthcare, social and other forms of relevant support as needed.
- · Schooling.

Available healthcare for the victims

According to the Danish Aliens Act, any expenses for necessary healthcare of a foreign national under the provision of the Danish Immigration Service will be covered by the latter. However, foreign nationals who are given the status of victims of trafficking by the Danish Immigration Service have access to an extended array of available healthcare.

The following are examples of available healthcare to the identified victims under the purview of the Danish Immigration Service:

- Psychological/psychiatric therapy
- Hospitalisation

- · Physical therapy
- Dentistry
- Appointment of support person
- · Body therapy

Expenses for similar services of victims of trafficking who are not under the provision of the Danish Immigration Service will be covered by the Danish Centre against Human Trafficking unless they have medical insurance from their own country with coverage.

Demand for services from victims of trafficking in Denmark will be reduced

3

Prevention efforts in Denmark are handled primarily by the Danish Centre against Human Trafficking.

As part of the prevention work, the Danish Centre against Human Trafficking has launched a number of activities that will be maintained and further developed, e.g.:

- Planning and hosting conferences.
- Production of films primarily intended for educational purposes.
- Preparation of information material.

- Ongoing training of professionals (police, judges, lawyers, defence lawyers, social workers, healthcare professional, etc.).
- · Media and information work.
- Campaigns directed at customers and/or the general public.
- Examination and collection of new knowledge about the various types of human trafficking, measures and experience from other countries, development of new methods as well as general knowledge sharing.
- Development of a data collection system and ongoing data collection.



Prevention of human trafficking internationally

4

The prevention work internationally is mainly handled by the Ministry of Foreign Affairs, the Department for Gender Equality, and the National Police through specific projects in the Neighbourhood program and other bilateral activities, under the international partnerships in the EU, the UN, the Nordic Council of Ministers, the Council of the Baltic Sea States as well as through international police partnerships in the Nordic countries and the Baltic Sea area and through EUROPOL and INTERPOL.

As part of the preventative work a number of activities have been launched that are maintained and further developed, e.g. the following:

 Continued implementation of the Ministry of Foreign Affairs' second phase of the "Program against human trafficking in East and Southern Europe" aiming at preventing human trafficking and supporting victims DKK 29.5m in the period 2009-2011.

- Active Danish participation in relevant international contexts, including at the Council of the Baltic Sea States, the EU, the OSCE, the UN and the Nordic Council of Ministers.
- Active Danish efforts in development aid to ensure respect for human rights and support for democratisation which contributes to combating human trafficking.



International conventions

Denmark has signed and ratified the UN convention from 2000 about transnationally organised crime as well as the additional protocol (the Palermo protocol¹²) about human trafficking, including especially women and children.

The Palermo protocol on human trafficking

"(a) 'Human trafficking' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of 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, slavery or practices similar to slavery, servitude or the removal of organs.

(b) the fact that a victim of human trafficking has consented to the intended exploitation set forth under a) shall be irrelevant where any of the means set forth under a) have been used."

The protocol for the UN's convention on combating transnational crime, article $3.2000\,$

In addition to the protocol is **the convention of the Council of Europe from 2005** concerning efforts against human trafficking which Denmark ratified on 19th September 2007 coming into force on 1st February 2008¹³.

The European Parliament and the Council directive

of 21st March 2011 about prevention and combating human trafficking and protection of victims thereof contains e.g. rules about sanctions, jurisdiction, investigation and prosecution in cases about human trafficking. Furthermore, the directive contains rules stipulating that member states shall provide assistance and protection for victims of trafficking by way of e.g. secure housing, medical assistance and therapy as well as ensuring the victims access to legal counselling and lawyers. The directive is covered by Denmark's opt-out regarding judicial and internal matters and does therefore not apply in Denmark.

Denmark has acceded to the **UN convention on the rights of children** covering a number of regulations establishing the rights of children to protection against e.g. abduction and becoming victims of trafficking (article 35).

Denmark has ratified a number of **ILO**¹⁴ **conventions**, including the Forced Labour Convention (29), the Abolition of Forced Labour Convention (C105) and the Worst Forms of Child Labour Convention (182), which also protects against human trafficking with the purpose of exploitation of labour, especially forced labour and other slave-like practices.

^{12.} Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organized crime.

^{13.} Denmark has an opt-out in relation to article 33, Section 1 e (concerning jurisdiction) of the convention. In addition, Denmark has issued a statement in relation to article 44.

^{14.} International Labour Organization.



Prosecution of the traffickers

5

Since 2006, the National Police has defined the general framework for police efforts against the people behind prostitution and until and including 2010 police efforts have been based on the National Police's strategy for a strengthened police effort against the people behind prostitution.

The evaluation of the government action plan for combating human trafficking 2007-2010 commends the efforts of the police in general.

The report concludes that great progress have been made when it comes to investigating and prosecuting the traffickers and that the investigation efforts live up to the goals in the action plan. In that connection, the report emphasised the pronounced increase in the number of charges and verdicts regarding human trafficking pursuant to Section 262a (human trafficking) of the Danish Criminal Code.

The number of charges for violation of Section 262a of the Danish Criminal Code have thus increased from two charges in 2006 to 24 charges in 2009. The number of verdicts for violation of Section 262a of the Danish Criminal Code has also increased from three in 2006 to 11 in 2009.

Furthermore, the evaluation team indicates that police officers in the National Police and the police districts have developed a considerable knowledge and understanding of the phenomenon of human trafficking which contributes to the fact that the work of the police overall can be considered efficient.

In the coming years, focus will be on a more efficient investigation and prosecution of criminal offences in connection with human trafficking.

In the period 2007-2010, during which police efforts were based on the strategy of the National Police on

a strengthened police effort against the people behind prostitution, a considerable amount of knowledge in this area was amassed both nationally and locally, and at a local level efficient operating procedures and cooperation methods have been established. Thus, there will no longer be the same need for national control over police efforts as was the case from 2007 to 2010.

In order to be able to carry out any efforts adapted for local conditions and thus local threats, efforts in this area have from 2011 thus been anchored in the individual police districts that prioritise efforts based on an assessment of local conditions and local occurrence of crime.

Efforts will with inclusion of experience gained in this area in latter years still be based on the principles of investigation, co-operation and protection of victims as stated in the strategy of the National Police on a strengthened police effort against the people behind prostitution and also in accordance with the guideline of the National Police in this area.

SKAT (the Danish tax authorities) have through the project "The People Behind Prostitution" (now "The People Behind Human Trafficking") and the Fairplay organisation extensively co-operated with and given assistance to the police and the prosecution in connection with cases about procuring/human trafficking. The co-operation has resulted in an increasing number of tax-related adjustments.

In co-operation with the National Police (the National Centre of Investigation), SKAT has conducted nationwide orientation meetings where a large number of investigators from the police participated. The purpose of the meetings was primarily to provide information about SKAT's new database and available assistance to the police and not least to establish relevant partnerships.

Organisation and other parties

The government has prioritised efforts to combat trafficking in human beings highly since 2002. This has resulted in an increase in the number of organisations in this area as well as the need for co-ordination and knowledge sharing



The first action plan against trafficking in women (2002) and the supplement concerning children (2005) was based on a relatively limited knowledge and experience basis and had a more limited focus on prevention and help for trafficked women in prostitution with the goal of ensuring a successful return and reintegration.

The second national action plan concerning combating human trafficking (2007) was more extensive as the target groups were more broadly defined to cover *all* groups and not only women trafficked to Denmark. At the same time, other target areas were included in the action plan; partly strengthened investigation efforts directed at the traffickers, partly prevention efforts in the countries of origin.

Below is a detailed account of the various organisations, their roles and tasks within this area.

Co-ordinating and operating governmental organisations

The Department for Gender Equality/the Minister for Gender Equality heads the interdepartemental work group which has the overall responsibility for co-ordinating the government efforts regarding combating trafficking in human beings. The Department for Gender Equality is responsible for ensuring implementation of efforts and for a number of international initiatives, including prevention initiatives under this action plan.

The Danish Centre against Human Trafficking (CMM)

is placed under the National Board of Social Services under the Ministry of Social Affairs¹⁵. CMM reports to the Department for Gender Equality. CMM co-ordinates the social efforts directed at the victims and is responsible for collecting and disseminating knowledge about human trafficking. Furthermore, CMM is in charge of assessing whether people with legal residence in Denmark are victims of trafficking.

The Ministry for Refugee, Immigration and Integration Affairs is responsible for implementation of the parts of the action plan that are relevant for immigration affairs which means rules and practises regarding asylum applicants and immigrants without legal residence in Denmark.

The elements of the action plan concerning combating human trafficking 2007-2010 that required legislative change were, as regards immigrant affairs, implemented by amending the Aliens Act that came into force on 1st August 2007. Thus, the Aliens Act includes special rules and support directed at trafficked foreign nationals.

The Danish Immigration Service is responsible for the administration of the Aliens Act, including the fact that the Danish Immigration Service makes the assessment regarding whether asylum applicants and foreign nationals without legal residence have been victims of trafficking and therefore need a reflection period if they are ordered to leave Denmark. The Danish Immigration Service is obliged to support asylum applicants and foreign nationals without legal residence (children and adults), regardless of whether they are victims of trafficking or not. This obligation entails e.g. housing and offers of protection – if needed – as well as various support for rehabilitation (healthcare treatment, psycho-social support, education, etc.).

Together with International Organisation for Migration (IOM) and the Danish Centre against Human Trafficking, the Danish Immigration Service plans the prepared return and reintegration of foreign nationals without legal residence (this also includes rejected asylum applicants) who are victims of trafficking.

The Ministry of Justice has the overall responsibility for implementation of the government action plans concerning combating human trafficking in relation to police and criminal justice efforts within this area.

The Director of Public Prosecutions has the overall responsibility for the prosecution's handling of criminal cases involving human trafficking. The Director of Public Prosecutions represents the prosecution in the overall co-ordination of efforts within this area, including in the referral mechanism that the Danish Centre against Human Trafficking has established. Furthermore, the Director of Public Prosecutions participates in educating relevant organisations in this area, including police officers, prosecutors and judges, and the Director of Public Prosecutions has prepared an overview over case law in cases involving violation of Section 262a of the Criminal Code and is in charge of the ongoing updates thereof.

^{15.} Placing CMM under the National Board of Social Services is based on the fact that CMM handles the social dimension of the action plan and co-ordinates efforts with other authorities.

The National Police has the overall responsibility for police efforts concerning combating human trafficking. In co-operation with the Director of Public Prosecutions, the National Police has prepared guidelines in this area that the police districts use in connection with police efforts.

The National Investigation Centre of the National Police (NEC) supports the work of the police districts in investigating and exposing human trafficking primarily with focus on trafficking in women and the people behind prostitution as well as also carrying out national police monitoring. NEC is the police contact for Danish Centre against Human Trafficking and other organisations in this area.

The National Police, Aliens Department (NUC) has three main responsibilities: 1) the asylum area where NUC e.g. handles certain steps of the procedure in the initial asylum application phase in the form of registration and examination with the purpose of establishing the identity and itinerary of the asylum applicant, etc., as well as handling transfers in accordance with the Dublin Convention and making sure that rejected asylum applicants depart; 2) the residence area where NUC e.g. handles that deported and rejected foreign nationals leave the country; and 3) Border control where NUC – as part of the National Police's duties as the general police authority – e.g. sets out the framework for the handling of duties of the police districts.

In connection with handling these duties, NUC has continued focus on whether the foreign nationals may be victims of trafficking. In addition to this, NUC assists the police districts on an ongoing basis by way of guidance, etc., regarding the police handling of cases involving foreign nationals. This also includes guidance regarding identification of victims of trafficking.

The local police districts are responsible for enforcing the sections of the Criminal Code regarding human trafficking, including investigating and prosecuting criminal offences. Police efforts concerning combating human trafficking are anchored in the local districts that prioritise efforts based on an assessment of local conditions and the local occurrence of crime.

The Ministry of Foreign Affairs contributes to strengthening international co-operation in combating human trafficking both by increasing focus on this issue in international fora and by means of targeted bilateral efforts to prevent human trafficking. In addition, the Ministry of Foreign Affairs is responsible for the program concerning human trafficking which is under the Ministry of Foreign Affairs' Neighbourhood Program.

The Ministry of Social Affairs is responsible for minor foreign nationals with legal residence who belong under the Social Services Act (Serviceloven). The Ministry of Social Affairs is also responsible for the prostitution area, i.e. efforts in relation to the action plan "Another Life" ("Et andet liv") (published April 2005) relevant for all prostitutes with a yellow health insurance card. The implementation of the action plan concerning combating human trafficking is co-ordinated in relation to the action plan "Another Life" of the Ministry of Social Affairs.

The Ministry of Employment participated as the other ministries mentioned in the preparation of the action plan concerning combating trafficking 2007-2010. The target area of the Ministry of Employment concerns conditions in the labour market.

Labour market representatives, including trade associations and unions, are relevant partners in efforts to combat forced labour within various industries.

The Ministry of Interior and Health's role in relation to the action plan concerns general healthcare that can be offered within the framework of the Health Act. The initiatives of the action plan where healthcare plays a part in connection with outreach and support are anchored in the Danish Centre against Human Trafficking which reports to the Department for Gender Equality.

The Ministry of Taxation's role in relation to the action plan is to contribute to identifying the traffickers and both through fairplay raids and project groups against human trafficking to contribute to identifying possible victims of trafficking. Furthermore, SKAT contributes with financial information to be used by the police during the investigation.

Operating governmental and non-governmental social organisations

Several different organisations are behind carrying out the practical social work with the victims in relation to the implementation of the government's action plan. These are primarily organisations that have experience in this area from the previous action plan:

Outreach and support work funded by the action plan through the Danish Centre against Human Trafficking

Danish Centre of Prostitution (KC) is – in the same way as the Danish Centre against Human Trafficking – placed under the National Board of Social Services. The Danish Centre against Human Trafficking has entered into a contract with KC about a number of services, including that KC is responsible for the outreach work in relation to foreign national prostitutes in "indoor prostitution" (massage parlours, escort and Internet) nationally except in the Region of Southern Denmark. KC is also responsible for carrying out outreach work in asylum centres and prisons. Furthermore, together with the Nest International KC runs a meeting place in the area of Vesterbro.

The Nest International (the Copenhagen area) is in charge of outreach work on the streets in Copenhagen and runs the meeting place in the area of Vesterbro together with KC.

Pro Vest in the Region of Southern Denmark has specialised in giving support to victims by way of counselling, healthcare initiatives, up-skilling, help to plan return and reintegration, etc. Pro Vest is also in charge of outreach work at massage parlours in the Region of Southern Denmark.

Hope Now has special focus on conditions for trafficked African women in both Denmark and the countries of origin. The organisation has developed a broad cooperation with local organisations, primarily in (West) Africa. The founder and board member of Hope Now Michelle Mildwater has entered into a contract with the Danish Centre against Human Trafficking about e.g. support for women in prisons and asylum centres.

Protected housing for adult and unaccompanied minor foreign nationals

The specialised crisis centre in Copenhagen of the Danish Centre against Human Trafficking which is specifically targeted at women trafficked for sexual exploitation is run by the Nest International. In addition to this, the Danish Centre against Human Trafficking has a general agreement with the National Organisation of Women's Shelters in Denmark (LOKK) about using LOKK's crisis centres for temporary protected housing for women trafficked for sexual exploitation elsewhere in Denmark. Finally, the Danish Centre against Human Trafficking has a contract with Krisecenter Odense (Crisis centre in Odense) which specialises in giving special attention to trafficked women.

Also the women's centre of the Danish Immigration Service run by **the Danish Red Cross** is used for this purpose. The women's centre (and asylum centres in general) is only used for housing of asylum applicants and foreign nationals without legal residence in Denmark.

Unaccompanied minors, including minors who are victims of trafficking, are housed at special children's centres that, based on an agreement with the Danish Immigration Service, are run by the Danish Red Cross and several local governments.

The Danish Centre against Human Trafficking has entered into a contract with the **City of Copenhagen** concerning housing trafficked minor foreign nationals with legal residence in Denmark and who are not under the provision of the Danish Immigration Service.

Prepared return and reintegration

The Danish Immigration Service has entered into a contract with the International Organization for Migration (IOM) to assist in prepared return and reintegration. The contract covers 1) foreign nationals without legal residence, including rejected asylum applicants, who are ordered to leave Denmark and who have been victims of trafficking; and 2) all unaccompanied minor foreign nationals (without legal residence, including rejected asylum applicants) who are ordered to leave Denmark regardless of whether human trafficking is involved or not.

IOM handles the practical planning of the prepared return and reintegration and support is provided according to certain established guidelines.

The Danish Centre against Human Trafficking and the social organisations provide support for victims with legal residence in Denmark but who still would like to be repatriated.

The referral mechanism

In order to create a *forum of co-operation* between the many governmental and non-governmental organisations the Danish Centre against Human Trafficking has established a co-operation and dialogue system (referral mechanism) which contributes to ensuring a nationally cohesive, continuous procedure for identification of and support to potential victims of trafficking. The referral mechanism is organised in a manner representing the entire country and all relevant authorities, e.g. the police, the Danish Immigration Service, SKAT, social organisations, etc. The regional referral groups refer to a national referral group which in turn refers to the interdepartemental group with representatives from all ministries involved.

Implementation and follow-up

Since 2002, the government and the political parties behind the public pool of funds earmarked for disadvantaged groups have prioritised efforts to combat human trafficking greatly. In 2002, the first action plan with focus on trafficking in women for sexual exploitation was launched, later a supplement with focus on children was made, and in 2007 an action plan was presented targeted at both men, women and children who are victims of trafficking. The implementation of both action plans have been evaluated by an external evaluator. Similarly, funds have been earmarked for an external evaluation in 2014 of whether the goals of this action plan have been reached.

In addition to an overall external evaluation which will be carried out at the end of each action plan period, the interdepartmental workgroup, consisting of the Department for Gender Equality, the Ministry for Integration, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Taxation, the Ministry of Employment, the Ministry of Social Affairs as well as the Ministry of Interior and Health, will prepare an annual status report to be sent to the political parties behind the public pool of funds earmarked for disadvantaged groups and published on the webpage of the Minister for Gender Equality.

Furthermore, as part of this action plan the government and the political parties behind the public pool of funds earmarked for disadvantaged groups have agreed to carry out a separate, external evaluation of the prepared return and reintegration with the purpose of discovering whether adjustments are needed. In the negotiations of the contents of the action plan it was agreed that: "The parties behind the political accord will discuss possible adjustments of the prepared return and reintegration. The parties behind the political accord will meet again when the evaluation of the prepared return and reintegration is ready in 2011".

Thank you to the following concerned organisations for contributing to the action plan

Reden International – *The Nest Internationa*Pro Vest

Hope Now

Soroptimist International Denmark

Red Barnet – Save the Children Denmark

Kvinderådet – The Women's Council in Denmark

Dansk Røde Kors – The Danish Red Cross

KULU - Women and Development

KVINFO – The Danish Centre for Information

on Gender, Equality and Ethnicity

Dansk Kvindesamfund – The Danish Women's Society

The Body Shop

Sonta

Liva

Christians Venner – Christians Safe House Institut for Menneskerettigheder – The Danish Institute for Human Rights Action Plan to combat human trafficking 2011-2014 June 2011

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