

Denmark 2007

# Social aspects of human trafficking

Short Report



On behalf of  
European Commission  
DG Employment, Social Affairs and Equal Opportunities

The Peer Review was held in Copenhagen (Denmark) on 3-4 December 2007 and hosted by the Danish Ministry of Welfare. In addition to the host country, five peer countries took part: Greece, Latvia, Norway, Poland and the Slovak Republic. Also participating were representatives of the Nordic Council of Ministers and of the stakeholder organisation Samilia Foundation, together with representatives of the European Commission's DG Employment, Social Affairs and Equal Opportunities.

## 1. The policy under review

Denmark has had two action plans - the 2002 Action Plan to Combat Trafficking in Women (and its 2005 appendix concerning children) and the 2007 action plan that was issued in March 2007. The first action plan focussed solely on women who had been trafficked for sexual exploitation and included a wide range of initiatives, while its appendix contained a number of measures aimed at raising the level of preparedness for the trafficking of children into Denmark. An evaluation in October 2006 concluded that the first action plan had had a positive impact. However, more coordination was needed in some respects, notably as regards social organisations and social work. Action on trafficking should also be coordinated with ongoing initiatives concerning Danish and foreign prostitutes, the evaluation said. And it called for greater international cooperation.

In response, the Danish government drew up the new action plan, which will run up to and including 2010. It focuses on four areas:

- Strengthening investigation, so that ringleaders are identified and punished.
- Supporting victims by improving social services in Denmark.
- Preventing human trafficking by limiting demand and increasing the population's knowledge of the issues involved.
- Preventing human trafficking by improving international cooperation, including preventive work in the countries of origin.

Among the main current and new initiatives:

- All trafficked people, regardless of the purpose for which they have been trafficked, are now entitled to support and help while staying in Denmark.
- Victims of human trafficking are to receive help when they return to their countries of origin. For this reason, the repatriation process has been improved. Notably, victims of human trafficking can now stay for a period of up to 100 days before leaving the country (the "reflection period").
- Attention has been refocused on international efforts, including preventive social measures through the EU.
- Action will have a greater geographical spread in order to reach more trafficked women.
- A national Anti-Trafficking Centre has been set up to coordinate all relevant initiatives and centralise knowledge.

- Meeting places are being established, where victims of trafficking can speak with social professionals and meet other women in the same circumstances. The trafficked women will be offered legal and social counselling along with basic healthcare.
- A 24-hour hotline has been set up for victims of trafficking.

## 2. Key lessons and aspects of transferability

The peer reviewers looked at the lessons to be learnt from the Danish experience and the possibilities for transferring some aspects of it to other countries. Informed discussion was facilitated by the presence of experts from European countries of origin, transit and destination for trafficking victims. Among the key points raised:

- **The Peer Review dealt mainly with the biggest group of currently identified trafficked people – women who are forced into prostitution. However, it was recognised that people of both sexes, including minors, are trafficked for a wide variety of purposes, including many types of clandestine employment.**
- **Victims of trafficking originating from the EU 10+2 are now EU citizens and hence, in some EU countries of destination, they are no longer protected by the anti-trafficking legislation since the latter concerns migrants only.**
- **Within the EU, trafficking might affect more the countries that have not yet completely opened their borders to legitimate workers from the new EU Member States.**
- **Trafficking also takes place within countries.**
- **Denmark's "reflection period" of up to 100 days before trafficking victims are returned to their countries of origin was welcomed, and this practice might be transferable to some other EU countries. However, some participants also felt that victims of trafficking should be entitled to access the reflection period without any conditions and restrictions and should receive a right of residence in the countries to which they have been trafficked.**
- **Due to the criminal legal definition of trafficking, the EU lacks a unified and consistent approach to the social dimension of anti-trafficking policies. It was therefore suggested to integrate the policies of social inclusion into the existing criminological approach to combat trafficking in all EU Member States.**
- **Danish action on trafficking includes public awareness-raising campaigns, notably to address the need to establish social inclusion mechanisms to enable national and foreign prostitutes to be in full control about their living and working conditions. Such campaigns could usefully be introduced in other countries. It was also suggested that an EU-wide publicity campaign on the realities of trafficking be considered.**
- **If outreach to trafficked women is to be effective, assistance and law enforcement need to be kept separate. In particular, the granting of residence rights, including the access to asylum procedures, should not be made conditional upon a victim's giving evidence against traffickers.**
- **Before returning a trafficked woman to her country of origin, a comprehensive risk assessment should be conducted that includes all aspects of the threats to human**

security. But strict **data protection** should be applied, in order to ensure confidentiality and avoid creating further risks.

- In the countries of origin, **poverty** is a major factor in human trafficking. It also means that trafficking victims who are sent back to countries outside the EU may make further, often successful, attempts to re-enter the EU illegally. So action to **reduce poverty both within the EU and globally will also help to avoid forms of re-trafficking.**
- Denmark's "**social assistance**" approach to victims of trafficking was welcomed. However, if trafficking victims are equipped with **new skills, such as vocational training and language courses**, their chances of being accepted back into society are increased. In this connection, the Norwegian experience of training trafficked women as beauticians was noted with great interest by the other peer countries.
- Relevant cultural factors within some **ethnic minorities** need to be taken into account. However, this must be done in a highly sensitive way which avoids stigmatisation.
- In many EU countries, trafficked people who are assisted and supported within the asylum-seekers regimes are not allowed to engage in paid employment. They risk to return to their respective countries of origin without any financial resources. Moreover, many EU countries lack an institutionalised mechanism that guarantees the compensation and remuneration of trafficked persons for the labour and services they were forced to perform. The loss of earnings may be considerable. In addition, the question of **financial support and accommodation** for trafficking victims needs to be addressed.
- **Some persons trafficked for sexual purposes may not regard themselves as victims.** Help should be offered, but should not be imposed upon those who make it clear that they do not want it.