



# EXECUTIVE SUMMARY

## Denmark\*



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## Introduction

Denmark is a wealthy European country and its welfare system is one of the most efficient in the world.<sup>1</sup> The national Human Development Index (0.895) increased annually during the last 30 years and now ranks Denmark 16th out of 182 countries in the world.<sup>2</sup> Ninety-eight percent of children receive primary education.<sup>3</sup> Nevertheless, the number of children facing economic difficulties is high: 59,000 children in Denmark live below the poverty line,<sup>4</sup> and sexual abuse of children remains a problem.

**Prostitution of children** in Denmark is illegal and the official number of children found in prostitution is low. Most of them are reported to be minors trafficked from poorer countries, such as former Soviet Union countries, South Asia or West Africa. However, according to both police officers and local NGOs, it is difficult to identify child victims exploited into prostitution, especially when found on the streets, as they are often equipped with fake documents.

Denmark is a transit and destination country for women and children trafficked from Baltic countries, East and Central Europe, Nigeria, Thailand and South America.<sup>5</sup> The main reasons

for **trafficking of children** to Denmark are commercial sexual exploitation and involvement in minor criminal activities. Unfortunately, even though incidents of child trafficking for sexual purposes and internal trafficking are happening in the country, there is no specific data regarding the issue.

There are suspicions of criminal organised groups based in Denmark producing and distributing **child pornography**. They share child abusive material through hidden internet forums, and consequently it is very difficult to understand the extent of the problem.<sup>6</sup> The main issue in Denmark is the dissemination of child pornography publications through the Internet.

Denmark is a country of origin for **child sex tourism**. In most cases, Danish citizens travel to developing countries, especially Eastern Europe and Southeast Asia, in order to sexually exploit children. The Danish government has been advised to strengthen its effort to prevent the phenomenon as well as to ensure the prosecution of all perpetrators.<sup>7</sup>

## National Plans of Action

The Government of Denmark has not sufficiently prioritised the fight against CSEC, as reflected by the absence of a comprehensive and specific strategy to tackle these serious sexual crimes against children. A number of national plans of actions (NPAs) have however been developed and constantly updated that address different forms of child sexual abuse and exploitation. These include, inter alia, the

Action Plan to Combat Trafficking in Human Beings and the Plan of Action for Combating Child Sexual Abuse. Whilst welcoming these efforts, in 2011, the Committee on the Rights of the Child expressed concern that the updated Plan of Action for Combating Child Sexual Abuse (now called the “National Strategy”) was designed without taking into account and seeking the views of children.<sup>8</sup> Civil society

organisations have also criticised this NPA for lacking concrete achievable targets and actions

and for not allocating human and financial resources for its implementation.<sup>9</sup>

## Coordination and Cooperation

The Danish Government has been very active concerning the collaboration regarding the protection of children in the country. It has established institutions to coordinate the collaboration between social organizations and other public authorities,<sup>10</sup> which help to foster knowledge exchange between authorities, including police, NGO actors and local teams all over the country. The collaboration between the Police, NGOs and the private sector already led to examples of successful cooperation.

Since 2007, each municipality is responsible for cases regarding commercial exploitation of children and sexual assaults. Therefore, stronger cooperation between central level and local municipalities is needed in order to prevent situations of mishandling cases of child sexual abuse and exploitation.<sup>11</sup>

The Committee on the Rights of the Child has noted that civil society organisations

would be willing to collaborate more on the implementation of the OPSC.<sup>12</sup> Recognizing the fact that various ministries are involved in implementing the OPSC, the Committee also recommended the establishment of a specific body in charge of coordinating and monitoring the activities implemented by ministries and civil society organizations.<sup>13</sup>

Denmark has spearheaded significant efforts to enhance regional and international cooperation against the different forms of CSEC. Main actions promoted in recent years include working with pan - European agencies in developing international cooperation on trafficking issues and participating in law enforcement initiatives to counteract the production, distribution and collection of child abuse images as well as to combat sexual crimes committed by Danish citizens in South East Asia.

## Prevention

Long term cooperation between the Danish National Police and Save the Children Denmark has led to a number of successful achievements, including the introduction of the Danish Safer Internet Centre (which has allowed a more holistic approach to online safety) and the creation of a hotline to report child sex tourism. Save the Children also created the website [www.sikkerchat.dk](http://www.sikkerchat.dk) which provides detailed information on risks of online molestation to different categories of users such as children, youth, parents and IT professionals.<sup>14</sup> Some telecom industries have developed teaching material for safer use of mobile phones to prevent children from falling victim to online exploitation and associated risks.<sup>15</sup>

There is currently very limited collaboration between NGOs, the Association of Danish

Travel Agents and Tour Operators and law enforcement agencies in relation to child sex tourism. Joint work involving Save the Children Denmark and the Danish travel industry has been undertaken in relation to The Tourism Child Protection Code implementation but this has recently come to an end and needs to be revitalised.

Knowledge on child sexual exploitation amongst Danish children is limited. According to The Ministry of Education sex education, as well as IT education and computer literacy, are now part of the curriculum of primary and secondary schools, with the aim to enable children to protect themselves from grooming and online abuses.<sup>16</sup>

Preventive measures have also been taken by the government of Denmark regarding child

trafficking. Methods such as personnel trainings and strengthening communications among responsible authorities are taken into account.

Awareness-raising campaigns have been carried out by NGOs, certain Ministries and the Danish Institute for Human rights (DIHR).

## Protection

Denmark has ratified all the international and regional instruments concerning children's rights. The only instrument that is still to sign is the recent (2011) Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

In June 2010, the Danish Parliament passed the Children's Reform which emphasized the right of protection and supervision of children in centres and allocates more funding for the child helpline.<sup>17</sup>

Even though the Danish law prohibits **child prostitution**, it lacks a clear definition of the offence. Denmark penalizes not only individuals who attempt to have sexual intercourse with children, but also those who facilitate child prostitution directly and indirectly. It also criminalizes abusers who attempt to have sexual intercourse with children younger than 18 for remuneration or the promise of remuneration. However, this definition is not in line with the OPSC, which defines child prostitution as "the use of a child in sexual activities for remuneration or other forms of consideration". The Danish definition is therefore very limited. Moreover, the punishment for the offense is also too low.

The Danish legislation addressing **child trafficking** is generally in line with relevant international legal standards. Denmark has made important efforts in combating child trafficking, particularly through the adoption of a strong legal framework against child trafficking. However, special attention should be paid with regard to child-trafficking prevention initiatives (awareness raising programmes and specialized training of all relevant law enforcement bodies).

Danish legislation against **child pornography** is generally in line with relevant international legal standards. However, it is urgent that Denmark criminalizes the solicitation of children for sexual purposes ("grooming")

as well as knowingly obtaining access to child pornography through communication technologies.

### Extraterritorial legislation and extradition with regards to child sex tourism

The OPSC highlights the importance of establishing jurisdiction over the offences committed against children outside one's own country. In 2006, Denmark reviewed its extraterritorial legislation abolishing the requirement of dual criminality regarding sexual abuse of children.<sup>18</sup> Therefore, sexual crimes against children, including child prostitution, committed outside Denmark by Danish citizens and residents are punishable under the Danish criminal law even if the act is not considered as a punishable offense in the country where it was committed.

### Child protection units

The Danish National Police have specialist units to investigate cases of online child sexual exploitation and human trafficking. Such units conduct effective work in partnership with local police forces and have established good national and international cooperation. Denmark does not operate a system where specific child protection units are attached to local police forces. However, Specialist Officers are trained in working with children, with interviews taking place in child-friendly rooms at police stations.

### Support services for children

Denmark has developed a good system of care and support for children who have been subjected to child sexual abuse including establishing child-friendly police procedures to safeguard child witnesses. However, Denmark

should urgently deliver training to staff of local social service departments, including on therapeutic treatment of children, and should further enhance cooperation among NGOs and government agencies responsible for child protection.

Moreover, concerns have been raised regarding the criminalization of child victims for actions committed as a consequence of trafficking.<sup>19</sup> Assistance offered to trafficked children focuses primarily on recovery and repatriation, rather than on social reintegration in Denmark, with the result that child victims may be re-trafficked once repatriated to their countries of origin. Denmark should guarantee to these children the possibility of obtaining a residence permit

in case repatriation to their country of origin constitutes a risk for their wellbeing.<sup>20</sup>

### Training law enforcement personnel

Denmark has made important steps to raise the capacity of its law enforcers in Denmark and abroad thanks to the training of the military forces on these issues.<sup>21</sup> Nevertheless, in 2011, the Committee on the Rights of the Child expressed concerns about the lack of implementation of effective training for law enforcement officials on child trafficking and methods of victims' identification and treatment.<sup>22</sup>

## Child and Youth Participation

The meaningful involvement of children and youth in all issues and matters affecting them has been encouraged by the Danish Government only to a limited extent. There

is an urgent need to enhance child and youth participation in the design, implementation and monitoring of more initiatives to address CSEC.

## Priority Actions Required

### National plans of action

The Government of Denmark should ensure that all measures to prevent and combat child trafficking and CSEC are implemented and funded, and that all key stakeholders, including children and young people participate in the implementation of the updated Plan of Action for Combating Child Sexual Abuse (now called the "National Strategy").

### Coordination and cooperation

The Government should assure the existence of a direct channel of communication between the central/regional level and the single municipalities to provide expertise and assistance in dealing with cases of CSEC and it should enhance coordination between child protection agencies and foster more active collaboration with civil society. Denmark should establish a specific body in charge of dealing

specifically with CSEC related policies.

### Prevention

The Government should provide financial support in order to increase the visibility and the efficacy of the website [www.sikkerchat.com](http://www.sikkerchat.com) and Denmark's Ministry of Tourism should promote The Code of Conduct and encourage tourism companies to conduct anti-child sex tourism and child protection initiatives.

CSEC should be included in the training programme for social workers and teachers as well as in school curricula for children of different ages.

The Government should implement or support programmes aiming to tackle the demand side of CSEC related offences and offer a service of anonymous and free counselling to persons sexually attracted by children. Moreover, sex

offender management systems should be introduced as a means to prevent re-offending.

## Protection

The Government should extend the applicability of the national law on criminal record disclosure to all professionals working directly with children and it should extend the applicability of the OPSC to the territory of Greenland and to the Faroe Islands.

The national legislation should criminalize grooming and knowingly accessing child pornography and should include harsher penalties for offenders convicted for child trafficking. Child pornography and child

prostitution should be clearly legally defined.

The Government should develop options to widen avenues of long-term legal residency for foreign victims, including children, and ensure that trafficked children are repatriated only when it is in their “best interest”.

## Child and youth participation

The state should establish participatory policies and practices in all settings/institutions involving children and all duty-bearers should support child participation initiatives within all stages of prevention and protection programmes to address CSEC.

## Endnotes

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