



The Danish Government's action plan to combat trafficking in women

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**THE DANISH GOVERNMENT'S ACTION PLAN
TO COMBAT TRAFFICKING IN WOMEN**

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Department of Gender Equality
Skindergade 38, 2.
Postboks 40
DK-1002 Copenhagen K
Tel.: + 45 33 92 33 11
Fax: + 45 33 91 31 15
E-mail: lige@lige.dk

The action plan is also available (in Danish)
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Preface



Trafficking in human beings has become a gruesome and current problem, not only in distant countries, but also in Europe and in Denmark. Growing numbers of Eastern European and Asian women are being transported to Western Europe, where they often end up in prostitution or other forms of sex industry. During the ordeal of human trafficking, they are often exposed to physical and mental violence.

Trafficking in human beings as if they were goods is reprehensible. It is a criminal offence and violates human rights. Therefore, we must stop at nothing to combat the organised crime behind such trafficking.

Since 2000, The Danish National Commissioner of Police has systematically policed the area of trafficking in women. The intensification of police efforts to fight such trafficking has aided in dismantling a number of criminal networks. Furthermore, the individuals behind human trafficking have become easier to prosecute since the Danish Parliament in June 2002 adopted a special provision on human trafficking to be included in the Danish penal code.

However, the intensified initiatives to crack down on these criminals cannot, on their own, fight the multitude of problems triggered by this type of crime. Consequently, this action plan focuses special attention on the victims of trafficking in women as well as preventive measures. Since action requires the involvement of many players, the Danish Government's action plan to combat trafficking in women is the product of cooperation between the Minister for Interior Affairs and Health, the Minister for Integration, the Minister for Justice and the Minister for Social Affairs and Gender Equality. And I am very happy to see that the political parties behind the rate adjustment pool scheme managed

to achieve consensus on giving high priority to initiatives to combat trafficking in women, thus allowing funds to be earmarked for these initiatives in the final compromise.

The activities contained in the action plan, support provided to victims and the prevention of trafficking in women coincide with the myriad initiatives and efforts taken on an international scale. The cross-border nature of human trafficking makes international cooperation pivotal to the fight against trafficking in women. Denmark has actively participated in drawing up the UN additional protocol on human trafficking, and the EU cooperates closely on combating such trafficking. In the Nordic and Baltic regions, authorities and NGOs have started collaborating via, for example, a Nordic-Baltic information campaign on trafficking in women and through cooperation between the judicial authorities in the Baltic region, the so-called Task Force on Organised Crime in the Baltic Sea Region, currently chaired by Denmark. To have a genuine effect, both national and international initiatives must remain a high priority.

Having to put trafficking in women on the political agenda is a new and shocking chapter in the saga of gender equality problems. In presenting this action plan, we have taken an important step in the fight to stop trafficking in women. The new methods developed and introduced in the plan will allow future initiatives on supporting victims and preventing trafficking in women to become even more effective and far-reaching.

Henriette Kjær

Minister for Social Affairs and Gender Equality



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Summary of action plan activities



In introducing this action plan, the Danish Government aims to intensify and further the efforts to combat trafficking in women. Curbing this organised type of abuse and crime takes broad and far-reaching initiatives. To this end, the Danish Government is now presenting the following initiatives in two main areas: activities to support victims and to prevent trafficking in women.

SUPPORT TO VICTIMS

Development of a model for the prepared return of women living in Denmark as victims of trafficking in women. The model will include elements such as:

► **Shelters for victims of trafficking in women.**

During their stay in a shelter, which may normally last a maximum of 15 days¹, victims will have their situation clarified and their return prepared.

► **Establishment of cooperation agreements**

between parties from the police, social services and public health authorities as well as relevant NGOs, for the purpose of preparing and implementing the return of victims.

► **Development of international networks**

with Danish and non-Danish NGOs.

► **Development of embassy networks**, where

relevant Eastern European embassies are to be informed about the initiatives of the Danish action plan and, in their capacity, be bridge builders in relation to the authorities of the victims' home countries.

INITIATIVES TO PREVENT TRAFFICKING IN WOMEN

Compilation of knowledge on how to police trafficking in women, for the purpose of providing inspiration and allowing countries to compare experience.

National activities during the joint Nordic-Baltic information campaign on trafficking in women:

► Establishment of a **hotline** where victims of trafficking in women / foreign prostitutes can obtain information in respect of authorities, including public health authorities and the police, as well as information about support offers.

► **Establishment of teams of fieldworkers** (cultural mediators) to participate in information and consultation work as well as development of training programmes for these mediators.

► **A seminar for Danish authorities and Danish NGOs** on trafficking in women and cooperation between authorities and NGOs.

► **An advertising campaign** targeted at potential clients and the general public.

► **Theme on trafficking in women** at www.ligestillingsminister.dk.

Distribution of written information material for foreign women in prostitution.

¹ The deadline for departure is set to 15 days – equivalent to the deadline stipulated in section 33(2) of the Danish Aliens Act – or, in very rare instances, to a longer period in cases of expulsion where the abuse inflicted on a woman is considered so grave as to justify a police investigation aimed at bringing charges under section 262 a of the Danish penal code, and where the personal circumstances of the individual woman generally warrant such action.

FINANCING

In October 2002, the Christian People's Party, the Liberal Party, the Conservative Party, the Socialist People's Party and the Social Democratic Party reached consensus on the rate adjustment pool in the social area for 2003-2006 and decided to earmark an annual amount of DKK 10m over the next three years for initiatives to combat trafficking in women.

CROSS-MINISTERIAL WORKING GROUP

In the spring of 2000, the Government then in power set up a **cross-ministerial working group** – under the Minister for Gender Equality – on violence

against women and human trafficking. Apart from the Department of Gender Equality, this working group consists of members from the Ministry of Justice, the Ministry of Interior Affairs and Health, the Ministry of Social Affairs and the Ministry of Integration. The working group discussed the problem of violence against women and specific initiatives to fight such violence, subsequently also addressing the issue of human trafficking. On 8 March 2002, the Danish Government presented its national action plan, based on the working group's discussions, to combat violence against women. This action plan to fight trafficking in women was also drawn up on the basis of this group's discussions.





2 Report published by the US Administration, 1998 (on the website of the US Department of State), <http://usinfo.state.gov/topical/global/traffic/01042503.htm>.

3 Tanya Renne (ed.) (1997): "Ana's land – Sisterhood in Eastern Europe". Boulder, Colorado, Westview Press.

The problem of trafficking in women



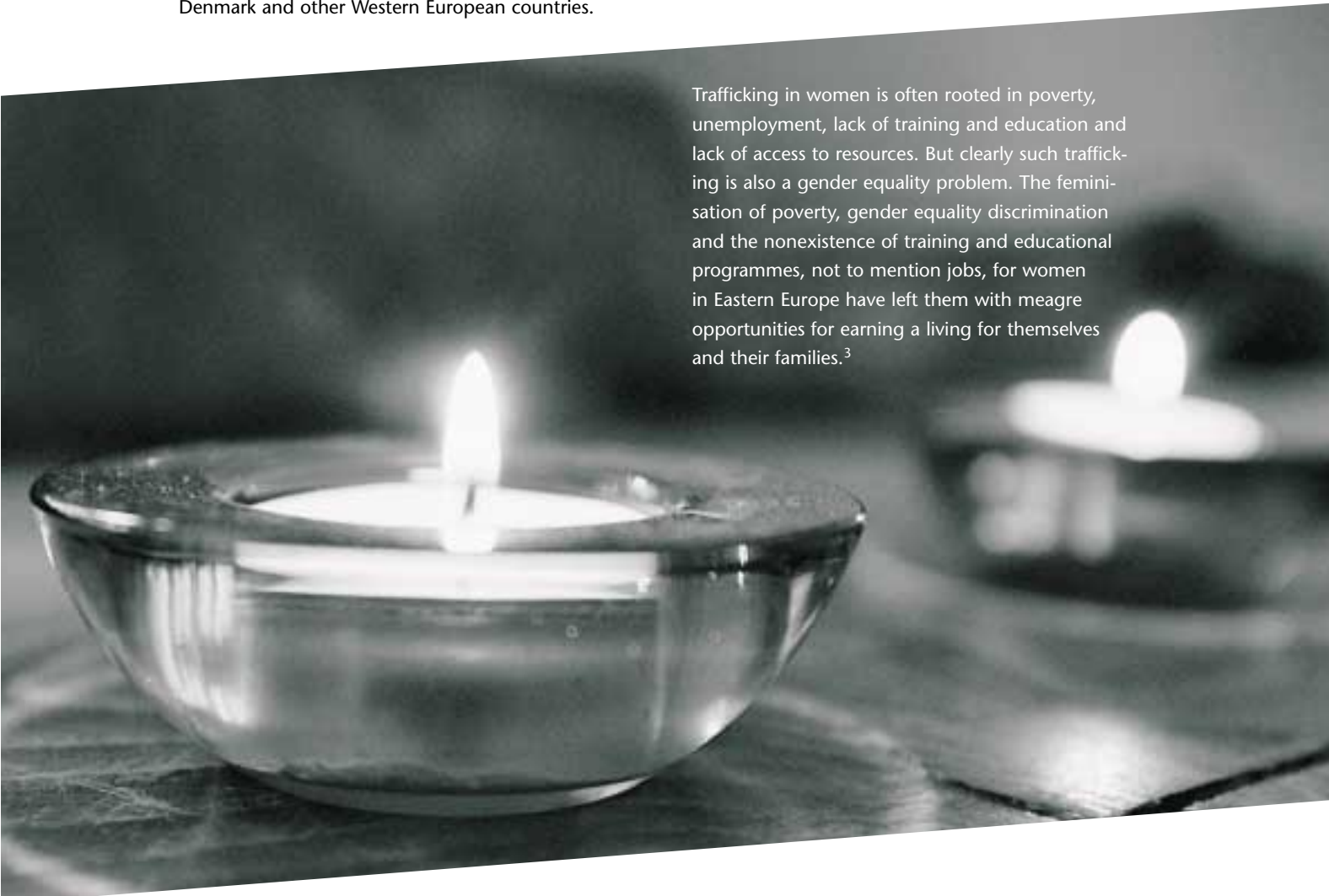
Trafficking in women is a relatively new phenomenon in Denmark, especially when it comes to women from Eastern Europe. But human trafficking is another matter in other parts of the world, Asia for example, where it has been practised for years. One of the extensive studies most recently published to determine the extent of this problem estimates that between 700,000 and 2 million women and children are being trafficked each year worldwide, also suggesting that this type of organised crime is on the increase.²

Women have been trafficked to Denmark through the past few decades. To begin with, these women were usually Asian (the majority being Thai women), coming to Denmark to live as prostitutes, possibly with the object of marrying a Danish citizen. The picture has changed since the collapse of the Berlin Wall. Now many women from Eastern Europe, including the Baltic States, are being brought to Denmark and other Western European countries.

Apparently, wholly or partly organised networks are responsible for bringing these women to Denmark and other countries. The criminal networks make their profit on sending women to Western Europe by charging transport fees and acting as pimps for the women. This causes the women to owe money to the networks, meaning that they have to work off their debt by prostituting themselves under deplorable conditions.

The international community has realised for some time that intensified and concerted action is needed to stop this growing area of crime, and both the UN and the EU are addressing the problem of human trafficking. In December 2000 in Palermo, many of the world's countries, including Denmark, signed a UN convention on cross-border organised crime. This convention has an additional protocol specifically dealing with human trafficking, especially trafficking in women and children.

Trafficking in women is often rooted in poverty, unemployment, lack of training and education and lack of access to resources. But clearly such trafficking is also a gender equality problem. The feminisation of poverty, gender equality discrimination and the nonexistence of training and educational programmes, not to mention jobs, for women in Eastern Europe have left them with meagre opportunities for earning a living for themselves and their families.³



The extent of trafficking in women



Since human trafficking and running a brothel in this relation are criminal offences, the involved parties strive to conceal these activities from the authorities. The knowledge currently existing in this area is outlined below.

The number of female prostitutes in Denmark is estimated at about 6,000. There are 2,000 foreign women in this group, half of whom come from Eastern Europe, predominantly the Baltic States (often with a Russian background), Ukraine and Russia.⁴

The Danish PRO Centre regularly counts ads for massage parlours and escort-based prostitution nationwide and has also paid visits to striptease and prostitution bars in Copenhagen. During single visits to thirteen bars, the Centre observed a total of 123 women (strippers and/or prostitutes), of whom at least 85 were foreign.

The Centre concluded that the past ten years have seen a more than tenfold increase in the share of foreign women from third-world countries or Eastern Europe entering the Danish market for prostitution. Admittedly, no one knows the exact number of such women.

Furthermore, systematic policing is no viable means of determining the number of women brought to Denmark as a result of trafficking.

The women typically stay in Denmark for these reasons:

- ▶ They may be in Denmark on tourist visas, which are normally issued for a period of three months.⁵
- ▶ Marriages of convenience, arranged by individuals operating in this milieu and paid for by these women.
- ▶ Marriages where the husband brings a wife to Denmark and subsequently works as her pimp.⁶

⁴ Letter from the PRO Centre to the Department of Gender Equality, dated 31 July 2000.

⁵ If, during such a stay, women support themselves by prostitution, such a stay is illegal since a person staying in Denmark on a tourist visa may not work. However, the visa obligation does not apply to women from the Baltic States, who may stay, but not work, in Denmark as tourists for a period of three months without applying for a visa.

⁶ Letter from the PRO Centre to the Department of Gender Equality, dated 31 July 2000.

⁷ The National Commissioner of Police (2001), page 5: "Redegørelse vedrørende aktuel status for den politimæssige indsats mod kvindehandel". (Report on the current status of police initiatives to combat trafficking in women).


In 2000, the office of the Danish Public Prosecutor published a report assessing the extent of trafficking in women. This report suggested that the 'unknown' number of such cases could, in fact, be substantial and that there may be reason to assume that the extent of the problem would increase over the coming years.

The June 2001 report, published by the National Commissioner of Police, on trafficking in women concludes that "foreign women represent a relatively large number of the prostitutes operating in the more organised prostitution milieu. Criminal networks often help and generally arrange for these foreign women to enter Denmark."⁷

The Danish Immigration Service's statements of cases involving foreign prostitutes expelled from Denmark can also help shed light on the extent of women being trafficked to Denmark. Notably, however, these expulsion cases do not necessarily involve victims of trafficking in women, but women having worked illegally as prostitutes in Denmark. During the last quarter of 2001 and the first half of 2002, the Danish Immigration Service thus made a decision on expulsion due to illegal prostitution in 51 cases.



Action implemented so far



Trafficking in women is already on the political agenda. There is broad consensus that this type of crime should be brought to an end, and efforts are already being made. Special attention is being focused on the prosecution of the individuals behind the criminal networks, and in the autumn of 2000 **the National Commissioner of Police** began to systematically police activities likely to be connected with trafficking in women. Such action was initiated to allow more offensive and forward-looking policing in this area. The initiatives also included a fact-finding mission to the Baltic States.⁸

Today, the National Commissioner of Police is systematically policing the area of trafficking in women. Consequently, the police do not wait for citizens to report illegal activities, but use their own information to investigate the groups of individuals who are likely to be the ringleaders of the professional and organised crime that involves trafficking in women. The police have previously said that investigative steps like phone tapping, etc., must be regarded as especially useful and relevant in cases of trafficking in women.

⁸ Read the report (in Danish) at <http://www.politi.dk/Information.htm#Rapporterundersogelser>.

⁹ General experience shows that providing adequate advice takes some time. The persons charged with offering advice to foreign women should have the same cultural and language background as the women they are meant to help. So far, offering advice has been limited by the fact that many foreign prostitutes speak only their own native tongue, and no adviser possessing the right background is currently available.

For instance, a suspicion of people smuggling could form the basis for such action.

For this very reason, the Danish Parliament took a necessary step, on 31 May 2002, in adopting a new provision on human trafficking under the Danish penal code. Adding section 262 a to the penal code has strengthened criminal protection against human trafficking. Based on the UN additional protocol on human trafficking and the EU framework decision on such trafficking, the provision covers all aspects of human trafficking and any underlying abuse.

The new provision and the maximum penalty of eight years of imprisonment allow the police – when the conditions contained in the Danish Administration of Justice Act for such imprisonment have otherwise been met – to break the confidentiality of communications (phone tapping, etc.) when they investigate cases involving human trafficking. Moreover, under the provision contained in section 76 a

of the Danish penal code on confiscation and reversed burden of proof, confiscation may take place in cases that involve human trafficking.

Furthermore, close cooperation between the judicial authorities of the Baltic region has already produced good results.

Also, the PRO Centre has previously offered advice to Thai prostitutes. The Danish National Board of Health has supported such advice. However, when helping prostitutes, advisers seldom come into contact with foreign prostitutes. One reason could be that foreign women are often all aware that their source of income and stay in Denmark are illegal. They are therefore very reluctant to approach the Danish authorities as they fear the criminal ring-leaders as well as expulsion.⁹ Offering advice is an important task and it may aid foreign women in trusting the Danish authorities.



Denmark and international initiatives



Because human trafficking is inherently a cross-border type of crime, international initiatives are crucial. Denmark is actively engaged in this work, participating in several international forums.

At a meeting in Vilnius on 15 June 2001, the **Nordic and Baltic ministers for gender equality** decided to implement an information campaign in 2002 on trafficking in women in the Nordic countries and the Baltic States. In August 2001, the Nordic ministers for justice agreed to back up the campaign. The campaign is meant to enhance knowledge on and awareness of trafficking in women and also start discussions on the problems. The national activities are described at the end of this action plan.

A joint seminar in Tallinn held on 29-31 May 2002 kicked off the campaign, and joint conferences will

subsequently be staged in Vilnius in October and in Riga in November.

Among its other target areas, the **Task Force on Organised Crime in the Baltic Sea Region** is engaged in combating people smuggling and trafficking in women, and Denmark has, through its presidency, made initiatives to fight such trafficking a high priority.¹⁰

Denmark also participates in **Europol** in an international cooperation project to combat trafficking in women. In the light of the need to strengthen investigative efforts, exchange of information and international cooperation on investigation, Europol plays a key role in the European cooperation project to curb the growing crime of human trafficking.



Europol considers human trafficking a large-scale problem, involving the establishment of criminal networks that are expanding their operations from trafficking in women to include other 'goods' such as drugs. **Interpol** also does important work in the war on trafficking in women.

The EU Member States and the European Commission are also actively engaged in the battle against human trafficking. The Commission's STOP programme supports projects, exchange of experience, training and cooperation between persons responsible for combating human trafficking. In this area, important recommendations have also been prepared under EU auspices, including the "Hague Ministerial Declaration on European Guidelines for effective measures to prevent and combat trafficking in women for the purpose of sexual exploitation" from 1997. The Commission has presented a draft

framework decision to combat human trafficking, now adopted by the Council, as well as a draft framework decision to fight sexual exploitation of children and child pornography (COM(2000)854). A draft directive to issue short-term residence permits to victims of human trafficking who cooperate with the authorities (COM(2002)71) has also been submitted.

Denmark has signed the **UN convention on transnational organised crime** and the **related protocol on human trafficking, especially trafficking in women and children**, and will subsequently ratify this convention and protocol. Actively involved in drawing up these instruments, Denmark finds it important that international guidelines exist for initiatives to combat trafficking in women.

10 Most recently, at a meeting in March, the Task Force concluded the following: "The Task Force on Organised Crime in the Baltic Sea Region recalls the conclusions from the Task Force meeting on 1 June 2001 on the need to strengthen the cooperation in regard to the combating of trafficking in women."

Specific activities in the action plan



Previous initiatives have aimed at cracking down on the individuals behind trafficking in women. This action plan focuses on support to victims – the women exposed to abuse – and on preventive measures.

Supporting the victims of trafficking in women is important. For this reason, the Danish Immigration Service wants to set the deadline for departure to 15 days – equivalent to the deadline stipulated in section 33(2) of the Danish Aliens Act – or, in very rare instances, to a longer period in cases of expulsion where the abuse inflicted on a woman is considered so grave as to justify a police investigation aimed at bringing charges under section 262 a of the Danish penal code, and where the personal circumstances of the individual woman generally warrant such action. This legal stay allows both authorities and NGOs to provide support to victims and to ensure that they can be returned to their home countries with less risk of ending up back in the hands of the very criminals who made them victims of human trafficking in the first place.

During the extended deadline for departure, the women can stay in **safe surroundings with access to acute social, medical and psychological support**. There are three general reasons for providing such support to these women.

First, having stronger possibilities of being successfully repatriated to their home countries will increase the women's chances of escaping the grip of traf-

ficking in women. This includes action to improve the women's physical and mental conditions during their stay in safe shelters.

Second, this period should be used for planning repatriation through contact to authorities and relevant NGOs in the home countries. To ensure that the home countries are ready to receive the individual women and to continue the repatriation process, we must establish cooperation relations between authorities and NGOs in Denmark and in the victims' home countries.

Third, this period will allow the women to disclose information to the Danish authorities that may speed up the investigation and prosecution of network ringleaders. Still, it is important to point out that support provided to women is not contingent on their disclosing information leading to the conviction of these criminals.

Preventive measures to stop trafficking in women range from general initiatives such as promoting gender equality between women and men and combating poverty in the women's home countries to specific activities to prevent crime. An important form of prevention is to promote cooperation between players in the area: the police, immigration and social authorities, NGOs and international organisations.¹¹

¹¹ The EU STOP programme provides support to establish partnerships against trafficking in women, and the projects supported have often proved effective in preventing this problem.

¹² Information from the Reden shelter in Vesterbro (an area in Copenhagen) and an article in the Independent: "Trafficked sex slaves create HIV 'time bomb'", 20 February 2002.

¹³ Act no. 365 of 6 June 2002 to amend the Aliens Act, the Marriage Act and other acts tightened the conditions of marriage, with a view to preventing marriages of convenience. The tightened conditions allow a person to marry another person under Danish law in Denmark only if the parties in question are Danish citizens or permitted to stay in Denmark as laid down in the provisions of the Danish Aliens Act. Furthermore, legislation provides for better communication between marriage and aliens authorities in the battle against marriages of convenience.

Moreover, broad prevention work in Denmark should involve introducing health-promoting measures since foreign prostitutes may not always take the appropriate measures to avoid spreading disease. Experience from Denmark and other countries shows that trafficked women in prostitution offer sexual services without the use of contraceptives more often than local prostitutes.¹²

Because trafficking in women is a relatively new phenomenon in Denmark, a key part of the initiatives is to provide more knowledge about all aspects of such trafficking, including training relevant players, exchanging best practices as well as implementing information campaigns.

One aim of the preventive measures is also to deter marriages of convenience since they are one means for foreign prostitutes to stay in Denmark. The Danish Aliens Act stipulates that no residence permit can be issued on the basis of a marriage or a regular relationship of prolonged cohabitation if there are definite grounds to assume that the ultimate purpose of contracting a marriage or establishing a relationship of cohabitation is to obtain a residence permit (*pro forma*).¹³



Support to victims



ACTIVITIES	RESPONSIBLE MINISTRY
<p>Development of a model for the prepared return of women living in Denmark as victims of trafficking in women.</p> <p>The model will include elements such as:</p> <p>► Shelters for victims of trafficking in women Victims can stay for brief periods of time¹⁴ in these shelters, while their return is prepared and their participation in a given criminal case is determined.</p> <p>During this period, the women are to have access to acute psychological, social and medical support, if needed.</p> <p>► Establishment of cooperation agreements between partners from the police, social and public health authorities as well as relevant NGOs. The purpose of these networks is to ensure cooperation on the prepared return of victims of trafficking in women, the exchange of experience and the development of the model for prepared return.</p>	<p>Department of Gender Equality / Ministry of Social Affairs / Ministry of Interior Affairs and Health / Ministry of Justice / Ministry of Integration</p>

¹⁴ The deadline for departure is set to 15 days – equivalent to the deadline stipulated in section 33(2) of the Danish Aliens Act – or, in very rare instances, to a longer period in cases of expulsion where the abuse inflicted on a woman is considered so grave as to justify a police investigation aimed at bringing charges under section 262 a of the Danish penal code, and where the personal circumstances of the individual woman generally warrant such action.

ACTIVITIES	RESPONSIBLE MINISTRY
<p>► Establishment of an international network consisting of Danish and foreign NGOs. The latter are to receive and support victims of trafficking in women, thus giving the victims an alternative to prostitution and preventing them from ending up as victims of trafficking again.</p> <p>► Development of embassy networks Relevant Eastern European embassies are to be informed about initiatives taken in Denmark in respect of the victims and should subsequently function as ‘informants’ to the authorities and NGOs in the individual home countries. They should thus be bridge builders between the initiators specified in the Danish action plan and the authorities in the victims’ home countries.</p>	<p>Department of Gender Equality / Ministry of Social Affairs / Ministry of Interior Affairs and Health / Ministry of Justice / Ministry of Integration</p>



Initiatives to prevent trafficking in women



ACTIVITIES	RESPONSIBLE MINISTRY
<p>Compilation of knowledge on how to police trafficking in women, for the purpose of providing inspiration and allowing countries to compare experience.</p>	<p>Ministry of Justice / Department of Gender Equality</p>
<p>National activities during the joint Nordic-Baltic information campaign on trafficking in women</p> <p>consisting of:</p> <ul style="list-style-type: none"> ▶ A hotline where the victims of trafficking in women / foreign prostitutes can obtain information in respect of authorities, including public health authorities and the police, as well as information about support offers. ▶ Establishment of teams of fieldworkers (cultural mediators) to participate in information and consultation work, their job being to inform the victims of trafficking in women about how the authorities can help them. Moreover, the cultural mediators are also to compile and disseminate knowledge about the extent and nature of the problem. Training programmes are to be developed for these cultural mediators. <p>Denmark will hold a seminar where authorities and NGOs contacted by the victims of trafficking in women can share experience and develop interdisciplinary cooperation. The improved cooperation aims at strengthening the work on returning and repatriating the women to their home countries.</p> <ul style="list-style-type: none"> ▶ Ads on trafficking in women in the major Danish newspapers <p>These ads are to address the potential clients of trafficked women and the general public and will, for example, contain references to this website: www.stopkvindehandel.dk.</p> <p>The website of the Department of Gender Equality will also run an extensive theme on trafficking in women, including background material, video clips and political statements.</p>	<p>Department of Gender Equality</p>

ACTIVITIES	RESPONSIBLE MINISTRY
<p>▶ Danish-language ads inserted in Ekstra-Bladet (a Danish newspaper) on the pages preceding or following ads for sex services and escort-based prostitution, giving information about the hotline and encouraging clients to react if they suspect that a crime lies behind a woman's situation as a prostitute.</p>	<p>Department of Gender Equality</p>
<p>▶ Distribution of written information material for trafficked women on the possibilities of obtaining support and their rights in Denmark.</p>	<p>Department of Gender Equality</p>



